**Section 260.310 Content of Application to Register**

An application to register a day and temporary labor service agency, and an application for registration renewal, shall be made on a form provided by the Department. The application shall contain but is not limited to the following:

a) The name, address, federal employer identification number, and telephone number of the person, including the trade and/or assumed name by which the person does business;

b) If the person is a corporation, a copy of its articles of incorporation, a copy of its current bylaws and the names and addresses of its officers and directors and the names and addresses of shareholders owning more than 5% of the corporation's stock shall be provided for the initial registration. Application for registration renewal shall contain any amendments to the articles of incorporation and bylaws, the names and addresses of any new officers and directors, and the names and addresses of any new shareholders owning more than 5% of the corporation's stock;

c) If the person is a partnership, the names, business or personal addresses, and telephone numbers of all partners. Application for registration renewal shall contain the names, business or personal addresses, and telephone numbers of all new partners;

d) If the person is a limited liability company, a copy of the articles of organization, the operating agreement, and the names and addresses of all organizers and members owning more than 5% of the membership;

e) The name, address, federal employer identification number, and telephone number of the registered agent for the place of business, including the position held by that person or entity with the person. Application for registration renewal shall contain the name, address, federal employer identification number, and telephone number of any new registered agent for the place of business, including the position held by that person or entity with the day labor service agency;

f) The name and locations of premises from which the day and temporary labor service agency will provide services. Application for renewal shall contain any new name and locations of premises from which the day and temporary labor service agency will provide services;

g) The name and address of the person under whose management or supervision the day and temporary labor service agency will be operated. If, during the period when the registration is effective, the person under whose management or supervision the day and temporary labor service agency operates changes, the day and temporary labor service agency will notify the Department within 30 days after the change. Application for registration renewal shall include the name and address of any new person under whose management or supervision the day labor service agency will be operated;

h) Certification that the applicant, if an individual, is 18 years of age or older;

i) A bond in due form, to the People of the State of Illinois, for the penal sum of $5,000 with one or more sureties, to be approved by the Department of Labor and conditioned that the obligor will conform to and not violate any of the duties, terms, conditions, provisions or requirements of the Act or this Part;

j) A certification that the agency will comply with all applicable State and federal employment laws, including, but not limited to, the Illinois Wage Payment and Collection Act [820 ILCS 115] and state and federal laws relating to employee compensation and overtime compensation (Illinois Minimum Wage Law [820 ILCS 105]), social security taxes, State and federal income taxes, workers' compensation (Workers' Compensation Act [820 ILCS 305]), and unemployment taxes (Unemployment Insurance Act [820 ILCS 405]);

k) A copy of the form to be used for the employment notice, as required by Section 10 of the Act and Section 260.400 of this Part. The form shall include, but is not limited to, the items listed in Section 260.400;

l) An oath or affirmation certifying that all information contained within, and attached to, the application is true and complete;

m) The notarized signature of the individual submitting the application;

n) Copies of financial responsibility and liability insurance required under the Motor Vehicle Code [625 ILCS 5] for any transportation provided by or referred by the day and temporary labor service agency or a third party client, or a contractor or agent of either, to transport day or temporary laborers to a work site;

o) Proof of an employer account number for payment of unemployment insurance contributions as required by Section 45 of the Act; and

p) Proof of valid workers' compensation insurance in effect at the time of and for the duration of the registration period covering all of the day and temporary labor service agency's employees, as required by Section 45 of the Act.

(Source: Amended at 32 Ill. Reg. 8736, effective May 29, 2008)