

Application for Professional Employer Organization (PEO) Certificate Of Registration

Every Professional Employer Organization (PEO) that provides professional employer services within the Massachusetts must be registered with the Department of Labor Standards (DLS) in accordance with M.G.L. c. 149, §§ 192-203 and 454 CMR 30.00. A PEO shall register prior to initiating operations within the Commonwealth.

Registration requirements;

1. No Person shall advertise, operate, maintain or hold itself out as providing professional employer services in the Commonwealth of Massachusetts unless that person has registered the PEO with the Department of Labor Standards and been granted a certificate of registration as defined in 454 CMR 30.02, regardless of whether or not said person has an office for conducting such work in Massachusetts.
2. Staffing agencies, placement agencies, and employment agencies shall not be granted PEO certificates of registration.
3. Each entity being advertised, operated, or maintained by a PEO must be individually registered.
4. A PEO shall register prior to initiating operations within the Commonwealth.
5. If a PEO that is not registered in the Commonwealth becomes aware that an existing client not based in the Commonwealth has employees and operations in the Commonwealth, the PEO shall;
 - a. Decline to provide PEO services for those employees;
 - b. Where the PEO has more than 15 covered employees and wishes to provide PEO services to those employees, the PEO shall notify the department and file for registration within 5 business days of its knowledge of the fact;
 - c. Where the PEO has 14 or fewer covered employees and wishes to provide PEO services to those employees, the PEO shall notify the Department within 5 business days of its knowledge of the fact and file for registration with the department within 30 calendar days.

Name(s) under which the PEO conducts business or will conduct business (attach additional sheets, if necessary):

Name(s): _____

Name(s): _____

Address of the PEO principal place of business:

Address of each office the PEO maintains in Massachusetts (attach additional sheets, if necessary):

Provide **all mailing addresses** of the PEO. Persons wishing to use a post office box for mailing or public information purposes must specify to the department the actual address where records will be kept and the business will be conducted (attach additional sheets, if necessary):

Parent or affiliate company name (if applicable): _____

Street address: _____ Building/Suite number: _____

City/Town: _____ State: _____ Zip code: _____

Phone: _____ Fax: _____

Email: _____ Website address: _____

This PEO is a: sole proprietorship partnership, LP or LLP Corporation or LLC

Taxpayer or employer identification number: _____

Statement of ownership:

- If sole proprietorship, provide the following for the **Owner**;
- If partnership, LP, or LLP, provide the following for each **Partner that owns at least 25% of the equity interest of the PEO**;
- If corporation, provide the following for the **President and Treasurer (attach additional sheets if necessary)**:

First name: _____ Last name: _____

Title: _____

Former business experience:

Statement of management:

Provide the following information for any person who serves or will serve as president, chief executive officer or otherwise have authority to act as senior executive officer or principal manager of the PEO.

First name: _____ Last name: _____

Title: _____

Former business experience: _____

This section is to be completed by PEO registration applicants.

All records, reports and other information obtained from a PEO for the purposes of this section shall, except to the extent necessary for the department's proper administration of this chapter, be confidential and shall not be published or open to public inspection except to public employees in the performance of their public duties or otherwise in accordance with federal or state law.

Attachments Required for PEO Registration Applicants without Assurance

If you are filing without an assurance by an independent and qualified assurance organization, kindly attach the following required documents to your application for registration:

- A financial statement setting forth the financial condition of the PEO or PEO Group, which shall include, for initial registrations, the most recent audit of the applicant that shall not be more than 13 months old. The financial statement shall be prepared in accordance with generally accepted accounting principles and the audit shall be conducted by an independent certified public accountant licensed to practice in the jurisdiction in which such accountant is located; provided, that a PEO group or a PEO that is part of an organizational structure in which it is majority owned or commonly controlled by an entity, parent or controlling person may submit combined or consolidated audited financial statements to meet the requirements of this section; and provided further, that a PEO that has not had sufficient operating history to have audited financials based upon not less than 12 months of operating history shall demonstrate that they have positive working capital and shall present financial statements reviewed by a certified public accountant.
- A copy of the registrants' standard comprehensive PEO agreement to be used by the PEO.
- A client list, including the client name, physical address, telephone number, and federal identification number for whom the PEO is providing professional employer services.
- A statement of management for the preceding 5 years, which shall include the name and evidence of business experience of any person who serves or will serve, if known, or reasonably known at time of registration, as President, Chief Executive Officer, or otherwise as the authority to act as Senior Executive Officer of the PEO.
- A list by jurisdiction of each name under which the PEO has operated in the preceding 5 years, including any alternative names, names of predecessors and successor business entities.
- An Affirmation of Workers Compensation Insurance (Exhibit A)
- A surety bond filed in the penal sum of \$250,000 payable to, "the People of the Commonwealth," reflecting the address of the PEO office on the bond certificate. **Form on page 5.** Take enclosed form to your insurance agent or broker. (Exhibit B)

By signing below, I hereby certify that the following are true:

- I, the undersigned, do hereby certify that to the best of my knowledge and belief the above-named applicant has complied with all laws of the Commonwealth of Massachusetts relating to: taxes, reporting of employees and contractors, and withholding and remitting of child support (M.G.L. c. 62C, § 49A(a)); unemployment insurance contributions (M.G.L. c. 151A, § 19A); workers' compensation insurance (M.G.L. c. 152, § 25A and 25C(6)); and classification of employees (M.G.L. c. 149, § 148B).
- I, the undersigned, do hereby certify that to the best of my knowledge and belief that the supplemental documentation submitted in support of this application are true and complete and understand that any false answer(s) will be considered just cause for denial of application or revocation of a registration or registration. I understand that DLS has the right of inspection of any PEO at any time and that information contained within this application can and will be verified using resources available to DLS. I understand that having a valid employment PEO registration is a requirement of Massachusetts State Law. **Signed under the pains and penalties of perjury.**

Signature of Filer

print name

print title

date



Professional Employer Organization (PEO) Filing Instructions

1. Now **only** Paper Applications will be accepted. (No Electronic filing is available)
2. Enclose the Application and a certified check or money order payable to the Commonwealth of Massachusetts in the amount of \$500.00 (Five Hundred Dollars) for the registration fee and mail to:

Department of Labor Standards
19 Staniford Street, 2nd Floor
Boston, Massachusetts 02114