

Inspection Checklist: Theatrical Employment Agencies

Do you own a talent agency?

Does your business find employment or engagements for artists for a fee?

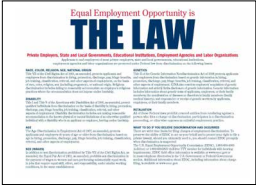

Use this checklist to learn what our inspectors look for and help avoid violations. For your convenience, each Requirement includes the relevant section of law and/or rule, so you can refer to it for more information.

The KEY below describes the legal citations and symbols used in this checklist.

KEY
<p>NYC Code: NYC Administrative Code RCNY: Rules of the City of New York NY GBL: NY General Business Law §: Section §§: Sections</p>

Requirement	Do you meet this requirement?
License	
<p>1 Your business must have a valid DCWP Employment Agency license.</p> <p>Tip: If your primary business is finding employment or engagements for artists for a fee, you are a “theatrical employment agency” and must be licensed. If your primary business is managing artists, you do not need an Employment Agency License.</p> <p>NY GBL §171, NY GBL §172</p>	<input type="checkbox"/> Yes
<p>2 DCWP’s combined license and complaint sign must be posted where all artists can see it.</p> <p>6 RCNY §1-03(a), 6 RCNY §5-251</p>	<input type="checkbox"/> Yes
<p>3 All printed matter that is given to artists (e.g., advertisements, business cards, flyers, receipts, contracts, correspondence) must have the license number and the license number must be identified as a DCWP license number.</p> <p>6 RCNY §1-05</p>	<input type="checkbox"/> Yes

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<p>Signs</p> <p>For all sign placements, “main room” means the main reception or waiting area or, where no reception or waiting area exists, the main entrance to the agency.</p>	
<p>4</p> <p>A sign containing all of the following sections of the NY GBL must be clearly posted in the main room:</p> <ul style="list-style-type: none"> • GBL §178 (Action on bond) • GBL §181 (Contracts, statements of terms and conditions, and receipts) • GBL §185 (Fees) • GBL §186 (Return of fees) <p>The sign must be at least 12 inches by 18 inches and posted in all languages the theatrical employment agency does business, if DCWP has made the sign available in those languages.</p> <p>Use DCWP’s New York Employment Agency Laws poster at nyc.gov/BusinessToolbox.</p> <p>NY GBL §188(1); 6 RCNY §§5-250(b) and (d)</p>	<p><input type="checkbox"/> Yes</p>
<p>5</p> <p>All of the following signs must be clearly posted in the main room:</p> <p>U.S. Anti-Discrimination Poster</p>  <p>New York State Anti-Discrimination Poster</p>  <p>Tip: If you need one of the required Anti-Discrimination posters, call 311 and ask to be transferred to DCWP with a question about your existing Employment Agency license.</p>	<p><input type="checkbox"/> Yes</p>
<p>Title VII of the Civil Rights Act of 1964, SEC. 2000e-10. [Section 711]; N.Y. Executive Law, Article 15. Human Rights Law</p>	

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6	A sign that contains the following information must be clearly posted where all artists can see it: <ul style="list-style-type: none"> Theatrical employment agency's name as it appears on its DCWP license DCWP license number Instructions on contacting DCWP to file a complaint <p>Tip: DCWP's combined license and complaint sign, sized 8.5 inches by 11 inches, may satisfy this requirement if you copy it at an enlarged size of at least 12 inches by 18 inches.</p>	<input type="checkbox"/> Yes
	6 RCNY §5-250(a)	
7	DCWP's Job Hunter's Bill of Rights sign must be clearly posted in the main room. The sign must be at least 8.5 inches by 11 inches and posted in all languages the theatrical employment agency does business, if DCWP has made the sign available in those languages. Download Job Hunter's Bill of Rights at nyc.gov/BusinessToolbox .	<input type="checkbox"/> Yes
	6 RCNY §§5-250(c) and (d)	
Fees		
8	It is illegal to require any artist to pay a deposit or advance fee.	<input type="checkbox"/> Yes
	NY GBL §185(3)	
Contracts and Applications		
9	Written contracts must be provided to every artist who seeks employment or engagements.	<input type="checkbox"/> Yes
	NY GBL §181(1)	
10	Copies of contracts must be kept by theatrical employment agencies for three years and must be immediately available for inspection. Copies of contracts may be shown in electronic form.	<input type="checkbox"/> Yes
	NY GBL §181(5)	
11	Each contract must include provisions of NY GBL Section 185 (Fees) and Section 186 (Return of Fees). Tip: Use DCWP's Model Contract at nyc.gov/BusinessToolbox .	<input type="checkbox"/> Yes
	NY GBL §181(1)	
Receipts		
12	Written receipts must be given to the artist for all fees, deposits, or any other payments.	<input type="checkbox"/> Yes
	NY GBL §181(4)	
13	Copies of all receipts must be kept by theatrical employment agencies for three years and must be available for immediate inspection. Copies of receipts may be shown in electronic form.	<input type="checkbox"/> Yes
	NY GBL §181(5)	

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<p>14 Each receipt must include all of the following:</p> <ul style="list-style-type: none"> • Name of the artist • Name of the theatrical employment agency • Address of the theatrical employment agency • Date of payment • Amount of the fee • Reason for the fee • Signature of staff member who received the payment <p>Tip: Use DCWP’s Model Receipt at nyc.gov/BusinessToolbox.</p> <p>NY GBL §181(4)</p>	<input type="checkbox"/> Yes
Register Book	
<p>15 A register book must be kept with all of the following information, written in English, about every artist:</p> <ul style="list-style-type: none"> • Date of application for employment • Date the artist started work • Name and address of every artist who is charged a fee • Amount of the fee charged to the artist • Service for which each fee was charged <p>NY GBL §179</p>	<input type="checkbox"/> Yes
<p>16 The register book must also include all of the following information, written in English, about employers:</p> <ul style="list-style-type: none"> • Name and address of every employer who pays a fee OR to whom a paying artist is referred • Date each employer requested or agreed to accept artists • Type of positions for which artists are requested • Names of paying artists who were sent to the employer • Amount of the fee or deposit charged to the employer • Agreed wages or compensation for the jobs <p>Tip: Employer and artist information can be in two separate registers or combined as one register</p> <p>NY GBL §179</p>	<input type="checkbox"/> Yes

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17	Theatrical employment agencies must keep the register book for three years following the last date of entry and make the register book available for immediate inspection. Register book may be shown in electronic form.	<input type="checkbox"/> Yes
	NY GBL §§179 and 189(2)	

For more information: **Visit** nyc.gov/BusinessToolbox | **Contact 311** (212) NEW-YORK (Outside NYC)

This document is provided for informational purposes only, is not exhaustive, and does not constitute legal advice. New York City businesses must comply with all relevant federal, State, and City laws and rules. Businesses are responsible for knowing and complying with current regulations that affect their business.