



**Agriculture
and Markets**



NYS FAIR INSURANCE INFORMATION & SAMPLES

**THE FOLLOWING ITEMS ARE REQUIRED AS PART OF YOUR AGREEMENT
AND MUST BE RECEIVED BY THE SPECIFIED DUE DATE.**

Late Fees:

- A \$50.00 late fee will be invoiced for each required document not received by the specified due date (Agreement Cover Page, Form 139JK, Vendor Responsibility Questionnaire, Insurance Certificates, etc.).
- A late fee for 5% of the amount due will be invoiced for payments not received by the specified due date.
- The contract/event may be cancelled if charges and/or late fees are not paid by the specified due date.
- If fees are not paid by the specified due date, and the event organizer's/vendor's contract is not being cancelled, additional late fees may be invoiced every thirty (30) days at the discretion of the department.

1. Workers' Compensation (or exemption/waiver)
2. Disability Insurance (or exemption/waiver)
3. Liability Insurance

It is the **event organizer's/vendor's responsibility to submit** the correct insurance documents to the NYS Fair. Insurances cannot be sent on your behalf from your insurance company.

Event organizers/vendors are responsible for ensuring all requirements (Legal Business Name, Address, Endorsements, etc.) have been met. **Only if the documents are correct should they be forwarded to the NYS Fair.** If insurances are incorrect, you must have them fixed with your insurance company before providing them to the Fair.

Mailed To: NYS Fair Licensing Office
581 State Fair Blvd.
Syracuse, NY 13209

Emailed To: sfpaperwork@agriculture.ny.gov
(This is the only acceptable email address to use)

Personally Delivered: NYS Fair Administration Building
Licensing Office (M-F 9:00AM to 4:00PM)

Please note: Faxes or photos are NOT acceptable.

1. WORKERS' COMPENSATION INFORMATION:

Workers' Compensation Law (WCL) §57 & §220 requires the heads of all municipal and state entities to ensure that businesses applying for permits, licenses, or contracts document that they have appropriate workers' compensation (pages 2-3) and disability benefits insurance coverage (pages 6-7); or document that they are exempt from such coverage (pages 4-5). These requirements apply to both original contracts and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license, or contract. Failure to provide proof of such coverage or a legal exemption may result in the termination of the Agreement. **An ACORD form is NOT acceptable proof of workers' compensation coverage.**

To comply with the coverage requirements ONE of the following forms for Workers Compensation must be provided to the Department:

PROOF OF CERTIFICATE OF WORKERS' COMPENSATION:

Acceptable forms for proof of Workers' Compensation must be submitted on one of the following (OR a CE-200 Waiver see pages 4-5):

- Form C-105.2
- Form U-26.3
- Form SI-12
- Form GSI-105.2

Event organizers/vendors without coverage may obtain a policy for the duration of their event from the New York State Insurance Fund.

Please direct all questions to one of the following; New York State Workers' Compensation Board at 518-486-3331 or go to the New York State Workers' Compensation Board's Website: www.wcb.ny.gov or contact Walter Peretti at 518-402-8330 or email Walter.Peretti@wcb.ny.gov

See the following page for an example of a Certificate of Workers' Compensation Coverage.

EXAMPLE OF THE C-105.2 CERTIFICATE OF WORKERS' COMPENSATION INSURANCE COVERAGE (Obtained from your insurance carrier)

The Fair cannot accept this form if this information does not match the legal business name and address as it appears on your agreement

Enter the NYS Department of Agriculture and Markets as the Entity:
581 State Fair Blvd.
Syracuse, NY 13209

This number must correspond with your legal business name

Policy must be in force for the duration of the event including move in/out

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

<p>1a. Legal Name and address of Insured (Use street address only)</p> <p>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e. a Wrap-Up Policy)</p>	<p>1b. Business Telephone Number of Insured</p> <p>1c. NYS Unemployment Insurance Employer Registration Number of Insured</p> <p>1d. Federal Employer Identification Number of Insured or Social Security Number</p>
<p>2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</p>	<p>3a. Name of Insurance Carrier</p> <p>3b. Policy Number of entity listed in box "1a":</p> <p>3c. Policy effective period: _____ to _____</p> <p>3d. The Proprietor, Partners or Executive Officers are: <input type="checkbox"/> included. (Only check box if all partners/officers included) <input type="checkbox"/> all excluded or certain partners/officers excluded.</p> <p>3e. Demolition is: (Definition of Demolition on Reverse) <input type="checkbox"/> included. <input type="checkbox"/> excluded.</p>

This certifies that the insurance carrier indicated above insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To obtain this form, New York (NY) must be listed under **Item 3A** on the INFORMATION PAGE of the workers' compensation insurance policy. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder.

