

**Hamilton Office**

P.O. Box 2099, Str. LCD1
120 King Street West
Hamilton ON L8N 4C5

Telephone:
(905) 523-1800
1-800-263-8488

TTY:
1-800-387-0050

Fax:
(905) 521-4502

Bureau de Hamilton

C.P. 2099, succ. LCD1
120, rue King Ouest
Hamilton ON L8N 4C5

Téléphone:
(905) 523-1800
1-800-263-8488

ATS:
1-800-387-0050

Télécopieur:
(905) 521-4502

July 16, 2003

LAUGHTON MANAGEMENT CORPORATION
582 HAWTHORNE CRES.
MILTON, ON L9T 4N8

When writing to board please
quote the above file number.

Indiquez le numéro de dossier
dans toute correspondance
avec la Commission.

Dear Sir:

Independent Operator Without Coverage ID # 1089542

Richard Laughton contacted our office on July 16, 2003, indicating that he does not employ any workers, and requested a determination of status under the Workplace Safety and Insurance Act (the Act).

Section 2(1) of the Act defines an independent operator as a "person who carries on an industry included in Schedule 1 or Schedule 2 and who does not employ any workers for that purpose". Please note that individuals ruled by the Workplace Safety and Insurance Board (WSIB) to be independent operators are **not** automatically covered under the Act. However, they may apply for optional insurance on a voluntary basis.

We have reviewed the existing "conditions of employment" between Richard Laughton and Laughton Management Corporation as outlined by the completed Contractor's Questionnaire. Based on this information, he is considered to be an independent operator of Laughton Management Corporation effective July 16, 2003 under the Act. Since Richard Laughton has not applied for optional insurance, should an accident occur, he will not be eligible for benefits under the Act.

Laughton Management Corporation is not required to report as insurable earnings the value of labour on contracts with Richard Laughton since their relationship is not considered to be that of employer and worker. However, if Laughton Management Corporation enters into a new business relationship with Richard Laughton, the WSIB should be notified and may review its worker/independent operator status finding. **This ruling is subject to review at any time.**

Sincerely,

Elaine Papalazarou
Customer Service Representative
Small Business Sector