DATE: November 29, 2021

TO: California Self-Insured Employer

FROM: Katrina S. Hagen, Director, Department of Industrial Relations

SUBJECT: Fiscal Year 2021/2022 Assessments:

- Workers’ Compensation Administration Revolving Fund (WCARF)
- Uninsured Employers Benefits Trust Fund (UEBTF)
- Subsequent Injuries Benefits Trust Fund (SIBTF)
- Occupational Safety and Health Fund (OSHF)
- Labor Enforcement and Compliance Fund (LECF)
- Workers’ Compensation Fraud Account (FRAUD)

Labor Code Sections 62.5 and 62.6 authorize the Department of Industrial Relations to assess employers for the costs of the administration of the workers’ compensation, health and safety and labor standards enforcement programs. These assessments provide a stable funding source to the support operations of the courts, to ensure safe and healthy working conditions on the job, to ensure the enforcement of labor standards and requirements for workers’ compensation coverage.

The purpose of this letter is to inform you that you will be receiving an invoice for your share of the assessments authorized by Labor Code Sections 62.5 and 62.6. The Labor Code requires allocation of the total assessment between insured and self-insured employers in proportion to payroll for the most recent year available.

<table>
<thead>
<tr>
<th>Authority</th>
<th>Type</th>
<th>Total Assessment for all Payers</th>
<th>2022 Self-Insured Employer Assessment Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor Code § 62.5</td>
<td>Workers’ Compensation Administration Revolving Fund Assessment (WCARF)</td>
<td>$562,924,500</td>
<td>0.031386</td>
</tr>
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<td>0.034845</td>
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<tr>
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<td>0.016639</td>
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<tr>
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<td>0.012606</td>
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<tr>
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<td>Workers’ Compensation Fraud Account Assessment (FRAUD)</td>
<td>$77,909,442</td>
<td>0.008178</td>
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Attached is a worksheet detailing the methodology used to compute the Workers’ Compensation Administration Revolving Fund, Uninsured Employers Benefits Trust Fund, Subsequent Injuries Trust Fund, Occupational Safety and Health Fund, Labor, Labor Enforcement and Compliance Fund allocation and Workers’ Compensation Fraud Account Assessment and to allocate the assessment between insured and self-insured employer.

Your share of the various assessments will be calculated by multiplying the self-insured employer assessment factors for each assessment by the total indemnity paid by your organization.

If you have any questions, please contact the Office of Self-Insurance Plans in Sacramento at (916)464-7000.

Sincerely,

Katrina S. Hagen
Director

Enclosure
DATE: November 29, 2021

TO: California Legally Uninsured Employer

FROM: Katrina S. Hagen, Director, Department of Industrial Relations

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Your share of the various assessments will be calculated by multiplying the self-insured employer assessment factors for each assessment by the total indemnity paid by your organization.

If you have any questions, please contact the Office of Self Insurance Plans in Sacramento at (916)464-7000.

Sincerely,

Katrina S. Hagen
Director

Enclosure
California Department of Industrial Relations


METHODOLOGY

Labor Code Sections 62.5 and 62.6 require the Department of Industrial Relations to levy the total amounts of the Workers’ Compensation Administration Revolving Fund Assessment, Uninsured Employers Benefits Trust Fund Assessment, Subsequent Injuries Trust Fund Assessment, Occupational Safety and Health Fund Assessment, Labor Enforcement and Compliance Fund Assessment and Workers’ Compensation Fraud Account Assessment between insured employers and self-insured employers in proportion to payroll paid in the most recent year for which information is available.

