

(In effect as of January 1, 2006*)

TABLE 1. TYPE OF LAW AND INSURANCE REQUIREMENTS FOR PRIVATE EMPLOYMENT

Jurisdiction	<u>Type of Law:</u> Compulsory or Elective	<u>Employer to Insure Through:</u>			<u>Self-Insurance By:</u>	
		Waivers Permitted	State Fund	Pvt. Carrier	Indiv. Employer	Grp. of Employers
Alabama	Compulsory	No	No	Yes	Yes	Yes
Alaska	Compulsory	Yes 1/	No	Yes	Yes	No
Arizona	Compulsory	Yes	Competitive	Yes	Yes	Yes
Arkansas	Compulsory	Yes	No	Yes	Yes	Yes
California	Compulsory	No	Competitive	Yes	Yes	Yes
Colorado	Compulsory	No 2/	Competitive	Yes	Yes	Yes
Connecticut	Compulsory	Yes	No	Yes	Yes	Yes
Delaware	Compulsory	No	No	Yes	Yes	No
Dist. of Col.	Compulsory	No	No	Yes	Yes	No
Florida	Compulsory	Yes 3/	No	Yes	Yes	Yes
Georgia	Compulsory	Yes	No	Yes	Yes	Yes
Hawaii	Compulsory	No	Competitive	Yes	Yes	Yes
Idaho	Compulsory	No	Competitive	Yes	Yes	No
Illinois	Compulsory	No	No	Yes	Yes	Yes
Indiana	Compulsory	No	No	Yes	Yes	No
Iowa	Compulsory	Yes 4/	No	Yes	Yes	Yes
Kansas	Compulsory	No	No	Yes	Yes	Yes
Kentucky	Compulsory	Yes	Competitive	Yes	Yes	Yes
Louisiana	Compulsory	Yes	Competitive	Yes	Yes	Yes
Maine	Compulsory	Yes	Competitive	Yes	Yes	Yes
Maryland	Compulsory	Yes	Competitive	Yes	Yes	Yes
Massachusetts	Compulsory	No	No	Yes	Yes	Yes
Michigan	Compulsory	Yes	No	Yes	Yes	Yes
Minnesota	Compulsory	No	Competitive	Yes	Yes	Yes

*See Introduction page.

TABLE 1. TYPE OF LAW AND INSURANCE REQUIREMENTS FOR PRIVATE EMPLOYMENT (cont.)

Jurisdiction	<u>Type of Law:</u> Compulsory or Elective	<u>Employer to Insure Through:</u>			<u>Self-Insurance By:</u>	
		Waivers Permitted	State Fund	Pvt. Carrier	Indiv. Employer	Grp. of Employers
Mississippi	Compulsory	No	No	Yes	Yes	Yes
Missouri	Compulsory	No	No	Yes	Yes	Yes
Montana	Compulsory	Yes	Competitive	Yes	Yes	Yes
Nebraska	Compulsory	No	No	Yes	Yes	No
Nevada	Compulsory	No	No	Yes	Yes	Yes
New Hampshire	Compulsory	No	No	Yes	Yes	Yes
New Jersey	Elective 5/	No	No	Yes	Yes	No
New Mexico	Compulsory	Yes	Competitive	Yes	Yes	Yes
New York	Compulsory	No 6/	Competitive	Yes	Yes	Yes
North Carolina	Compulsory	No	No	Yes	Yes	Yes
North Dakota	Compulsory	No	Exclusive	No	No	No
Ohio	Compulsory	Yes 7/	Exclusive	No	Yes	No
Oklahoma	Compulsory	No 8/	Competitive	Yes	Yes	Yes
Oregon	Compulsory	No	Competitive	Yes	Yes	Yes
Pennsylvania	Compulsory	No	Competitive	Yes	Yes	Yes
Puerto Rico	Compulsory	No	Exclusive	No	No	No
Rhode Island	Compulsory	Yes 9/	Competitive	Yes	Yes	Yes
South Carolina	Compulsory	Yes	No	Yes	Yes	Yes
South Dakota	Compulsory	Yes	No	Yes	Yes	Yes
Tennessee	Compulsory	Yes	No	Yes	Yes	Yes
Texas	Elective	No	Competitive	Yes	Yes	Yes
Utah	Compulsory	No	Competitive	Yes	Yes	Yes 10/
Vermont	Compulsory	Yes	No	Yes	Yes	No
Virginia	Compulsory	Yes	No	Yes	Yes	Yes
Virgin Islands	Compulsory	No	Exclusive	No	No	No

TABLE 1. TYPE OF LAW AND INSURANCE REQUIREMENTS FOR PRIVATE EMPLOYMENT (cont.)

Jurisdiction	<u>Type of Law:</u> Compulsory or Elective	Waivers Permitted	<u>Employer to Insure Through:</u>		<u>Self-Insurance By:</u>	
			State Fund	Pvt. Carrier	Indiv. Employer	Grp. of Employers
Washington	Compulsory	No	Exclusive	No	Yes	Yes
West Virginia	Compulsory	No	Exclusive	No	Yes	No
Wisconsin	Compulsory	No	No	Yes	Yes	No
Wyoming 11/ United States*:	Compulsory	No	Exclusive	No	No	No
FECA	Compulsory	No	Exclusive	No	Yes	No
LHWCA	Compulsory	No	No	Yes	Yes	Yes

* Federal Employees' Compensation Act.
Longshore and Harbor Workers' Compensation Act.

FOOTNOTES:

- 1/ Alaska: Officers of for-profit corporations may waive coverage.
- 2/ Colorado: However, a person, company or corporation may not be construed to be an employer subject to workers' compensation liability under the specific criteria defined in section 8-40-302, C.R.S.
- 3/ Florida: Corporate officers may elect to be exempt. In the construction industry, no more than three corporate officers may be exempt, and each must demonstrate at least 10% ownership.
- 4/ Iowa: Limited to Corporate Officers.
- 5/ New Jersey: Technically coverage is elective, but practically compulsory.
- 6/ New York: Waiver agreements, with respect to the benefits in a particular claim, are permitted when all parties to the agreement agree to terms, and the agreement is approved by Workers' Compensation Board.
- 7/ Ohio: Yes, but only for employer sponsored recreational activities.

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8/ Oklahoma:	Partial waiver allowed under certain circumstances for silicosis and asbestosis
9/ Rhode Island:	Employees are allowed to claim common law rights and opt out of the workers' compensation system
10/ Utah:	Public mutual insurance groups only.
11/ Wyoming:	The law is compulsory for all employers engaged in extrahazardous occupations and elective for all other occupations.