



JUDGE RICHARD S. THOMPSON
CHAIRMAN

JUDGE WARREN MASSEY
DIRECTOR

JUDGE STEPHEN B. FARROW
DIRECTOR

**STATE BOARD OF WORKERS' COMPENSATION
ENFORCEMENT DIVISION**

270 Peachtree Street, NW
Atlanta, GA 30303-1299
www.sbwc.georgia.gov

INFORMATION
(404) 657-7285

RE: State Board of Workers' Compensation Board Form WC-10
(Notice of Election or Rejection of Workers' Compensation Coverage)

Dear Business Owner:

The primary purpose of the State Board of Workers' Compensation's Board Form WC-10 is to elect or reject workers' compensation insurance coverage in conjunction with the purchase of a policy for said coverage. For the purpose of making this election or rejection, the form will be filled out by your insurance agent and filed with the insurance carrier accepting the coverage. [See O.C.G.A. § 34-9-2.1, 2.2 and 2.3]

In the alternative, Board Form WC-10 may also be used by a corporation or LLC pursuant to O.C.G.A. §34-9-2.2 to reject coverage of up to five (5) corporate officers or LLC members when the corporation or LLC has no additional employees which would require the business to obtain coverage. Any business which regularly employs three (3) or more persons must obtain a policy for workers' compensation insurance. Corporate Officers and LLC members are included in this number regardless of their election to be exempt. If, after the filing of up to five (5) exemptions the business has no employees, then Board Form WC-10 shall be filed with the State Board of Workers' Compensation.

Many small business owners without employees mistakenly believe Board Form WC-10 to constitute a waiver of coverage that can be presented to a general or principal contractor as proof of exemption by waiver. This is incorrect. Although your business may not be required by law to have workers' compensation insurance coverage by employing fewer than the requisite number of employees, a general or principal contractor for whom you perform work may contractually require you to provide a policy for workers' compensation insurance. You, the owner of your business, can elect to accept this condition of your contract by purchasing a minimum premium policy from an independent insurance agent licensed by the State of Georgia. In the alternative, the general or principal contractor can elect to withhold a premium amount from money paid to you for your services. If this occurs, you will be covered under the contractor's workers' compensation policy.

Some states offer formal waivers of workers' compensation insurance through an application and fee process. Georgia does not offer a waiver program.

If you have any additional questions, you may refer to the Board's website at www.sbwc.georgia.gov or call the Enforcement Division at (404) 657-7285.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Bexley". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Stan Bexley, Director
Enforcement Division