

PROOF OF INSURANCE GUIDE

THE FOLLOWING ITEMS ARE REQUIRED AS PART OF YOUR CONTRACT:

1. Workers' Compensation (or exemption/waiver)
2. Disability Insurance (or exemption/waiver)

1. WORKERS' COMPENSATION INFORMATION:

Workers' Compensation Law (WCL) §57 & §220 requires the heads of all municipal and state entities to ensure that businesses applying for permits, licenses or contracts document that they have appropriate workers' compensation and disability benefits insurance coverage; or document that they are exempt from such coverage. These requirements apply to both original contracts and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license or contract. Failure to provide proof of such coverage or a legal exemption may result in the termination of the Agreement. **An ACORD form is NOT acceptable proof of workers' compensation coverage.**

To comply with the coverage requirements **ONE** of the following forms for Workers Compensation must be provided to the Department:

- A. CERTIFICATE OF WORKERS' COMPENSATION (See A)
or
- B. EXEMPTION/WAIVER (if policy is not required) (See B)

A. CERTIFICATE OF WORKERS' COMPENSATION:

Acceptable forms must be submitted on one of the following:

- Form C-105.2
- Form U-26.3
- Form SI-12
- Form GSI-105.2

Vendors without coverage may obtain a policy for the duration of the Contract from the New York State Insurance Fund.

Please direct all questions to the New York State Workers' Compensation Board at 518-486-6307, their toll free number at 877-632-4996 or go to the New York State Workers' Compensation Board's Website: www.wcb.ny.gov.

See the following page for an example of a Certificate of Workers' Compensation Coverage.

EXAMPLE OF THE C-105.2 CERTIFICATE OF WORKERS' COMPENSATION INSURANCE COVERAGE

(Obtained from your insurance carrier)

STATE OF NEW YORK WORKERS' COMPENSATION BOARD	
CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE	
1a. Legal Name and address of Insured (Use street address only)	1b. Business Telephone Number of Insured
Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e. a Wrap-Up Policy)	1c. NYS Unemployment Insurance Employer Registration Number of Insured
	1d. Federal Employer Identification Number of Insured or Social Security Number
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)	3a. Name of Insurance Carrier
	3b. Policy Number of entity listed in box "1a":
	3c. Policy effective period: _____ to _____
	3d. The Proprietor, Partners or Executive Officers are: <input type="checkbox"/> included. (Only check box if all partners/officers included) <input type="checkbox"/> all excluded or certain partners/officers excluded. 3e. Demolition is: (Definition of Demolition on Reverse) <input type="checkbox"/> included. <input type="checkbox"/> excluded.

This certifies that the insurance carrier indicated above insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To obtain this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation policy.) The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder.

The Insurance Carrier will also notify the above certificate holder with 30 days IF the policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cause the policy to be canceled or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Other than this Certificate, this form is valid for a maximum of one year after this form is approved by the insurance carrier or its licensed agent.

Please Note: Upon the cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: _____
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: _____
(Signature) (Date)

Title: _____

Telephone Number of authorized representative or licensed agent of insurance carrier: _____

Please Note: Only insurance carriers and their licensed agents are authorized to issue the C-105.2 form. Insurance brokers are NOT authorized to issue it.

C-105.2 (12-03)
92541 1203

This information must match the legal business name & address on your contract

Enter the NYS Department of Agriculture and Markets 10B Airline Dr. Albany, NY 12235 as the Entity

This number must correspond with your legal business name

Policy must be in force for the duration of the event including move in/out

B. EXEMPTION/WAIVER (if policy is not required):

Form CE-200, Certificate of Attestation for New York Entities with no employees and certain out of state entities, that New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is not required. This form can be requested online at the Workers' Compensation Board's website:

http://www.wcb.ny.gov/content/ebiz/wc_db_exemptions/requestExemptionOverview.jsp

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New York State State Agencies

Workers' Compensation Board **WC/DB Exemptions**

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Request for WC/DB Exemption (Form CE-200)

Overview

This application is for a Certificate of Attestation of Exemption, Form CE-200, from Workers' Compensation and/or Disability Benefits insurance coverage. It may only be completed by entities with no employees and/or out-of-state entities obtaining a contract or license in which all the work is being performed outside of New York State.

