The Lifecycle of a Signatory List

An Overview

What is a signatory?

- A signatory is any individual company or member of an association who has the ability to participate in a Registered Apprenticeship program, and is connected to a Registered Apprenticeship program through a Collective Bargaining Agreement or a unilateral agreement.

- These agreements give the signatory the ability to hire and train apprentices in accordance with the NYS Apprenticeship Regulations.

What to submit?

- The regulations -- Part 601.4(b) -- require that the sponsor submit a list of all current signatories with the following information:
  - Signatories' names
  - Addresses
    - City, State and, Zip Code
  - Federal Employer Identification Numbers(FEIN), or New York State Unemployment Insurance Employer Numbers (UI Number)
    - The FEIN is a 9 digit number
    - The UI Number is a 7 digit number

How to submit?

- The regulations state that the signatory lists should be submitted in an unprotected electronic format as specified by the Department

- The Group Program Signatory List Template (AT 702), is an acceptable format and can be found at: http://labor.ny.gov/apprenticeship/apprenticeship-forms-and-publications.shtm.

AT 702 *Group Program Signatory List Template*

New York State Department of Labor

Signatory List Template

This template is for submitting a list of signatory employers to your Apprentice Training Representative (ATR). The file should be saved and submitted with the following file name: "Sponsor Name-Trade(Date Submitted)". For example, XYZ Corporation has an Electrician program, and is sending the file on February 20, 2014. The file name should be "XYZ Corporation-Electrician(2-20-14)".

Per New York State Apprenticeship Regulations, for each signatory, the Federal Employer Identification Number (FEIN) and/or New York State Unemployment Insurance Employer Number (UI Number) must be included.

All updates to a previously submitted signatory list, must be sent to your ATR within 90 days of a change. For updates, only list the signatories which should be added or removed. Also, please note which action needs to be taken (add or remove) and the date each signatory was added or removed in the last two columns.

Sponsor Information

Program Name:	
Trade Name:	
Sponsor Code:	
Trade Code:	

Reason Signatory List is being Submitted:

Signatory Name	Address	City	State	Zip Code	FEIN	UI Number	Updates Only	
							Add/Remove	Date

Note – The list should only contain current signatories and not old signatories that are not currently affiliated with the program.

What happens once a list is submitted?

- The list of signatories is reviewed with the following Department of Labor (DOL) divisions:
  - Unemployment Insurance (UI)
  - Workers Compensation
  - Public Work
  - Labor Standards
  - Division of Safety and Health (DOSH)

- The signatories are run through this system to ensure they are incompliance with these other DOL divisions.

Results from Due Diligence

- Once the review is completed, the signatories are sorted into four categories:
  - Approved – These signatories have no issues with the Department and have passed due diligence.
  - Rejected – These signatories have issues that cannot be resolved and prevent them from passing due diligence.

Results from Due Diligence Continued…

- Pending – These signatories have issues that need to be resolved before they pass due diligence and can be approved.

- Pending FEIN – These signatories did not return any results due to the FEIN provided not being found; this must be corrected and due diligence rerun before a determination can be made.

Recertification Letter

I've got some good news and some bad news…..

With your recertification letter, you could receive up to 3 lists with details about your signatories.

Sample Not Approved Signatory List

Outstanding Due Diligence Issues **Date: Sept. 19, 2014**

The following signatories have been reviewed and **did not meet due diligence requirements** for participating in your Apprenticeship program. Listed below you will find contact information for NYSDOL staff who can assist these employers to resolve the issues. **Due to the confidential nature of these matters, sponsors cannot resolve the issues on behalf of their signatories; signatories must contact the Department themselves.** In order for the disapproved signatory employers to remain active with your program, the **issues must be resolved within 60 days from the date of the Department's letter**. Following this 60 day deadline, the Department will conduct a second due diligence review to confirm that the issues have been resolved. Each signatory is considered active and can participate in your program until this time. After the second review has been completed, you will be advised of each signatory's subsequent approval/removal status.

Sponsor Name (Sponsor Code/ATP Code)						
Company	**Address**	**City**	**State**	**Zip**	**NYSDOL Contact**	**Contact Phone #**
Jane's Masonry & Concrete, Inc.	2107-2109 Broadway	New York	NY	10021	Interest, Penalty and Collection Section	518-485-2778
Cathy's Demolition & Construction, Inc.	100 Mohawk Street	Albany	NY	13350	Kirk Fisher	518-457-8094
Nick's Structural Steel and Ironworks, Inc.	701 East Genesee Street	Syracuse	NY	13210	Insurance Compliance Unit	866-298-7830
Sharlene's Painting, Inc.	302 Pearl Street	Albany	NY	12205	Employer Compliance Unit	518-485-2624
Hedda's Sprinklers, Inc.	10 Carolina Street	Albany	NY	12135	Debarred from Public Work	

What does the Sponsor do?

Contact signatory employers with invalid or missing FEIN and ER numbers:

- Verify whether the number is correct.
- Resubmit corrected numbers as soon as possible (within 60 days).

Contact all signatory employers who have not been approved:

- Advise the employer that they have unresolved issues with the NYS Department of Labor.
- Provide them with the appropriate contact information.
- Advise them that their issues with the Department must be resolved within 60 days of the date of the recertification letter.

And then what?

After the 60 days, we will run due diligence for a second time on all not approved signatory employers.

A second letter to the Sponsor is generated which advises the Sponsor :

- A second due diligence was conducted.
- Employers who have resolved their issues have been added to the Sponsor's approved signatory list.
- Employers who have not resolved their issues with the Department will be removed from the Sponsor's signatory employer list.

And then what continued ....

- The letter instructs Sponsors to remove all not approved signatories employers from participation in the Apprenticeship Program.
- Apprentices should not be working for these employers.
- A Sponsor may submit the name and other required information of a signatory employer at a later date if pending issues are resolved.

Adding or Removing Signatories

Signatory Updating Requirements

- The Regulations – Part 601.5(g) -- state the following concerning signatory updating requirements:
  - All Sponsors of group-joint and group non-joint programs shall notify the Department when an employer affiliates with, or disaffiliates itself from, a Program, and shall do so within ninety (90) days. Such notification shall include the employer's name, address, and either the employer's Federal Employer Identification Number (FEIN) or New York State Unemployment Insurance Employer Number in an electronic format, as specified by the Department. Employers are considered to be associated with a program even if such association is through some intermediary organization.

Adding or Removing Signatories Continued…

Re-adding a Removed Signatory

- Any signatory that has been removed from a sponsors signatory list due to unresolved due diligence issues may be added back onto the list once their outstanding issues have been resolved.

- In order for the signatory to be added to the list after their issues have been resolved, the sponsor must re-submit the signatory as an addition to their program's list.

The Updating Process

- When a sponsor is adding or removing a signatory(ies), they need to submit a request to their ATR with the signatory(ies) name, address, FEIN or UI number, and an indication to the nature of the change.
  - Again we encourage the use of the AT702.

- When submitting an update, only include the signatories being updated not the entire Signatory List.