

**TITLE 380. DEPARTMENT OF LABOR**  
**CHAPTER 60. WORKERS' COMPENSATION ENFORCEMENT RULES [REVOKED]**

**380:60-1-1. Purpose [REVOKED]**

~~The rules contained in Chapter 60 implement the workers' compensation enforcement procedures for the fair enforcement of the Workers' Compensation Law as mandated by Statute.~~

**380:60-1-2. Visitation of businesses [REVOKED]**

~~The visitation of businesses by the Department of Labor for violations shall be set by the following priorities:~~

- ~~(1) whistle-blower report,~~
- ~~(2) a form WC3 provided by the Workers' Compensation Court,~~
- ~~(3) reported suspected non-compliance by another division or government agency,~~
- ~~(4) hazardous industries as recognized by the Occupational Safety and Health Administration (OSHA),~~
- ~~(5) special operations for a time certain that has a predetermined target for cause or random selection both having been approved previously by the division director.~~

**380:60-1-4. Proof of insurance [REVOKED]**

~~The providing of a valid Certificate of Insurance will normally be accepted as proof of workers' compensation insurance. However, should a question arise as to the validity of coverage or the correct number of employees, then a compliance officer may seek other evidentiary documents, including but not limited to the following:~~

- ~~(1) ES3 (Oklahoma Employment Securities) State Tax Report for the quarter ending that would encompass the time period of the visit.~~
- ~~(2) Form 941 (Employer's Federal Tax Return) for the quarter ending that would contain the time period of the visit.~~
- ~~(3) Complete payroll journal records for the months that would have an integral part of the time period of the visit.~~
- ~~(4) Statements of employment or severance from employees of questionable status.~~
- ~~(5) Complete copy of general ledger for time periods beginning and ending wherein the visitation date is included.~~
- ~~(6) Copy of the state tax return for the previous year of the visitation date.~~
- ~~(7) Copy of federal tax return for the previous year of the visitation date.~~
- ~~(8) Certified copy of the last prepared profit loss statement.~~
- ~~(9) Copies of signed contract with any and/or all independent contractors/contract labor.~~
- ~~(10) Identification of the independent contractor status:
  - ~~(A) Name,~~
  - ~~(B) Address,~~
  - ~~(C) Telephone number.~~
  - ~~(D) Social Security number.~~
  - ~~(E) Independent contractor's federal, state, or municipal I.D. number.~~
  - ~~(F) Independent contractor's copy of application for license or permit.~~
  - ~~(G) A copy of independent contractor's form of advertising showing that the entity is in business.~~~~

- ~~(H) A written order by a federal, state or municipality that shows the independent contractor has been determined a business and/or an independent contractor.~~
- ~~(I) A license that would show independent contractor.~~
- ~~(J) Business relationship in correlation with the business being investigated meets an independent contractor status.~~
- ~~(K) Is the independent contractor currently working for any other business excluding the business under investigation.~~
- ~~(L) Workers' compensation insurance carrier.~~
- ~~(M) Copy of independent contractor's insurance policy naming the business that is currently under investigation, i.e.:~~
  - ~~(i) General liability policy~~
  - ~~(ii) Specific performance bond.~~
- ~~(N) If the business being interviewed declares a formation of business as a partnership, proof of the relationship will be required.~~

**380:60-1-5. Authority to enter [REVOKED]**

~~Compliance officers have the authority to enter any business during regular business hours and verify whether that business has valid workers' compensation coverage.~~

**380:60-1-6. Interference of duty [REVOKED]**

~~No person shall interfere with, obstruct or hinder by force or otherwise the Commissioner of Labor, his assistants or compliance officers while in the performance of their duties, or refuse to properly answer questions asked by such officers pertaining to the laws over which he has supervision under the provision of this Chapter.~~

**380:60-1-8. Citation of employer [REVOKED]**

~~After verification that, within one (1) year prior to a Workers' Compensation Compliance Officer's visitation date, an employer failed to provide continuous workers' compensation insurance coverage as required by law, the employer shall be cited and the maximum allowable civil penalty under the law will be assessed unless the employer can prove that the lapse in coverage that occurred was not the employer's fault.~~