

Bureau of Compliance

Division of Workers' Compensation

Quarterly Newsletter

Newsletter, Volume 1 Issue 1:
July 15, 2010

From the Desk of the Bureau Chief

I am pleased to announce the Bureau of Compliance Inaugural Quarterly Newsletter. As an integral part of the Division of Workers' Compensation, the Bureau continues to implement processes and new initiatives to educate and hold employers accountable for meeting their statutory obligations. In fulfilling this responsibility, the Bureau uses various enforcement tools to increase the sophistication and comprehensiveness of its investigations and has implemented a variety of initiatives focused on educating employers and other stakeholders on the workers' compensation law.

This Newsletter provides the Bureau with an opportunity to share its activities, new initiatives, administrative rule changes and updates as well as general information. The Bureau will publish a Newsletter at the conclusion of each quarter. I sincerely hope that you enjoy the Newsletter and I welcome any suggestions and comments with regard to this Newsletter and the performance of the Bureau.

-Tasha Carter, Chief, Bureau of Compliance



Enforcement Authority

The Bureau of Compliance is responsible for ensuring that employers comply with their statutory obligations to obtain appropriate workers' compensation insurance for their employees. The Bureau conducts investigations to determine employer compliance and assesses penalties against employers who fail to meet their statutory obligations. Assessed penalties are equal to 1.5 times what the employer would have paid in workers' compensation insurance premiums for all periods of non-compliance during the preceding 3-year period or \$1,000, whichever is greater.

A Stop-Work Order may be issued for the following violations:

- Failure to obtain workers' compensation coverage
- Underreporting or Concealing payroll
- Misclassifying an employee's duties
- Failure to produce requested business records within 5 business days



Stop-Work Orders require the employer to cease business operations and the Order remains in effect until the employer provides proof of compliance and pays the assessed penalty or enters into a Periodic Payment Agreement with the Division.

Training Opportunities

The Bureau of Compliance is offering free classes throughout the State to educate employers, business owners, licensed contractors and other interested stakeholders to help them understand their statutory obligations under the Workers' Compensation Law. The Bureau is partnering with the U.S. Department of Labor, Office of Safety and Health Administration (OSHA) to provide employers with information relating to both workers' compensation and workplace safety. Continuing Education Units are available to individuals licensed by the Department of Business and Professional Regulation, the Department of Financial Services, Bureau of Fire Prevention and the Florida Water Well Administration. Advanced registration is required to assure availability. A list of scheduled classes and the registration form can be obtained from the Division's website at www.myfloridacfo.com/WC/ within the Employer Section.

Dates & Locations:

Ft. Myers – July 13, 2010
Miami – July 15, 2010
Tampa – July 29, 2010
Pompano Beach – July 29, 2010
Lakeland – August 6, 2010
Pensacola – August 10, 2010
Orlando – August 12, 2010
West Palm Beach - August 13, 2010
Jacksonville – August 18, 2010
Tallahassee – August 20, 2010



*Identical Content is Provided in All Seminars
All Cities are Located in Florida*

USF *SafetyFlorida* Consultation Program



The University of South Florida SafetyFlorida Consultation Program has joined the Division in providing information to Florida's employers about workplace safety. This program offers professional assistance to employers in order to prevent workplace injuries. USF SafetyFlorida is the state's workplace safety and health consultation program and offers Florida's small business owners with complimentary, confidential on-site consultation. USF SafetyFlorida's consultants are highly skilled and trained in OSHA regulations. They can help you profit from workplace safety and offer:

- Accident and hazard prevention information
- Complimentary safety information and safety videos
- Safety management wizards that complete DWC-1 and OSHA 300 forms
- Safety and health training and education, including USF OSHA Training Institute Education Center information

Administrative Rule Updates

The Bureau of Compliance has initiated new rule promulgation procedures and amended existing rules in order to clarify and interpret some of the various enforcement and compliance provisions in Chapter 440, F.S.

Rule 69L-6.007, Compensation Notice - Amended to revise the Broken Arm Poster.

- *Rule Workshop held on June 29, 2010*

Rule 69L-6.012, Notice of Election to be Exempt - Amended to establish guidelines for the immediate revocation of non-construction industry exemptions.

- *Effective July 5, 2010*

Rule 69L-6.021, Construction Industry Classification Codes - Amended to add new class codes and delete existing class codes.

- *Rule Workshop scheduled on July 15, 2010 @ 2:00 pm*

Rule 69L-6.026, Periodic Reports - New rule to establish procedures regarding the filing of periodic reports by employers that have been issued a Stop-Work Order and assessed a penalty in excess of \$50,000.

- *Rule Hearing scheduled on July 15, 2010 @ 10:00 am*

Bureau of Compliance Databases

The Bureau of Compliance maintains several databases designed to provide direct information access for all of the stakeholders in the workers' compensation system. The databases are accessible from the Division of Workers' Compensation website at www.myfloridacfo.com/wc/. A list of the databases are as follows:



The **Proof of Coverage Database** provides information relating to Workers' Compensation coverage and exemptions from workers' compensation.



The **DWC e-Alert** provides e-mail notifications about important announcements taking place in the Division of Workers' Compensation.



Click on this icon to obtain the current Notice of Election to be Exempt application and the corresponding instructions.



The **Non-Compliance Referral Database** is used to report employers you suspect have failed to secure workers' compensation coverage for all of its employees.



The **Construction Policy Tracking Database** allows users to register and receive email notifications about changes to the workers' compensation coverage status for any employer.



The **Compliance Stop-Work Order Database** lists employers that have been issued a Stop-Work Order based upon a determination that the employer has failed to secure the payment of compensation.