Step 1: Determine Total Assessments Required for 2021-2022

<table>
<thead>
<tr>
<th>Step</th>
<th>Fund Assessment Name</th>
<th>Total Assessment Required</th>
<th>Fund Balance</th>
<th>Insured Over/Undercollection</th>
<th>Self-Insured Over/Undercollection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Workers’ Compensation Administration Revolving Fund Assessment (Labor Code § 62.5)</td>
<td>$562,924,500</td>
<td>($277,472,686)</td>
<td>$205,468,524</td>
<td>$72,934,182</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>Uninsured Employers Benefits Trust Fund Assessment (Labor Code § 62.5)</td>
<td>$52,692,900</td>
<td>($31,766,464)</td>
<td>$23,523,067</td>
<td>$8,243,398</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.3</td>
<td>Subsequent Injuries Benefits Trust Fund Assessment (Labor Code § 62.5)</td>
<td>$372,069,914</td>
<td>($55,157,868)</td>
<td>$40,844,401</td>
<td>$14,313,467</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.4</td>
<td>Occupational Safety and Health Fund Assessment (Labor Code § 62.5)</td>
<td>$168,104,708</td>
<td>($116,777,846)</td>
<td>$12,423,847</td>
<td>$4,353,799</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.5</td>
<td>Labor Enforcement and Compliance Fund Assessment (Labor Code § 62.5)</td>
<td>$143,662,000</td>
<td>($29,009,809)</td>
<td>$21,481,764</td>
<td>$7,528,045</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.6</td>
<td>Workers’ Compensation Fraud Account Assessment (Labor Code § 62.6)</td>
<td>$77,909,442</td>
<td>($5,630,816)</td>
<td>$2,614,421</td>
<td>$916,195</td>
</tr>
</tbody>
</table>

Fund balance amounts reflect the best available information for use in decision-making for this assessment. Additional review and reconciliation will occur on an ongoing basis and adjustments will be made to future assessments as necessary.
Step 2: Determine Payroll Amounts

(2.1) Total payroll for insured employers………………………………………………………………………… $817,620,774,661
[Source: California Workers’ Compensation Insurance Rating Bureau (WCIRB) policy year 2019]

(2.2) Payroll for self-insured employers …………………………………………………………………………… $266,331,088,479 1
[Source: Department of Industrial Relations, Office of Self-Insurance Plans (excludes State of California)]

(2.3) Payroll for State of California (including SCIF)**……………………………………………………………… $20,150,870,297
[Source: Department of Industrial Relations, Office of Self-Insurance Plans (excludes State of California)]

(2.4) Total payroll for self-insured employers………………………………………………………………………… $286,481,958,776 2

(2.5) Total combined payroll…………………………………………………………………………………………… $1,104,102,733,437 3
[Insured and self-insured employers]

Step 3: Calculate Proportional Payroll for Insured and Self-Insured Employers

(3.1) Insured Employers:

\[
\text{Insured Employer Payroll} = \frac{x}{\text{Total Combined Payroll}} = \frac{817,620,774,661}{1,104,102,733,437} = 74.05% \\
\]

(3.2) Self-Insured Employers:

\[
\text{Self-Insured Employer Payroll} = \frac{x}{\text{Total Combined Payroll}} = \frac{286,481,958,776}{1,104,102,733,437} = 25.95% \\
\]

1 (2.2) Payroll for Self-Insured Employers = % of Methodology Section (2.2.1) and Methodology Section (2.2.2)

2 (2.4) Total Payroll for Self-Insured Employers = % of Methodology Section (2.2) and Methodology Section (2.3)

3 (2.5) Total Combined Payroll = % of Methodology Section (2.1) and Methodology Section (2.4)

Step 4: Determine the Total Assessments for Insured and Self-Insured Employers

<table>
<thead>
<tr>
<th>Workers’ Compensation Administration Revolving Fund Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Calculation for Insured Employers:</strong></td>
</tr>
</tbody>
</table>
| \[
\text{( WCARF Assessment)} \times 74.05\% = \frac{562,924,500 \times 74.05\%}{74.05\%} = 416,845,592 |
| \]                                                   |
| \[
\text{INCCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609]} = \frac{60,430,875}{74.05\%} = 82,000,000 |
| \]                                                   |
| \[
\text{DECREASED by insurer overcollection [pursuant to CCR § 15606(f)]} = \frac{205,468,524}{74.05\%} = 277,807,943 |
| \]                                                   |
| \[
\text{Resulting Final Insured Employers Workers’ Compensation User Funding Assessment} = \frac{271,807,943}{74.05\%} = 367,146,283 |
| \]                                                   |

