

COVID-19 Update: Keeping You Informed

California Insurance Commissioner approves special regulatory changes addressing the COVID-19 pandemic

On June 15, 2020 California's Insurance Commissioner, Ricardo Lara approved several regulatory amendments, submitted by the Workers' Compensation Insurance Rating Bureau (WCIRB). The new regulations are effective July 1, 2020.

Key features:

Excludes COVID-19 claims from experience rating

- Claims arising directly from a diagnosis of COVID-19 with an accident date on or after December 1, 2019 will be excluded from the experience rating calculations of individual employers.

Excludes payments to employees who continue to be paid while not working

- Effective as of the date of California's statewide stay-at-home order and concluding 30 days after the order is lifted, payments made to employees who are continuing to be paid while the employee is performing no duties of any kind in service of the employer will be excluded from reportable payroll.
- The excluded amounts cannot be greater than the employee's regular rate of pay.
- Employers will need to maintain records documenting the change in an employee's work duties that separate out such payments during the specified time-frame.



For more details of the changes, please visit:

CALIFORNIA DEPARTMENT OF INSURANCE

CALIFORNIA WORKERS' COMPENSATION INSURANCE RATING BUREAU (WCIRB)

Allows assignment of classification 8810 for temporary change in duties

- Effective as of the California statewide stay-at-home order and concluding 60 days after the order is lifted, the temporary assignment of classification 8810, clerical office employees will be allowed for employees whose job duties meet the definition of a clerical office employee. However, does not apply to the payroll of employees whose payroll is assignable to a standard classification that specifically includes clerical office employees.
- Employers will need to maintain records documenting an employee's re-assignment from a non-clerical position to a clerical position and separate out such payments during the specified time-frame.

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