DATE: November 29, 2010

TO: All Insurers Authorized to Transact Workers’ Compensation in California

FROM: John C. Duncan
Director

SUBJECT: Fiscal Year 2010/2011 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 program. These assessments provide a stable funding source to allow the courts to resolve claims more quickly, to assure safe and healthy working conditions on the job to prevent injuries from occurring, to help ensure the enforcement of minimum labor standards and the statutes covering workers’ compensation insurance coverage, and to improve the overall operation of the system.

Labor Code Sections 62.5 and 62.6 require allocation of the six assessment types between insured and self-insured employers in proportion to payroll for the most recent year available. Enclosed with this letter is an invoice for assessments for your company’s (or companies’) share of the following total assessments and a document showing the methodology used to compute the assessment amounts and the resulting determination of the respective assessment/surcharge factors. The factors are applied to the premium amount as described in the following sections of this letter.

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<thead>
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<th>2011 Factors Applied to Premium</th>
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<td>0.004348</td>
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The total assessment is calculated on the basis of the direct workers’ compensation premiums reported to the Department of Insurance for Calendar Year 2009 by you or your group of carriers. Your first installment is due on or before January 1, 2011, with the balance due on or before April 1, 2011.

Assessment Methodology for Single Carriers
If you were a single carrier and not part of an insurer group who reported data to the WCIRB on an individual company basis for 2009, your Total California Direct Written Premium for assessment purposes is the amount reported for calendar year 2009 to the WCIRB, which reflects the premiums charged to policyholders with the exception that it excludes the impact of deductible credits, retrospective rating adjustments, and policyholder dividends.

Assessment Methodology for Insurer Groups
If you were part of an insurer reporting group who reported data to the WCIRB for 2009, your Total California Direct Written Premium for assessment purposes has been determined as the product of (a) the total 2009 written premium reported to the WCIRB on the aforementioned basis and (b) the ratio of your company’s 2009 California written premium as reported in the 2009 Statutory Annual Statement (these amounts include the effect of deductible credits and retrospective rating adjustments) to the total 2009 Statutory Annual Statement of California written premium reported for your insurer group as a whole.

HOW YOUR ASSESSMENT AMOUNTS WERE CALCULATED:

WCARF ASSESSMENT (Section 5.1 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.014721\]

UEBTF ASSESSMENT (Section 5.3 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.004101\]

SIBTF ASSESSMENT (Section 5.5 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.001776\]

OSHF ASSESSMENT (Section 5.7 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.002467\]

LECF ASSESSMENT (Section 5.7 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.002315\]

FRAUD ASSESSMENT (Section 5.10 of attached Methodology):
\[(1.210957443 \times 2009 \text{ Total California Direct Written Premium}) \times 0.004348\]

* Ratio of the expected total 2010 premium to the 2009 Total Direct Written Premium of all insurers
\[
\frac{($10,800,000,000)}{($8,918,562,798)} = 1.210957443
\]

REQUIRED EMPLOYER ASSESSMENTS
All workers’ compensation insurance policies you issue with an inception date during the calendar year 2011 must be assessed to recover amounts advanced on behalf of policyholders. Assessable Premium is the premium the insured is charged after all rating adjustments (experience rating, schedule rating, premium discounts, expense constants, retrospective rating, etc.) except for adjustments resulting from the application of deductible plans or the return of policyholder dividends.

The assessment factors to be applied to the estimated annual assessable premium for 2010 policies are shown in the table on the first page. These are the same factors that were used to calculate your attached assessment.
If you have any questions relating to this assessment, please contact Division of Workers’ Compensation Manager Amadeo F. Urbano, Jr., at (510) 286-7083 or Analyst Naomi P. Carter at (510) 286-7087.

Attachments
### 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 2010-2011

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
<th>Total Assessment Required</th>
<th>Fund Balance</th>
<th>DWC 0910 Undercollection</th>
<th>SIP 0910 Undercollection</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.1</strong></td>
<td>Workers' Compensation Administration Revolving Fund Assessment (Labor Code § 62.5)</td>
<td>$109,036,251</td>
<td>(1.5) $34,895,449</td>
<td>($2,105,904)</td>
<td>($198,042)</td>
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<td><strong>1.2</strong></td>
<td>Uninsured Employers Benefits Trust Fund Assessment (Labor Code § 62.5)</td>
<td>$45,915,257</td>
<td>(1.2) $45,915,257</td>
<td>($9,649,213)</td>
<td></td>
</tr>
<tr>
<td><strong>1.3</strong></td>
<td>Subsequent Injuries Benefits Trust Fund Assessment (Labor Code § 62.5)</td>
<td>$18,398,951</td>
<td>(1.3) $18,398,951</td>
<td>$834,233</td>
<td></td>
</tr>
<tr>
<td><strong>1.4</strong></td>
<td>Occupational Safety and Health Fund Assessment (Labor Code § 62.5)</td>
<td>$36,689,552</td>
<td>(1.4) $36,689,552</td>
<td>$4,714,000</td>
<td></td>
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<tr>
<td><strong>1.5</strong></td>
<td>Labor Enforcement and Compliance Fund Assessment (Labor Code § 62.5)</td>
<td>$34,895,449</td>
<td>(1.5) $34,895,449</td>
<td>($17,732,000)</td>
<td>($514,889)</td>
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</table>
Step 2: Determine Payroll Amounts

