

Complainant Letter of Representation

This form must be submitted by a New York State Licensed Attorney.

A complainant's legal representative will receive notifications of complaint status and must communicate timely with the Department representatives during the investigation. By submitting this form, you agree to communicate electronically with the Department when necessary. Please complete the Electronic Notice (section 4) to receive communications.

All fields must be completed.

1. Complainant Information

Date: ___ / ___ / ___

Case file identification number (if known): _____

Complainant name: _____

Complainant email: _____

Complaint filed against (employer): _____

Subject of complaint (e.g., minimum wage, overtime, etc.): _____

2. Complainant Representative Information

Attorney name: _____

NYS license no. _____

Signature: _____

Organization/firm name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone: (____) ____ - ____ Fax: (____) ____ - ____

Attorney business email: _____

Are you being compensated by the complainant? Yes No

If yes, please explain: _____

3. Additional Information (please complete all sections)

Have you taken any action regarding the subject of the complaint (lawsuits, etc.)? Yes No

If yes, please provide details:

Have you corresponded with the employer or employer representative regarding the subject of the complaint or your client? Yes No

If yes, please provide details, and include copies of the correspondence:

Are you aware of any litigation regarding the subject of the complaint? Yes No

If yes, please provide the status and details:

Are you aware of any bankruptcies filed by the employer? Yes No

If yes, please provide details (docket number, etc.):

Were the employment conditions governed by a collective bargaining agreement? Yes No

If yes, please provide the union name: _____

Does your client have a grievance pending related to labor law issues? Yes No

4. **Electronic Notice**

§ 33. Service of notice. 1. Notwithstanding any other law, rule, or regulation, whenever the commissioner or board or any person affected by the provisions of this chapter is required to give notice in writing to any person, such notice may be given by mailing it in a letter addressed to the last known place of business of such person, by delivering it to the person personally, or by electronic communication with the consent of the person in accordance with subdivision two of this section. Notice to a partnership may be given to any of the partners, notice to a corporation may be given to any officer or agent thereof, and notice to a limited liability company may be given to any member or agent thereof, upon whom a summons may be served as provided by the civil practice law and rules, or by electronic communication with the consent of the entity in accordance with subdivision two of this section. Consent for any entity may be provided by a partner, officer, agent, member, owner, or other similar individual. Whenever an order or demand of the department is required to be served it shall be served in the manner hereinbefore provided for the service of a notice, by delivering it to any person of suitable age and discretion in charge of the premises affected by such order or demand, or by electronic communication with the consent of the person in accordance with subdivision two of this section, or if no person is found in charge by affixing a copy thereof conspicuously upon the premises. 2. For the purposes of this section, a person or entity shall be deemed to have consented to electronic communication if, having been advised conspicuously that enrollment or registration is voluntary and that they may continue to receive notices by mail or personal service as provided in this section, they instead affirmatively choose to receive notices by electronic communications only.

Pursuant to Section 33 of the New York State Labor law, I hereby voluntarily choose and/or give consent to only receive notices from the Division of Labor Standards electronically, and not by mail or other means of service referenced above.

Attorney consenter name: _____

Attorney consenter signature: _____

5. Complainant Authorization

I authorize the above named attorney and their firm/organization to assist me in matters involving my complaint/claim including submitting a complaint form and assisting with the NYSDOL investigation. You have my permission to communicate electronically with the above named Attorney, or a designated member of their organization as necessary. I understand that I or the NYSDOL may rescind this authorization at any time.

Complainant signature: _____