

Account Number	Firm Number
Employer's Legal Name (Legal Entity)	
Telephone Enquiry Number <b>416-344-1000 or 1-800-387-0750 / TTY: 1-800-387-0050</b>	

Upon request and approval by WSIB, the partnership or corporation may report the insurable earnings of non-exempt partners or non-exempt executive officers, who do not perform any construction work, under rate group 755. Independent operators and sole proprietors are not eligible for rate group 755.

### Eligibility Criteria for Rate Group 755

- The individual must be a partner or executive officer and only applies to Non-exempt partner(s) of a partnership, Non-exempt executive officer(s) of a corporation with workers, or Non-exempt executive officer(s) of a corporation without workers but with multiple executive officers (this would not apply to an independent operator or sole proprietor); and
- The partner or executive officer does not perform any construction work; and
- The employer must complete and file the Request for Rate Group 755 form on page 2 with the WSIB.

**Construction means** refers to any manual work of a skilled or unskilled nature, the operation of equipment or machinery, or the direct on-site supervision of workers. Periodic site visits are permitted provided the partners or executive officers are not performing construction work on the site.

### Executive Officer Status

Common titles of an executive officer for a company are President, Vice-President, Chief Operating Officer, Secretary/ Treasurer (among other names for officers).

To determine if an individual is an executive officer of a corporation, the WSIB considers if the individual's name is recorded in the employer's minute book as an officer/director, and if their status can be verified by the WSIB by reviewing resolutions by the board of directors, corporate by-laws, or public records filed with other government authorities.

Also, the WSIB may also examine the substance of the relationship between the individual and the employer including their role, responsibilities and duties.

For substance, the WSIB considers if the individual:

- has been delegated the authority to act independently on behalf of the organization
- is wholly or partially responsible for the overall direction and control of the organization's operations or financial affairs
- exercises a broad scope of authority to make decisions or formulate policies for the organization as a whole, rather than authority that is strictly limited to a specific branch or division
- has the ability to bind the organization.

Where the title of the individual or corporate documentation conflicts with the substance of the relationship between the individual and the employer, the WSIB determines whether an individual is considered an executive officer based on the substance of the relationship. The WSIB reserves the right to determine who is an executive officer.

### How to Make a Request for Rate Group 755

To request rate group 755 or to change the individuals being reported under rate group 755, please print this form; complete the request on page 2; and send to the WSIB.

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## Request for Rate Group 755, Non-Exempt Partner and Executive Officer in Construction

**Please read the following information carefully before completing the form.**

The effective date of this rate group 755 on the account is the date the first partner or executive officer is eligible (eligibility date) or January 1 of the year WSIB receives this request (if the eligibility date is earlier). The WSIB will provide written confirmation of the effective date.

As an authorized representative of this employer I understand, on behalf of the partnership or corporation, that:

1. The WSIB has the right to determine if an individual qualifies as a partner or executive officer, and meets the criteria for rate group 755 as outlined on page 1 of this form.
2. Only the insurable earnings of eligible individuals can be reported under rate group 755.
3. The WSIB may request proof of ownership or executive officer status at any time.
4. If a partner or executive officer engages in any construction work, or if there is any other material change in circumstances in connection with this request for rate group 755, the partnership or corporation must notify the WSIB within 10 days of the material change occurring.
5. If the WSIB discovers that insurable earnings were reported under rate group 755 for an individual who did not qualify for this rate group, a retroactive premium adjustment may be made to the employer's account.
6. It is an offence to knowingly make a false or misleading statement or to fail to report a material change.

**Request Completed For:** (COMPLETE ALL SECTIONS BELOW)

First Name (print)	Last Name (print)	Title (print)
First Name (print)	Last Name (print)	Title (print)
First Name (print)	Last Name (print)	Title (print)

By signing this request, I certify that each partner or executive officer for whom insurable earnings will be reported under rate group 755 is a partner of the partnership or an executive officer of the corporation; is not exempt from compulsory coverage in construction; and does not perform any construction work.

**Request Completed By:** (COMPLETE ALL SECTIONS BELOW)

First Name (print)	Last Name (print)	Title/Position with Company (print)
Signature	Telephone	Eligibility Date (dd/mm/yyyy)

Personal information on this form is collected under the authority of the WSIA to administer and enforce the WSIA. If you have any questions, please call 416-344-1000 or 1-800-387-0750.

**For internal use only**

Date Received by WSIB
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