| **Calculation for Self-Insured Employers:**                  |
| \[
\text{( WCARF Assessment)} \times 25.95\% = \frac{562,924,500 \times 25.95\%}{25.95\%} = 146,078,908 |
| \]                                                   |
| \[
\text{DECREASED by the Self-Insurer overcollection from prior year} = \frac{72,004,162}{25.95\%} = 277,807,943 |
| \]                                                   |
| \[
\text{Resulting Final Self-Insured Employers Workers’ Compensation User Funding Assessment} = \frac{74,074,746}{25.95\%} = 286,481,958,776 |
| \]                                                   |
### Uninsured Employers Benefits Trust (UEBT) Fund Assessment

**Calculation for Insured Employers:**

- \((UEBTF \text{ Assessment}) \times 74.05\% = 52,692,900 \times 74.05\%\)  
  \(= 39,019,092\)
- **INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(= 5,013,991\)**
- **DECREASED by insurer overcollection [pursuant to CCR § 15606(f)] \(= 23,523,067\)**
- **Resulting Final Insured Employers UEBTF Fund Assessment \(= 20,510,017\)**

**Calculation for Self-Insured Employers:**

- \((UEBTF \text{ Assessment}) \times 25.95\% = 52,692,900 \times 25.95\%\)  
  \(= 13,673,808\)
- **DECREASED by the Self-Insurer overcollection from prior year \(= 8,243,398\)**
- **Resulting Final Self-Insured Employers UEBTF Fund Assessment \(= 5,430,410\)**

### Subsequent Injuries Benefits Trust (SIBT) Fund Assessment

**Calculation for Insured Employers:**

- \((SIBTF \text{ Assessment}) \times 74.05\% = 372,069,914 \times 74.05\%\)  
  \(= 275,517,771\)
- **INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(= 11,380,941\)**
- **DECREASED by insurer overcollection [pursuant to CCR § 15606(f)] \(= 40,844,401\)**
- **Resulting Final Insured Employers SIBT Fund Assessment \(= 246,054,311\)**

**Calculation for Self-Insured Employers:**

- \((SIBTF \text{ Assessment}) \times 25.95\% = 372,069,914 \times 25.95\%\)  
  \(= 96,552,143\)
- **DECREASED by the Self-Insurer overcollection from prior year \(= 14,313,467\)**
- **Resulting Final Self-Insured Employers SIBT Fund Assessment \(= 82,238,676\)**

### Occupational Safety and Health Fund (OSHF) Assessment

**Calculation for Insured Employers:**

- \((OSHF \text{ Assessment}) \times 74.05\% = 168,104,708 \times 74.05\%\)  
  \(= 124,481,536\)
- **INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(= 17,335,821\)**
- **DECREASED by insurer overcollection [pursuant to CCR § 15606(f)] \(= 12,423,847\)**
- **Resulting Final Insured Employers OSHF Fund Assessment \(= 129,393,510\)**

**Calculation for Self-Insured Employers:**

- \((OSHF \text{ Assessment}) \times 25.95\% = 168,104,708 \times 25.95\%\)  
  \(= 43,623,172\)
- **DECREASED by the Self-Insurer overcollection from prior year \(= 4,353,799\)**
- **Resulting Final Self-Insured Employers OSHF Fund Assessment \(= 39,269,373\)**

### Labor Enforcement and Compliance Fund (LECF) Assessment

**Calculation for Insured Employers:**

- \((LECF \text{ Assessment}) \times 74.05\% = 143,662,000 \times 74.05\%\)  
  \(= 106,381,711\)
- **INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(= 15,244,055\)**
- **DECREASED by insurer overcollection [pursuant to CCR § 15606(f)] \(= 21,481,764\)**
- **Resulting Final Insured Employers LECF Fund Assessment \(= 100,144,002\)**

