

# Inspection Checklist: Employment Agencies




Do you own an employment agency or a talent agency?

Does your business find jobs or engagements for artists, or help employers find employees for a fee?


Use this checklist to learn what our inspectors look for and help avoid violations:

	Requirement	Do you meet this requirement?
	<b>Licenses</b>	
1	<p>Your business must have a valid DCA <u>Employment Agency</u> license.</p> <p><b>Tip:</b> The following businesses do not need an Employment Agency license:</p> <ul style="list-style-type: none"> <li>■ <i>Temporary Employment Agency:</i> You employ the workers you place in temporary jobs (i.e., you pay their salaries, provide them with benefits, etc.)</li> <li>■ <i>Theatrical Personal Manager:</i> Your primary business is managing artists, and any employment services you provide are incidental to your management of the artists.               <p style="margin-left: 20px;"><b>Tip:</b> If your primary business is finding employment or engagements for artists for a fee, then you are a “theatrical employment agency” and must be licensed.</p> </li> <li>■ <i>Certain Employer Fee Paid Agencies:</i> Your agency places only commercial, clerical, executive, administrative, and professional applicants, and never charges the applicant a fee of any kind.               <p style="margin-left: 20px;"><b>Tip:</b> If you fit this category, you do not need a license, but you must comply with all sections of the New York State <u>Employment Agency Law</u> relating to Employer Fee Paid Agencies.</p> </li> </ul>	<input type="checkbox"/> Yes
2	<p>DCA's new combined license and complaint sign must be posted where all customers can see it. Until you receive the new sign, which DCA is sending during the license renewal period, you must continue to post both your license and the complaint sign.</p> <p><b>Note:</b> DCA combined the license and the complaint sign, previously separate documents, into one consolidated sign. New licensees and licensees that renew after October 15, 2013 will receive the new sign. Renewing licensees must remove the old license document and complaint sign that DCA previously provided and post the new combined sign. For more information about this new regulation, go to <b><a href="http://nyc.gov/consumers">nyc.gov/consumers</a></b>.</p>	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
3	<p>The business name, address, and “Department of Consumer Affairs” or “DCA” license number must be on all of the following:</p> <ul style="list-style-type: none"> <li>■ Contracts</li> <li>■ Receipts</li> <li>■ Advertisements</li> <li>■ Letterhead</li> <li>■ Correspondence</li> <li>■ Business cards</li> <li>■ Other printed materials</li> </ul>	<input type="checkbox"/> Yes
4	<p>The business must use the word “agency” to describe its business on all of the following:</p> <ul style="list-style-type: none"> <li>■ Contracts</li> <li>■ Receipts</li> <li>■ Advertisements</li> <li>■ Letterhead</li> <li>■ Correspondence</li> <li>■ Business cards</li> <li>■ Other printed materials</li> </ul>	<input type="checkbox"/> Yes
5	<p>You cannot use a name, sign, or advertisement that would cause consumers to confuse your business with a government agency.</p>	<input type="checkbox"/> Yes
	<p><b>Signs</b></p>	
6	<p>All of the following signs must be clearly posted in the main room or reception area:</p> <p>DCA’s <a href="#">New York Employment Agencies Law Poster</a> in English and other languages customers can understand</p> <div style="display: flex; justify-content: space-around;">   </div> <p><a href="#">U.S. Anti-Discrimination Poster</a></p> 	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<p><u>New York State Anti-Discrimination Poster</u></p>  <p><b>Tip:</b> Call 311 to order DCA's Employment Agency Law Poster, which is currently available in English and Spanish. If you need one of the required Anti-Discrimination posters, call 311 and ask to be transferred to DCA with a question about your existing Employment Agency license.</p>	
	<b>Contracts and Applications</b>	
7	Written contracts must be provided to every person who applies for employment.	<input type="checkbox"/> Yes
8	Copies of contracts must be kept by employment agencies for three years and must be immediately available for inspection.	<input type="checkbox"/> Yes
9	<p>Each contract must include all of the following:</p> <ul style="list-style-type: none"> <li>■ Provisions of New York General Business Law Section 185 and Section 186</li> <li>■ Name of the employment agency</li> <li>■ Address of the employment agency</li> <li>■ Kind of work that will be done</li> <li>■ Employment agency's fee</li> <li>■ Name of the employment agency staff person who places the applicant in the job</li> </ul> <p><b>Tip:</b> Use DCA's Model Contract available in <a href="#">English</a> and <a href="#">Spanish</a> at <a href="http://nyc.gov/businesstoolbox">nyc.gov/businesstoolbox</a>.</p>	<input type="checkbox"/> Yes
	<b>Receipts</b>	
10	Written receipts must be given to the applicant for all fees, deposits, or any other payments.	<input type="checkbox"/> Yes
11	Copies of all receipts must be kept by employment agencies for three years and must be available for immediate inspection.	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
12	<p>Each receipt must include all of the following:</p> <ul style="list-style-type: none"> <li>■ Name of the applicant</li> <li>■ Name of the employment agency</li> <li>■ Address of the employment agency</li> <li>■ Date</li> <li>■ Amount of the fee, deposit, or other payment</li> <li>■ Reason for the fee</li> <li>■ Signature of staff member who received the payment</li> <li>■ <i>(For all out-of-state applicants for domestic or household employment)</i> Copy of New York General Business Law Section 184 printed on or attached to the receipt</li> </ul> <p><b>Tip:</b> Use DCA's Model Receipt available in <a href="#">English</a> and <a href="#">Spanish</a> at <a href="http://nyc.gov/businesstoolbox">nyc.gov/businesstoolbox</a>.</p>	<input type="checkbox"/> Yes
	<b>Register Book</b>	
13	<p>A register book must be kept with all of the following information, written in English, about every applicant:</p> <ul style="list-style-type: none"> <li>■ Date of application for employment</li> <li>■ Date the applicant started work</li> <li>■ Name and address of every applicant who paid a fee or deposit</li> <li>■ Amount of the fee or deposit paid</li> <li>■ Service for which each fee or deposit was paid</li> </ul>	<input type="checkbox"/> Yes
14	<p>The register book must also include all of the following information, written in English, about employers:</p> <ul style="list-style-type: none"> <li>■ Name and address of every employer who pays a fee</li> <li>■ Name and address of every employer to whom every paying applicant is referred</li> <li>■ Date each employer requested or agreed to accept applicants</li> <li>■ Type of positions for which applicants are requested</li> <li>■ Names of paying applicants who were sent to the employer</li> <li>■ Amount of the fee or deposit</li> <li>■ Agreed wages or compensation for the jobs</li> </ul>	<input type="checkbox"/> Yes

