

House Bill 426 – AN ACT relative to workers’ compensation rates and resolution of disputes relative to classification of employees or independent contractors – has been enacted into law effective June 18, 2007.

This revision to RSA 281-A:43, gives the NH Labor Department statutory authority to conduct investigations and hold hearings to resolve premium disputes as they relate to the definition of employee versus independent contractor.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Seven*

AN ACT relative to workers’ compensation rates and resolution of disputes relative to classification of employees or independent contractors.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

172:1 New Paragraph; Hearings and Awards; Premiums. Amend RSA 281-A:43 by inserting after paragraph II the following new paragraph:

III.(a) The commissioner may conduct investigations and hold hearings to resolve disputes between an employer and the employer's workers’ compensation carrier regarding whether persons engaged by the employer are employees or independent contractors for the purposes of determining whether an additional premium charge is to be paid by the employer for workers’ compensation insurance.

(b) Any party in interest aggrieved by any order or decision of the commissioner under this paragraph may appeal to the superior court.

All inquires should be addressed to the NH Department of Labor, 95 Pleasant Street, Concord, NH 03301 – In state 800 # 1.800.272.4353 or 1.603.271.3176.