

## Why did my business receive a Stop-Work Order?

Your business was found to have [failed to secure workers' compensation coverage](#), materially understated or concealed payroll, or misrepresented employee duties in order to evade paying the correct workers' compensation premium.

## How do I get my Stop-Work Order released as soon as possible?

1. Become compliant with the workers' compensation law by either:
  - Purchasing a workers' compensation insurance policy - click on our [coverage assistance program](#) to see insurance carriers who are currently writing your type of business operations; OR
  - Entering an agreement with a leasing or staffing company who will provide workers' compensation coverage.
  - Obtaining a [workers' compensation exemption](#) - depending on the number of employees in your business and who is eligible for the exemption.

## AND

2. Secure a minimum \$1,000.00 down payment towards your final penalty and receive an Agreed Order of Conditional Release. All payments to the Department shall be made payable to: **DFS WC Administration Trust Fund**. A cashier's check or money Order are the only forms of payment accepted. When you are compliant and ready to pay the minimum \$1,000 down payment, call the investigative staff; OR visit the Bureau of Compliance office listed on your Stop-Work Order.

## What is an Agreed Order of Conditional Release?

An Agreed Order of Conditional Release is an agreement entered by you and the Department releasing the Stop-Worker Order under the following conditions:

- You must provide proof of compliance to the Department;
- You must pay a minimum \$1,000 down payment towards your final penalty; and,
- You must agree to enter a payment agreement plan with the Department or pay the final penalty in full within 28 days of service of the Stop-Work Order.

If you do not enter a payment agreement plan or pay the penalty in full within 28 days, the Department will reinstate your Stop-Work Order.

## Why must I provide my business records to the Department?

The law requires a business to provide its business records to the Department to calculate a penalty. The Department needs to know whom you paid; when you paid them and for what purpose; and how much you paid. This information will determine your payroll, which forms the basis for the penalty.

## What happens if I don't give my business records to the Department?

The law requires the Department to determine a business' payroll using the state average weekly wage and multiplying it by 1.5. It is to the benefit of the business to provide its business records to the Department. Otherwise, a penalty using the state average weekly wage times 1.5 will most often result in a much higher penalty compared to one calculated based on business records.

### **What happens if I don't have all the business records requested by the Department?**

Each of the Division's offices have investigative staff to help you submit the required correct records to the Department and can answer any questions you may have.

### **When are my records due to the Department?**

Along with your Stop-Work Order, you received a request for records to calculate a penalty. The records identified in that request must be provided to the Department within 10 business days of receipt of the request.

### **What happens once the Department receives my records?**

The Department will review your records to determine when and for how long you are out of compliance, and determine your payroll. Once the penalty is calculated, the investigative staff will contact you.

### **How can I reduce my penalty?**

For first time offenders only, the Department will reduce the penalty by the amount you initially paid for a workers' compensation policy or an employee leasing agreement. To have the credit applied, you must provide the Department with documentation reflecting that workers' compensation coverage was secured and proof of initial payment made to the insurance carrier. This documentation must be submitted to the Department within **28 Calendar Days** after the service of the Stop-Work Order, or you will **not** receive your credit.

AND

If you submit your business records within 10 business days, and they are complete and accurate, as determined by the Department, your penalty will be reduced by 25%. Your business records must show whom you paid; when you paid them and for what purpose; and how much you paid, otherwise they will be incomplete and your penalty will not be reduced.

### **What options are available for paying my penalty?**

Once the \$1,000.00 down payment is paid, an employer can elect to enter a payment agreement plan for the remainder of the assessed penalty amount. The Department's payment agreement plans require no additional money down and are interest free. You can pay off your remaining penalty in monthly installments in 12, 24, 36, 48, or 60 months.

You can also elect to pay the remainder of the assessed penalty amount in full. Upon entering a payment agreement plan, the investigative staff will explain how payments can be submitted to the Department.

### **What happens if I continue to work before the Department releases my business from the Stop-Work Order?**

Once a Stop-Work Order is served, all business operations must cease in the State of Florida. Conducting any business operations in violation of a Stop-Work Order constitutes a felony of the third degree and a penalty of \$1,000.00 per day for each day observed working in violation of the Stop-Work Order shall be assessed.

### **Is my Stop-Work Order a public record?**

Yes. Consequently, you may receive correspondence or calls from parties, other than the Division, offering their services to you. It is your decision whether to use them. Regardless of your decision, the Department stands ready to work with you.