



TENANT'S EMPLOYMENT & BENEFITS REPORT

For the Fiscal Year July 1, 2019 – June 30, 2020 (FY '20)

PLEASE SEE BELOW FOR THE INSTRUCTIONS AND DEFINITIONS OF CAPITALIZED TERMS USED ON THIS PAGE.

Each Tenant occupying space at a Project Location must complete a Tenant's Employment and Benefits Report. All responses should be limited to Tenant's employees occupying such space. If the Tenant has subleased space to a subtenant, the subtenant must also complete this form with respect to employees and its subtenants and its affiliates occupying such space. The completed forms must be returned to the landlord (the "Company") within twenty (20) business days of receipt by Tenant.

1. Number of Permanent Full-Time Employees as of June 30, 2020 _____
2. Number of Non-Permanent Full-Time Employees as of June 30, 2020 _____
3. Number of Permanent Part-Time Employees as of June 30, 2020 _____
4. Number of Non-Permanent Part-Time Employees as of June 30, 2020 _____
- 5a. Number of "Non-Construction" Contract Employees as of June 30, 2020 _____
- 5b. Average number of Contract Construction Employees during Fiscal Year ending June 30, 2020 _____
6. Total Number of Employees included in Items 1, 2, 3, 4 and 5a _____
7. Number of employees in Item 6 who live in:
 - Brooklyn _____
 - Bronx _____
 - Manhattan _____
 - Queens _____
 - Staten Island _____
 - Outside NYC _____
8. Does the Tenant offer health benefits to all Full-Time Employees? Yes No Part-Time Employees? Yes No
9. Number of employees who are:
 - Exempt _____
 - Non-Exempt _____
10. Number of employees in Item 6 who have completed one of the following degrees (**please select highest level**):
 - Did not finish high school _____
 - Received high school diploma _____
 - Received 2-year college / Associates degree _____
 - Received 4-year college / Bachelor's degree _____
 - Received Master's degree or higher _____
 - Other / Did not specify _____
11. Number of employees in Item 6 who earn an Annual Salary of:
 - \$0 - \$25,000 _____
 - \$25,001 - \$40,000 _____
 - \$40,001 - \$50,000 _____
 - \$50,001 - \$70,000 _____
 - \$70,001 - \$99,999 _____
 - \$100,000+ _____
12. Number of employees in Item 6 who can be identified as one of the following racial/ethnic categories:
 - American Indian or Alaskan Native _____
 - Asian _____
 - Black or African American _____
 - Native Hawaiian or Pacific Islander _____
 - Hispanic or Latin American _____
 - White _____
 - Two or more races _____
 - Decline to self-identify _____
13. Number of employees in Item 6 who are:
 - Male _____
 - Female _____
 - Other/did not specify _____
14. Does the Tenant receive Commercial Expansion Program ("CEP") benefits? Yes No
 If yes, what was the value realized during FY' 20 \$ _____



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15. Does the Tenant receive Relocation and Employment Assistance Program ("REAP") benefits? Yes No
If yes, what was the value realized during FY' 20 \$ _____

Please provide answers for Items 15 through 19 based on the answer to item 6.

- 16a. Total Number of Industrial Jobs: _____
- 16b. Number of Industrial Jobs Earning a Living Wage or more: _____
- 17a. Total Number of Restaurant Jobs: _____
- 17b. Number of Restaurant Jobs Earning a Living Wage or more: _____
- 18a. Total Number of Retail Jobs: _____
- 18b. Number of Retail Jobs Earning a Living Wage or more: _____
- 19a. Total Number of Other Jobs: _____
- 19b. Number of Other Jobs Earning a Living Wage or more: _____
- 20a. **Total Number of Jobs:** _____
- 20b. **Number of Jobs Earning a Living Wage or more:** _____

Certification: I, the undersigned, an authorized officer or principal owner of the Company/Affiliate/Tenant, hereby certify to the best of my knowledge and belief that all information contained in this report is true and complete. This form and information provided pursuant hereto may be disclosed to the New York City Economic Development Corporation ("NYCEDC"), New York City Industrial Development Agency ("NYCIDA"), Build NYC Resource Corporation ("BUILD NYC") and/or New York City Neighborhood Capital Corporation ("NYCNCC") and may be disclosed by NYCEDC, NYCIDA, BUILD NYC and/or NYCNCC in connection with the administration of the programs of NYCEDC, NYCIDA, BUILD NYC and/or NYCNCC and/or the City of New York; and, without limiting the foregoing, such information may be included in (x) reports prepared by NYCEDC pursuant to New York City Administrative Code §22-823 et. seq., (y) other reports required of NYCIDA, NYCEDC, BUILD NYC and/or NYCNCC, and (z) any other reports or disclosure required by law.

LANDLORD NAME _____

TENANT NAME _____

NAME/TITLE _____

SIGNATURE _____

DATE _____



DEFINITIONS & INSTRUCTIONS

For the Fiscal Year July 1, 2019 – June 30, 2020 (FY '20)

DEFINITIONS:

"Annual Salary" is an employee's earnings during the Fiscal Year period.

