

Reset Form

Print Form

Trucking Industry No Subhauler Certification

Legal Name: _____

FEIN #: _____ DOT #: _____ (if any)

Please sign below after you have reviewed the four categories (types) of drivers that are evaluated on all trucking risks in order to calculate State Fund workers' compensation premium for your trucking firm.

Driver Category	Characteristics of Such Drivers	Portion of Payroll (or Cost of Hire) to Include in the Premium Base
1. Drivers who are <u>employees</u> of your trucking firm:	<ul style="list-style-type: none"> Drivers who <u>receive W-2s</u> from your trucking firm. Drivers who <u>drive trucks owned by your trucking firm</u> (or entities in which you have a financial interest) are considered employees regardless of any other factors, including how they are paid. 	100%
2. Drivers who <u>lease their vehicles</u> from your trucking firm and drive on your behalf:	<ul style="list-style-type: none"> Drivers who <u>lease their vehicles from your trucking firm</u> (or entities in which you have a financial interest) are considered employees regardless of any other factors, including how they are paid. Such drivers will be considered employees even if their sub-haul frequency on behalf of your trucking firm is sporadic/infrequent. In such instances, the driver can be the DMV-registered owner, but the lienholder will be your trucking firm (or your financial interest). 	100%
3. Drivers who own their vehicles , but whose relationship with your trucking firm has characteristics of an Employer-Employee relationship.	<ul style="list-style-type: none"> Drivers whose relationship with your trucking firm has characteristics of an "Employer-Employee" relationship, considering the employment status test "ABC Test" or an applicable conditional exemption and the Borello test in accordance with CA Labor Code 2775-2785. Where an "employer-employee" type relationship is demonstrated with such Trucking Sub-Haulers, the WCIRB's rule (USRP, Part 3, Section V, Rule 4) would be applicable, and therefore, 25%* or 60%* of the 'Cost of Hire' will be included as estimated payroll in the premium base for your WC quote/policy. 	<p>25% * (for vehicles over 10,000 GVW)</p> <p>60% * (for vehicles under 10,000 GVW)</p>
4. Drivers who own their vehicles , and are <u>truly independent</u> from your trucking firm while driving on your behalf:	<ul style="list-style-type: none"> Drivers whose relationship with your trucking firm is truly independent considering the employment status test "ABC Test" or an applicable conditional exemption and the Borello test in accordance with CA Labor Code 2775-2785. 	0%

By submitting and signing, I certify that the following are accurate:

- I currently do not pay any drivers whom I consider Independent Contractors.
- I understand that if, in the future, I pay drivers whom I consider Independent Contractors, the above 4 categories will be used to assess the portions of payroll and 'Cost of Hire' to determine premium calculation.

For your protection California law requires the following to appear on this form: Any person who knowingly presents false or fraudulent information to obtain or amend insurance coverage or to make a claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.

Please Sign here:

Signature of Company Owner
(Authorized Representative)

Print Name and Title

Date