STATE OF CALIFORNIA

DEPARTMENT OF INDUSTRIAL RELATIONS OFFICE OF THE DIRECTOR P. O. Box 420603 San Francisco, CA 94142 (916)574-0300



DATE: December 1, 2011

TO:

FROM:

California Self-Insured Employer

Christine Baker, Acting Director, Department of Industrial Relations

SUBJECT: Fiscal Year 2011/2012 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	2012 Self-Insured Employer Assessment Factor
Labor Code § 62.5	Workers' Compensation Administration Revolving Fund Assessment (WCARF)	\$251,203,653	0.023739
Labor Code § 62.5	Uninsured Employers Benefits Trust Fund Assessment (UEBTF)	\$42,379,420	0.003293
Labor Code § 62.5	Subsequent Injuries Benefits Trust Fund Assessment (SIBTF)	\$28,325,000	0.003379
Labor Code § 62.5	Occupational Safety and Health Fund Assessment (OSHF)	\$60,293,400	0.006643
Labor Code § 62.5	Labor Enforcement and Compliance Fund Assessment (LECF)	\$56,552,809	0.007212
Labor Code § 62.6	Workers' Compensation Fraud Account Assessment (FRAUD)	\$53,445,000	0.008003

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 Self-Insurance Plans office in Sacramento at (916)574-0300.

Enclosure

DEPARTMENT OF INDUSTRIAL RELATIONS OFFICE OF THE DIRECTOR P. O. Box 420603 San Francisco, CA 94142 (916)574-0300



DATE: December 1, 2011

California Legally Uninsured Employer

FROM:

TO:

Christine Baker, Acting Director, Department of Industrial Relations

SUBJECT: Fiscal Year 2011/2012 Assessments:

- Workers' Compensation Administration Revolving Fund (WCARF)
- Uninsured Employers Benefits Trust Fund (UEBTF)
- Subsequent Injuries Benefits Trust Fund (SIBTF)
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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, 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	2012 Legally Uninsured Employer Assessment Factor
Labor Code § 62.5	Workers' Compensation Administration Revolving Fund Assessment (WCARF)	\$251,203,653	0.023739
Labor Code § 62.5	Uninsured Employers Benefits Trust Fund Assessment (UEBTF)	\$42,379,420	0.003293
Labor Code § 62.5	Subsequent Injuries Benefits Trust Fund Assessment (SIBTF)	\$28,325,000	0.003379
Labor Code § 62.5	Occupational Safety and Health Fund Assessment (OSHF)	\$60,293,400	0.006643
Labor Code § 62.5	Labor Enforcement and Compliance Fund Assessment (LECF)	\$56,552,809	0.007212
Labor Code § 62.6	Workers' Compensation Fraud Account Assessment (FRAUD)	\$53,445,000	0.008003

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 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 Self-Insurance Plans office in Sacramento at (916)574-0300.

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.

Step 1: Determine Total Assessments Required for 2011-2012

(1.1) Workers' Compensation Adm	inistration Revolving Fund Assessment (Labor Code § 62.5)	\$118,356,013
Total Assessment Required	\$251,203,653	
Fund Balance	(\$162,469,000)	
DWC 1011 Overcollection	\$30,795,281	
SIP 1011 Undercollection		
	\$118,356,013	
(1.2) Uninsured Employers Benefit	s Trust Fund Assessment (Labor Code § 62.5)	\$15,348,422
Total Assessment Required	\$42,379,420	
Fund Balance	(\$31,271,691)	
DWC 1011 Overcollection		
SIP 1011 Undercollection		
	\$15,348,422	
(1.3) Subsequent Injuries Benefits	Trust Fund Assessment (Labor Code § 62.5)	\$16,762,104
Total Assessment Required	\$28,325,000	
Fund Balance	(\$13,102,000)	
DWC 1011 Overcollection	\$1,731,429	
SIP 1011 Undercollection		
	\$16,762,104	
(1.4) Occupational Safety and Hea	Ith Fund Assessment (Labor Code § 62.5)	\$32,893,469
Total Assessment Required	\$60,293,400	
Fund Balance		
DWC 1011 Overcollection		
SIP 1011 Undercollection		
	\$32,893,469	
(1.5) Labor Enforcement and Com	pliance Fund Assessment (Labor Code § 62.5)	\$35,789,975
Total Assessment Required	\$56,552,809	
Fund Balance	(\$19,917,000)	
DWC 1011 Undercollection	(\$439,813)	
SIP 1011 Undercollection	(\$406,021)	

