



NYCIRB

New York Compensation
Insurance Rating Board
733 Third Avenue
New York, NY 10017
Tel: (212) 697-3535

November 16, 2020

R.C. 2526

Re: Subcontractors – Satisfactory Evidence of Insurance

Members of the Rating Board:

I write to address inquiries received from stakeholders regarding our member insurers' treatment of subcontractors in certain industries, including the construction and trucking industries.

The New York Workers' Compensation and Employers' Liability Manual ("Manual") requires that an insured contractor provide its insurer with satisfactory evidence of workers' compensation insurance for each of its subcontractors. See Manual Rule VIII(C)(3). If satisfactory evidence of workers' compensation insurance for a subcontractor is not furnished, then the payroll of that subcontractor must be included on the contractor's policy and in its premium calculation. See Manual Rule VIII(C)(3).

Accordingly, by this RC Bulletin, the Rating Board reminds member insurers of their obligation to collect satisfactory evidence of workers' compensation insurance for all subcontractors before excluding subcontractors' payroll from policies.

For a more detailed discussion on this topic, please refer to Manual Rule VIII(C)(3) - "Premium for Uninsured Subcontractors." If you have questions or concerns, please do not hesitate to contact Mr. Mark Battistelli, Vice President of Underwriting Services, at (212) 697-3535, ext. 113 or at underwritingservices@nycirb.org.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JA".

Jeremy Attie
President and CEO