

July 2020 BWC News for Public Employers from CareWorks Comp

“The only way to make sense out of change is to plunge into it, move with it, and join the dance.” ~Alan Watts

We all know that the spread of Coronavirus (COVID-19) is an escalating global health concern. CareWorks Comp will continue to support our clients' workers' comp and unemployment compensation needs. For the most current and up-to-date information from the Ohio BWC regarding COVID-19 topics, please visit the BWC's website at: [BWC COVID-19 Information](#).

Happening Now: 2021 Policy Year Group Retrospective Rating Enrollment

Every year, CareWorks Comp evaluates Public entities for eligibility into Group Rating and Group Retrospective Rating programs. The traditional Group Rating enrollment period for the 1/1/2021 Policy Year is now over however, the Group Retrospective Rating enrollment deadline is **July 24, 2020**. Group Retrospective Rating is a rebate program where your organization pays premiums to the Ohio BWC at your Individual EMR Rate and later receives premium rebates based upon how the group performs with claims incurred for that policy year versus premiums paid to the BWC. Group Retro can help your organization reduce premiums paid to the Ohio BWC. If you have questions about your organization's Group Retrospective projection for the upcoming 2021 policy year, call CareWorks Comp at 1.800.837.3200.

Pay Your CareWorks Comp Administrative Fee On-line!

Whether your organization is enrolled in Group Rating or Group Retrospective Rating with CareWorks Comp, you can pay your administrative fee to CareWorks Comp TPA on-line at: <https://www.careworks.com/payment/> For security reasons and ease of payment, we encourage you to please use our on-line portal to remit your payment to us.

Industrial Commission: Now Holding Hearings for All Issues

The Ohio Industrial Commission (IC) held a special commissioner's meeting in early June 2020 to discuss moving forward with allowing all hearing issues to be scheduled within the current telephonic process. Treatment issues account for 76% of the hearings currently not being heard by the IC. With this resolution it will open up the hearing process to schedule hearings for any issue, no exclusions. This was passed unanimously by the commissioners.

There was no discussion of returning to in person hearings at this time.

There is still a 1,400-claim backlog that the IC is working through for Permanent Partial Disability (PPD) hearings, which were added to the docket in mid-April 2020.

Ohio BWC Defers Premium Installments

The Ohio Bureau of Workers' Compensation (BWC) is deferring Ohio employers' premium installments for the months of June, July, and August. Businesses will have the option to defer the monthly premium payments with no financial penalties. "By extending the premium due date, businesses can continue to focus on the safety and well-being of their employees and customers during this health pandemic," said Governor DeWine.

This is the second payment deferral BWC has given to employers amid the ongoing COVID-19 pandemic. The deferral is designed to help employers focus financial resources on re-opening their businesses under the [Responsible RestartOhio Plan](#)

2-hour Green Period Claim Safety Training Waiver

Normally the Ohio BWC would require Group Experience and Group Retrospective rating participants with a claim occurring in the green period to complete a two-hour training class by June 30, 2020 for private employers, or by December 31, 2020 for public employers. However, due to the COVID-19 pandemic, the Ohio BWC is waiving the program's safety activity requirements for the 2019/2020 program year. Although the BWC has waived the safety training requirement, the BWC is encouraging employers to take advantage of the online training that they provide. [Click here for information about the online classes the BWC offers.](#)

CareWorks Comp offering 2020 Spring Seminars via Video due to COVID-19

In response to COVID-19 prevention measures and in consideration for the health and safety of our clients and our colleagues, **CareWorks Comp is offering this year's seminar content via video.** If you have already registered for an onsite seminar, a CareWorks Comp colleague will reach out to you to discuss this video option. We are committed to maintaining services critical to client success. For questions or registration please contact Marcia Dennis at 614.956.2323 or Marcia.Dennis@careworkscomp.com

Manual Code 9444 – Public Employee Clerical Telecommuter

How will employers report wages at true-up for operational employees who are teleworking as a result of Governor Mike DeWine’s “stay at home” order while receiving wages from the employer?

A: To ease the economic impact of the COVID-19 crisis on businesses, private employers may report operational staff currently teleworking to class code **8871 – Clerical Telecommuter** during a declared state of emergency. For public employer taxing districts, the BWC is creating a new class code, **9444 - Public Employee Clerical Telecommuter**, to report operational staff currently teleworking.