The Insurance Carrier will also notify the above certificate holder with 30 days IF the policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cause the policy to be canceled or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Other than this Certificate, this form is valid for a maximum of one year after this form is approved by the insurance carrier or its licensed agent.

Please Note: Upon the cancellation of the workers' compensation policy indicated above, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: _____
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by: _____
(Signature) (Date)

Title: _____

Telephone Number of authorized representative or licensed agent of insurance carrier: _____

Please Note: Only insurance carriers and their licensed agents are authorized to issue the C-105.2 form. Insurance brokers are NOT authorized to issue it.

C-105.2 (12-03)
92541 1203

EXEMPTION/WAIVER (if policy is not required):

Form CE-200, Certificate of Attestation for New York Entities with no employees and certain out of state entities, that New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is not required. This form can be requested online at the Workers' Compensation Board's website:

http://www.wcb.ny.gov/content/ebiz/wc_db_exemptions/requestExemptionOverview.jsp

Click on "Guide for Businesses"

The screenshot shows the Workers' Compensation Board website. The main heading is "Request for WC/DB Exemption (Form CE-200)". Below this is an "Overview" section with the following text: "The application for a Certificate of Attestation of Exemption, Form CE-200, from Workers' Compensation and/or Disability and Paid Family Leave Benefits coverage may only be completed by entities with no employees and/or out-of-state entities obtaining a contract or license in which all the work is being performed outside of New York State." It lists three bullet points: "Certificates can only be used to attest to a government entity that the applicant requesting a permit, license, or contract is not required to carry workers' compensation and/or disability benefits coverage.", "Certificates are only valid for the specific license, permit or contract. Certificates for building permits are job-specific and a separate certificate will be required for each building permit.", and "Certificates are assigned a unique certificate number that can be validated by the government official issuing the license, permit, or contract." Below this is a section titled "Help Guides For New York Business Express" with a link to "Guide for Businesses". At the bottom of the page, there is a button that says "Select to access web-based Exemption Application".

- You will be brought to the following page – please follow the instructions on this page.

The screenshot shows the "Certificate of Exemption" instructions page. It includes a list of 20 steps: 1. Go to businessexpress.ny.gov. 2. Select Log In/Register in the top right hand corner. 3. If you are logged in as an NY.gov account, go to step 4 to set up your account. If you are logged in as an NY.gov account, go to step 4. 4. Select Register with NY.gov under New Users. 5. Select Proceed. 6. Enter the following: * First and last name, * Email, * Confirm Email, * Preferred Username (check if username is available). 7. Select the role to be added. * You may have to complete a Captcha Verification before proceeding. 8. Select Create Account. * If you already have an NY.gov account, the system will display your existing account. After individual ID numbers. * Do one of the following: * If the account is shown as an NY.gov individual account, select Continue. * If the account is shown as an NY.gov Business account, select Email Me the Username(s). 9. Verify that the account information is correct. * Select Continue. 10. An activation email will be sent. * If you do not receive an email, see the Help Received During Business Express page. 11. Open your activation email and select Click Here. * Search three security questions. 12. Select Continue. 13. Create a password (that contain at least eight characters). 14. Select Set Password. * You have successfully activated your NY.gov ID. 15. Select Go to MyNY. * All the top left corner select Services. * Select Business. * Select New York Business Express. * Select Login/Register. 16. On the New York Business Express Home Page: * Scroll down to Top Features and select Certificate of Attestation CE. * Search Index A-Z for CE-200. 17. Select How to Apply. * Select Apply as a Business, CE. * Select Apply as a Homeowner applies to those obtaining permits to work on their properties. 18. Complete application screens. 19. Review Application Summary. 20. Attach and submit.

