



SPRING 2020

CompNotes

We sincerely hope that you, and your families, friends and colleagues are staying healthy and safe. In this issue of CompNotes, you will find important information related to the coronavirus (COVID-19) along with some of our regular columns, such as the employer spotlight, and educational webinar updates.

The articles below highlight some of the changes impacting workers' compensation and unemployment claims as a result of the COVID-19 pandemic.

- [Board of Directors update](#) contains information on the Ohio Bureau of Workers' Compensation (BWC) dividend and the next open enrollment period for managed care organizations.
- [Update on BWC rate changes](#) includes details on the approved base rates for the upcoming 7/1/2020 rating year for private employers. The rates will result in 13% decrease in collectible premiums.
- [A message from your hearing and claims teams](#) contains an update on the Ohio Industrial Commission (IC) telephonic hearings.
- [Is COVID-19 a compensable claim? Is it recordable on my OSHA 300 or PERRP 300P log?](#) This article helps answer these questions.
- [New laws impacting unemployment](#) contains helpful information on changes impacting unemployment claims.
- [Unemployment compensation reminder for educational institutions](#) provides guidance on offering employees a reasonable assurance letter that meets the state of Ohio's requirements.

All of us here at CompManagement remain as diligent as ever to make certain that there is no service interruption pertaining to the management of your workers' compensation and unemployment compensation claims and programs. Please know that we have not stopped working for you and we will continue to do so. Do not hesitate to contact us. Our staff is available to answer your questions to the best of our ability. We thank you for your time and consideration during this period of change.

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Unemployment update

New laws impacting unemployment – FFCRA and CARES Act

COVID-19 has introduced new challenges for employers to manage including the influx in unemployment claims, changes in work search requirements, specific separation issues and many other scenarios — all while maintaining a focus on employee health and safety.

Recently, the federal government enacted two relief packages — the Families First Coronavirus Response Act (FFCRA) on March 18 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27. Together, they seek to provide temporary relief for workers affected by COVID-19 by easing eligibility requirements and providing additional income for longer periods of time to more individuals than provided under regular unemployment compensation law.

Key changes related to unemployment benefits under the new laws:

- Certain waiting week requirements are waived
- Certain work search requirements are waived
- Part-time employees, freelancers, independent contractors, gig workers and the self-employed are eligible
- A \$600 supplemental weekly unemployment insurance payment will be paid across the board to all eligible applicants through July 31, 2020 (this is in addition to what the states pay)
- An additional 13 weeks of extended unemployment insurance benefits will be paid to eligible applicants through December 31, 2020

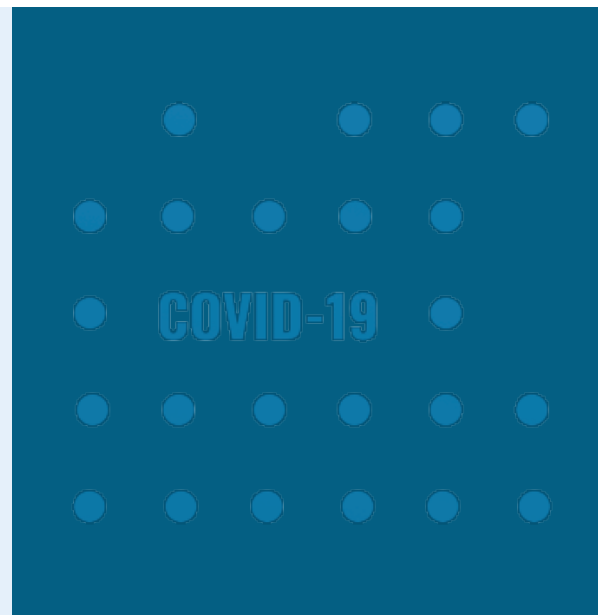
We are here to help

CompManagement and Sedgwick, our parent company, are closely following all regulatory changes at both state and federal levels.

Access our [unemployment resources site](#) to view a webinar on the impact of COVID-19 on unemployment, updates on the FFCRA and CARES Act, a frequently asked questions document and more information on our claims solutions.

If you have questions about the impact of COVID-19 on your company's unemployment program, please email our team at unemployment@sedgwick.com.

For the most up-to-date news, resources and information on our expanded services during the COVID-19 pandemic, visit the [Sedgwick website](#).