The application can be completed by using either the "Web-based Application" or the "Paper Application". By accessing the application **on-line** you will be able to complete the application and print the certificate immediately. The paper application must be submitted to the Workers' Compensation Board for processing and the certificate will be mailed to the applicant. This process may take up to 4 weeks for completion.

- Certificates can only be used to attest to a **government entity** that the applicant requesting a permit, license, or contract is not required to carry workers' compensation and/or disability benefits coverage.
- Certificates are only valid for the specific license, permit or contract and the period for which it is issued. Certificates for building permits are job-specific and a separate certificate will be required for each building permit.
- Certificates are assigned a unique certificate number that can be validated by the government official issuing the license, permit, or contract.

Select to access web-based Exemption Application

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COMPLETE THE EXEMPTION APPLICATION FOR AN EXEMPTION CERTIFICATE

APPROVED BY THE WORKERS' COMPENSATION BOARD.

See the following page for an example of a Certificate of Workers' Compensation Exemption.

EXAMPLE OF THE CE-200 EXEMPTION FORM

(OBTAINED FROM THE WORKERS' COMPENSATION BOARD)



Certificate of Attestation of Exemption
From New York State Workers' Compensation
and/or Disability Benefits Insurance Coverage

This form cannot be used to waive the workers' compensation rights or obligations of any party.

The applicant may use this Certificate of Attestation of Exemption ONLY to show a government entity that New York State specific workers' compensation and/or disability benefits insurance is not required. The applicant may NOT use this form to show another business or that business's insurance carrier that such insurance is not required.

Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.

This information must match the information on your contract

Enter the NYS Department of Agriculture and Markets as the Agency

<p>In the Application of (Legal Entity Name and Address):</p> <p>JOHN J. SMITH 581 STATE FAIR BLVD SYRACUSE, NY 13209 PHONE: 315-555-5555 FEIN: XXXXX0000</p>	<p>Business Applying For: Contract with Government Agency</p> <p>From: NEW YORK STATE DEPARTMENT OF AG AND MARKETS</p>
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CE-200 can be used for exemption for Worker's Comp., Disability, or both. This example shows exemption for both coverages

Workers' Compensation Exemption Statement:

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:
The business is owned by one individual and is not a corporation. Other than the owner, there are no employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

Disability Benefits Exemption Statement:

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY BENEFITS INSURANCE COVERAGE** for the following reason:
The business **MUST** be either: 1) owned by one individual; OR 2) is a partnership (including LLC, LLP, PLLP, RLLP, or LP) under the laws of New York State and is not a corporation; OR 3) is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); OR 4) is a business with no NYS location. In addition, the business does not require disability benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability Benefits Law.)

I, JOHN J. SMITH, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

Must be signed by Vendor to be valid

Valid for one year after date issued

Signature:	Date:
Exemption Certificate Number 2011-063664	<p>Received December 1, 2011 NYS Workers' Compensation Board</p>

2. DISABILITY Insurance:

Workers' Compensation Law (WCL) §57 & §220 requires the heads of all municipal and state entities to ensure that businesses applying for permits, licenses or contracts document that they have appropriate workers' compensation and disability benefits insurance coverage; or document that they are exempt from such coverage. These requirements apply to both original contracts and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license or contract. Failure to provide proof of such coverage or a legal exemption may result in the termination of the Agreement.

