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# How to get workers' comp insurance



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## compensation that cares

Our complementary, expert safety services and trusted coverage help customers reduce costs and risk.

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your employees are family members or part of a small business.

In Colorado, any person you pay to perform work for you is presumed by workers' compensation laws to be an employee.

## How to get workers' comp insurance

In Colorado, the state [does not provide workers' compensation insurance coverage](#), but private carriers do.

If you need coverage, you will first need to determine the kind of coverage that is best for your business: commercial insurance or self-insurance.

### Case studies

- [Douglas County finds workers' comp with head and heart](#)
- [Commerce City finds massive savings in safety](#)
- [Pueblo Water: A safety comeback story](#)

## Commercial workers' comp coverage

There are over 500 insurance companies in Colorado that offer commercial insurance. You can contact your insurance agent or carrier to obtain a quote. Pinnacol Assurance is required to provide workers' compensation coverage for any Colorado employer.

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been in business at least five years

- At least 300 employees in the state
- A parent company with assets of at least \$100 million

If you are like most employers in the state, you don't meet those criteria. So, your best option is commercial insurance.

## Do I have to cover all employees?

Yes, though there are [exemptions](#) for specific occupations and individuals.

Some [occupations or individuals that are exempt from mandatory coverage](#) include:

- Independent contractors
- Sole proprietors and partners in a partnership (though the construction industry has special rules for this)
- Motor carriers that lease vehicles to or from drivers, under specific circumstances
- Real estate brokers/agents with a contract working solely on commission
- Corporate or executive officers of corporations or members of Limited Liability Companies who own at least 10 percent

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Individuals hired to perform services for your company must meet specific qualifications to be claimed as independent contractors.

Independent contractors must:

1. Be free from direction and control in the performance of the work; **and**
2. Have an independent business doing that specific kind of work.

Misclassifying an employee as an independent contractor can lead to serious legal consequences. If you're unsure about the worker's classification, it is wise to check with an employment attorney to see whether they are considered a contractor or employee.

If a misclassified person experiences a work-related injury or illness, you will be liable for the costs of medical treatment, lost wages and additional fines.

## What happens if I don't have workers' comp insurance?

Getting caught without workers' compensation is a choice that can really cost business.



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increase in benefits for failing to carry workers' comp insurance.

## Who pays for workers' comp insurance?

Employers pay for workers' comp insurance and no part of the premium can be deducted from employee wages.

## Do out-of-state employers need Colorado workers' comp insurance?

For the most part, if your business is performing work in Colorado and you have even one employee performing work here, you will likely be required to carry a valid Colorado workers' comp policy.

However, the state of Colorado recognizes that each out-of-state employer's circumstances are unique, so the Division of Workers' Compensation advises contacting them at 303-318-8700 or 1-888-390-7936.

Are there spe

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- Be covered by workers' compensation insurance

or

- Reject coverage by filing a form with the Division of Workers' Compensation

As the business hiring laborers, it is your responsibility to ensure one of those criteria is met.

You can verify if a sole proprietor or partner has rejected coverage [here](#).

## Getting workers' comp online or with an agent

Traditionally, employers buy workers' compensation coverage with the help of an insurance agent. This is still an excellent choice if you prefer a personal touch and a professional who can guide you through the insurance process.

For those who like things quick and convenient, you can buy insurance totally online now in about five minutes or less when you choose Pinnacol.

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minutes.

If you prefer a more personal touch, connect with one of our [trusted agent partners in your area](#).

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*Pinnacol Assurance assumes no responsibility for management or control of customer safety activities. Please ensure your business meets the requirements of all federal, state, and local laws, regulations, or ordinances related to workplace safety.*

## Related workers' compensation insurance sources



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