(2.1) Total payroll for insured employers…………………………………………………………… $470,500,079,403
Source: California Workers’ Compensation Insurance Rating Bureau (WCIRB) policy year 2007

(2.2) Payroll for self-insured employers …………………………………………………………. 1 $178,039,722,064

(2.2.1) 2008-09 Fiscal Year for Public Sector * ………… $98,637,009,518
(2.2.2) 2009 for Private Sector…………………………… $79,402,712,546
* Source: Department of Industrial Relations, Office of Self-Insurance Plans (excludes State of California)

(2.3) Payroll for State of California (including SCIF)*………………………………………… $14,395,066,211
** Source: (Department of Personnel Administration, Fiscal Year 2009-10)

(2.4) Total payroll for self-insured employers……………………………………………………. 2 $192,434,788,275

(2.5) Total combined payroll………………………………………………………………………… 3 $662,934,867,678
(Insured and self-insured employers)

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

(3.1) Insured Employers:

Insured Employer Payroll = Methodology Section (2.1) = $470,500,079,403 = 70.97%
Total Combined Payroll = Methodology Section (2.5) = $662,934,867,678

(3.2) Self-Insured Employers:

Self-Insured Employer Payroll = Methodology Section (2.4) = $192,434,788,275 = 29.03%
Total Combined Payroll = Methodology Section (2.5) = $662,934,867,678

1. (2.2) Payroll for Self-Insured Employers = Σ of Methodology Section (2.2.1) and Methodology Section (2.2.2)
2. (2.4) Total Payroll for Self-Insured Employers = Σ of Methodology Section (2.2) and Methodology Section (2.3)
3. (2.5) Total Combined Payroll = Σ of Methodology Section (2.1) and Methodology Section (2.4)
Step 4: Determine the Total Assessments for Insured and Self-Insured Employers

Workers' Compensation Administration Revolving Fund Assessment

Calculation for Insured Employers:
- \(( \text{WCARF Assessment} \times 70.97\%) \times \text{X} = $109,036,251 \times 70.97\% \) \(\ldots\) $77,383,027
- Increased by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(\ldots\) $71,957,937
- Increased by insurer undercollection 0910 [pursuant to CCR § 15606(f)] \(\ldots\) $9,649,213
- \((4.1)\) Resulting Final Insured Employers Workers' Compensation User Funding Assessment \(\ldots\) $158,990,177

Calculation for Self-Insured Employers:
- \(( \text{WCARF Assessment} \times 29.03\%) \times \text{X} = $109,036,251 \times 29.03\% \) \(\ldots\) $31,653,224
- Increased by the Self-Insurer undercollection from prior year \(\ldots\) $2,105,904
- \((4.2)\) Resulting Final Self-Insured Employers Workers' Compensation User Funding Assessment \(\ldots\) $33,759,128

Uninsured Employers Benefits Trust (UEBT) Fund Assessment

Calculation for Insured Employers:
- \(( \text{UEBTF Assessment} \times 70.97\%) \times \text{X} = $45,915,257 \times 70.97\% \) \(\ldots\) $32,586,058
- Increased by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(\ldots\) $12,542,458
- Decreased by the Insurer overcollection for 0910 [pursuant to CCR § 15606(f)] \(\ldots\) ($834,233)
- \((4.3)\) Resulting Final Insured Employers UEBT Fund Assessment \(\ldots\) $44,294,283

Calculation for Self-Insured Employers:
- \(( \text{UEBTF Assessment} \times 29.03\%) \times \text{X} = $45,915,257 \times 29.03\% \) \(\ldots\) $13,329,199
- Increased by the Self-Insurer undercollection from prior year \(\ldots\) $198,042
- \((4.4)\) Resulting Final Self-Insured Employers UEBT Fund Assessment \(\ldots\) $13,527,241

