



THE COMMONWEALTH OF MASSACHUSETTS

Department of Industrial Accidents

1 Congress Street, Suite 100
Boston, Massachusetts 02114-2017

DEVAL L. PATRICK

Governor

PHILIP L. HILLMAN

Director

December 12, 2013

RE: Reminder - Workers' Compensation Affidavits per M.G.L. c. 152, §25C (6)

Dear Sir or Madam,

I am writing to provide you with an annual reminder that Massachusetts law [M.G.L. c. 152, §25 C (6)] requires that any business or individual wishing to obtain a license or permit from any city or town agency must complete the appropriate Workers' Compensation Insurance Affidavit prior to receiving said license or permit. No municipal authority may issue a license or permit without first receiving a completed affidavit from the permittee/licensee. Please be advised that affidavits are not required for non-commercial licenses or permits (i.e. dog license, permit to burn leaves on private property, household town dump permits etc.).

There are two types of affidavits; one for general businesses and another for builders, electricians, plumbers etc. The permit/license applicant must fill out the appropriate affidavit stating either that they have employees and carry workers' compensation, or that the business owner is a sole proprietor with no employees and is not required to carry a policy. If the business states that they have a workers' compensation policy, they must provide a copy of said policy along with the completed affidavit. **The city or town licensing agency is to keep the affidavit on file, along with the application for the permit/license. Further, if a city or town agency must issue more than one license/permit etc. to the same business, one affidavit for that business or organization will satisfy the statutory requirement.** Please note that a new affidavit must be filed upon the renewal of a yearly license or permit since workers' compensation policies are renewed annually.

Pursuant to M.G.L. c. 152, §25C (7), neither the Commonwealth nor any of its political subdivisions (city or town) shall enter into any contract for the performance of public work until acceptable evidence of compliance with these insurance requirements have been presented to the contracting authority. Further, any employer that has been issued a Stop Work Order by the Department of Industrial Accidents (DIA) is debarred from bidding on or participating in any state, county or municipally funded contract for a period of three years – see M.G.L. c. 152, §25C (10). The DIA publishes a list of all currently debarred entities on its web site – [click here](#) to see the current list.

The DIA provides an online Proof of Coverage application which enables users to search for and verify workers' compensation coverage for any businesses operating within the Commonwealth. The application is found at www.mass.gov/dia or by clicking [here](#).

From time to time a representative of the Department of Industrial Accidents may come to your offices in order to review these affidavits as part of our efforts to enforce the workers' compensation laws. We ask that you please afford our agents every courtesy. If you have questions in this regard, please contact Bill Taupier at 617-727-4900 ext. 7560. We thank you for your continued cooperation and support in this endeavor.

Sincerely,

A handwritten signature in black ink that reads "William C. Tattan". The signature is written in a cursive, flowing style.

William C. Tattan
Deputy Commissioner and General Counsel

P.S. Copies of these affidavits are available on-line at:

<http://www.mass.gov/lwd/docs/dia/forms/f-aff-builders.pdf>

<http://www.mass.gov/lwd/docs/dia/forms/f-aff-general.pdf>