



# TENANT'S EMPLOYMENT & BENEFITS REPORT

For the Fiscal Year July 1, 2021 – June 30, 2022 (FY '22)

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.

- 1. Number of **Permanent Full-Time Employees** as of June 30, 2022 \_\_\_\_\_
- 2. Number of **Non-Permanent Full-Time Employees** as of June 30, 2022 \_\_\_\_\_
- 3. Number of **Permanent Part-Time Employees** as of June 30, 2022 \_\_\_\_\_
- 4. Number of **Non-permanent Part-Time Employees** as of June 30, 2022 \_\_\_\_\_
- 5a. Number of **Contract Employees** as of June 30, 2022 \_\_\_\_\_
- 5b. Average number of **Contract Construction Employees** during Fiscal Year ending June 30, 2022 \_\_\_\_\_
- 6. Does the Company receive Commercial Expansion Program ("CEP") benefits?  Yes  No  
If yes, what was the value realized during FY' 22 \$ \_\_\_\_\_
- 7. Does the Company receive Relocation and Employment Assistance Program ("REAP") benefits?  Yes  No  
If yes, what was the value realized during FY' 22 \$ \_\_\_\_\_

**Include all Permanent Full-Time & Part time, Temporary Full-Time& Part-Time, Contract and Construction Employees as of June 30, 2022**

- 8a. Total Number of Industrial Jobs: \_\_\_\_\_ 8b. Number of Industrial Jobs Earning a Living Wage or more : \_\_\_\_\_
- 9a. Total Number of Restaurant Jobs: \_\_\_\_\_ 9b. Number of Restaurant Jobs Earning a Living Wage or more: \_\_\_\_\_
- 10a. Total Number of Retail Jobs: \_\_\_\_\_ 10b. Number of Retail Jobs Earning a Living Wage or more: \_\_\_\_\_
- 11a. Total Number of Other Jobs: \_\_\_\_\_ 11b. Number of Other Jobs Earning a Living Wage or more: \_\_\_\_\_
- 12a. **Total Number of Jobs:** \_\_\_\_\_ 12b. **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, 2021 – June 30, 2022 (FY '22)

### DEFINITIONS:

**“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.

**“Financial Assistance”** is any of the following forms of financial assistance provided by or at the direction of Build NYC: 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, 2022 that is no less than the sum of \$12.40 per hour (paid in cash wages) and \$2.05 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-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 the Agency 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 Company and/or its Affiliates during the fiscal year reporting period covered by the Employment and Benefits Report, or (b) that is occupied by the Company and/or its Affiliates at which such entities have employees who are eligible to be reported per the terms of the Agreement with the Company 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, 2022 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. & 7.** 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>.

**8-12.** Include Permanent Full-Time Employees (including those of Tenants), Non-Permanent Full-Time Employees (including those of Tenants), Permanent Part-Time Employees (including those of Tenants), Non-Permanent Part-Time Employees (including those of Tenants), Contract Employees and Contract Construction Employees. The sum for 12a should equal the sum of lines 8a-11a, which should also equal the sum of lines 1-5a plus the total number of contract construction employees as of June 30, 2022. The sum for 12b should equal the sum of lines 8b-12b.