#### STATE OF CALIFORNIA

DEPARTMENT OF INDUSTRIAL RELATIONS
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DATE: November 27, 2013

TO: California Self-Insured Employer

FROM: Christine Baker, Director, Department of Industrial Relations

SUBJECT: Fiscal Year 2013/2014 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

Authority	Туре	Total Assessment for all Payers	2014 Self-Insured Employer Assessment Factor
Labor Code § 62.5	Workers' Compensation Administration Revolving Fund Assessment (WCARF)	\$389,544,022	0.041342
Labor Code § 62.5	Uninsured Employers Benefits Trust Fund Assessment (UEBTF)	\$58,428,190	0.006202
Labor Code § 62.5	Subsequent Injuries Benefits Trust Fund Assessment (SIBTF)	\$38,019,128	0.004461
Labor Code § 62.5	Occupational Safety and Health Fund Assessment (OSHF)	\$73,584,044	0.007302
Labor Code § 62.5	Labor Enforcement and Compliance Fund Assessment (LECF)	\$65,751,690	0.008186
Labor Code § 62.6	Workers' Compensation Fraud Account Assessment (FRAUD)	\$53,445,000	0.008934

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 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) 464-7000.

Sincerely,

Christine Baker

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Director

Enclosure

#### **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.

T : 14	inistration Revolving Fund Assessment (Labor Code § 62.5	\$228,967,134
Total Assessment Required		
Fund Balance	· , , ,	
DWC 1213 Overcollection		
SIP 1213 Undercollection		
	\$228,967,134	
1.2) Uninsured Employers Benefit	s Trust Fund Assessment (Labor Code § 62.5)	\$33,701,736
Total Assessment Required		
Fund Balance	(\$32,900,000)	
DWC 1213 Overcollection		
SIP 1213 Undercollection	(\$465,811)	
	\$33,701,736	
Total Assessment Required  Fund Balance  DWC 1213 Overcollection  SIP 1213 Undercollection		\$24,576,613
1.4) Occupational Safety and Hea	alth Fund Assessment (Labor Code § 62.5)	\$40,268,998
1.4) Occupational Safety and Hea	,	\$40,268,998
		\$40,268,998
Total Assessment Required		\$40,268,998
Total Assessment Required		\$40,268,998
Total Assessment Required Fund Balance DWC 1213 Overcollection		\$40,268,998
Total Assessment Required Fund Balance DWC 1213 Overcollection SIP 1213 Undercollection		\$40,268,998 \$45,304,744
Total Assessment Required Fund Balance DWC 1213 Overcollection SIP 1213 Undercollection	\$73,584,044(\$38,194,000)\$5,254,132(\$375,177) \$40,268,998   pliance Fund Assessment (Labor Code § 62.5)	
Total Assessment Required  Fund Balance  DWC 1213 Overcollection  SIP 1213 Undercollection  1.5) Labor Enforcement and Com		
Total Assessment Required  Fund Balance  DWC 1213 Overcollection  SIP 1213 Undercollection  1.5) Labor Enforcement and Com  Total Assessment Required	\$73,584,044 \$5,254,132 \$65,751,690 \$65,751,690 \$73,584,044 \$73,584	
Total Assessment Required Fund Balance DWC 1213 Overcollection SIP 1213 Undercollection  1.5) Labor Enforcement and Com Total Assessment Required Fund Balance	\$73,584,044 \$5,254,132 \$6,254,132 \$1,340,268,998  pliance Fund Assessment (Labor Code § 62.5) \$65,751,690 \$1,344,244,000) \$4,348,760	

