



## Workers' Compensation Exemption Information

### Division of Workers' Compensation

#### Key Exemption Eligibility Requirements

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An individual, as an officer of a corporation, who elects to be exempt may not recover workers' compensation benefits. Eligibility requirements and documentation which must be submitted with the exemption application are detailed in [440.05](#) and outlined below.

#### Non-construction industry corporate officer:

- The corporation must be registered with the Florida Department of State, Division of Corporations- [440.05 \(11\)\\*\\*](#).
- The applicant must be listed as an officer of the corporation in the records of the Florida Department of State, Division of Corporations- [440.02 \(15\) \(b\) \(2\)](#).
- A copy of the relevant occupational license issued in the primary jurisdiction of the business must be provided
- There is no limit to the number of corporate officers eligible for exemption
- There is no application fee

#### Construction industry corporate officer, including a member of a limited liability company (LLC) [440.02 \(9\)](#)

- The corporation must be registered with the Florida Department of State, Division of Corporations - [440.05 \(11\)\\*\\*](#).
- The applicant must be listed as an officer of the corporation in the records of the Florida Department of State, Division of Corporations - [440.05 \(11\)](#).
- A copy of the relevant occupational license in the primary jurisdiction of the business must be provided - [440.05 \(3\)](#).
- The applicant must own at least 10 percent of the stock of the corporation as evidenced by a stock certificate or in the case of an LLC a notarized statement attesting to the minimum 10 percent ownership - [440.02 \(9\)](#).
- The applicant must list all certified or registered licenses issued to you pursuant to Chapter 489, Florida Statutes
- A \$50.00 application fee is required - [440.05 \(8\) \(a\)](#).
- No more than three officers of a corporation (including LLC) or of any group of affiliated corporations (including LLCs) may elect to be exempt [440.02 \(15\) \(b\) \(2\)](#).

**\*\*Out-of-state contractors that are corporations or limited liability companies can qualify as foreign corporations or foreign limited liability companies by filing specific forms and documentation with the Florida Division of Corporations. For more information regarding the foreign qualification requirements, call (850) 245-6051. The forms can be accessed at [www.sunbiz.org](http://www.sunbiz.org).**

#### How to Obtain a Construction Industry Exemption Application

- The Notice of Election to be Exempt (for DWC 250) can be obtained from our website at <http://www.fldfs.com/WC/forms.html#6>. Click on form "DWC 250". Click on "DWC 250 Instructions" to view the instructions for completing.
- For additional information about workers' compensation exemptions, please call customer service at 1-850-413-1601.