Subsequent Injuries Benefits Trust (SIBT) Fund Assessment

Calculation for Insured Employers:
- \(( \text{SIBTF Assessment} \times 70.97\%) \times \text{X} = $18,398,951 \times 70.97\% \) \(\ldots\) $13,057,736
- Increased by credits due individual insurers which undercollected against previous advances [CCR § 15609] \(\ldots\) $2,902,790
- Increased by insurer undercollection 0910 [pursuant to CCR § 15606(f)] \(\ldots\) $3,216,461
- \((4.5)\) Resulting Final Insured Employers SIBT Fund Assessment \(\ldots\) $19,176,987

Calculation for Self-Originated Employers:
- \(( \text{SIBTF Assessment} \times 29.03\%) \times \text{X} = $18,398,951 \times 29.03\% \) \(\ldots\) $5,341,215
- Increased by the Self-Insurer undercollection from prior year \(\ldots\) $109,588
- \((4.6)\) Resulting Final Self-Insured Employers SIBT Fund Assessment \(\ldots\) $5,450,803
Occupational Safety and Health Fund (OSHF) Assessment

Calculation for Insured Employers:

- (OSHF Assessment) \( \times \) 70.97% = \$36,689,552 \( \times \) 70.97%  
  $26,038,575
- No credits due individual insurers which undercollected against previous advances [CCR § 15609].  
  $0
- INCREASED by insurer undercollection 0910 [pursuant to CCR § 15606(f)].  
  $605,627

**Resulting Final Insured Employers SIBT Fund Assessment**:  
$26,644,202

Calculation for Self-Insured Employers:

- (OSHF Assessment) \( \times \) 29.03% = \$36,689,552 \( \times \) 29.03%  
  $10,650,977
- INCREASED by the Self-Insurer undercollection from prior year.  
  $744,096

**Resulting Final Self-Insured Employers SIBT Fund Assessment**:  
$11,395,073

Labor Enforcement and Compliance Fund (LECF) Assessment

Calculation for Insured Employers:

- (LECF Assessment) \( \times \) 70.97% = \$34,895,449 \( \times \) 70.97%  
  $24,765,300
- No credits due individual insurers which undercollected against previous advances [CCR § 15609].  
  $0
- increased by the Insurer undercollection for 0910 [pursuant to CCR § 15606(f)].  
  $232,971

**Resulting Final Insured Employers SIBT Fund Assessment**:  
$24,998,271

Calculation for Self-Insured Employers:

- (LECF Assessment) \( \times \) 29.03% = \$34,895,449 \( \times \) 29.03%  
  $10,130,149
- INCREASED by the Self-Insurer undercollection from prior year.  
  $514,889

**Resulting Final Self-Insured Employers SIBT Fund Assessment**:  
$10,645,038

Workers’ Compensation Fraud Account Assessment

Calculation for Insured Employers:

- (Fraud Assessment) \( \times \) 70.97% = \$30,839,547 \( \times \) 70.97%  
  $21,886,827
- INCREASED by credits due individual insurers which undercollected against previous advances [pursuant to CCR § 15609].  
  $18,310,561
- INCREASED by insurer undercollection 0910 [pursuant to CCR § 15606(f)].  
  $8,952,252

**Resulting Final Insured Employers Workers’ Compensation Fraud Account Assessment**:  
$46,961,786

Calculation for Self-Insured Employers:

- (Fraud Assessment) \( \times \) 29.03% = \$30,839,547 \( \times \) 29.03%  
  $8,592,720
- DECREASED by the Self-Insurer overcollection from prior year.  
  $605,627

**Resulting Final Self-Insured Employers Workers’ Compensation Fraud Account Assessment**:  
$9,072,252
Step 5: Calculate the Assessment Factors

**Workers' Compensation Administration Revolving Fund Assessment Factor**

(5.1) Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \frac{158,990,178}{10,800,000,000} = 0.014721
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.2) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \frac{33,759,128}{1,529,631,737} = 0.022070
\]

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

(5.2.1) 2008-09 Public Sector………………………………………… $846,463,847
(5.2.2) 2009 Private Sector…………………………………………… $550,287,430
(5.2.3) 2009-10 State of California***………………………………… $132,880,460

** SOURCE: Department of Personnel Administration

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

(5.3) Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \frac{44,294,283}{10,800,000,000} = 0.004101
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.4) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \frac{13,527,241}{1,529,631,737} = 0.008843
\]

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

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

(5.5) Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \frac{19,176,987}{10,800,000,000} = 0.001776
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.6) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \frac{5,450,804}{1,529,631,737} = 0.003563
\]

** SOURCE: Dept. of Industrial Relations, Office of Self-Insurance Plans [Σ of Methodology Sections (5.2.1) to (5.2.3)]
Occidental Safety and Health Fund (OSHF) Assessment Factor

(5.7) Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \text{Estimated Premium} = \frac{\$26,644,202}{\$10,800,000,000} = 0.002467
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.8) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \text{Total Amt. of Workers' Comp. Indemnity Pd.**} = \frac{\$11,395,073}{\$1,529,631,737} = 0.007450
\]

