

Non-Construction Companies' Workers' Compensation Exemptions:

Non-Construction includes the following types of companies:

- **Lawn Care Maintenance**
- **Tree Trimmers**
- **Janitorial Contractors**
- **Retail**
- **Service Firms**
- **See List of Construction Companies Attached - if you're not on that list, you're considered Non-Construction**



(Non-Construction Companies are required to have workers' compensation coverage if they have 4 or more employees – or they can be subject to severe fines and penalties). If you have 3 employees total and you don't buy workers' compensation insurance and one of the employees gets hurt, you will have to pay for their medical bills and/or lost wages out of your pocket – so – please call to get a quote for coverage to protect your assets. Non-Construction Exemptions are FREE to file.

A. Sole Proprietorship or Partnership

1. Sole proprietors and partners are automatically excluded by law; they do not have to file for an exemption.
2. If you're a sole proprietor and you have employees and buy worker's compensation coverage for your employees – you can also cover yourself for workers' compensation by filing a form DWC 251 Election of Coverage with the state Division of Workers' Compensation ("DWC").
3. Can go back to being excluded by filing form DWC 251-R with the DWC.

B. Corporation

1. Officers can file for an exemption with the DWC. There is no limit to the number of corporate officers who can exempt out of workers' compensation coverage.
2. Corporation must be in good standing and applicant must be listed as an officer of the corporation on the Division of Corporations' database (www.sunbiz.org).
3. Non-construction exemptions issued prior to 1/1/13 are free and last until revoked; they do not expire and they do not need to be renewed. Non-construction exemptions issued on or after 1/1/13 are also free but must be renewed every 2 years to remain valid.
4. Exemption can be revoked by filing form DWC 250-R with the DWC.
5. Corporate officers without an exemption are considered employees for coverage purposes (and count towards the 4-employee threshold) and are included on their company's workers' compensation policy.

C. Limited Liability Company (LLC)

1. Effective July 1, 2013, LLC owners (also called “members” or “managing members”) of non-construction LLC’s can file for an exemption with the DWC.
2. Applicant must own at least 10% of the LLC to be eligible for an exemption.
3. The exemption is free and must be renewed every 2 years to remain valid.
4. Exemption can be revoked by filing form DWC 250-R with the DWC.
5. LLC owners without an exemption are considered employees for coverage purposes (and count towards the 4-employee threshold) and will be included on the company’s worker’s compensation policy

Construction Companies’ Workers’ Compensation Exemptions:

See Complete list of Construction Class Codes attached

(required to have coverage for **any employees and/or Owners** (unless exempt)):

A. Sole Proprietorship or Partnership

1. Sole proprietors and partners in the construction industry are automatically included; they are not eligible to exempt out of workers’ comp. They must have workers’ comp coverage to work legally in the state of Florida.

B. Corporation

1. Up to 3 corporate officers can file for an exemption with the DWC.
2. Corporation must be in good standing and applicant must be listed as an officer of the corporation on the Division of Corporations database (www.sunbiz.org).
3. Applicant must own at least 10% of the corporation’s stock to apply for an exemption.
4. Exemption costs \$50 and must be renewed every 2 years to remain valid.
5. Exemption can be revoked by filing form DWC 250-R with the DWC.
6. Corporate officers without an exemption are considered employees for coverage purposes (and count towards the 1-employee threshold) and will be included on their company’s workers’ compensation policy.

C. Limited Liability Company (LLC)

1. Up to 3 LLC owners (also called “members” or “managing members”) may file for an exemption with the DWC.
2. LLC must be in good standing on the Division of Corporations’ database (www.sunbiz.org).
3. Applicant must own at least 10% of the LLC to be eligible for an exemption.
4. Exemption costs \$50 and must be renewed every 2 years to remain valid.
5. Exemption can be revoked by filing form DWC 250-R with the DWC.

All exemptions must be applied for online at the Division of Workers’ Compensation’s website:

www.myfloridacfo.com/wc. Applicants must provide a Florida driver’s license or ID card

number. Out-of-state applicants can apply for an exemption by calling the Division of Workers' Compensation at (800) 742-2214. ***Feel free to call Zelen Risk Solutions, Inc. with any questions you may have regarding exemptions at (904) 262-8080.***