Unemployment update

Unemployment compensation reminder for educational institutions

With the current pandemic and related school closings, planning for the 20-21 school year may be the last thing you want to think about. However, with the school year coming to a close in the next couple of months, now is the time to begin planning to offer your employees reasonable assurance. Reasonable assurance is the intent of an educational institution to employ an employee in the same or similar capacity in the subsequent school year. Reasonable assurance can be offered to teachers, substitutes, coaches, and any other type of employee of an educational institution, school, or university. As long as the employee has been provided reasonable assurance, they should be disqualified from receiving unemployment benefits between school terms and during customary breaks.

It is recommended that a letter be given to every employee who you plan on retaining in the next school year and that it is specifically addressed to the individual. The letter should also be printed on school letterhead. It is not recommended that you require an employee to return a letter indicating their intent to continue with the school in the subsequent school year. Doing so can negate the benefit of reasonable assurance if the employee does not return the letter.

To be most effective, the letter of reasonable assurance must be provided in a timely manner. The letter or notice should be provided before the end of the school year. If the notice is not provided in a timely manner, the employee may be entitled to receive benefits up to the date when reasonable assurance was provided.

Below is a sample reasonable assurance letter that meets the state of Ohio's requirements:

Date: [mm/dd/yy]

Dear [employee name]:

This letter serves as notice that it is our intent to re-employ you in the same capacity in which you were employed during the 2019-2020 school year for the 2020-2021 school year.

Therefore, you have reasonable assurance that you will be employed in your current position as a [job title] for the 2020-2021 school year.

All other terms and conditions of your employment will remain the same.

Sincerely,
[school official]

Offering reasonable assurance in an appropriate and timely manner is a great way for educational institutions to reduce their unemployment costs by preventing employees from inappropriately collecting unemployment benefits between school terms and during customary breaks. If you have questions regarding reasonable assurance, please contact Roger Baker on our unemployment team at roger.baker@sedgwick.com or 614.376.5800, or your assigned claims examiner.

Safety Tips

Is COVID-19 a compensable claim?

Per the Ohio Bureau of Workers' Compensation (BWC), a COVID-19 claim may be a compensable workers' compensation claim. It depends on how the employee contracts it and the nature of their occupation.

Generally, communicable diseases like COVID-19 are not workers' compensation claims because people are exposed in a variety of ways.

However, if the employee works in a job that poses a special hazard or risk and contracts COVID-19 from work exposure, BWC could allow the claim.

For more details on COVID-19 as it relates to BWC's operations, see the [BWC COVID-19 FAQs](#).

Is COVID-19 recordable on my OSHA 300 or PERRP 300P log?

According to the Occupational Safety and Health Administration (OSHA), the coronavirus disease 2019 known as 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 met:

- It is a confirmed case of COVID-19 (see the Centers for Disease Control and Prevention information on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
- It is work-related, as defined by 29 CFR 1904.5; and
- It 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).

For more information and guidance from OSHA on COVID-19, please [click here](#).

Keeping up to date on COVID-19 with NIOSH

The National Institute for Occupational Safety and Health (NIOSH) website highlights many COVID-19 resources available for the protection of workers, including the [OSHA guidance](#). There are multiple topics covered within the following categories: businesses, healthcare settings, laboratories, transportation, personal protective equipment, as

well as other resources. To view more on these topics, please visit the [NIOSH website](#).

The following updates are also provided for workers:

- [Guidance on Preparing Workplaces for COVID-19](#) – Employers and workers can use this document from OSHA to help identify risk levels in the workplace and to determine appropriate control measures
- [Return to Work for Healthcare Personnel](#) – New return to work criteria for healthcare personnel with confirmed or suspected COVID-19 is available on the CDC website
- [Clinician Toolkit](#) – Practical tools clinicians can use to care for patients with COVID-19
- [New NIOSH Science Blog: Proper N95 Respirator Use for Respiratory Protection Preparedness](#) – Reminders and illustrations about proper respiratory use

For more information on COVID-19, please visit the [CDC](#) or the [Ohio Department of Health](#).

Safety Academy Webinar

CompManagement is offering a FREE Safety Academy webinar. This session will count as one hour of credit towards the Ohio Bureau of Workers' Compensation (BWC) safety training requirement for employers participating in a group program. Clients required by BWC to take two hours of safety training have been contacted directly by CompManagement.

