

**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 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 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 fees are:

**\$50.00 NON-REFUNDABLE PROCESSING FEE FOR EACH INITIAL OR RENEWAL APPLICATION**

**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 is issued. 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 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 a federal employer identification number, contact the **Internal Revenue Service**.

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

**ALL APPLICANTS** for a construction industry exemption must attach a copy of the relevant occupational license issued to the applicant by the Florida county in which the applicant's principal place of business is located (usually the business mailing address); or the county in which the applicant conducts his principal business operations. If the county does not require an occupational license, then the applicant must attach a copy of the relevant occupational license issued to the applicant by the municipality in which the applicant's principal place of business is located; or the municipality in which the applicant conducts their principal business operations. **OUT OF STATE EMPLOYERS** - If your business is domiciled in a state other than Florida you must provide a copy of an occupational license issued by the Florida county or municipality in which you conduct your principal business operations. **AND...**

- **CORPORATE OFFICERS NOT YET LISTED AS SUCH** on the records of the Secretary of State, Division of Corporations, the applicant must attach a notarized affidavit stating that the applicant is a bona fide officer of the corporation and stating the date such appointment or election became or shall become effective. **AND...**
- **SOLE PROPRIETORS** must attach a copy of: \*
  1. An IRS FORM 1040 filed by your BUSINESS with the IRS for the most recent tax year;
  2. An IRS SCHEDULE C filed by your BUSINESS with the IRS for the most recent tax year. **AND...**
- **PARTNERS** must attach a copy of: \*
  1. An IRS FORM 1040 filed by your PARTNERSHIP with the IRS for the most recent tax year;
  2. An IRS SCHEDULE K-1 (FORM 1065) filed by your PARTNERSHIP with the IRS for the most recent tax year;
  3. An IRS SCHEDULE E filed by your PARTNERSHIP with the IRS for the most recent tax year;

\* **EXCEPTION FOR NEW BUSINESSES:** A sole proprietor or partner of a business entity that has not been in operation long enough to have filed or be required to file by the IRS its first annual Federal Income Tax return does not need to attach tax records to the notice of election to be exempt.

Mail or take your application to the workers' compensation compliance field office nearest your business location. Faxed copies will not be processed. **Failure to completely and legibly submit all information, attachments and fees required with an application for an exemption or to include a notarized signature of the applicant 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 6<sup>th</sup> ST  
GAINESVILLE, FL 32609  
TELEPHONE # (352) 955-2018

2810 SHARER RD.  
SUITE # 27  
TALLAHASSEE, FL 32312  
TELEPHONE # (850) 414-1237 or # (850) 488-2717

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

3670-A NORTH L STREET  
1<sup>st</sup> 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  
RM. # 601 NORTH TOWER  
ORLANDO, FL 32801  
TELEPHONE # (407) 245-0896

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

INTERNET ACCESS TO THE DIVISION OF WORKERS' COMPENSATION  
<http://www.fdles.state.fl.us/wc/>