

GEORGIA STATE BOARD OF WORKERS' COMPENSATION

**NOTICE OF ELECTION OR REJECTION
OF WORKERS' COMPENSATION COVERAGE**

The use of this form is required under the provisions of: (A) O.C.G.A. §34-9-2.1 of the Workers' Compensation Law if a corporate officer or limited liability company member elects to reject coverage; (B) O.C.G.A. §34-9-2.2 if a sole proprietor or partner elects to be included as an employee; or, (C) §34-9-2.3 if a farm labor employer elects to provide coverage for farm laborers.

A. CORPORATION/LIMITED LIABILITY COMPANY

I, _____, certify I am an officer/member of _____ (Employer).
(Print or Type) _____ (Street Address)
Office Held _____ (City/State/Zip)

_____ I elect to reject the provisions of the Georgia Workers' Compensation Law.

_____ I elect to revoke the previous rejection of _____.

(NOTE: A maximum of five (5) officers/members may be exempted) (DATE)

B. SOLE PROPRIETOR OR PARTNER

I, _____, certify that I am a Sole Proprietor _____ Partner _____
of _____ (business name).

_____ I elect to be covered under the provisions of the Georgia Workers' Compensation Law.

_____ I elect to revoke the previous election of _____.

(DATE)

C. FARM LABOR

I, _____, certify that as the employer or representative of
_____ (business name), that

_____ I elect to provide Workers' Compensation coverage for farm laborers.

_____ I elect to revoke the previous election of _____.

(DATE)

D. CERTIFICATION

I hereby certify that the information listed is true and correct:

Print Name Business Phone Number Extension

Dated this _____ day of _____ / _____ .
Business Address

Signed _____

A COPY OF THIS FORM MUST BE FILED WITH YOUR CURRENT WORKERS' COMPENSATION CARRIER. IF YOU **DO NOT** HAVE A CARRIER, THIS FORM MUST BE FILED WITH THE STATE BOARD OF WORKERS' COMPENSATION AT 270 PEACHTREE STREET, N.W., ATLANTA, GEORGIA 30303-1299. NOTE: DO NOT SEND TO THE BOARD IF THERE IS INSURANCE COVERAGE.

Willfully making a false statement for the purpose of obtaining or denying benefits is a crime subject to penalties of up to \$10,000.00 per violation (O.C.G.A. §34-9-18 and §34-9-19).

O.C.G.A. §34-9-2.1

(a) A corporate officer or a member of a limited liability company who elects to be exempt from coverage under this chapter shall make such election by giving written certification to the insurer or, if there is no insurer, to the State Board of Workers' Compensation. The right of any corporation or limited liability company to exempt its officers or members from coverage under this chapter is limited as follows:

(1) A corporation shall not be allowed to exempt more than five corporate officers and a limited liability company shall not be allowed to exempt more than five members; and

(2) In order for the written certification of exemption to be in effect, the corporate officer must be identified by name as well as by the office held at the time of certification and the member of the limited liability company must be identified by name; and

(3) Any employer subject to this chapter pursuant to subsection (a) of Code Section 34-9-2 before the filing of any exemption shall remain subject to this chapter without regard to the number of exemptions filed. However, in the event that there shall be no covered employees once exemptions are elected, no coverage shall be required unless and until additional employees are employed.

(b) A corporate officer or a member of the limited liability company who has exempted himself or herself by proper certification from coverage under this chapter may at any time revoke such exemption and thereby accept coverage under this chapter by giving certification to such effect in the same manner as provided in subsection (a) of this Code Section relative to exemption from coverage.

(c) No certification given pursuant to subsection (a) or (b) of this Code Section shall become effective until it is filed with the proper entity.

O.C.G.A. §34-9-2.2

Any sole proprietor or partner of a business whose employees are eligible for benefits under this chapter may elect to be included as an employee under the workers' compensation insurance coverage of such business if he is actively engaged in the operation of the business and if the insurer is notified of his election to be so included. Any such sole proprietor or partner shall, upon such election, be entitled to the employee benefits and be subject to the employee responsibilities prescribed in this chapter.

O.C.G.A. §34-9-2.3

Notwithstanding the provisions of subsection (a) of Code Section 34-9-2, relative to the exempt status of individuals employed as farm laborers, an employer of farm laborers may elect to provide workers' compensation coverage to individuals employed as farm laborers by giving written notice to the board in such manner and form as provided by rule of the board. Upon the filing of the notice with the board, the employer of farm laborers shall be deemed an employer for the purposes of this chapter and each individual employed as a farm laborer shall be deemed an employee for the purposes of this chapter. An employer of farm laborers who has filed a notice pursuant to this Code section shall not discontinue the provision of workers' compensation insurance coverage for individuals employed as farm laborers until the notice filed with the board is revoked in a manner to be specified by rule of board and written notice is given to each affected employee in a manner to be specified by rule of the board.