

**RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING
WORKERS' COMPENSATION DIVISION
RULES AND REGULATIONS PURSUANT TO R.I.G.L. 28-29-17.1
NOTICE OF DESIGNATION AS INDEPENDENT CONTRACTOR**

The following rules and regulations regarding the filing of a notice of designation as an independent contractor with the Director of the Department of Labor and Training are promulgated pursuant to R.I.G.L. 28-29-17.1 and 28-29-26(a).

1. To be considered an independent contractor for purposes of workers' compensation, a person must file a notice of designation as independent contractor with the Director of the Department of Labor and Training in the manner prescribed by the Director.
2. The notice of designation as independent contractor form (DWC-11-IC) may be filed in paper format or electronically. Improperly completed paper forms will be returned to the sender. Electronically filed forms will immediately be rejected if not properly completed. If the sender encloses a copy of the DWC-11-IC and a stamped self-addressed envelope, the Department will provide a date stamped copy of the notice. Electronic filers will receive an immediate confirmation of the filing.
3. Upon receipt of a DWC-11-IC, the Department will send a notice to the named independent contractor advising of the effect of the filing, including information regarding the distinction between an employee and an independent contractor, and a warning that the independent contractor will not be entitled to workers' compensation benefits.
4. Any employer hiring an independent contractor should request proof of workers' compensation insurance coverage, a copy of the DWC-11-IC from the independent contractor, or confirmation of the filing from the Department.
5. The DWC-11-IC will remain in effect while the independent contractor is working for the named hiring entity or until a notice of withdrawal (DWC-11-ICR) is received, in paper format or electronically, and the receipt is confirmed by the Department. The Department will notify the named hiring entity when a DWC-11-ICR is filed.
6. The Department will make available, electronically or otherwise, information on whether a person has filed a DWC-11-IC or a DWC-11-ICR with the Department. The Department's confirmation is evidence of both electronic and paper filings and absent a subpoena will be provided in lieu of the actual form. Social Security numbers and FEIN numbers contained on the forms will not be publicly disclosed. Workers' Compensation insurers should access the Department's independent contractor information during audits to assist in determining a worker's status as employee or independent contractor.

Promulgated as Rules and Regulations of the Department of Labor and Training this _____ day of _____, 2005.

Director
Rhode Island Department of Labor and Training