(\$406,021) \$35,789,975

California Department of Industrial Relations 2011-2012 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						
(1.6) Workers' Compensation Fraud Account Assessment (Labor Code § 62.6) The workers' compensation fraud account assessment is established by the Department of Insurance, Fraud Commission. Total Assessment Required	\$40,170,860					
Step 2: Determine Payroll Amounts [(2.1)] Total payroll for insured employers Source: California Workers' Compensation Insurance Rating Bureau (WCIRB) policy year 2008	<u>\$459,402,875,000</u>					
(2.2) Payroll for self-insured employers	\$176,568,217,840 ¹					
(2.2.1) 2009-10 Fiscal Year for Public Sector*						
(2.2.2) 2010 for Private Sector \$79,686,758,228 * Source : Department of Industrial Relations, Office of Self-Insurance Plans (excludes State of California)						
(2.2.2) 2010 for Private Sector	<u>\$14,885,918,330</u> \$191,454,136,170 ²					

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

(3.1) Insured Employers:

Insured Employer Payroll		Methodology Section (2.1)		\$459,402,875,000	_	70.58%
Total Combined Payroll	-	Methodology Section (2.5)	-	\$650,857,011,170	-	10.50 %

(3.2) Self-Insured Employers:

Self-Insured Employer Payroll	Methodology Section (2.4)	<u>\$191,454,136,170</u>	= 29.42%
Total Combined Payroll	Methodology Section (2.5)	\$650,857,011,170	- <u>23.42/0</u>

 $\label{eq:2.2} \begin{array}{l} \mbox{1} & (2.2) \mbox{ Payroll for Self-Insured Employers} = \Sigma \mbox{ of Methodology Section (2.2.1) and Methodology Section (2.2.2)} \\ \mbox{2} & (2.4) \mbox{ Total Payroll for Self-Insured Employers} = \Sigma \mbox{ of Methodology Section (2.2) and Methodology Section (2.3)} \\ \mbox{3} & (2.5) \mbox{ Total Combined Payroll} = \Sigma \mbox{ of Methodology Section (2.1) and Methodology Section (2.4)} \\ \end{array}$

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

Workers' Compensation Administration Revolving Fund Asses	sment
Calculation for Insured Employers:	
(WCARF Assessment) X 70.58% = \$118,356,013 X 70.58%	\$83,535,674
INCREASED by credits due individual insurers which undercollected against previous	
advances [CCR § 15609]	\$51,686,696
DECREASED by insurer overcollection 1011 [pursuant to CCR § 15606(f)]	(\$30,795,281)
(4.1) Resulting Final Insured Employers Workers' Compensation User Funding Assessment	\$ <u>104,427,089</u>
Calculation for Self-Insured Employers:	
(WCARF Assessment) X 29.42% = \$118,356,013 X 29.42%	\$34,820,339
INCREASED by the Self-Insurer undercollection from prior year	\$1,173,920
	<u>\$35,994,260</u>
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers:	<u>. , , ,</u>
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers: ▶ (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58%	ent
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers: ▶ (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58%	ent \$10,832,916 \$8,595,605
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers: • (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58% • INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609]	ent \$10,832,916 \$8,595,605 (\$4,717,725)
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers: (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58% INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] DECREASED by the Insurer overcollection for 1011 [pursuant to CCR § 15606(f)]	ent \$10,832,916 \$8,595,605
Calculation for Insured Employers: (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58% INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] DECREASED by the Insurer overcollection for 1011 [pursuant to CCR § 15606(ff)]	ent \$10,832,916 \$8,595,605 (\$4,717,725) \$ <u>14,710,796</u> \$4,515,506
Uninsured Employers Benefits Trust (UEBT) Fund Assessm Calculation for Insured Employers: (UEBTF Assessment) X 70.58% = \$15,348,422 X 70.58% INCREASED by credits due individual insurers which undercollected against previous advances [CCR § 15609] DECREASED by the Insurer overcollection for 1011 [pursuant to CCR § 15606(f)] DECREASED by the Insurer overcollection for 1011 [pursuant to CCR § 15606(f)] Calculation for Self-Insured Employers:	ent \$10,832,916 \$8,595,605 (\$4,717,725) \$ <u>14,710,796</u>