To comply with the coverage requirements ONE of the following forms for Workers Compensation must be provided to the Department:

- A. CERTIFICATE OF DISABILITY BENEFITS INSURANCE (See A)
or
- B. EXEMPTION/WAIVER (if policy is not required) (See B)

A. CERTIFICATE OF DISABILITY BENEFITS INSURANCE:

Acceptable forms must be submitted on one of the following:

- Form DB-120.1
- Form DB-155

EXAMPLE OF THE DB-120.1 CERTIFICATE OF WORKERS' COMPENSATION INSURANCE COVERAGE (This form is obtained from your insurance carrier)

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD
CERTIFICATE OF INSURANCE COVERAGE UNDER THE NYS DISABILITY BENEFITS LAW

PART 1. To be completed by Disability Benefits Carrier or Licensed Insurance Agent of that Carrier	
1a. Legal Name and Address of Insured (Use street address only)	1b. Business Telephone Number of Insured 1c. NYS Unemployment Insurance Employer Registration Number of Insured 1d. Federal Employer Identification Number of Insured or Social Security Number
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)	3a. Name of Insurance Carrier 3b. Policy Number of entity listed in box "1a": 3c. Policy effective period: _____ to _____
4. Policy covers: a. <input type="checkbox"/> All of the insured's employees eligible under the New York Disability Benefits Law b. <input type="checkbox"/> Only the following classes of the employer's employees:	
Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability Benefits Insurance coverage as described above.	
Date Signed _____ By _____ <small>(Signature of insurance carrier or authorized representative or NYS Licensed Insurance Agent of that insurance carrier)</small>	
Telephone Number _____ Title _____	
IMPORTANT: If box "4a" is checked, and this form is signed by the insurance carrier or authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder. If box "4b" is checked, this certificate is NOT COMPLETE for purposes of Section 220, subd. 8 of the Disability Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, 20 Park Street, Albany, New York 12207.	
PART 2. To be completed by NYS Workers' Compensation Board (Only if box "4a" of Part 1 has been checked)	
State Of New York Workers' Compensation Board	
According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability Benefits Law with respect to all of his/her employees.	
Date Signed _____ By _____ <small>(Signature of NYS Workers' Compensation Board Employee)</small>	
Telephone Number _____ Title _____	

Please Note: Only insurance carriers licensed to write NYS disability benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

This information must match the legal business name & address on your contract

Enter NYS Department of Agriculture and Markets 10B Airline Dr. Albany, NY 12235 as the Entity

This number must correspond with your legal business name

Policy must be in force for the duration of the event including move in/out

B. EXEMPTION/WAIVER (if policy is not required):

This form can be used for both Workers Compensation and Disability. Please refer to Workers' Compensation section B regarding CE-200 for further information.

Please direct all questions to the New York State Workers' Compensation Board at 518-486-6307, their toll free number at 877-632-4996, or go to the New York State Workers' Compensation Board's Website: www.wcb.ny.gov.

3. LIABILITY INSURANCE:

Contractor shall obtain and maintain public liability insurance for loss, damage and personal injury arising from their operations under the Agreement. Contractor must provide a certificate of insurance.

In addition to basic company information, the following items must be listed on the insurance form ACORD-25:

A. List your legal business name and address. The NYS Department of Agriculture & Markets cannot accept this form if it does not match the legal business name and address as it appears on your agreement.

B. Insurance must be Commercial General Liability and if applicable, Liquor/Golf Cart/Product Liability.

C. Policy must be in force for the duration of the event, including move in/out.


D. Each occurrence should be at least \$1,000,000.

E. The NYS Department of Agriculture & Markets must be listed as the additional insured.

F. The NYS Department of Agriculture & Markets must be listed as the certificate holder.

G. Contractor shall immediately inform the NYS Department of Agriculture & Markets of any insurance cancellation or material change in coverage.

H. Reminder: Workers' Compensation is **not** acceptable on an Acord-25 form.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #: INSURER(S) AFFORDING COVERAGE NAIC #
INSURED	INSURER A : INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:																																												
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