Improving Safety Through Employee Engagement

Move beyond employee satisfaction and improve safety by engaging your employees! In this presentation, John Valentine, Loss Control and Safety Consultant at CompManagement, explores business management topics that can help employers improve safety. This webinar is designed for business owners, safety professionals, human resource professionals, supervisors and managers.

**June
12**

**11:00 am - 12:00 pm
(EST/EDT)**

Upcoming Educational Webinars

Workers' Compensation

SESSIONS	DATE	TIME (EST/EDT)
BWC Destination Excellence Program Options (private employers)	May 19, 2020	10:00 am
7 Steps to a Successful Workers' Compensation Program	June 18, 2020	10:00 am
Introduction to Workers' Compensation	June 23, 2020	2:00 pm

For more information about these courses, as well as full course descriptions, please [click here](#). The client education programs listed above are offered at no charge to current clients of CompManagement.

The sessions are approximately 60 minutes in length and are certified by the Ohio Bureau of Workers' Compensation (BWC) for one hour of the two-hour safety training requirement for group and group retrospective-rated employers. To be eligible for the safety training credit, the attendee must remain in the session for at least 75% of the total session time. If the qualification is met, we will send a certificate of attendance via email within three business days of the session date.

REGISTRATION

To register for our client education program webinar sessions, send an email to: seminarrsvp@sedgwick.com. Be sure to indicate the company name, BWC policy number, session name, session date, name(s) of those wishing to attend and an email address for each person attending.

Unemployment Compensation

SESSION	DATE	TIME (EST/EDT)
How to Prevail at Unemployment Claims	May 12, 2020	2:00 pm
Hearing Preparation & Winning Strategies	June 24, 2020	2:00 pm
Introduction to Unemployment	July 14, 2020	2:00 pm
Roundtable	July 23, 2020	2:00 pm

For more information about these courses, as well as full course descriptions, please [click here](#). The client education programs listed above are offered at no charge to current clients of CompManagement. All sessions are approximately 60–90 minutes in length.

REGISTRATION

To register for our client education program webinar sessions, send an email to: ucwebinars@sedgwick.com. Be sure to indicate the company name, session name, session date, name(s) of those wishing to attend and an email address for each person attending.

BWC updates

Drug-Free Safety Program – Public Employers

- If your organization participates in the Ohio Bureau of Workers' Compensation's (BWC) Drug-Free Safety Program (DFSP) for the 2020 policy year, please remember BWC's safety and reporting requirements for the program are due later this year.
- Without the completion of all of BWC's requirements, your eligibility to participate in the program may become at risk and BWC could deny issuing any eligible premium rebates due to your organization.
- [Click here](#) for a copy of the BWC's DFSP program guide that includes information on all of the program requirements and the necessary training and reports that need to be completed.
- CompManagement also offers online training options to assist your organization in meeting BWC's training requirements. [Click here](#) for more information.
- BWC's deadline to complete the necessary training and reporting requirements is September 30, 2020.

EM cap – Public Employers

If your entity is a participating member of the BWC's EM cap program for the 2020 policy year, there are safety training requirements that must be met this year including:

- For organizations in the first policy year, a half-day industry-specific safety program prescribed by BWC's Division of Safety & Hygiene must be completed by September 30, 2020.
- In subsequent years of the program, an online training class prescribed by BWC's Division of Safety & Hygiene must be completed by September 30, 2020.
- To review the Division of Safety & Hygiene's training center courses, [click here](#).

Prospective Billing Reminder – Public Employers

- The 2019 True-Up was due on February 15, 2020. If you have not submitted your true-up or still owe premium based on the true-up, please contact BWC immediately at (800) 644-6292 to report and pay.

- Continue with your 2020 installments as scheduled. [Click here](#) to view your installment schedule. Installment payments are due by the due date on the installment schedule and not the due date on the invoice. Failure to make installment payments based on the installment schedule can result in lapses in coverage.

Board of Directors update

Base rates and state insurance fund

BWC held their March committee and board meetings virtually on March 18. These in-person meetings were previously scheduled to take place in conjunction with the 2020 Ohio Safety Congress and Expo. Below are two key updates from these meetings:

- The board approved the 2020 Private Employer Base Rates, which included the previously approved overall statewide rate decrease of 13%.
- The investment committee discussed the recent market decline and the impact it is having on the state insurance fund. At this time, BWC is still stable thanks to the diversification of their investment portfolio and strong net position.