COMPLETE THE EXEMPTION APPLICATION FOR AN EXEMPTION CERTIFICATE APPROVED BY THE WORKERS' COMPENSATION BOARD.

See the following page for an example of a Certificate of Workers' Compensation Exemption.

EXAMPLE OF THE CE-200 EXEMPTION FORM (OBTAINED FROM THE WORKERS' COMPENSATION BOARD)



**Certificate of Attestation of Exemption
From New York State Workers' Compensation
and/or Disability Benefits Insurance Coverage**

This form cannot be used to waive the workers' compensation rights or obligations of any party.

The applicant may use this Certificate of Attestation of Exemption ONLY to show a government entity that New York State specific workers' compensation and/or disability benefits insurance is not required. The applicant may NOT use this form to show another business or that business's insurance carrier that such insurance is not required.

Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials: one year after the date printed on the form.

Complete information about your business – must match what is printed on your agreement. FEIN# must match with our records.

In the Application of
(Legal Entity Name and Address):
JOHN J. SMITH
581 STATE FAIR BLVD
SYRACUSE, NY 13209
PHONE: 315-555-5555 FEIN: XXXXX0000

Business Applying For:
Contract with Government Agency
From: NEW YORK STATE DEPARTMENT OF AG AND MARKETS

Enter the NYS Department of Agriculture and Markets as the Agency

Workers' Compensation Exemption Statement:
The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:
The business is owned by one individual and is not a corporation. Other than the owner, there are no employees, day labor, leased employees, borrowed employees, part-time employees, unpaid volunteers (including family members) or subcontractors.

Disability Benefits Exemption Statement:
The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY BENEFITS INSURANCE COVERAGE** for the following reason:
The business **MUST** be either: 1) owned by one individual; OR 2) is a partnership (including LLC, LLP, PLLP, RLLP, or LP) under the laws of New York State and is not a corporation; OR 3) is a one or two person owned corporation, with those individuals owning all of the stock and holding all offices of the corporation (in a two person owned corporation each individual must be an officer and own at least one share of stock); OR 4) is a business with no NYS location. In addition, the business does not require disability benefits coverage at this time since it has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability Benefits Law.)

I, JOHN J. SMITH, am the Sole Proprietor with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

SIGN HERE	Signature:	Date:
Exemption Certificate Number 2011-063664		Received December 1, 2011 NYS Workers' Compensation Board

CE-200 12/2008

CE-200 can be used for exemption for Worker's Compensation, Workers' Disability, or both. This example shows exemption for both coverages

Must be signed by Vendor to be valid

Valid for one year after date issued

2. DISABILITY INFORMATION:

Workers' Compensation Law (WCL) §57 & §220 requires the heads of all municipal and state entities to ensure that businesses applying for permits, licenses, or contracts document that they have appropriate workers' compensation (pages 2-3) and disability benefits insurance coverage (pages 6-7); or document that they are exempt from such coverage (pages 4-5). These requirements apply to both original contracts and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license, or contract. Failure to provide proof of such coverage or a legal exemption may result in the termination of the Agreement.

To comply with the coverage requirements ONE of the following forms for Workers Compensation must be provided to the Department:

PROOF OF CERTIFICATE OF DISABILITY BENEFITS INSURANCE:

Acceptable forms for proof of Disability must be submitted on one of the following **(OR a CE-200 Waiver see pages 4-5):**

- Form DB-120.1
- Form DB-155

Please direct all questions to one of the following; New York State Workers' Compensation Board at 518-486-3331 or go to the New York State Workers' Compensation Board's Website: www.wcb.ny.gov or contact Walter Peretti at 518-402-8330 or email Walter.Peretti@wcb.ny.gov

See the following page for an example of a Certificate of Disability Coverage.