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

Labor Enforcement and Compliance Fund (LECF) Assessment Factor

(5.9) Calculation for Insured Employers:

\[
\text{Total Insured Employers Assessment} = \text{Estimated Premium} = \frac{\$24,998,271}{\$10,800,000,000} = 0.002315
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.10) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Assessment} = \text{Total Amt. of Workers' Comp. Indemnity Pd.**} = \frac{\$10,645,038}{\$1,529,631,737} = 0.006959
\]

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

Workers' Compensation Fraud Account Assessment Factor

(5.11) Calculation for Insured Employers:

\[
\text{Total Insured Employer Surcharge} = \text{Estimated Premium} = \frac{\$46,961,785}{\$10,800,000,000} = 0.004348
\]

*Estimated Premium (Source: WCIRB estimate for 2010 Policy Year)

(5.12) Calculation for Self-Insured Employers:

\[
\text{Total Self-Insured Employer Surcharge} = \text{Total Amt. of Workers' Comp. Indemnity Pd.**} = \frac{\$9,072,253}{\$1,529,631,737} = 0.005931
\]

** SOURCE: Dept. of Industrial Relations, Office of Self-Insurance Plans [Σ 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:

\[
\text{Assessment Factor} = 0.014721 \times \text{Employer's Expected Assessable Premium}\
\]

(6.2) Calculation for Individual Self-Insured Employers:

\[
\text{Assessment Factor} = 0.022070 \times \text{Total Indemnity Paid by the Employer}\
\]
Step 7: Determine Individual Employers Uninsured Employers Benefits Trust (UEBT) Fund Assessment

(7.1) Individual Insured Employers:
Assessment Factor [ 0.004101 ] X Employer's Expected Assessable Premium

(7.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.008843 ] X Total Indemnity Paid by the Employer

Step 8: Determine Individual Employers Subsequent Injuries Benefit Trust (SIBT) Fund Assessment

(8.1) Individual Insured Employers:
Assessment Factor [ 0.001776 ] X Employer's Expected Assessable Premium

(8.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.003563 ] X Total Indemnity Paid by the Employer

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

(9.1) Individual Insured Employers:
Assessment Factor [ 0.002467 ] X Employer's Expected Assessable Premium

(9.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.007450 ] X Total Indemnity Paid by the Employer

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

(10.1) Individual Insured Employers:
Assessment Factor [ 0.002315 ] X Employer's Expected Assessable Premium

(10.2) Calculation for Individual Self-Insured Employers:
Assessment Factor [ 0.006959 ] 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 [ 0.004348 ] X Employer's Expected Assessable Premium
Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.005931 ] \times \text{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, retrospective rating, etc.) except for adjustments resulting from the application of deductible plans or the return policyholder dividends.
DATE: November 29, 2010

TO: California Self-Insured Employers

FROM: John C. Duncan

SUBJECT: Fiscal Year 2010/2011 Assessments:

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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 program. These assessments provide a stable funding source to allow the courts to resolve claims more quickly, to assure safe and healthy working conditions on the job to prevent injuries from occurring, to help ensure the enforcement of minimum labor standards and the statutes covering workers’ compensation insurance coverage, and to improve the overall operation of the system.

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.

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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 Benefits 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 employers.

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) 574-0300.

Attachment
DATE: November 29, 2010

TO: California Legally Uninsured Employer

FROM: John C. Duncan 
Director

SUBJECT: Fiscal Year 2010/2011 Assessments:
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<td>Subsequent Injuries Benefits Trust Fund Assessment (SIBTF)</td>
<td>$26,439,000</td>
<td>0.003563</td>
</tr>
<tr>
<td>Labor Code § 62.5</td>
<td>Occupational Safety and Health Fund Assessment (OSHF)</td>
<td>$59,583,275</td>
<td>0.007450</td>
</tr>
<tr>
<td>Labor Code § 62.5</td>
<td>Labor Enforcement and Compliance Fund Assessment (LECF)</td>
<td>$53,375,309</td>
<td>0.006959</td>
</tr>
<tr>
<td>Labor Code § 62.6</td>
<td>Workers’ Compensation Fraud Account Assessment (FRAUD)</td>
<td>$50,157,805</td>
<td>0.005931</td>
</tr>
</tbody>
</table>
Attached is a worksheet detailing the methodology used to compute the Workers’ Compensation Administration Revolving Fund, Uninsured Employers Benefits Trust Fund, Subsequent Injuries Benefits Trust Fund, Occupational Safety and Health Fund, Labor Enforcement and Compliance Fund allocation and Workers’ Compensation Fraud Account Assessment, and to allocate the assessment between insured and self-insured employers.

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) 574-0300.

Attachment