Subsequent Injuries Benefits Trust (SIBT) Fund Assessmen	t					
Calculation for Insured Employers:						
 (SIBTF Assessment) X 70.58% = \$16,762,104 X 70.58% INCREASED by credits due individual insurers which undercollected against previous 	\$11,830,693					
advances [CCR § 15609]	\$3,452,782					
▶ DECREASED by insurer overcollection 1011 [pursuant to CCR § 15606(f)]	(\$1,731,429)					
(4.5) Resulting Final Insured Employers SIBT Fund Assessment	\$ <u>13,552,046</u>					

Calculation for Self- Insured Employers:

► (SIBTF Assessment) X 29.42% = \$16,762,104	X 29.42%	\$4,931,411
INCREASED by the Self-Insurer undercollection from prior y	/ear	\$ <u>192,325</u>
(4.6) Resulting Final Self-Insured Employers SIBT Fund Asses	ssment	\$ <u>5,123,736</u>

*** *** ***
\$23,216,210
\$4,508,137
(\$2,341,521)
\$25,382,826

(OSHF Assessment)	Х	29.42%	=	\$32,893,469	Х	29.42%	 \$9,677,259
INCREASED by the Set	elf-In	surer und	ercol	ection from prior y	/ear		 \$ <u>395,452</u>
(4.8) Resulting Final Self	-Ins	ured Empl	oyer	SIBT Fund Asse	ssment.		 \$ <u>10,072,711</u>

Labor Enforcement and Compliance Fund (LECF) Assessment						
Calculation for Insured Employers:						
► (LECF Assessment) X 70.58% = \$35,789,975 X 70.58%	\$25,260,564					
No credits due individual insurers which undercollected against previous						
advances [CCR § 15609]	\$0					
▶ INCREASED by the Insurer undercollection for 1011 [pursuant to CCR § 15606(f)]	\$439,813					
(4.9) Resulting Final Insured Employers SIBT Fund Assessment	\$25,700,377					

Calculation for Self- Insured Employers:

(LECF Assessment)	< 2	29.42%	=	\$35,789,975	Х	29.42%	 \$10,529,411
INCREASED by the Self-	Insu	urer unde	ercolle	ection from prior y	ear		 \$ <u>406,021</u>
(4.10) Resulting Final Self-In	isure	ed Emplo	oyers	SIBT Fund Asses	ssment.		 \$10,935,432

Calculation for Insured Employers:	
► (Fraud Assessment) X 70.58% = \$40,170,860 X 70.58%	\$28,352,593
INCREASED by credits due individual insurers which undercollected against previous	
advances [pursuant to CCR § 15609]	\$8,991,733
DECREASED by insurer overcollection 1011 [pursuant to CCR § 15606(f)]	(\$8,745,982)
	(\$0,110,001)
(4.1) Resulting Final Insured Employers Workers' Compensation Fraud Account Assessment.	\$ <u>28,598,344</u>
4.11) Resulting Final Insured Employers Workers' Compensation Fraud Account Assessment.	

\$12,134,667

(4.12) Resulting Final Self-Insured Employers Workers' Compensation Fraud Account Assessment.....