MCO open enrollment

Due to the impact of COVID-19 on Ohio's business community, the BWC board recently approved an emergency rule to allow the BWC administrator to postpone the 2020 open enrollment period for managed care organizations to May 3 – May 28, 2021.

Employer dividends

The BWC board held an emergency session on April 10 and approved a dividend of up to \$1.6 billion. This dividend represents approximately 100% of billed premium for eligible employers for the 2018 policy year. Dividend checks for eligible employers for the 2018 policy year. Dividend checks for eligible employers are currently being mailed. For additional information about this dividend, please [click here](#).

BWC updates

Update on BWC rate changes

In March, the Ohio Bureau of Workers' Compensation (BWC) Board of Directors approved base rates for the upcoming 7/1/2020 rating year for private employers. The rates will result in a 13% overall decrease in collectible premiums. Although the overall collectible rate is decreasing, each manual classification's impact may be different. Refer to the [chart](#) to determine how your manual classification(s) may be impacted.

BWC also approved the following assessment rates. The money collected through these assessments is used to fund the operating expenditures of BWC and the Industrial Commission (IC), and to pay the cost of living increases to injured workers collecting permanent and total disability benefits. Because these administrative rates are a percentage of premium rates, which are reduced, there is a need for an increase in order to collect roughly the same amount.

Employer type	BWC admin*	IC admin*	DWRF1	DWRF2	Total assessments*
Private	17.75	2.57	0.00	0.00	20.32
Public	15.10	3.64	0.00	0.00	18.74

**Rates listed are a percentage of merit-rated premium and are effective for the 7/1/2020 to 6/30/2021 payroll period for private employers and for the 1/1/2021 to 12/31/2021 payroll period for public employers.*

Manual code changes

In addition to setting rates each year, BWC reviews the National Council of Compensation Insurance (NCCI) manual classification assignments for Ohio employers to ensure that the system remains responsive to the needs of various industries. For the 2020 rating year, BWC will eliminate six manual codes that have limited premium and are therefore deemed too small to develop meaningful data for rate-making purposes. Employers currently using these manual codes will be re-assigned to other classifications with similar operations.

If your organization currently reports under one of these manual classifications and you want to see the impact of the change, or if you need more information regarding your rates, please contact your CompManagement Rate Analyst at (800) 825-6755.

DISCONTINUED CODE	2019 BASE RATE	RE-ASSIGNED CODE	2020 BASE RATE
2286 Wool Spinning and Weaving; Yarn Mfg	4.66	2220 Yarn or Thread Mfg – Cotton	2.58
2670 Glove Mgr – Leather or Textile	8.75	2688 Leather Goods Mfg (not otherwise classified)	1.54
4061 Pottery Mfg – Earthenware – Glazed or Porcelain – Hand Molded or Cast	2.75	4062 Pottery Mfg – Porcelain Ware – Mechanical Press Forming	2.89
4360 Motion Picture – Development of negatives, printing, and all subsequent operations	1.51	7610 Radio or Television Broadcasting Station- All Employees & Clerical, Drivers	0.39
4670 Cottonseed Oil Mfg – Mechanical & Drivers	0.86	4683 Oil Mfg Vegetable (not otherwise classified)	0.30
5508 Street or Road Construction – Rock Excavation & Drivers	3.17	5507 Street or Road Construction – Subsurface Work & Drivers	1.27

BWC reportable payroll update

As employers are faced with financial challenges related to the COVID-19 pandemic, the Ohio Bureau of Workers' Compensation (BWC) is making some concessions regarding reportable payroll.

Classification Code Changes for Reporting Teleworkers

BWC will be following the National Council on Compensation Insurance (NCCI) guidelines and will allow employers to use manual code 8871-Clerical Telecommuter Employees for any at-home employees.

Under normal circumstances, NCCI does not allow for a division of payroll between an operational classification and a standard exception classification, such as classification code 8871. The NCCI methodology requires all wages associated with operational employees to be reported to the operational class code, no matter if the operational employee performs clerical duties as well.

