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## Policy

Schedule 1 and Schedule 2 employer must

- contact the WSIB and provide information about their business operations within 10 calendar days of the date the first worker begins employment (for employers carrying on business in construction, see 12-01-06, Expanded Compulsory Coverage in Construction for registration date requirements)
- provide a completed registration form to the WSIB by the final day of the month following the month in which the first worker began employment, e.g., if the first worker started working in June, the employer's registration is due by the end of July, and
- complete the Independent Operator in Construction Self-Declaration Form if employer is an independent operator in the construction industry.

See also, 14-02-15, Voluntary Registration.

## Purpose

The purpose of this policy is to outline WSIB registration requirements for employers.

## Guidelines

### Definition of employer

An employer is a person who has carried on, or is carrying on, a Schedule 1 or Schedule 2 business activity on a compulsory basis or by application.

The employer is the person in law who is responsible for the business obligations and liabilities to the WSIB. The employer is responsible to pay the worker and is liable to pay WSIB premiums, non-compliance interest and charges etc. The employer is also the person who is obligated to any injured worker for such purposes as, reporting work-related accidents, work reintegration, re-employment, etc.

Employers include persons who do not employ workers, i.e., independent operators (and partners without workers) who have obtained optional insurance, as well as deemed employers in construction, see 12-01-06, Expanded Compulsory Coverage in Construction.

### Note

Some employers are engaged in the taking of contracts to complete T4s for their clients as an administrative service. These service employers, who do not actually supervise their clients' workers, are not considered by the WSIB to be the employer of the workers named on the T4s. These employers are thus not obligated to pay WSIB premiums on behalf of the workers named on the T4s.

### General

In the following guidelines, the terms classification, classification unit (CU), payroll, insurable earnings, premium, and work location apply to Schedule 1 employers only.

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**Who must register?**

All Schedule 1 and 2 employers must register, including

- new employers, whether resulting from a change of ownership or the start of a new business
- employers restarting a business whose WSIB account(s) had been closed, and who have been granted reinstatement status, see 14-02-14, Reinstatement of Accounts
- employers of workers who are not Ontario residents but who work in Ontario, and the employer has a “substantial connection” to Ontario, see 14-04-12, Non-Resident Workers
- employers from outside Ontario who employ Ontario residents to work in a compulsorily covered operation in Ontario, and
- deemed employers in construction.

Out-of-province employers sending workers into Ontario should contact the WSIB for registration requirements. Similarly, Ontario employers operating in other provinces should contact the workers’ compensation boards in those provinces for their registration requirements.

**Others who may register**

Those who are not required by law to have coverage, i.e., employers whose operations are not in industries listed in Schedule 1 or 2, independent operators, sole proprietors, partners, and executive officers, may apply for coverage. To do so they must register with the WSIB. See 12-01-02, Employer by Application and 12-03-02, Optional Insurance

**Note**

For information on coverage and classification, see 12-01-01, Who is an Employer, 12-01-04, Schedules 1&2, and 14-01-01, The Classification Scheme.

**Status declaration requirement – Construction**

At the time of registration, or if an individual’s status changes, individuals who operate their business on their own, as sole proprietors without workers or as single officer corporations, without workers, will be required to submit a status declaration to confirm their status as an independent operator.

For more information about compulsory coverage and who qualifies as an independent operator in construction, see 12-01-06, Expanded Compulsory Coverage in Construction

**Employer non-compliance**

Employers who fail to meet all WSIB registration requirements are subject to non-compliance interest, charges and/or prosecution, see 14-02-07, Employer Non-Compliance Interest and Charges, and 22-01-08, Offences and Penalties – Employer. For adjustments in premiums, see 14-02-06, Employer Premium Adjustments. Under certain conditions, an exemption from such non-compliance interest, charges and/or prosecution is available.

See, 14-02-15, Voluntary Registration

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Employers who are not required to have coverage but choose to apply for it must submit registration documents, etc., but the registration time restrictions do not apply to them.

**Legal & financial responsibility**

The legal employer name on the completed registration document identifies the person who is legally and financially responsible for all WSIB obligations and liabilities.

**Setting up accounts**

When the WSIB registers employers it also assigns them an account. Accounts are assigned to the legal employer as defined above. Transactions between the employer and the WSIB take place by account.

The WSIB determines the effective date of each account.

An account can represent, individually or in combination, any of the following

- head office
- division
- branch
- store
- factory
- sales office
- warehouse
- any operating facility or work location

**Multiple accounts**

Most employers have only one account, but they may have more than one. Multiple accounts for Schedule 1 employers are subject to the following conditions

- each account must report premiums and claims by classification unit
- premium payments must be made by account, and
- each account must represent an actual work location with its own dedicated workers, a separate mailing address (not a P.O. Box), and a telephone number.

All accounts registered by one employer are linked to ensure that the financial liability for each account is identified with the legal employer. See 12-01-01, Who is an Employer?, and 13-02-02, New Experimental Experience Rating Plan (NEER).

**Note**

Employers with operations in the construction industry (Class G of Schedule 1) may only have one account per rate group.

**Closing accounts**

For information on closing accounts, see 14-02-05, Closures.

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**Authorizing changes**

Authorization for changes to data and reporting requirements that affect the employer's financial obligations must come from the employer or the employer's authorized representative. See 21-01-02, Authorization of Employer Representative Regarding Employer Information. When someone other than the legal employer authorizes changes to data and reporting, as allowed by the WSIB, and the employer defaults on a payment, the legal employer and not the person signing is liable.

**Application Date**

This policy applies to all decisions made on or after November 4, 2013

**Document history**

This document replaces 14-02-02 dated November 4, 2013

This document was previously published as:

14-02-02 dated January 2, 2013  
14-02-02 dated October 29, 2007  
14-02-02 dated October 12, 2004  
14-02-02 dated January 31, 2002  
14-02-02 dated June 15, 1999  
08-03-02 dated October 28, 1996.

**References****Legislative authority**

*Workplace Safety and Insurance Act, 1997*, as amended  
Sections 2(1), 12(7), 12.2, 12.3, 74, 75, 78, 79, 141(2), 151, 151.1  
Schedule 1, Schedule 2 (O. Reg. 175/98)

**Minute**

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