EXAMPLE OF THE DB-120.1 CERTIFICATE OF DISABILITY INSURANCE COVERAGE (This form is obtained from your insurance carrier)

The Fair cannot accept this form if this information does not match the legal business name and address as it appears on your agreement

Enter the NYS Department of Agriculture and Markets as the Entity:
581 State Fair Blvd.
Syracuse, NY 13209

STATE OF NEW YORK
WORKERS' COMPENSATION BOARD
CERTIFICATE OF INSURANCE COVERAGE UNDER THE NYS DISABILITY BENEFITS LAW

PART 1. To be completed by Disability Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name and Address of Insured (Use street address only)	1b. Business Telephone Number of Insured
2. Name and Address of the Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)	1c. NYS Unemployment Insurance Employer Registration Number of Insured
	1d. Federal Employer Identification Number of Insured or Social Security Number
4. Policy covers: a. <input type="checkbox"/> All of the insured's employees eligible under the New York Disability Benefits Law b. <input type="checkbox"/> Only the following classes of the employer's employees:	3a. Name of Insurance Carrier
	3b. Policy Number of entity listed in box "1a":
	3c. Policy effective period: _____ to _____

Under penalty of perjury, I certify that I am an authorized representative of the licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability Benefits coverage as described above.

Date Signed _____ By _____
(Signature of insurance carrier authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number _____ Title _____

IMPORTANT: If box "4a" is checked, and this form is signed by the insurance carrier or authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.
If box "4b" is checked, this certificate is NOT COMPLETE for purposes of Section 220.5(3)(d), 8 of the Disability Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, 20 Park Street, Albany, New York 12207.

PART 2. To be completed by NYS Workers' Compensation Board (Only if box "4b" of Part 1 has been checked)

**State Of New York
Workers' Compensation Board**

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of NYS Workers' Compensation Board Employee)

Telephone Number _____ Title _____

Please Note: Only insurance carriers licensed to write NYS disability benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

DB-120.1 (5-06)

This number must correspond with your legal business name

Policy must be in force for the duration of the event including move in/out

3. CERTIFICATE OF LIABILITY INSURANCE:

Concessionaires, exhibitors, sponsors and promoters shall obtain and maintain public liability insurance for loss, damage, and personal injury arising from their operations under the Agreement.

In addition to the basic company information, the following items must be listed on the insurance form ACORD-25:

- A. List your legal business name and address. The name must match the name on your agreement.
- B. Additional insured must be checked Y
- C. Policy must be in force for the duration of the event including staging, move-in and move-out.
- D. Insurance must be Commercial General Liability with the following limits:
 Each Occurrence - \$1,000,000
 General Aggregate - \$2,000,000
 Also if applicable:
 Vehicle - \$1,000,000
 Liquor Liability - \$1,000,000
 Golf Cart - \$1,000,000
- E. The Certificate Holder must read:
 New York State Department of Agriculture & Markets
 New York State Fair
 581 State Fair Blvd.
 Syracuse, NY 13209
- F. Concessionaires, exhibitors, sponsors and promoters shall immediately inform the New York State Fair of any insurance cancellation or material change in coverage.
- G. **PLEASE NOTE – Workers’ Compensation is not acceptable on an ACORD-25 form.**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER INSURED A	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____ ADDRESS: _____ INSURER(S) AFFORDING COVERAGE: _____ NAIC # _____ INSURER A: _____ INSURER B: _____ INSURER C: _____ INSURER D: _____ INSURER E: _____ INSURER F: _____
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COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> SECT <input type="checkbox"/> LOC OTHER: _____	B		C		EACH OCCURRENCE \$ _____ DAMAGE TO RENTED PREMISES (EA occurrence) \$ _____ MED EXP (Any one person) \$ _____ PERSONAL & ADV INJURY \$ _____ GENERAL AGGREGATE \$ _____ PRODUCTS - COMP/OP AGG \$ _____ COMBINED SINGLE LIMIT (EA accident) \$ _____ BODILY INJURY (Per person) \$ _____ BODILY INJURY (Per accident) \$ _____ PROPERTY DAMAGE (Per accident) \$ _____ EACH OCCURRENCE \$ _____ AGGREGATE \$ _____
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					BODILY INJURY (Per person) \$ _____ BODILY INJURY (Per accident) \$ _____ PROPERTY DAMAGE (Per accident) \$ _____
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED: _____ RETENTION \$ _____					EACH OCCURRENCE \$ _____ AGGREGATE \$ _____
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDE (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	G	Y/N N/A			PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ _____ E.L. DISEASE - EA EMPLOYEE \$ _____ E.L. DISEASE - POLICY LIMIT \$ _____
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)						

CERTIFICATE HOLDER E	CANCELLATION F SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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