

INDEPENDENT CONTRACTORS

Certificate of Approval Permitting Procedures

PLEASE READ INSTRUCTIONS CAREFULLY AS REQUIREMENTS HAVE CHANGED AS OF JULY 1, 2008:

ALL INFORMATION MUST BE SUBMITTED AND APPROVED PRIOR TO ANY WORK COMMENCING ON MINE PROPERTY.

Submit the *entire application package* as listed below for the DMM-60C Certificate of Approval, completed in its entirety, to the Charleston Office, to include the following:

Miners' Health, Safety & Training

NOTE: ALL FORMS MUST HAVE ORIGINAL COMPANY OFFICIAL'S SIGNATURE

- DMM-60C Certificate of Approval permit application
- Independent Contractor General Information sheet (All pages MUST be completed, and include the last four digits of owner/officers Social Security number(s), as well as their title). Permits will not be released without the owner information.
- Initial Submittal form for the Comprehensive Mine Safety Program **AND** a written Comprehensive Mine Safety Program, inclusive of the task specific sheet, must be submitted to the Safety Instructor (according to the company's mailing address), in the closest MHS&T Regional office. **If your personnel are required to hold a specific certification from MHST, please include a copy of the certification card(s) with your CMSP. For trucking companies, a copy of the drivers license AND truck driver certification and/or surface miner certification cards need to be included with the CMSP.**
- Annual one hundred dollar (\$100.00) non-refundable permit fee.

WV Division of Labor

PLEASE NOTE: LABOR FORMS MUST HAVE ORIGINAL COMPANY OFFICIAL'S SIGNATURES

- DMM-1CC Division of Labor - tracking sheet
- Affidavit (Must be signed and notarized) If the applicant company has been in business for less than five years, and has one or more employees, they may need to contact the Division of Labor about posting a Wage Bond. Companies operated by the owner / operator are exempted from this requirement, but must still complete ALL paperwork.
- Division of Labor Exemption Request from the Contractors Licensing Act application. **Applicant company must have one of the following: (1) Exemption letter from the Division of Labor Contractors Licensing; (2) MHS&T tracking sheet indicating non-applicability; or (3) Certificate of Contractors License from the Division of Labor prior to release of MHS&T Certificate of Approval.** To inquire whether a license is required, the contractor may contact the Division of Labor at (304) 558-7890 and ask for the Contractors Licensing section. Applicants will need to be very specific in describing the nature of the work to be performed.

WV Insurance Commission (Workers' Compensation)

- **Current Workers' Compensation Certificate of Coverage. Effective July 1, 2008, the Workers' Compensation requirement has been expanded to allow for carriers that have made filings with the Rates and Forms Division of the Insurance Commissioner's offices to verify coverage of applicant companies. Out-of-state insurance carriers must either register with the Insurance Commissioner's office, or **MUST** show the West Virginia endorsement underwritten on their current policy. If the intended contractor is conducting business in West Virginia for more than 30 days within a 365-day period, they **MUST** carry workers compensation coverage **IN** West Virginia. For additional information, contact the WV Insurance Commissioner's office at (304) 558-6279.**

It is recommended that all paperwork submitted by the Independent Contractor should be copied and maintained for your own records.

Please contact the Charleston MHS&T office before traveling to Charleston to attempt to obtain your Certificate of Approval in the same day. Our staff will inform you of the necessary paperwork you will be required to have with you to complete this endeavor, or inform you of the process you will need to complete while in Charleston. *Contact the appropriate regional office to determine if additional training or certification may be required before your personnel are permitted on mining property.*

The Independent Contractor Certificate of Approval is valid for the calendar year, and the Comprehensive Mine Safety Program is valid for one year from the Anniversary Date. All renewal forms are mailed approximately 30 days in advance to allow for the renewal and no lapse of permit coverage.

**WV OFFICE OF MINERS' HEALTH, SAFETY & TRAINING
PERMITS ARE NON-TRANSFERABLE**

PLEASE NOTE: Your permit application is NOT complete until you have two (2) documents returned to you from MHS&T. One will be the signed copy of the DMM-60C Certificate of Approval; the other, your approved Comprehensive Mine Safety Program letter that provides the one-year Anniversary Date of your program. Contractors ARE NOT to be working on mining property until they have both documents.

IF THE NATURE OF YOUR WORK CHANGES FROM THE WHAT WAS SUBMITTED ON THE ORIGINAL CERTIFICATE OF APPROVAL, YOU MUST SUBMIT THESE MODIFICATIONS TO THE PERMIT IN WRITING TO THE CHARLESTON OFFICE. IF NOT, THE MODIFICATIONS WILL NOT BE RECOGNIZED BY MHST. A NEW GENERAL INFORMATION SHEET, OTHER ADDITIONAL FORMS, ADDITIONS TO THE CMSP, MINER CERTIFICATIONS OR TRAINING MAY ALSO BE REQUIRED.

IF YOU DECIDE TO CLOSE YOUR COMPANY, YOU MUST NOTIFY OUR CHARLESTON OFFICE IN WRITING, STATING THE COMPANY NAME, WV PERMIT NUMBER, AND AN EFFECTIVE DATE OF THE CLOSURE. THIS MUST BE SIGNED BY A COMPANY OFFICIAL, AND MAY BE FAXED TO (304) 558-6091.

If your company name changes, or the Federal Employers Identification Number (FEIN No.) changes from what we currently have on file for your permit, it is considered a new permit, and the company MUST go through the permitting process as such, and file a new permit application.

Permitting Contacts

MHS& T Charleston Office

Contractors: Numbered, and A through J (304) 957-2316
K through Z (304) 957-2313

WV Division of Labor www.wvlabor.org (304) 558-7890
Wage Bonding Ext. 144
Contractors License Ext. 161

WV Insurance Commission (304) 558-6279
www.wvinsurance.gov

WV Public Service Commission (304) 340-0300
www.psc.state.wv.us

WV Department of Tax & Revenue (304) 558-3333
www.state.wv.us/taxdiv

WV Secretary of State (304) 558-6000
www.wvsos.com

WV Bureau of Employment Programs (304) 558-1281
www.wvbep.org/bep/uc

State of West Virginia
Office of Miners' Health, Safety & Training
Division of Labor Approval - Independent Contractors

WV Office of Miners' Health, Safety & Training

No. of Employees _____

1615 Washington Street, East

(report only those on mining property)

Charleston, WV 25311-2126

FEIN No. _____

(304) 558-1425

MSHA ID No. _____

FAX (304) 558-6091

Telephone _____

Contractor ID No. / WV Permit No. C- _____

FAX _____

E-mail _____

Company Name _____

Address _____

Post Office

City

State

ZIP

TYPE OF SERVICES BEING PERFORMED _____

If performing construction work, detail type of construction: _____

Will this work be provided by leased / contracted labor services? (Y/N) _____ Number of leased employees _____

If YES, name of contract labor service _____

JOB SITE LOCATION _____

Company Officers:

Name

Title

(Please attach additional paperwork if necessary)

WV Division of Labor Response

In accordance with the WV Code Sections §21-5-14 and §22A-3-8, we have reviewed our files and find this company to be:

WAGE BOND:

() In Compliance

() Operated 5+ years

() Sufficient Wage Bond

() No Employees (to be contracted)

() Not Applicable

() Not In Compliance

COMMENTS:

Date _____

Signature - Wage Bonding Division

CONTRACTORS LICENSE:

() In Compliance

() WV Contractors License # _____

() Not Applicable

() Not In Compliance

COMMENTS:

Date _____

Signature - Contractor Licensing Division