(1.6) Workers' Compensation Fraud A			\$49,115,005				
Total Assessment Required		aud Commission.					
Fund Balance							
DWC 1213 Overcollection							
SIP 1213 Undercollection	. , ,						
Oil 1210 Officeronicoloff	\$49,115,005						
	\$ <del>-5,115,005</del>						
Step 2: Determine Payroll (2.1) Total payroll for insured employe			\$466,082,434,446				
Source: California Workers' Compensation Insuran			<del>ψ 100,002, 10 1, 110</del>				
(2.2) Payroll for self-insured employer	s		\$180,238,341,067 <sup>1</sup>				
(2.2.1)       2012-13 Fiscal Year for Public Sector*       \$96,686,540,961         (2.2.2)       2012 for Private Sector.       \$83,551,800,106							
* <u>Source</u> : Department of Industrial Relations, Office	e of Self-Insurance Plans (excludes State of Califorr	iia)					
(2.3) Payroll for State of California (inc	\$14,500,104,410						
(2.4) Total payroll for self-insured emp		<b>\$194,738,445,477</b> <sup>2</sup>					
(2.5) Total combined payroll			<b>\$660,820,879,923</b> <sup>3</sup>				
(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)	\$466,082,434,446	= 70.53%				
Total Combined Payroll	Methodology Section (2.5)	\$660,820,879,923	= <u>/0.33/6</u>				
(3.2) Self-Insured Employers:							
Self-Insured Employer Payroll =		\$194 <u>,738,445,477</u>	= 29.47%				
Total Combined Payroll	Methodology Section (2.5)	\$660,820,879,923					
<sup>1</sup> (2.2) Payroll for Self-Insured Employers = $\Sigma$ of Methodology Section (2.2.1) and Methodology Section (2.2.2)							
$^{2}$ (2.4) Total Payroll for Self-Insured Employers = $\Sigma$ of Methodology Section (2.2) and Methodology Section (2.3)							

 $\begin{tabular}{ll} \bf 3 & \underline{\textbf{(2.5) Total Combined Payroll}} & = \Sigma \mbox{ of Methodology Section } (2.1) \mbox{ and Methodology Section } (2.4) \end{tabular}$ 

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

Calculation for Insured Employers:  ▶ (WCARF Assessment)
NCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]
advances [ CCR § 15609]
DECREASED by insurer overcollection 1213 [pursuant to CCR § 15606(f)]
(4.1)       Resulting Final Insured Employers Workers' Compensation User Funding Assessment.       \$165,332,794         Calculation for Self-Insured Employers       \$67,476,614         ▶ (WCARF Assessment)       X 29.47% = \$228,967,134       X 29.47%       \$67,476,614         ▶ INCREASED by the Self-Insurer undercollection from prior year.       \$1,831,582         (4.2)       Resulting Final Self-Insured Employers Workers' Compensation User Funding Assessment.       \$69,308,197         Uninsured Employers Benefits Trust (UEBT) Fund Assessment         Calculation for Insured Employers:       \$23,769,834         ▶ (UEBTF Assessment X 70.53% = \$33,701,736 X 70.53%       \$23,769,834         ▶ INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]       \$6,514,458         ▶ DECREASED by the Insurer overcollection for 1213 [pursuant to CCR § 15606(f)]       \$8,639,356)
Calculation for Self-Insured Employers  ► (WCARF Assessment) X 29.47% = \$228,967,134 X 29.47%
► (WCARF Assessment)X 29.47% = \$228,967,134X 29.47%\$67,476,614► INCREASED by the Self-Insurer undercollection from prior year
NCREASED by the Self-Insurer undercollection from prior year
(4.2) Resulting Final Self-Insured Employers Workers' Compensation User Funding Assessment.       \$69,308,197         Uninsured Employers Benefits Trust (UEBT) Fund Assessment         Calculation for Insured Employers:         (UEBTF Assessment × 70.53% = \$33,701,736 × 70.53%       \$23,769,834         INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]       \$6,514,458         DECREASED by the Insurer overcollection for 1213 [pursuant to CCR § 15606(f)]       (\$8,639,356)
Uninsured Employers Benefits Trust (UEBT) Fund Assessment  Calculation for Insured Employers:  ► (UEBTF Assessment × 70.53% = \$33,701,736 × 70.53%
Uninsured Employers Benefits Trust (UEBT) Fund Assessment  Calculation for Insured Employers:  ► (UEBTF Assessment × 70.53% = \$33,701,736 × 70.53%
Calculation for Insured Employers:  ► (UEBTF Assessment × 70.53% = \$33,701,736 × 70.53% \$23,769,834)  ► INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]. \$6,514,458  ► DECREASED by the Insurer overcollection for 1213 [pursuant to CCR § 15606(f)]. (\$8,639,356)
► (UEBTF Assessment X 70.53% = \$33,701,736 X 70.53%\$23,769,834► INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]\$6,514,458► DECREASED by the Insurer overcollection for 1213 [pursuant to CCR § 15606(f)](\$8,639,356)
<ul> <li>▶ INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]</li></ul>
advances [ CCR § 15609]
▶ DECREASED by the Insurer overcollection for 1213 [pursuant to CCR § 15606(f)]
(4.3) Resulting Final insuled Employers OEBT Fulld Assessment.
Calculation for Self-Insured Employers
► (UEBTF Assessment) X 29.47% = \$33,701,736 X 29.47%
► INCREASED by the Self-Insurer undercollection from prior year\$465,811
(4.4) Resulting Final Self-Insured Employers UEBT Fund Assessment
Subsequent Injuries Benefits Trust (SIBT) Fund Assessment
Calculation for Insured Employers:
(SIBTF Assessment) X 70.53% = \$24,576,613 X 70.53%
► INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]
DECREASED by insurer overcollection 1213 [pursuant to CCR § 15606(f)]
(4.5) Resulting Final Insured Employers SIBT Fund Assessment
(1.0) 1.000.000 2.11ployoto 0.01 1 dild / 0.000011011
Calculation for Self- Insured Employers
► (SIBTF Assessment) X 29.47% = \$24,576,613 X 29.47%
► INCREASED by the Self-Insurer undercollection from prior year
THOREAGED by the Self-Insuler underconection from prior year

