



NEW YORK PROFESSIONAL EMPLOYER ACT

REGISTRATION

Each Professional Employer Organization operating within New York State must register with the Department of Labor within one hundred eighty days after the end of its fiscal year ending after the effective date of this article (March 21, 2003). No professional employer organization or person may use that title or PEO, staff leasing company, employee leasing company, registered staff leasing company or staff leasing services company unless registered under this article.

FEES

Initial Registration	\$1,000
Annual Renewal	\$500
Exemption Fee	\$250

MINIMUM NET WORTH, BONDING AND REPORTING

A minimum net worth of \$75,000 is required. Every registration and subsequent renewal must be accompanied by paperwork specified by the Department verifying this net worth. In lieu of this documentation the Department may require the organization to deposit a bond or securities with a minimum value of \$75,000 that can be sold by the Department of Labor to pay any taxes, benefits or other entitlements to a worksite employee if required.

GENERAL REQUIREMENTS OR PROVISIONS

There must be a written agreement between the client and the employer organization stating the responsibilities and duties of each.

The professional employer organization is responsible for the withholding of payroll related taxes and employee benefits of the worksite employers.

The professional employer organization is considered the employer for purposes of sponsoring welfare benefit plans for its workforce employees.

The professional employer organization is responsible for reporting and paying all contributions to the Unemployment Compensation Fund.

Worksite employees whose services are subject to sales tax are considered the employees of the client for the purpose of levying and collecting sales tax on the services performed by the worksite employee.

INQUIRIES MAY BE ADDRESSED TO THE NEAREST OFFICE OF THE DIVISION OF LABOR STANDARDS NEW YORK STATE DEPARTMENT OF LABOR LISTED BELOW:

ALBANY 12240
Gov. W. Averell Harriman
State Office Building Campus
(518) 457-2730

BINGHAMTON 13901
44 Hawley Street
(607) 721-8014

BUFFALO 14202
65 Court Street
(716) 847-7141

GARDEN CITY 11530
Suite 101
400 Oak Street
(516) 794-8195

NEW YORK CITY 10019
247 West 54th Street
6th Floor
(212) 621-9334

ROCHESTER 14607
Sub-District
109 S. Union Street
(716) 258-4550

SYRACUSE 13202
333 East Washington Street
(315) 428-4057

WHITE PLAINS 10605
120 Bloomingdale Road
(914) 997-9521

DOL WEBSITE HOMEPAGE
<http://www.labor.state.ny.us>