



COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT  
DIVISION OF WORKERS' COMPENSATION  
**REJECTION OF COVERAGE BY CORPORATE OFFICERS OR MEMBERS OF A LIMITED LIABILITY COMPANY (LLC)**

**PART B - Corporate Officer or LLC Member Questionnaire**

**IMPORTANT: A separate Part B MUST be completed by every person listed in Part A.**

1. Name of Corporation or LLC \_\_\_\_\_
2. Mailing Address \_\_\_\_\_  
Street or P.O. Box, Unit/Suite \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
3. Officer or Member Name \_\_\_\_\_  
First Middle Last Suffix (Jr., Sr., III)
4. Corporate Officer Title \_\_\_\_\_ 5. Business Phone \_\_\_\_\_
6. Date Officer/Member Elected \_\_\_\_\_
7. Duties performed for Corporation or LLC \_\_\_\_\_
8. Mark ONE that Applies:

- I hereby elect to reject workers' compensation insurance coverage based on C.R.S. § 8-41-202 (Non- agricultural).  
**By signing this form, you are acknowledging your rejection of all benefits under the Workers' Compensation Act and that if you are hurt on the job, C.R.S. § 8-41-401(3) may limit your recovery to \$15,000. You are further acknowledging that you are an owner of at least 10% of the stock of the corporation or at least 10% of the membership interest of the LLC at all times, and control, supervise or manage the business affairs of the corporation or LLC. The election to reject workers' compensation insurance as a corporate officer/LLC member must be voluntary and cannot be a condition of your employment.**
- I hereby rescind my previously filed rejection of coverage.

\_\_\_\_\_  
Corporate Officer/LLC Member Signature

\_\_\_\_\_  
Date

**The person who signs this form swears and attests that he or she is the person named within. Pursuant to Section 18-5-102, C.R.S., any person who, with the intent to defraud, falsely completes or alters a written instrument officially issued or created by a public office, public servant, or government agency has committed forgery, a class 5 felony, and shall be subject to punishment as provided in Section 18-1.3-401, C.R.S.**

C.R.S. Section 10-1-128(6)(a) states: **"It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies."**

## INSTRUCTIONS/DEFINITIONS

**General Instructions:** Complete all information. Type or legibly print. **A separate questionnaire, Part B, must be completed and attached for each officer/member rejecting coverage.** Incomplete forms may not be processed and may be returned. Submit the forms to the insurance carrier or the Division of Workers' Compensation per the below submission instructions.

The effective date of election is the day following receipt of said notice by the insurance carrier or the Division. If an officer or limited liability company member changes his/her election, a revised questionnaire must be filed.

### Part A

- 1. Type of Entity:** Check the appropriate box to indicate if the company is a corporation or a limited liability company (LLC).
- 2. Name of Corporation or LLC:** List the legal name of the corporation or LLC as filed with the Secretary of State.
- 3. Mailing Address:** List the complete business mailing address of the corporation or LLC including Street or P.O. Box, Suite Number, City, State, and Zip Code.
- 4. Nature of Business:** Briefly describe the type and nature of business conducted by the corporation or LLC.
- 5. Federal Employer Identification Number:** List the 9-digit Federal Employer Identification Number assigned to the corporation or LLC by the Internal Revenue Service.
- 6. Business Phone:** List the telephone number of the Corporate Secretary or LLC Manager signing Part A of the form.
- 7. Date of Incorporation or Organization:** List the date of incorporation for a corporation or the date of filing of Articles of Organization for an LLC.
- 8. State of Incorporation or Organization:** List the state where the corporation is incorporated or where the LLC filed its Articles of Organization.
- 9. Corporate Officers or LLC Members Rejecting Coverage:** List the full name of the person(s) rejecting coverage. Please include first, middle, last, and suffix (if applicable). Include title or titles, and the percent of corporate ownership or membership interest in the company for each corporate officer or LLC member electing to reject workers' compensation coverage. Under C.R.S. §8-41-202(4), "corporate officer" means "the chairperson of the board, president, vice-president, secretary, or treasurer who is an owner of at least ten percent of the stock of the corporation and who controls, supervises or manages the business affairs of the corporation, as attested to by the secretary of the corporation at the time of the election." Corporate officers and LLC members must own at least 10% of the membership interest in the company at all times and control, supervise or manage the business affairs of the limited liability company to be eligible to reject coverage. Attach separate sheet if more space is needed.
- 10. Number of employees of the corporation or LLC other than officers or members listed above:** List the number of employees other than officers or members listed under #9. Any person who is an employee of the corporation or LLC, who is not a corporate officer or LLC member electing to reject coverage, must be insured for workers' compensation.
- 11A. Does your company have workers' compensation insurance? Place a check in the appropriate space indicating whether the business has Workers' Compensation insurance.**
- 11B. If "Yes" to Question 11A, provide Workers' Compensation insurance policy information:** If your business has Workers' Compensation insurance, list the name of the insurance carrier, the complete current policy number, and the effective dates of the current policy.
- 12. Certification:** Only the Corporate Secretary or LLC Manager shall sign and date Part A certifying that the information contained on the form is correct and complete. If a Corporate Secretary has not been named, the President may sign in lieu of the Corporate Secretary. Type or legibly write the name of the Corporate Secretary or LLC Manager and the name of the corporation or LLC.



## **Part B, Corporate Officer or LLC Member Questionnaire**

To be completed by ***each*** Officer or Member electing to reject workers' compensation insurance coverage or rescinding a previous election.

- 1. Name of Corporation or LLC:** List the legal name of the corporation or LLC as filed with the Secretary of State.
- 2. Mailing Address:** List the complete business mailing address of the corporation or LLC including Street or P.O. Box, Suite Number, City, State, and Zip Code.
- 3. Officer or Member Name:** List the name of the individual corporate officer or LLC member completing Part B. List the full name of the person rejecting coverage. Please include first, middle, last, and suffix (if applicable).
- 4. Corporate Officer Title:** List the title of the individual corporate officer completing Part B. If an LLC member is completing Part B, leave blank.
- 5. Business Phone:** List the business telephone number of the individual corporate officer or LLC member completing Part B.
- 6. Date Officer/Member Elected:** List the date the individual corporate officer or LLC member completing Part B was elected to the position.
- 7. Duties performed for Corporation or LLC:** Briefly describe the specific duties performed for the corporation or LLC by the individual corporate officer or LLC member completing Part B.
- 8. Mark ONE that Applies:** Check the appropriate box to indicate if the individual corporate officer or LLC member completing Part B is rejecting worker's compensation coverage or rescinding a previously filed rejection of coverage. The individual rejecting coverage or rescinding coverage must sign and date Part B. If the rescinding option is selected, Part A need not be completed.
- 9. Copy of form:** You may wish to keep a copy of all forms for your records before submitting the original forms.

### **Submission Instructions**

**Insured:** If the corporation or LLC **has** a workers' compensation insurance carrier, file this form directly with your insurance carrier.

**Noninsured:** If there is **no** workers' compensation insurance carrier, file this form with the Division of Workers' Compensation at the following address:

Division of Workers' Compensation  
Coverage Enforcement Unit  
633 17th St., Suite 400  
Denver, CO 80202-3626  
303.318.8700

OR by e-mail to:

cdle\_dowc\_coverage@state.co.us

This is a **temporary** version of WC43, intended to assist in the submission process during the COVID-19 outbreak. (3/20/2020)

