

**INSTRUCTIONS FOR COMPLETING
CONSTRUCTION INDUSTRY APPLICATION FOR EXEMPTION
(Notice of Election to be Exempt - LES Form BCM-250)**

Who is Eligible for Exemption

The following classes of construction industry business owners are eligible for exemption from the provisions of Chapter 440, Florida Statutes (Florida's Workers' Compensation Law). If you apply for and receive an exemption, it means that you choose to NOT be eligible for workers' compensation benefits if you are hurt on the job. Note the limit on the number of partners and corporate officers from a single business actively engaged in the construction industry that can be exempt at any one time:

Sole Proprietors - Limit of 1
Partners - Limit of 3
Corporate Officers - Limit of 3

You must choose only one option and check only one box on your application to indicate which of the above three classes apply to you. If your business owner class changes (e.g. the ownership of the business changes from a sole proprietorship to a partnership) after your exemption has been issued, your exemption will become invalid and you will have to apply for a new one. Non-construction industry sole proprietors and partners are AUTOMATICALLY EXEMPT by law, from the provisions of Chapter 440, Florida Statutes (Florida's Workers' Compensation Law). Officers of non-construction industry corporations are ELIGIBLE for exemption from the provisions of Chapter 440, Florida Statutes but must affirmatively apply for such an exemption by filing with the Division of Workers' Compensation a Notice of Election to be Exempt (LES Form BCM-250). **An exemption applies only to the applicant and not to any employees of the applicant.** It applies only to the applicant for the business entity listed on the application. You must submit a separate application for each business from which you wish to claim an exemption to workers' compensation benefits

Application Fees

Every application must be accompanied by the appropriate fee. Failure to tender the appropriate fee with your application will mean that your application will not be processed. Payment must be made by **BUSINESS CHECK, CASHIER'S CHECK, OR MONEY ORDER** made payable to the **W.C. ADMINISTRATION TRUST FUND**. The fee is **\$50.00**. Be advised that this fee is **non-refundable** regardless of whether or not the application is approved.

Effective Date and Expiration Date

Applications for an exemption by a business owner in a construction industry (Notice of Election to be Exempt, LES Form BCM 250) will be processed within thirty days after the date the application is mailed to the Division as evidenced by the postmark on the envelope in which the application is mailed. In the event that a postmark is not present or not legible, or an application is delivered to the Division by other than U.S. Mail, the application will be processed within thirty days from the date it is received by the Division. Once an application is processed, if an exemption is issued, it will be effective as of the date following the day the application is mailed or received. Every exemption will be marked with an effective date, and will expire two years from that effective date, unless voluntarily revoked by the exemption holder or involuntarily revoked by the Department of Labor, Division of Workers' Compensation.

Your exemption will be valid for two years from the date it becomes effective. It will automatically expire at the end of that two year period, and you will have to reapply for another exemption. However, your exemption shall be revoked by the Division if it is determined by the Division at any time that you are no longer eligible for the exemption or that information contained in your application or any attachment to it was invalid. You may voluntarily revoke your own exemption at any time by filing with the Division LES Form BCM-250-R, Revocation of Election to be Exempt.

Federal Employer Identification Number (FEIN)

A Federal Employer Identification Number (FEIN) is required of all partners (provide your partnership's FEIN) and corporate officers (provide your corporation's FEIN), and sole proprietors with employees (provide the proprietorship's FEIN). To acquire an FEIN, contact the **Internal Revenue Service**.

***** INSTRUCTIONS ARE CONTINUED ON REVERSE *****

All Applicants: Must submit a copy of the relevant occupational license issued to their business by either the Florida county in which the business is located (usually the business mailing address); or, the county in which the business conducts its principal operations. *(If neither of those counties issue an occupational license for the applicant's type of business, then the applicant does not have to submit a copy the county license. However, if a license is required by the city in which the applicant's business is either located in or operating in, then the applicant must attach a copy of that city's occupational license. If the business is domiciled in a state other than Florida, a copy of the occupational license issued by the Florida county (or city, if not required by county) in which the business is operating must be attached.)*

In addition to the above:

Sole Proprietors must attach a copy of an IRS FORM 1040 **AND** its accompanying Schedule C filed with the IRS for the most recent tax year.

Partners must attach a copy of an IRS FORM 1040 **AND** its accompanying Schedule E filed with the IRS for the most recent tax year.

The following information may be stricken from the required IRS documentation listed above: identification of the spouse and dependents of the applicant, including filing status; any W-2 income, interest and dividend income, refunds, credits, alimony received, capital gains or losses other than those associated with the applicant's business enterprise; IRA distributions, pensions, annuities, farm income, unemployment compensation, or social security benefits; any deductions from income in order to derive adjusted gross income; tax computation, credits, other taxes, payments, refunds or amounts owed.

Corporate Officers do not have to file IRS information. Corporate officers of a corporation not registered and active with The Florida Department of State, Division of Corporations, are not eligible for an exemption. Corporate officers of registered and active corporations are eligible for an exemption, but must be listed as officers with The Florida Department of State, Division of Corporations. *(If not listed, the officer must attach either a notarized affidavit; or a copy of the corporate minutes stating that the applicant is an officer of the corporation and the date such appointment or election became effective).*

The BCM 250 application must be signed by the applicant and notarized by a licensed notary public prior to submission. *Be advised that workers' compensation compliance field office personnel do not notarize forms for applicants for exemptions.*

Mail or take your application to the workers' compensation compliance field office nearest your business location as listed below.

Failure to completely and legibly submit the Notice of Election to be Exempt (LES Form BCM-250) with all required attachments will result in the application not being processed. Fees will not be returned for unprocessed applications.

WORKERS' COMPENSATION COMPLIANCE FIELD OFFICES

11700 SAN JOSE BLVD.
SUITE #3
JACKSONVILLE, FL 32223
TELEPHONE (904) 448-7990

4603 NW 6th ST
GAINESVILLE, FL 32609
TELEPHONE (352) 955-2018

2012 CAPITAL CIRCLE SE
SUITE #209 HARTMAN BLDG.
TALLAHASSEE, FL 32399-2161
TELEPHONE (850) 414-1237 or (850) 488-2717

1002 W 23rd ST
SUITE #230
PANAMA CITY, FL 32405
TELEPHONE (850) 747-5425

3670-A NORTH L STREET
1st FLOOR
PENSACOLA, FL 32505-5217
TELEPHONE (850) 595-5505

3111 SOUTH DIXIE HWY.
SUITE #123
WEST PALM BEACH, FL 33405
TELEPHONE (561) 837-5412

1415 EAST SUNRISE BLVD.
SUITE #300A
FT. LAUDERDALE, FL 33304
TELEPHONE (954) 467-4610

12381 S. CLEVELAND AVE.
SUITE #506
FT. MYERS, FL 33907
TELEPHONE (941) 278-7239

9215 N. FLORIDA AVE.
SUITE #107
TAMPA, FL 33612
TELEPHONE (813) 930-7558

1718 MAIN ST.
SUITE #201
SARASOTA, FL 34236
TELEPHONE (941) 361-6025 or (941) 361-6021

400 WEST ROBINSON ST
ROOM #211 NORTH TOWER
ORLANDO, FL 32801
TELEPHONE (407) 245-0896

401 NW 2nd AVE.
SUITE #321 SOUTH TOWER
MIAMI, FL 33128
TELEPHONE (305) 377-5385

Division Web Site Address: <http://www2.myflorida.com/les/wc/>