

Update on WCIRB Proposed Work Comp Changes

The Workers Compensation Insurance Rating Bureau (WCIRB) held a second virtual meeting on this topic this morning.

None of the major points have changed. To recap, the WCIRB has proposed the following to the Insurance Commissioner:

- i Covid-19 claims with a date on or after December 1, 2019 to be excluded from Ex Mod Rating calculations.
- i Payments made to employees who continue to be paid while not working would be excluded from reportable payroll while the CA stay-at-home order is in place and for as much as 30 days after.
- i Allow the temporary assignment of Class Code 8810 (Clerical-Office) to employees working from home in a purely clerical capacity while the CA stay-at-home order is in place and for as much as 60 days thereafter.
 - o This would not apply to the payroll of employees who are otherwise assignable to a Standard Classification which specifically includes Clerical Office Employees. Class Code 8834, Physicians' Practices and Outpatient Clinics, is a good example. Under the proposal 8834 employees would continue to have payroll reported under that Code while working at home.
 - o Employees previously classified under 8742 would be eligible to be reclassified under 8810 provided they meet the criteria for Clerical Office Employees during the designated period.

Comment/Recommendations:

- i Employers should carefully and accurately document their payroll during this period. Proper documentation will be critical.
- i Timing...The WCIRB did not provide a timeframe for either implementation of the proposal or a response from the Insurance Commission. We are advised that the Commissioner has a hearing set for Mid-May, and that his office has not provided feedback to date.
 - o Updates from either the DOI or WCIRB will be monitored and distributed.

We will continue to provide you with updates as they become available from either the WCIRB or the DOI.

If you have a question, just let us know. We are happy to help.

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