However, during the COVID-19 crisis, NCCI supports a change in the methodology to allow operation staff currently teleworking to report under the 8871 class code during a declared state of emergency. This will ease the economic impact of the COVID-19 state of emergency on the Ohio Business Community.

Guidelines/requirements:

- The employer must contact BWC to request classification code 8871-Clerical Telecommuter Employees to be added to their policy. This will allow the employer to report wages to class code 8871 during the True-up period (July 1, 2020, through August 15, 2020).
- The employer is responsible for recording, tracking, and documenting the wages associated with the operational employees now teleworking for premium audit purposes.
- An exclusion to this revision involves employees working from home and performing the same duties/tasks for the employer. In this case, the employer should continue to report those wages to the appropriate operational classification code.
- The temporary revision to the class code assignment rule only applies during the time of Governor DeWine's "stay at home" order, which was initiated on March 15, 2020.
- The employer is to cease reporting operational employees' wages to class code 8871 once the state of emergency has ended or if the operational employee(s) return to performing their previous job duties.

Exclusion of Reportable Payroll associated with the Families First Coronavirus Response Act

BWC will be following these requirements as set by the Federal Government:

Emergency sick leave and expanded FMLA paid to employees under the Families First Coronavirus Response Act will not be reportable to BWC for premium purposes. (While regular paid sick leave, including third-party sick pay, is reportable, BWC has decided to exclude emergency sick leave and expanded FMLA paid under this act as reportable.)

Effective 4/1/20 through 12/31/20, 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 should follow the guidelines established by the Federal Government to exclude these wages from their reportable payroll and premium calculation.
- Wages reported to BWC for premium calculation purposes is subject to audit.

If you have any questions regarding reportable payroll, contact your CompManagement Rate Analyst at 800.825.6755.

BWC updates

Upcoming BWC program and safety training deadlines

The Ohio Bureau of Workers' Compensation (BWC) offers employers many different ratings, bonuses and rebate programs to encourage cost control, return to work, efficiency and safety. If you are interested in enrolling in a BWC program or are already enrolled, here are some important deadline dates to remember.

If you have any questions or if you would like to learn more about these discount programs and the potential savings they could offer your organization, click on the program or contact Lora Brooks, CompManagement Program Specialist at 800.825.6755, ext. 65436.

PUBLIC EMPLOYERS		
Deductible Program	Application deadline for re-enrolling and for new participants	July 31, 2020 (2021 rating year)
Group Experience Rating	Application deadline for re-enrolling and for new participants	May 29, 2020 (2021 rating year)
Group Retrospective Rating	Application deadline for re-enrolling and for new participants	July 31, 2020 (2021 rating year)
Individual Retrospective Rating	Application deadline for re-enrolling and for new participants	July 31, 2020 (2021 rating year)
One Claim Program	Application deadline for re-enrolling and for new participants	July 31, 2020 (2021 rating year)
Policy Activity Rebate (PAR)	Application deadline for enrolling	July 31, 2020 (2020 rating year)
Safety Council Program	Application deadline for re-enrolling and for new participants	July 31, 2020 (2021 rating year)

PRIVATE EMPLOYERS		
Drug-Free Safety Program (DFSP)	Annual report deadline	June 1, 2020 (2019 rating year)
	Application deadline for new participants	May 31, 2020 (2020 rating year)
	Online safety management self-assessment (SH-26) deadline and accident analysis training deadline (initial year only; new supervisors have 60 days from hire date to complete)	July 31, 2020 (2020 rating year)
EM Cap	Education requirements deadline	Waived (2019 rating year)
Industry-Specific Safety Program (ISSP) (the number of safety activities required is based on the employer's annual payroll)	Application deadline for new participants	May 31, 2020 (2020 rating year)
	Deadline to complete industry-specific safety classes offered by BWC's Division of Safety & Hygiene (DS&H), or on-site safety consulting by DS&H experts followed by completion of an online on-site consultation survey (SH-29 form), or attend BWC's Annual Ohio Safety Congress & Expo	Waived (2019 rating year)
	Online safety management self-assessment (SH-26) deadline	July 30, 2020 (2020 rating year)
One Claim Program	Education requirements must be completed	Waived (2019 rating year)
Policy Activity Rebate (PAR)	Completion of 11 activity credits	Waived (2019 rating year)
Safety Council Program	Application deadline for re-enrolling and for new participants	July 31, 2020 (2020 rating year)
Transitional Work Bonus (TWB)	Application deadline for new participants	May 31, 2020 (2020 rating year)



