

## Workers' Compensation Coverage

### Who needs coverage?

As with most no-fault insurance, workers' compensation is fair only if it applies to all workers and employers. Today, Oregon requires most employers to have workers' compensation coverage for their employees. If you employ workers in Oregon, you probably need workers' compensation coverage.

Ask yourself the following questions:

### Am I an employer?

If you pay someone to work for you and you are in charge, or have the right to direct and control how the work is done, that worker is probably your employee. If you believe the worker is an independent contractor, see our independent contractor webpage: <https://wcd.oregon.gov/employer/indcon/Pages/index.aspx>.

### Do I have a worker?

If you pay someone to work, then you have a worker, unless they qualify as an independent contractor. Pay can be defined as wages or other things of value such as board, rent, or lodging provided by the employer.

### Is my worker a subject worker?

Every worker in Oregon is a subject worker, unless the worker falls under one of the roughly 30 exceptions in Oregon law. Information about these exceptions is in ORS 656.027; also, you can call the Workers' Compensation Division at 888-877-5670 (toll-free) or 503-947-7815, or email [wcdemployerinfo@dcbs.oregon.gov](mailto:wcdemployerinfo@dcbs.oregon.gov). **NOTE:** Changes to the law in 2022 redefined who is considered a worker to be any person who performs services for remuneration and is not an independent contractor, as defined by ORS 670.600. This means that some people who were previously not subject workers are subject workers under the new law. Read the industry notice: <https://wcd.oregon.gov/IndustryNotices/11-29-21-HB3188.pdf>.

### Am I a subject employer?

If you have one or more subject workers, you are a subject employer and must have Oregon workers' compensation coverage. Most Oregon employers get coverage through an insurance company or by contracting with a worker leasing company (also known as a professional employer organization, or PEO). If coverage is obtained through an insurance company, the company is required to file proof of coverage on your behalf.

More information on workers' compensation coverage: <https://wcd.oregon.gov/employer/Pages/index.aspx>.

If you have questions, call the Workers' Compensation Division at 888-877-5670 (toll-free) or 503-947-7815, or email [wcdemployerinfo@dcbs.oregon.gov](mailto:wcdemployerinfo@dcbs.oregon.gov).

### Obtaining coverage

Oregon has a competitive market with more than 300 companies writing workers' compensation policies.

Some ways to purchase a policy include:

- Contact your insurance agent. Often, the agent that handles your other business insurance can also help you purchase a workers' compensation policy.
- Contact an insurance company directly. Some of them will deal directly with you, and a few have made special arrangements to provide workers' compensation through business organizations or associations.

The Department of Consumer and Business Services has the Small Business Ombudsman (SBO), an advocate for small business who is available to discuss options with you. Call 503-378-4209.

If an insurance company denies you workers' compensation coverage, you may apply to the Assigned Risk Plan. The National Council on Compensation Insurance (NCCI) administers the plan. Call 800-622-4123 (toll-free), ext. 6240, for an application, or apply online at [NCCI.com](http://NCCI.com).