**Calculation for Self-Insured Employers:**

- \((LECF \text{ Assessment}) \times 25.95\% = 143,662,000 \times 25.95\%\)  
  \(= 37,280,289\)
- **DECREASED by the Self-Insurer overcollection from prior year \(= 7,528,045\)**
- **Resulting Final Self-Insured Employers LECF Fund Assessment \(= 29,752,244\)**
### Workers’ Compensation Fraud Account Assessment

**Calculation for Insured Employers:**
\[
\text{Fraud Assessment} \times 74.05\% = \$77,909,442 \times 74.05\% = \$57,691,942
\]

\[
\begin{aligned}
\text{INCREASED by credits due individual insurers which undercollected against previous advances [pursuant to CCR § 15609]} & \quad \text{\$13,392,817} \\
\text{DECREASED by insurer overcollection [pursuant to CCR § 15606(f)]} & \quad \text{\$(2,614,421)}
\end{aligned}
\]

**Resulting Final Insured Employers Workers’ Compensation Fraud Account Assessment:**
\[
\$77,909,442 + \$13,392,817 - \$(2,614,421) = \$68,470,338
\]

**Calculation for Self-Insured Employers:**
\[
\text{Fraud Assessment} \times 25.95\% = \$77,909,442 \times 25.95\% = \$20,217,500
\]

**DECREASED by the Self-Insurer overcollection from prior year:**
\[
\text{\$916,195}
\]

**Resulting Final Self-Insured Employers Workers’ Compensation Fraud Account Assessment:**
\[
\$19,301,305
\]

### Step 5: Calculate the Assessment Factors

#### Workers’ Compensation Administration Revolving Fund Assessment Factor

**Calculation for Insured Employers:**
\[
\frac{\text{Total Insured Employers Assessment}}{\text{Total Direct Workers’ Compensation}} = \frac{\$271,807,943}{\$14,100,000,000} = 0.019277
\]

**Source:** WCRB estimate for 2021 Policy Year

**Calculation for Self-Insured Employers:**
\[
\frac{\text{Total Self-Insured Employer Assessment}}{\text{Total Amt. of Workers’ Comp. Indemnity Pd.}} = \frac{\$74,074,746}{\$2,360,103,569} = 0.031386
\]

**Source:** WCRB estimate for 2021 Policy Year

#### Uninsured Employers Benefits Trust (UEBT) Fund Assessment Factor

**Calculation for Insured Employers:**
\[
\frac{\text{Total Insured Employers Assessment}}{\text{Total Direct Workers’ Compensation}} = \frac{\$20,510,017}{\$14,100,000,000} = 0.001455
\]

**Source:** WCRB estimate for 2021 Policy Year

**Calculation for Self-Insured Employers:**
\[
\frac{\text{Total Self-Insured Employer Assessment}}{\text{Total Amt. of Workers’ Comp. Indemnity Pd.}} = \frac{\$5,430,410}{\$2,360,103,569} = 0.002301
\]

**Source:** WCRB estimate for 2021 Policy Year

#### Subsequent Injuries Benefits Trust (SIBT) Fund Assessment Factor

**Calculation for Insured Employers:**
\[
\frac{\text{Total Insured Employers Assessment}}{\text{Total Direct Workers’ Compensation}} = \frac{\$246,054,311}{\$14,100,000,000} = 0.017451
\]

**Source:** WCRB estimate for 2021 Policy Year

**Calculation for Self-Insured Employers:**
\[
\frac{\text{Total Self-Insured Employer Assessment}}{\text{Total Amt. of Workers’ Comp. Indemnity Pd.}} = \frac{\$82,238,676}{\$2,360,103,569} = 0.034845
\]

**Source:** WCRB estimate for 2021 Policy Year

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**Page 4 of 6**
California Department of Industrial Relations
2021-2022 Workers' Compensation Administration Revolving Fund Assessment,
Uninsured Employers Benefits Trust Fund Assessment,
Subsequent Injuries Benefits Trust Fund Assessment,
Occupational Safety and Health Fund Assessment,
Labor Enforcement and Compliance Fund Assessment and
Workers' Compensation Fraud Account Assessment

