

September 2020 BWC News for Public Employers from CareWorks Comp

*“You can’t stop the waves, but you can learn to surf.”
~Jon Kabat-Zinn*

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.

Another BWC Billion Back Dividend Rebate Proposed

Governor DeWine has asked the Bureau of Workers’ Compensation (BWC) Board of Directors to send up to \$1.5 billion in dividend payments to Ohio employers this fall. This dividend equals approximately 100% of the premiums paid in policy year 2019. (This would be January 1, 2019 to December 31, 2019 for public employers and July 1, 2019 to June 30, 2020 for private employers.) Dividends like this, as well as previous ones, are possible because of strong investment returns on employer premiums, a declining number of claims each year, prudent fiscal management, and employers who work hard to improve workplace safety and reduce injury claims.

If approved by the BWC’s Board, this would be the second dividend of \$1 billion or more since April and the third dividend since 2019. BWC anticipated providing a dividend next year, but with Board approval, they will issue one now to provide some immediate economic relief to employers amid the ongoing pandemic. Checks would be distributed by BWC in late October. Employers who did not complete their 2019 policy year True Up **may be** ineligible to receive this Billion Back Dividend.

Correction from August's Newsletter: 2 Hour Safety Training for the Current 2020 Rate Year IS REQUIRED

Last month, we published an article in this monthly newsletter stating that public entities were not required to take 2 hours of Safety Training if they had a claim in the "Green Year" for this 2020 policy year. The 2 hours of Safety Training **IS** required for the 2020 policy year. We apologize for any confusion this may have caused.

This is a reminder that if you had a claim in the "Green Year" (1/1/2018 – 3/31/2019) and your organization is in a Group or Group Retrospective program for this current 2020 policy year, a representative from your organization needs to complete 2 hours of BWC approved safety training by 12/31/2020.

Due to the COVID pandemic all in-person BWC classroom classes have been cancelled for the remaining 2020 calendar year (more information about the 2021 calendar year coming soon.) Online courses and webinars are unaffected and available for enrollment. Additionally, starting in October 2020, BWC will offer approximately 15 classes in a virtual format. These virtual classes will be either half-day lengths or full-day lengths. For further information about the BWC's virtual classes, log into your account at the BWC's Learning Center at: [BWC Learning Center Login](#). Click on **VIRTUAL TRAINING** at the top of the page for a full list of virtual classes. Each participant will need a good internet connection, a computer with headset, and be willing to participate in a virtual training. A webcam is optional. The cost of the BWC virtual training is free.

Another option for employers is to complete Online E-Courses via the BWC's Learning Center. Your online training **MUST** total 2 hours in order for your 2020 policy year Group/Group Retro Safety Training requirement to be met. For a complete list of BWC Learning Center Online E-Courses, go to: [BWC Learning Center Login](#)

NOTE: Certificates of Completion should either be emailed to twohourtraining@careworkscorp.com or faxed to (614) 495-5200 so that CareWorks Comp may track the fulfillment of this requirement.

Ohio BWC: Redesigned Website www.bwc.ohio.gov

A few weeks ago, the Ohio BWC redesigned their website at www.bwc.ohio.gov. You can find A Guide to BWC's Most Popular Web Pages [here](#).

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.

Unemployment Claims Management

This year has presented many additional challenges for our customers. If the confusion of unemployment claims is one of the challenges you are attempting to endure, we encourage you to learn more about our Unemployment Claims Management program. Our team of experts can assist you with a wide range of issues. This includes problems such as benefit charge errors made by the Ohio Department of Job and Family Services, duplicate claims, appeal and hearing issues, plus much more. To learn more about our Unemployment Claims Management services, contact Kammy Staton, Unemployment Cost Control Manager at 614-526-7165 or kammy.staton@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.

Ohio BWC’s 2020-2021 Division of Safety & Hygiene Safety Services Catalog Available

Hot off the presses! The BWC has published their Division of Safety & Hygiene 2020-2021 Safety Services Catalog for the 2020 Policy Year. Access the catalog by clicking here: [BWC Safety Services Catalog](#). This new Safety Services Catalog is 141 pages detailing all the BWC Employer Programs, information on Safety Grants, Research, Education, Safety Training, and the BWC’s Library Services.

Unique & Free “For Credit” BWC Webinars Coming Up

The Ohio BWC is hosting unique and helpful webinars in the months to come. 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 *Catalog Webinars (For Credit)* on the Home Page. The following are the webinars planned for September, October and November 2020:

PERRP Focus Four Inspections. September 10, 2020 from 1pm – 2pm

Attend this webinar to be prepared for PERRP’s focus four inspection at your work site. This webinar will provide you the how, when, and where these unannounced inspections will take place. Also, how you can request compliance assistance to prepare prior to your inspection by PERRP.

Drones: Safety Tools in the Sky. October 7, 2020 from 10:30am – 11:30am

This webinar provides valuable information for employers interested in starting a drone program. Discover how employers are using drones, the costs of starting a program, and the Federal Aviation Administration regulations and testing. Presenters also discuss ways the BWC can help you with implementing a drone program.

What Would You Do? Can We Rely on Common Sense. November 10, 2020 from 1:30pm – 2:30pm

Everyone has common sense, right? And we can rely on our employees to use it to keep them from making ‘stupid’ mistakes that might result in an injury, right? In this session the BWC will truly explore the concept of common sense and finally come to a consensus on common sense. The BWC will also explore how to identify when we, as instructors or supervisors, are making assumptions based on common sense.

To receive one hour of online training credit for BWC Programs, provide a BWC policy number during registration.

Ohio BWC “Non-Credit” Free September Webinars

For more information on the following free “non-credit” webinars presented by the Ohio BWC, please log into your account at the BWC’s Learning Center here: [BWC Learning Center Login](#). Simply log into your account and register for the webinar that you would like to attend.

- **Temporary Workers: Health and Safety Issues for Staffing Companies: September 1, 2020 from 11am-12pm**
- **Safely Manage Contractors in YOUR Facility: September 8, 2020 from 11am-12pm**
- **Avoiding Hazard Communication Program Mistakes: September 15, 2020 from 11am-12pm**
- **What’s Wrong with that? A Look at Real Fire Hazards! September 22, 2020 from 11am-12pm**
- **Heat Stress?? Cold Stress? You’ve Got to Love Ohio, Right? September 29, 2020 from 11am-12pm**

These webinars DO NOT fulfill any 2-hour safety training requirements OR BWC program requirements. They are purely informational.