

August 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](#).

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 July 1, 2020 to complete on-line at www.bwc.ohio.gov. It is very important that your True-Up is completed timely or the BWC may remove your company from any discount 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.**

Completing Your 2019 Policy Year BWC True-Up: Reporting Actual Payroll by Manual Code Correctly

Knowing which NCCI Manual Code to use when reporting your employees' payroll for the 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.

Do You Use a Payroll Service Vendor? Make Sure Your BWC True-Up gets Done Correctly!

After you complete the BWC True-Up for the 2019 policy year, the BWC will immediately let you know if you owe additional premium, or if you have a premium credit. If you owe additional premium, that payment is due no later than August 15, 2020.

If you use a payroll service vendor to complete your True-Up, be sure to find out from them if you owe additional premium, and more importantly, do you have to pay the BWC directly or will the payroll service company pay the BWC on your behalf? We often see problems arise due to employers not communicating with their payroll service vendors about the True-Up and any additional premiums that may be due.

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.

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.

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.

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

Workplace Exposures to COVID-19

Recording Cases of COVID-19

According to the Occupational Safety and Health Administration (OSHA), COVID-19 can be a recordable illness if a worker is infected as a result of performing their work-related duties. However, employers are only responsible for recording cases of COVID-19 if all of the following are true:

1. The case is a confirmed case of COVID-19 (see [CDC information](#) on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
2. The case is work-related (as defined by 29 CFR 1904.5); and
3. The case involves one or more of the general recording criteria set forth in 29 CFR 1904.7 (e.g., medical treatment beyond first aid, days away from work).

Visit OSHA's [Injury and Illness Recordkeeping and Reporting Requirements page](#) for more information. If you would like to discuss a specific situation with an expert, please contact CareWorks Comp's Safety Consultant, Craig Lanken at 330.472.1656 or craig.lanken@careworkscomp.com

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.

[Replay] Precision OSHA Recordkeeping: August 18, 2020 from 11am-12pm

This webinar will examine OSHA Recordkeeping forms, general recording criteria and specific situations that must be recorded on OSHA Injury & Illness Recordkeeping documents. Primary focus of the lecture will be determination of recordability to ensure accurate records are maintained. Session will also requirements such as reporting requirements, electronic submission of records, and recordkeeping considerations for COVID-19 events.

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.