### Occupational Safety and Health Fund (OSHF) Assessment Factor

**5.7** Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \frac{129,393,510}{14,100,000,000} = 0.009177
\]

*Estimated Premium (Source: WCIRB estimate for 2021 Policy Year)

**5.8** Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \frac{39,269,373}{2,360,103,569} = 0.016639
\]

**SOURCE**: Dept. of Industrial Relations, Office of Self-Insurance Plans [2 of Methodology Sections (5.2.1) to (5.2.3)]

### Labor Enforcement and Compliance Fund (LECF) Assessment Factor

**5.9** Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \frac{100,144,002}{14,100,000,000} = 0.007102
\]

*Estimated Premium (Source: WCIRB estimate for 2021 Policy Year)

**5.10** Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \frac{29,752,244}{2,360,103,569} = 0.012606
\]

**SOURCE**: Dept. of Industrial Relations, Office of Self-Insurance Plans [2 of Methodology Sections (5.2.1) to (5.2.3)]

### Workers' Compensation Fraud Account Assessment Factor

**5.11** Calculation for Insured Employers:

\[
\text{Total Insured Employer Surcharge} = \frac{68,470,338}{14,100,000,000} = 0.004856
\]

*Estimated Premium (Source: WCIRB estimate for 2021 Policy Year)

**5.12** Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Surcharge} = \frac{19,301,305}{2,360,103,569} = 0.008178
\]

**SOURCE**: Dept. of Industrial Relations, Office of Self-Insurance Plans [2 of Methodology Sections (5.2.1) to (5.2.3)]

### Step 6: Determine Individual Employer's Workers' Compensation Administration Revolving Fund Assessment

**6.1** Individual Insured Employers:

\[
\text{Assessment Factor} \times \text{Employer's Expected Assessable Premium} = 0.019277 \times \text{Expected Assessable Premium}
\]

**6.2** Calculation for Individual Self-Insured Employers:

\[
\text{Assessment Factor} \times \text{Total Indemnity Paid by the Employer} = 0.031386 \times \text{Total Indemnity Paid by the Employer}
\]

### Step 7: Determine Individual Employers Uninsured Employers Benefits Trust (UEBT) Fund Assessment

**7.1** Individual Insured Employers:

\[
\text{Assessment Factor} \times \text{Employer's Expected Assessable Premium} = 0.001455 \times \text{Expected Assessable Premium}
\]

**7.2** Calculation for Individual Self-Insured Employers:

\[
\text{Assessment Factor} \times \text{Total Indemnity Paid by the Employer} = 0.002301 \times \text{Total Indemnity Paid by the Employer}
\]
Step 8: Determine Individual Employers Subsequent Injuries Benefit Trust Fund Assessment

(8.1) Individual Insured Employers:
Assessment Factor [ 0.017451 ] X Employer's Expected Assessable Premium*

(8.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.034845 ] X Total Indemnity Paid by the Employer

Step 9: Determine Individual Employers Occupational Safety and Health Fund Assessment

(9.1) Individual Insured Employers:
Assessment Factor [ 0.009177 ] X Employer's Expected Assessable Premium*

(9.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.016639 ] X Total Indemnity Paid by the Employer

Step 10: Determine Individual Employers Labor Enforcement and Compliance Fund Assessment

(10.1) Individual Insured Employers:
Assessment Factor [ 0.007102 ] X Employer's Expected Assessable Premium*

(10.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.012606 ] X Total Indemnity Paid by the Employer

Step 11: Determine Individual Employer's Workers' Compensation Fraud Account Assessment

(11.1) Individual Insured Employers:
Assessment Factor [ 0.004856 ] X Employer's Expected Assessable Premium*

(11.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.008178 ] X Total Indemnity Paid by the Employer

* Assessable Premium

The premium the insured is charged after all rating adjustments (experience rating, schedule rating, premium discounts, expense constants, etc.) except for adjustments resulting from the application of deductible plans, retrospective rating, or the return policyholder dividends.