



PCOC Insurance Program Policyholders

COVID Update for Week Ending 04/24/20

Dear PCOC Insurance Program Insureds:

This week, the Workers' Compensation Insurance Rating Bureau of California (WCIRB) submitted a special regulatory filing to California Insurance Commissioner for review and approval. This special filing was submitted to address issues related to the Coronavirus Disease 2019 (COVID-19) pandemic. The Department of Insurance will schedule a public hearing to consider the filing.

The proposed amendments include:

Exclude COVID-19 Claims from Experience Rating

Claims arising directly from a diagnosis of COVID-19 with an accident date on or after December 1, 2019, would be excluded from the experience rating calculations of individual employers. Since the occurrence or non-occurrence of COVID-19 workers' compensation claims incurred by an employer is unlikely to be a strong predictor of that employer's future workers' compensation claim costs, the inclusion of such claims in an experience modification calculation would not meet the intended goal of experience rating.

Exclude Payments to Employees Who Continue to Be Paid While Not Working

Payments made to employees who are continuing to be paid while not engaged in any work activities would be excluded from reportable payroll. This exclusion would apply while California's statewide stay-at-home order is in place and for up to 30 days thereafter if the employee continues not to work. Excluding this payroll recognizes the extraordinary circumstances resulting from the stay-at-home order and the fact that employees not engaged in work activities have virtually no work-related exposure.

Allow Assignment of Classification 8810 for Temporary Change in Duties

The temporary assignment of Classification 8810, *Clerical Office Employees*, would be allowed for employees whose job duties meet the definition of a Clerical Office Employee. This provision would apply while California's statewide stay-at-home order is in place and for up to 60 days thereafter if the employee continues to meet the definition of a Clerical Office Employee, but does not apply to the payroll of employees whose payroll is otherwise assignable to a standard classification that specifically includes Clerical Office Employees.

We will follow this development and provide answers on how this will affect you and your policy..

Please visit <https://epicbrokers.com/coronavirus/> for all the latest information including on demand webinars to help you navigate these unrepresented times.

Sincerely,

Your EPIC Brokers Pest Control Team