

August 2020 BWC News for Public Employers from CareWorks Comp

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](#).

Resuming Business Toolkit

The Centers for Disease Control and Prevention (CDC) has developed a [toolkit](#) to guide employers seeking to resume normal or phased business operations. It based the toolkit [on its Interim Guidance for Businesses and Employers Responding to COVID-19](#). It is designed to assist employers in implementing this guidance in their workplaces. These tools help employers in planning, preparing, and responding to COVID-19.

Good News for the 2021 Policy Year: Rates Reducing

CareWorks Comp has received more good news from BWC. The BWC is proposing to decrease the overall statewide rate level for Public Employer Taxing Districts for the policy year starting January 1, 2021 by 10%. The following is the upcoming sequence of BWC events involving 2021 public taxing district rates and estimated premium:

1. The 10% recommendation was presented at the July BWC Board of Directors' Actuarial Committee meeting for a "first reading" on July 22, 2020.
2. The "second reading" and vote for approval will occur at the August meeting.
3. The BWC's proposed new base premium rates and expected loss rates effective January 1, 2021 will be presented for a "first reading" in August with a "second reading" and vote for approval at the September meeting.
4. BWC will issue public employers' EMRs, rates and estimated annual premium in October, 2020, for the January 1, 2021 policy year.

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](#)

BWC Safety Council Suspended for 2020 Policy Year

Due to the ongoing COVID-19 pandemic, Ohio Safety Councils will conduct all meetings virtually (online only) for the July 1, 2020 – June 30, 2021 policy year. The BWC believes that this is the safest way to hold meetings as we all work to prevent the spread of COVID-19 in Ohio. The BWC is expecting that most of the 88 Safety Council chapters in Ohio will choose to host virtual meetings this year. However, if that is not the case with your local chapter, the BWC will connect you with a neighboring Safety Council that will host you until in-person meetings resume.

In light of the difficult and unusual times, **the Ohio BWC will not be offering a rebate for participation nor the performance rebate (for those eligible) to employers who participate in the BWC Safety Council program.** While this is not the usual direct financial reward for attending, the BWC believes your business will still receive valuable workplace safety information and resources by attending meetings online. What you learn at upcoming virtual meetings can help with cost savings and keeping your workers safe from injuries and illness at work.

Look to your local Safety Council for information on upcoming meetings and programming as they remain a resource for occupational safety and health and workers' compensation information.

Update: BWC Safety Council Attendance Credits for 2019 Policy Year

The Ohio BWC has determined how to proceed with the July 1, 2019 through June 30, 2020 Safety Council Rebate Program in the midst of COVID-19. Safety council sponsors have been directed to cancel March, April, May, and June safety council meetings.

Therefore, the BWC will provide the FY20 rebate to safety council members who, **as of February 29, 2020, had attended at least FOUR *safety council meetings*.** This determination was based on crediting each member with one meeting credit for each cancelled meeting, the maximum of two external training credits and waiving the CEO attendance and calendar year 2019 semi-annual report requirements.

Although the BWC realizes a small number of safety councils host more than one meeting a month late in the program year, they are granting relief for only one safety council meeting credit per month in March, April, May, and June. This resolution reinforces the program's goal of active participation for the purpose of education, networking and resource sharing and, unfortunately, members who condense participation to the latter part of the program year will not appreciate relief from this solution.

Ultimately, employers that the BWC determines have earned the rebate under the revised guidelines will receive the maximum percentage rebate allowed per their BWC group-rating status:

- 2% for Group-Retrospective-Rated employers eligible for the participation rebate.
- 2% for Group-Experience-Rating employers eligible for the performance bonus - there will be no claims data measurement calculation.
- 4% for employers not enrolled in a BWC Group-Rating Program.

Your safety council sponsor will submit July 1, 2019 through February 29, 2020 attendance records to the Ohio BWC when normal business operations resume. The timeline for the processing of these rebates is yet to be determined but the BWC will continue to update safety council sponsors when you should expect FY20 safety council program rebate checks.

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.

Recognize Safe + Sound Week, August 10-16, 2020

Safe + Sound Week is a nationwide event held each August that recognizes the successes of workplace health and safety programs and offers information and ideas on how to keep America's workers safe.

Why Participate?

Successful safety and health programs can proactively identify and manage workplace hazards before they cause injury or illness, improving sustainability and the bottom line. Participating in Safe + Sound Week can help get your program started, energize an existing one, or provide a chance to recognize your safety successes.

Who Participates?

All organizations looking for an opportunity to recognize their commitment to safety are welcome to participate. Last year, more than 3,300 businesses helped to raise awareness about workers' health and safety!

You can go to the [OSHA website](#) for more information and to see which employers in your neighborhood are participating.

Free BWC Webinars for August 2020

The Ohio BWC is hosting four helpful webinars during the month of August. For more information, go to the Division of Safety & Hygiene-Ohio BWC Learning Management System website at www.bwclearningcenter.com. Login or create a new account and click on *Weekly Webinars (non-credit)* on the Home Page. The following are the webinars planned for the month of August 2020:

Winning Management Commitment Instructor: August 4, 2020 from 11am-12pm

Inconsistent upper management presence and support is an oft-expressed frustration among Safety and H.R. professionals. This webinar will address methods helpful to those who endeavor to garner more strength and support for your department.

Help, My Confined Space Program Needs Work! August 11, 2020 from 11am-12pm

This webinar will cover the elements of an effective written permit-required confined space (PRCS) entry and work program. The discussion will include an overview of best practices and common pitfalls of written PRCS programs and procedures. Topics will include identifying and evaluating confined spaces, common PRCS hazards, and hazard control methods.

Who, When and How-to Inspect Personal Fall Protection Equipment: August 25, 2020 from 11am-12pm

Lack of proper fall protection is a major driver in injuries and fatalities in both construction and general industry. Using the equipment is not enough, you need to inspect it regularly. This webinar will walk you through the inspection of your fall protection system, including harnesses, lanyards or retractable and anchors.