Norwood Medical located in Dayton, Ohio has more than 40 years of experience in complex medical device manufacturing. Their legacy of expertise in complex machining dates back as far as the 1920s when they first opened their doors for business as a machine tool shop. Serving a thriving manufacturing sector through a good part of the 20th century, Norwood Medical began its journey into medical device manufacturing in the early 1970s. As a contract medical device manufacturer, Norwood Medical first helped produce complex surgical devices for companies that were pioneers in the field.

Norwood's success in supporting medical suppliers and its increasing focus on manufacturing medical devices spurred the company to dedicate all of its efforts to the medical industry in the late 1990s. The company quickly gained a reputation for tackling complex parts and projects that other contract medical manufacturers were unable to produce. Norwood has continued to expand operations and invest in new technology and equipment. This expansion has led to a dramatic increase in employees and the development of a campus that now consists of nine manufacturing facilities.

With the increasing number of staff along with the challenges of having multiple plant locations, Norwood has made a strong commitment to keep their workers safe and has taken numerous steps to control the costs of their workers' compensation program. Under the direction of Tammy Jackson, Safety Manager, the company takes part in several of the Ohio Bureau of Workers' Compensation (BWC) programs such as Safety Council and the Transitional Work Program.

Tammy, along with other key company managers, meets quarterly with CompManagement and CompManagement Health Systems, their managed care organization. The collaboration during these meetings is an effective way to assure that all areas of their workers' compensation programs are covered. Tammy provides a proactive, hands-on approach to claims and return to work management. If an injured employee is unable to perform their regular job duties, then Norwood is able to utilize their transitional work program to help the employee recover and return to work as soon as possible. This has led to a significant decrease in lost time claims along with considerable refunds from BWC. They have also had success participating in BWC's \$15k Medical Only Program. Keeping medical costs out of the claim has led to a substantial reduction in overall claims costs as well as premiums paid to BWC.

As Norwood Medical continues to grow, they will be faced with additional challenges to prevent claims. When a claim does happen, the company can be assured they are being handled appropriately. It is a pleasure to work with Tammy and her team and we always look forward to our meetings to discuss new ways to effectively manage their program. CompManagement is proud to partner with Norwood Medical and we look forward to a continued relationship.

Legal Update

A message from your hearing and claims teams

In response to the COVID-19 health emergency, the Ohio Industrial Commission (IC) began taking telephone hearings on March 18 involving the following issues: permanent total disability, temporary total disability or the termination of temporary total disability, wage loss, allowance, and additional allowance. On April 15, the IC approved the addition of permanent partial disability (C92/C92A) hearing issues. These will be scheduled beginning in May. All other hearing issues have been temporarily suspended until further notice.

What is my CompManagement Team doing in response to this?

- CompManagement Hearing Consultants are here for you, protecting your interests in the hearing room just as we always have, albeit, from a telephone instead of in person.
- The IC has limited the number of hearings per hour to two so that they can provide enough time for each party to join the telephone hearing. Employers are encouraged to attend if available. All we ask is that you communicate with your claims examiner to confirm your attendance so we can provide your phone number to the IC.
- Fact-finding and accident investigations are as important as they have ever been. Please continue to communicate with your claims examiners regarding witness statements, accident reports, and other pertinent claim information.

- Your trusted claims examiners will follow up with you via email to share the hearing results and recommended next steps. Please check your emails regularly to avoid missing any of the Ohio Bureau of Workers' Compensation (BWC) or IC deadlines.

The BWC is responding to the COVID-19 health emergency in a similar fashion with many of their colleagues working remotely. For more details from the BWC, please [click here](#).

We are in this together, working as partners during an unprecedented time in our history. Communication, collaboration, and commitment to one another will be our guiding light during this time. Our claims and hearing resources will continue to add value to your workers' compensation programs, offering industry-leading experience, knowledge, and empathy to all our clients impacted by these circumstances.

If you have questions regarding a recently filed claim or scheduled hearing, please contact your assigned CompManagement claims examiner. They are ready to help!

**For more news and information,
connect with us!**

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