

California Officer Waiver of Coverage Checklist

California SB 189 applies to excluded officers on policies with primary locations in California incepting on or after July 1, 2018.

- **Initial review of executive(s) and company ownership**

___ Review all company officers, directors, owners, general partners or managing members to determine if they are eligible for exclusion

- **Present a Waiver of Coverage form to eligible owners to be excluded**

___ Choose waiver form applicable to entity type per guidelines below
___ One form per person

- **Forward completed and signed forms to BerkleyNet**

___ Submit forms using one of these options:
Email: service@berkley.net.com
Fax: 703.586.6289
Mail: BerkleyNet | 9301 Innovation Drive, Suite 200 | Manassas, VA 20110

Important Note: Exclusion will be effective upon the date we receive and accept the signed Waiver Form. We may elect to backdate the acceptance of the waiver up to 15 days prior to receipt.

- **Submit endorsement request for any changes in ownership immediately**

Guidelines for Exclusion and Choosing Correct Form

Corporations (Other Than Professional or Cooperative Corporations) and Trusts – Labor Code Section 3352(16) – An Officer or Director who owns a minimum of 10% of the stock or an Officer or Director who is covered by health insurance and owns at least 1% of the stock with a parent, grandparent, sibling, spouse, or child owning at least 10% of the stock, or a Trustee of a Trust may elect exclusion from their workers' compensation insurance policy. Each qualifying Officer, Director, or Trustee must sign a Waiver of Coverage form stating, under penalty of perjury, that s/he is eligible for exclusion.

Professional Corporations – Labor Code 3352(18) – Owners covered by health insurance may elect exclusion from their workers' compensation insurance policy, regardless of their ownership percentage. Each Owner who elects exclusion must sign and date a Waiver of Coverage form stating, under penalty of perjury, that s/he is eligible for exclusion and provide a copy of the Waiver to all other owners of the professional corporation. The professional corporation shall keep a copy of the waiver on file.

Cooperative Corporations – Labor Code 3352(19) – An Officer or Director covered by health insurance and a disability policy may elect exclusion from their workers' compensation insurance policy, regardless of their ownership percentage. Each qualifying Officer or Director must sign a Waiver of Coverage form stating, under penalty of perjury, that s/he is eligible for exclusion and provide a copy of the Waiver to all other owners of the cooperative corporation. The cooperative corporation shall keep a copy of the waiver on file.

Partnerships and Limited Liability Companies – Labor Code Section 3352(17) – General Partners or Managing Members of LLC's may elect exclusion from their workers' compensation insurance policy. Each qualifying General Partner or Managing Member must sign a Waiver of Coverage form stating, under penalty of perjury, that s/he is eligible for exclusion.