

July 2020 BWC News 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' compensation 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](#).

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

New Policy Year Starts July 1, 2020

By now you should have received your Ohio BWC Premium Estimation Notice explaining what your estimated payroll and premium will be for the Policy Year July 1, 2020 to June 30, 2021. CareWorks Comp highly suggests that you review this notice in detail and confirm if the estimated payroll numbers the BWC is projecting match what you are projecting for your company. If you are expecting your payroll to change significantly for the 2020 Policy Year (either up or down) we suggest you contact the Ohio BWC to adjust those numbers accordingly. This will ensure a more manageable True Up in the summer of 2021.

Did You Know?

Your July 1, 2020 through June 30, 2021 Policy Year Estimated Payroll was REDUCED by the Ohio BWC by 20% in response to payrolls possibly being lower as a result of COVID-19! Employers can call the BWC at 1.800.644.6292 and adjust their 2020 Policy Year Payroll as needed. This will ensure a more manageable True Up in the summer of 2021.

2019 Rate Year BWC True-Up Due August 15, 2020!

2019 Rate Year True-up: True-Up reconciliation **must be completed by August 15, 2020** for the July 1, 2019 through June 30, 2020 rate year. Your True-Up Report will be available to complete on-line at www.bwc.ohio.gov on July 1, 2020. It is very important that your True-Up is completed timely or the BWC may remove your company from any alternative rating programs, such as Group Rating or Group Retrospective Rating.

The BWC considers the True-Up complete when payroll is reported AND any related premium payments are made. Simply go on-line to your account at www.bwc.ohio.gov, login, and then go to **Payroll True-Up**. Follow the prompts to report your actual payroll dollars by Manual Classification Code. The BWC will then calculate how much workers' compensation premium you owe compared to what you paid in Estimated Premium throughout the policy year. When complete, you will be shown how much additional premium you still owe, OR you will receive a credit for overpayment. **If you owe any additional premium, it MUST be paid to the BWC by August 15, 2020.**

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

Be Aware of Covid-19 Payroll Reporting Changes When Completing Your 2019 Policy Year BWC True-Up:

Knowing what NCCI Manual Code to report your employees' payroll under for this upcoming July 1, 2019 to June 30, 2020 True-Up Report might be confusing. The following are guidelines from the Ohio BWC that we hope will help you:

- 8871 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.
- 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.