"Contract Construction Employee" is a person who is an independent contractor or subcontractor, or an employee thereof, who provides construction services to the Tenant at a Project Location.

"Contract Employee" is a person, other than a Contract Construction Employee, who is an independent contractor (i.e., a person who is not an "employee"), or is employed by an independent contractor, who provides services to the Tenant at a Project Location.

"Exempt Employee" is defined in the federal Fair Labor Standards Act. An Exempt employee is not eligible for overtime compensation.

"Financial Assistance" is any of the following forms of financial assistance provided by or at the direction of NYCEDC, NYCIDA, Build NYC or NYCNCC: a loan, grant, tax benefits or energy assistance benefits through any discretionary program, such as the Business Incentive Rate (BIR) Program, in each case in excess of \$160,000, and any sale or lease of City-owned land where the project is estimated to retain or create not less than 25 jobs.

"Living Wage" is an hourly compensation package as of April 1, 2019 that is no less than the sum of \$11.20 per hour (paid in cash wages) and \$1.85 per hour (paid in health benefits, cash, or any combination of the two). The value of any health benefits received shall be determined based on the prorated hourly cost to the employer of the health benefits received by the employee. For employees who customarily and regularly receive tips, any tips received and retained by the employee may be credited towards the living wage rate.

"Non-Exempt Employee" is defined in the federal Fair Labor Standards Act. An Exempt employee is eligible for overtime compensation.

"Non-Permanent Full-Time Employee" is an employee of Tenant, other than a Contract Employee, hired for temporary employment for seasonal or other temporary purposes, who works at least 35 hours per week at a Project Location.

"Non-Permanent Part-Time Employee" is an employee of Tenant, other than a Contract Employee, hired for temporary employment for seasonal or other temporary purposes, who works on average at least 17.5 hours, but less than 35 hours, per week at a Project Location.

"Permanent Full-Time Employee" is an employee of Tenant, other than a Contract Employee, hired for permanent employment and not for seasonal or temporary purposes, who works at least 35 hours per week at a Project Location.

"Permanent Part-Time Employee" is an employee of Tenant, other than a Contract Employee, hired for permanent employment and not for seasonal or temporary purposes, who works on average at least 17.5 hours, but less than 35 hours, per week at a Project Location.

"Project Agreement" is any agreement pursuant to which NYCEDC, NYCIDA, Build NYC or NYCNCC: provides Financial Assistance in connection with a project.

"Project Location" is any location (a) with regard to which Financial Assistance has been provided to the Institution and/or its Affiliates during the fiscal year reporting period covered by the Employment and Benefits Report, or (b) that is occupied by the Institution and/or its Affiliates at which such entities have employees who are eligible to be reported per the terms of the Agreement with the Institution and/or its Affiliates.

"Tenant" is any entity other than the Company and its Affiliates that occupies space at any Project Location.

INSTRUCTIONS: (Please copy this form and have each Tenant occupying space at a project location complete)

1- 4. Items 1, 2, 3 and 4 must be determined as of June 30, 2020 and must include all of Tenant's Permanent Full-Time Employees, Permanent Part-Time Employees, Non-Permanent Full-Time Employees and Non-Permanent Part-Time Employees at all Project Locations. Do not include Tenant's Contract Employees or Contract Construction Employees in 1-4.

5. (a) Report all Contract Employees providing services to the Tenant at all Project Locations. Do not include Contract Construction Employees in question 5a. (b) Report the 12 month average of Contract Construction Employees providing services to the Tenants at all Project Locations for the previous fiscal year. Use the number of Contract Construction Employees on the last payroll date of each month to compute this average.

6. This is the sum of Items 1, 2, 3, 4, 5a and 5b.

7. Indicate the location of primary residence for all employees reported in Item 6.

8. Indicate whether the Tenant and its Affiliates offer health benefits to all employees reported in Item 6.

9. Indicate the highest-level of education obtained for all employees reported in Item 6.

10. Indicate the Annual Salary for all employees reported in Item 6 .

11. To the best of the Tenant's knowledge, indicate the identified Racial or Ethnic category for all employees reported in Item 6.

12. To the best of the Tenant's knowledge, indicate the gender for all employees reported in Item 6.

13. & 14. Report all CEP and/or REAP benefits received by the Tenant at all Project Locations. CEP is a package of tax benefits, administered by the New York City Department of Finance, designed to help qualified businesses to relocate or expand in designated relocation areas in NYC. REAP is designed to encourage qualified businesses to relocate employees to targeted areas within NYC. For more information regarding CEP or REAP, please visit <http://www.nyc.gov/dof>.

15-19. Include Permanent Full-Time Employees of the Tenants, Non-Permanent Full-Time Employees of the Tenant, Permanent Part-Time Employees of the Tenant, Non-Permanent Part-Time Employees of the Tenant, and Contract Employees. The sum for 19a should equal the sum of lines 15a-18a, which should also equal the sum of lines 1-5a plus the average number of Contract Construction Employees as of June 30, 2020. The sum for 19b should equal the sum of lines 15b-18b.