Important: The employer must contact BWC to request the addition of classification code 8871 – Clerical Telecommuter for private policies and 9444 - Public Employee Clerical Telecommuter for public employer taxing districts to their policy. This will allow the employer to report teleworking wages to class code 8871 or 9444 during the true-up period. ***NOTE: Since the BWC is currently in the process of creating the new class code for public employers, the class code will not be available to add to your policy until after July 1, 2020. This will be available to add to your policy prior to the true-up period for public employers (which will be January 2021.)***

- 8871 or 9444 Clerical Teleworker can be temporarily added to your policy to report wages for operational staff teleworking during the “Stay at Home” order issued March 15, 2020 by Governor Mike DeWine. You are responsible for tracking the hours/days for which your employee works at home. Any employee working from home and performing the same duties of the regular operations needs to report those wages to their regular classification code.
- The employer must contact BWC to request the addition of classification code 8871 – Clerical Telecommuter for private employers and 9444 - Public Employee Clerical Telecommuter for public employer taxing districts to their policy. This will allow the employer to report teleworking wages to class code 8871 or 9444 during the true-up period. To request the addition of class code 8871 - Clerical Telecommuter or 9444 for public employer taxing districts to your policy, please call 1-800-644-6292 or send an email to RTSclass@ohiobwc.com. Remember to include your policy number in your email request. The employer is to cease reporting operational employees’ wages to teleworking class code 8871 or 9444 once the “stay at home” order has ended or if the operational employee(s) return to performing their previous job duties.
- If a worker continues to perform the same duties from home while teleworking, the employer will continue reporting that worker’s wages to the appropriate operational classification code, not to class code for teleworking.
 - For example: the employer manufactures surgical masks. The employer has sent workers home with the equipment and materials to continue making masks. These workers are not 8871 Clerical Telecommuter employees. They would remain under classification **2501 – Cloth, canvas and related products manufacturing**. The exposures for them do not change.
- Additionally, operational employees working periodically at the business location but being paid a full wage must report all wages to the employee’s regular classification code. Once the state of

emergency has ended or when the employee(s) return to performing their previous job duties, wages must be reported to the regular classification code.

- Effective March 15, 2020 until the end of the state of emergency, wages paid to employees sent home and not performing *any* duties are NOT reportable to the Ohio BWC.
- Under voluntary work options, if employees chose to work their schedule as they regularly do, the gross pay will be reportable. For those who chose to stay home and receive the reduced shutdown pay, the shutdown pay would not be reportable.
- Private employer staff currently reported under class code 8810-Clerical will continue to be reported under class code 8810, not 8871.
- Sole Proprietors and Partners who have elective to cover themselves will continue to report their wages to the assigned operating class code.
- The employer is responsible for recording, tracking, and documenting the wages associated with the operational employees now teleworking for premium audit purposes.
- If the worker performs their regular duties on an intermittent basis, such as working at the employer location Monday, Wednesday and Friday and is paid to stay home Tuesday and Thursday, all wages are to be reported to the operating class code and not to class code 8871 (private employers) or 9444 (public employers).
- Payroll for employees receiving wages but not working during the emergency are not reportable to BWC. It is your responsibility to maintain payroll records for these wages separately so these wages can be verified.
- Effective April 1, 2020 through December 31, 2020, wages paid by companies under the Families First Coronavirus Response Act for sick leave related to COVID-19 and leave time to care for a child whose school or childcare provider is closed or unavailable for COVID-19-related reasons are not reportable to BWC. Employers must follow the guidelines established by the Federal Government to exclude these wages from their reportable payroll and maintain appropriate records, including a report of Ohio Medicare wages.
- This temporary revision to the class code assignment rule only applies during the time of Governor DeWine's "stay at home" order, which he initiated March 15, 2020.

Heat Illness Prevention

Many people are exposed to heat on the job, in both indoor and outdoor heat environments. Operations involving high air temperatures, radiant heat sources (e.g., sunlight, hot exhaust) high humidity, direct physical contact with hot objects, or strenuous physical activities have a high potential for causing heat-related illness.

Every year, many workers become sick from occupational heat exposure, and some are fatally injured. These illnesses are preventable.

So, why is heat a hazard to workers?

Our body must rid itself of excess heat to maintain a stable internal temperature. It does this mainly through circulating blood to the skin and through sweating. When the air temperature is close to, or warmer than normal body temperature, cooling of the body becomes more difficult. Blood circulated to the skin cannot lose its heat. Sweating then becomes the main way the body cools off. But sweating is effective only if the humidity level is low enough to allow evaporation, and if the fluids and salts that are lost are adequately replaced.

If the body cannot rid itself of excess heat, it will store it. When this happens, the body's core temperature rises, and the heart rate increases. As the body continues to store heat, the person begins to lose concentration and has difficulty focusing on a task, may become irritable or sick and often loses the desire to drink. The next stage is most often fainting and may even result in death if the person is not cooled down.

Excessive exposure to heat can cause a range of heat-related illnesses, from heat rash and heat cramps to heat exhaustion and heat stroke. Heat stroke can result in death and requires immediate medical attention. During the summer months – please ensure you and your colleagues stay well hydrated. Drink small amounts of water often and take regular breaks in cool areas. Heat-related illness can be deadly – Stay alert and rehydrate often.

For more information, please contact Craig Lancken at 330.472.1656 or craig.lancken@careworkscomp.com