Occupational Safety and Health Fund (OSHF) Assessment	<u> </u>
Calculation for Insured Employers:	
► (OSHF Assessment) X 70.53% = \$40,268,998 X 70.53%	\$28,401,724
▶ INCREASED by credits due individual insurers which undercollected against previous advances [ CCR § 15609]	\$6,090,799
▶ DECREASED by insurer overcollection 1213 [pursuant to CCR § 15606(f)]	(\$5,254,132)
(4.7) Resulting Final Insured Employers OSH Fund Assessment	\$ <u>29,238,392</u>
Calculation for Self- Insured Employers	
► (OSHF Assessment) X 29.47% = \$40,268,998 X 29.47%	\$11,867,274
► INCREASED by the Self-Insurerundercollection from prior year	\$ <u>375,177</u>
(4.8) Resulting Final Self-Insured Employers OSH Fund Assessment	\$ <u>12,242,451</u>
Labor Enforcement and Compliance Fund (LECF) Assessment	ent
Calculation for Insured Employers:	
► (LECF Assessment) X 70.53% = \$45,304,744 X 70.53%	\$31,953,436
▶ INCREASED by credits due individual insurers which undercollected against previous	<b>A-</b>
advances [ CCR § 15609]	\$5,494,155 (\$4,240,700)
DECREASED by insurer overcollection 1213 [pursuant to CCR § 15606(f)]	(\$4,348,760) \$33,008,833
(4.9) Resulting Final Insured Employers LEC Fund Assessment	\$ <u>33,098,832</u>
Calculation for Self- Insured Employers	
(LECF Assessment) X 29.47% = \$45,304,744 X 29.47%	\$13,351,308
► INCREASED by the Self-Insurer undercollection from prior year	\$371,706
(4.10) Resulting Final Self-Insured Employers LEC Fund Assessment	\$13, <del>723,01</del> 4
<u> </u>	<del>*************************************</del>
Workers' Compensation Fraud Account Assessment	
Calculation for Insured Employers:	
► (Fraud Assessment) X 70.53% = \$49,115,005 X 70.53%	\$34,640,813
► INCREASED by credits due individual insurers which undercollected against previous	
advances [pursuant to CCR § 15609]	\$9,181,770
DECREASED by insurer overcollection 1213 [pursuant to CCR § 15606(f)]	(\$9,477,972)
(4.11) Resulting Final Insured Employers Workers' Compensation Fraud Account Assessment	\$ <u>34,344,611</u>
Calculation for Self- Insured Employers	
► (Fraud Assessment) X 29.47% = \$49,115,005 X 29.47%	\$14,474,192
► INCREASED by the Self-Insurer undercollection from prior year	\$502,889
(4.12) Resulting Final Self-Insured Employers Workers' Compensation Fraud Account Assessment	\$ <u>14,977,081</u>

#### **Step 5:** Calculate the Assessment Factors

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

(5.1) Calculation for Insured Employers:

Total Insured Employers Assessment Total Direct Workers' Compensation\* = \$\frac{\$165.332.794}{\$13,500,000,000} = \$\frac{**0.012247**}