Step 5: Calculate the Assessment Factors

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Workers' Compensation Administ	ration Revolving Fund Assessment Facto
(5.1) Calculation for Insured Employers: <u>Total Insured Employers Assessment</u> Total Direct Workers' Compensation* Estimated Premium (Source : WCIRB estimate for 2011 Policy Year)	\$104,427,089 \$10,800,000,000 = 0.009669
(5.2) Calculation for Self-Insured Employers: <u>Total Self-Insured Employer Assessment</u> Total Amt. of Workers' Comp. Indemnity Pd**	<u>\$35.994,260</u> = 0.023739 \$1,516,223,261
** SOURCE Dept. of Industrial Relations, Office of Self-Insurance Plans [(5.2.1) 2009-10 Public Sector	\$833,513,351 \$529,956,700

Uninsured Employers Benefits Trust (UEBT) Fund Assessment Factor							
(5.3) Calculation for Insured Employers:							
Total Insured Employers Assessment	=	<u>\$14,710,796</u>	=	0.001362			
Total Direct Workers' Compensation* *Estimated Premium (Source : WCIRB estimate for 2011 Policy Year)		\$10,800,000,000					

(5.4) Calculation for Self-Insured Employers:

Total Self-Insured Employer Assessment	=	\$4,992,538	=	0.003293
Total Amt. of Workers' Comp. Indemnity Pd **		\$1,516,223,261		

** <u>SOURCE</u>: 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:							
Total Insured Employers Assessment	=	<u>\$13,552,046</u>	=	0.001255			
Total Direct Workers' Compensation* *Estimated Premium (Source : WCIRB estimate for 2011 Policy Year)		\$10,800,000,000		<u></u>			
(5.6) Calculation for Self-Insured Employers:							
Total Self-Insured Employer Assessment	=	\$5,123,736	=	0.003379			
Total Amt. of Workers' Comp. Indemnity Pd.**		\$1,516,223,261					

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

Occupational Safety and Healt	h Fund (OSHF) As	sessment Factor
(5.7) Calculation for Insured Employers:			
Total Insured Employers Assessment	<u>\$25,382,826</u>	=	0.002350
Total Direct Workers' Compensation* *Estimated Premium (Source: WCIRB estimate for 2011 Policy Year)	\$10,800,000,000		

(5.8) Calculation for Self-Insured Employers:

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

\$10,072,711 \$1,516,223,261

0.006643

0.008003

** SOURCE: Dept. of Industrial Relations, Office of Self-Insurance Plans [\varSigma 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	=	<u>\$25,700,377</u>	=	0.002380			
Total Direct Workers' Compensation* *Estimated Premium (Source : WC/RB estimate for 2011 Policy Year)		\$10,800,000,000		<u></u>			
(5.10) Calculation for Self-Insured Employers:							
Total Self-Insured Employer Assessment	=	\$10,935,432	=	0.007212			
		*					

Total Self-Insured Employer Assessment	=	<u>\$10,935,432</u>	=	0.00721
Total Amt. of Workers' Comp. Indemnity Pd.**		\$1,516,223,261		

** 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:							
Total Insured Employer Surcharge	-	\$28,598,344	=	0.002648			
Total Direct Workers' Compensation* *Estimated Premium (Source : WCIRB estimate for 2011 Policy Year)	-	\$10,800,000,000	_				
(5.12) Calculation for Self-Insured Employers:							

\$12,134,667

\$1,516,223,261

Total Self-Insured Employer Surcharge

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

** SOURCE: Dept. of Industrial Relations, Office of Self-Insurance Plans [5 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: Assessment Factor [0.009669] X Employer's Expected Assessable Premium* (6.2) Calculation for Individual Self-Insured Employers: Assessment Factor [0.023739] 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 [0.001362] X Employer's Expected Assessable Premium*

(7.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [0.003293] 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 [0.001255] X Employer's Expected Assessable Premium*

(8.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [0.003379] 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 [0.002350] X Employer's Expected <u>Assessable Premium*</u> (9.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [0.006643] 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 [0.002380] X Employer's Expected Assessable Premium*

(10.2) Calculation for Individual Self-Insured Employers:

Assessment Factor [0.007212] 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 [
 0.002648
]
 X Employer's Expected Assessable Premium*

 (11.2) Calculation for Individual Self-Insured Employers:
 Assessment Factor [
 0.008003
]
 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.