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	Requirement	Do you meet this requirement?
	<b>Other</b>	
15	<p>Agencies that place domestic or household workers must provide them with a “Domestic or Household Employees: Statement of Employee Rights and Employer Responsibilities.”</p> <p><b>Tip:</b> Download Statement in <a href="#">English</a> or <a href="#">Spanish</a> at <a href="http://nyc.gov/businesstoolbox">nyc.gov/businesstoolbox</a>.</p>	<input type="checkbox"/> Yes
16	<p>Agencies that place nurses must issue cards to nurses that contain each of the following:</p> <ul style="list-style-type: none"> <li>■ Nurse applicant’s name, address, and salary</li> <li>■ Whether the applicant is a Registered Professional Nurse (RPN) or a Licensed Practical Nurse (LPN)</li> <li>■ Number of current Department of Education registration certificate</li> <li>■ That the nurse applicant’s educational qualifications and experience are on file in the registry and can be provided to the employer</li> </ul>	<input type="checkbox"/> Yes

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Bill de Blasio  
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**Department of  
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Julie Menin  
Commissioner

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Visit [nyc.gov](http://nyc.gov) and  
search “Business  
Toolbox”

Contact 311  
(212) NEW-YORK  
(Outside NYC)

*New York City businesses must comply with all relevant federal, State, and City laws and rules, which are available in DCA’s Business Toolbox. Businesses are responsible for knowing and complying with current regulations that affect their business.*