

**State of New York
WORKERS' COMPENSATION BOARD**

**NOTICE OF ELECTION OF A CORPORATION WHICH IS REQUIRED TO HAVE DISABILITY
BENEFITS COVERAGE FOR ITS EMPLOYEES UNDER THE DISABILITY BENEFITS LAW TO
EXCLUDE THE SOLE SHAREHOLDER-OFFICER OR ONE OF THE TWO OR BOTH
SHAREHOLDER-OFFICERS OF THE CORPORATION FROM SUCH COVERAGE**

To: (Print name and address of insurance carrier here.)

TAKE NOTICE that under the provisions of Section 212, subdivision 4 of the Disability Benefits Law as amended, the corporation named below elects to exclude the executive officer(s) named below from coverage under the New York State Workers' Compensation Law with respect to all the policies issued to the corporation by the insurance carrier named above.

Name of Corporation _____

Address of Corporation _____

Incorporated Under the Laws of the State of _____

Type: One-person corp. Two-person corp. (A two-person corporation may elect to exclude one or both executive officers, provided that between them they own all the stock in the corporation, and that each officer owns at least one share of stock.)

Executive Officer(s) to be excluded from policy

1. Name _____ Title _____

2. Name _____ Title _____

CERTIFICATION

USE FOR ONE-PERSON CORPORATION

I, _____, certify that I am the sole executive officer of the above-named
Name
corporation; that I have been since _____ the sole owner of all issued and outstanding stock of the corporation
Date
and hold all the offices pursuant to paragraph (e) of Section 715 of the Business Corporation Law. (Affix corporate seal below, if you have one.)

Signature of Officer

Date

Telephone No.

USE FOR TWO-PERSON CORPORATION

We, _____, _____ and _____,
Name Title Name
_____ certify that we are the two executive officers of the above-named corporation,
Title
having been duly appointed by corporate resolution; that we have been since _____ the sole owners of all
Date
issued and outstanding stock and that each of us owns at least one share of stock of the corporation, and that we hold all of the offices pursuant to paragraph (e) of Section 715 of the Business Corporation Law. (Affix corporate seal below, if you have one.)

Signature of Officer

Date

Telephone No.

Signature of Officer

Date

Telephone No.

**THIS ELECTION IS FINAL AND BINDING UPON THE
OFFICER(S) NAMED UNTIL REVOKED BY THE CORPORATION.**

CORPORATE
SEAL*

*If the corporation does not
have a seal, check here

See reverse side for relevant portions of Section 212, subd. 4 (DBL) and Sec. 715, Par. (e) of the Business Corporation Law.

Section 212, Subdivision 4 of the New York Disability Benefits Law

An executive officer of a corporation who at all times during the period involved owns all of the issued and outstanding stock of the corporation and holds all of the offices pursuant to paragraph (e) of section 715 of the business corporation law or two executive officers of a corporation who at all times during the period involved between them own all of the issued and outstanding stock of such corporation and hold all such offices provided, however, that each officer must own at least one share of stock and who is the executive officer or who are the executive officers of a corporation having other persons who are employees required to be covered under this article, shall be deemed to be included in the corporation's disability benefits insurance contract or covered by a certificate of self-insurance or a plan under section two hundred eleven of this article, unless the officer or officers elect to be excluded from the coverage of this article. Such election shall be made by any such corporation filing with the insurance carrier, or the chair of the workers' compensation board in the case of self insurance, upon a form prescribed by the chairman, a notice that the corporation elects to exclude the executive officer or officers of such corporation named in the notice from the coverage of this article. Such election shall be effective with respect to all policies issued to such corporation by such insurance carrier as long as it shall continuously insure the corporation. Such election shall be final and binding upon the executive officer or officers named in the notice until revoked by the corporation.

Section 715, Paragraph (e) of the Business Corporation Law

Any two or more offices may be held by the same person, except the offices of president and secretary. When all of the issued and outstanding stock of the corporation is owned by one person, such person may hold all or any combination of offices.