\*Estimated Premium ( Source: WCIRB estimate for 2013 Policy Year)

(5.2) Calculation for Self-Insured Employers:

Total Self-Insured Employer Assessment = \$\frac{\$69.308.197}{\$1,676,477,939} = **0.041342** 

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

 (5.2.1)
 2012-13 Public Sector.
 \$937,771,648

 (5.2.2)
 2012 Private Sector.
 \$560,652,058

 (5.2.3)
 2012-13 State of California\*\*\*
 \$178,054,233

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

(5.3) Calculation for Insured Employers:

Total Direct Workers' Compensation\* = \$\frac{\$21.644.935}{\$13,500,000,000} = \frac{**0.001603**}

\*Estimated Premium ( **Source**: WCIRB estimate for 2013 Policy Year)

(5.4) Calculation for Self-Insured Employers:

Total Self-Insured Employer Assessment
Total Amt. of Workers' Comp. Indemnity Pd \*\* = \$10.397.712 = 0.006202

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

(5.5) Calculation for Insured Employers:

Total Insured Employers Assessment = \$17,430,348 = 0.001291

Total Direct Workers' Compensation\* \$13,500,000,000

\*Estimated Premium ( **Source**: WCIRB estimate for 2013 Policy Year)

(5.6) Calculation for Self-Insured Employers:

<sup>\*\*\*</sup> SOURCE: Department of Personnel Administration

<sup>\*\*</sup> **SOURCE**: Dept. of Industrial Relations, Office of Self-Insurance Plans [ $\Sigma$  of Methodology Sections (5.2.1) to (5.2.3)]:

<sup>\*\*</sup> SOURCE: Dept. of Industrial Relations, Office of Self-Insurance Plans [  $\Sigma$  of Methodology Sections (5.2.1) to (5.2.3)]:

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

(5.7) Calculation for Insured Employers:

Total Insured Employers Assessment = \$29,238,392 = **0.002166** 

Total Direct Workers' Compensation\* \$13,500,000,000

\*Estimated Premium ( Source: WCIRB estimate for 2013 Policy Year)

(5.8) Calculation for Self-Insured Employers:

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

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

(5.9) Calculation for Insured Employers:

Total Insured Employers Assessment = \$33,098,832 = **0.002452** 

Total Direct Workers' Compensation\* \$13,500,000,000

\*Estimated Premium ( Source: WCIRB estimate for 2013 Policy Year)

(5.10) Calculation for Self-Insured Employers:

Total Self-Insured Employer Assessment = \$13,723,014 = 0.008186

Total Amt. of Workers' Comp. Indemnity Pd.\*\*

#### **Workers' Compensation Fraud Account Assessment Factor**

(5.11) Calculation for Insured Employers:

Total Insured Employer Surcharge = \$\frac{\$34,344,611}{\$13,500,000,000} = \$\frac{**0.002544**}

\*Estimated Premium ( **Source**: WCIRB estimate for 2013 Policy Year)

(5.12) Calculation for Self-Insured Employers:

Total Self-Insured Employer Surcharge = \$14,977,081 = 0.008934

Total Amt. of Workers' Comp. Indemnity Pd.\*\* \$1,676,477,939

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

<sup>\*\* &</sup>lt;u>SOURCE</u>: Dept. of Industrial Relations, Office of Self-Insurance Plans [  $\Sigma$  of Methodology Sections (5.2.1) to (5.2.3)]:

#### **California Department of Industrial Relations**

2013-2014 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

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

(6.1) Individual Insured Employers:

Assessment Factor [ 0.012247 ] X Employer's Expected Assessable Premium\*

(6.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.041342 ] X 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 [ 0.001603 ] X Employer's Expected Assessable Premium\*

(7.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.006202 ] 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 [ 0.001291 ] X Employer's Expected Assessable Premium\*

(8.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.004461 ] 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 [ 0.002166 ] X Employer's Expected Assessable Premium\*

(9.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.007302 ] 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 [ 0.002452 ] X Employer's Expected Assessable Premium\*

(10.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.008186 ] 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 [ 0.002544 ] X Employer's Expected Assessable Premium\*

(11.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [ 0.008934 ] 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, retrospective rating, etc.) except for adjustments resulting from the application of deductible plans or the return policyholder dividends.