R.C. 1928

To the Members of the Board

Re: New York Workers Compensation
    Statistical Plan Revision
    Establishment of Statistical Codes for
    Construction Employment Payroll Limitation Program

The Rates Committee of the Board has adopted, and the New York State Insurance Department has approved, a revision to the New York Workers Compensation Statistical Plan to establish statistical codes for the recording of territory differential premiums in conjunction with the Construction Employment Payroll Limitation Law.

The rules and procedures for implementing the Construction Employment Payroll Limitation Law, published by the Rating Board in R.C. 1917, dated August 3, 1999, contain three statistical codes for the recording of premium generated by the territory differentials. To effect the proper reporting of this premium, the Statistical Plan is being revised to include these three statistical codes. Since the premium generated by the differentials is subject to experience rating, the codes are shown as “above Line A” for reporting purposes. The revised Statistical Plan pages are attached for your reference.

This revision will be effective for policies written on or after October 1, 1999 to coincide with the effective date of the payroll limitation legislation.

Manual pages will be included in the 2000 edition of the New York manual to be distributed early this year.

Very truly yours,

Monte Almer

President

MA/ab
Encl.
6. **Premium Amount Subject to Experience Modification—Above Line A**

   Report the premium by classification as determined by:

   a. **Extension of Payroll**

      The premium obtained by extension of payroll or other exposure bases at the applicable manual rate shall be reported corresponding to the appropriate class code.

   b. **Other Than Extension of Payroll**

      This premium does not vary by exposure and shall be reported under the appropriate statistical code.

   i. (1) **Construction Employment Territory Differential Premium**

      For construction employers subject to Rule V.G. of the New York Workers Compensation and Employers Liability Manual, report the premium resulting from the application of territory differentials.

      a. Code 9126 - Territory 1 Differential Premium-Counties of The Bronx, Kings, New York, Queens and Richmond

      b. Code 9127 - Territory 2 Differential Premium-Counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester

      c. Code 9128 - Territory 3 Differential Premium-All Other Counties

      **Note:** Exposures are not required for these codes.

   (2) **Employers Liability Increased Limits**

      Refer to Part VIII for the appropriate statistical codes to report the premium charged for providing increased limits for Coverage B for employees not subject to the New York Workers' Compensation Law. In those cases where the calculated charge is less than the minimum charge for the selected limits, the additional premium required to balance to such minimum charge shall be reported under Statistical Code 9848.

   (3) **Flat Decrease/Increase on Outstanding Policies**

      Refer to Item 5a of this Part.

   (4) **Indemnity and/or Medical Deductible Programs**

      Refer to Item 11 of this Part.

   (5) **No Exposure/Premium Developed**

      Report $0 of premium under Code 1111.

   (6) **Premium for the Extension of Employers Liability Coverage to Additional Interests Under a Volunteer Ambulance Workers' Benefit Law (VAWBL) or Volunteer Firefighters' Benefit Law (VFBL) policy**

      Report the premium charged for this additional coverage under Code 9851 for VAWBL policies endorsed by WC 31 06 13, and under Code 9850 for VFBL policies endorsed by WC 31 06 07.
(7) Rate Deviations

Refer to Item 12b 13b of this Part.

(8) Uninsured Subcontractors Flat Policy Charge

Report the premium charged for coverage provided for uninsured subcontractors as determined according to Rule IX.C.3 of the New York Workers Compensation and Employers Liability Manual under Code 0061.

(9) Waiver of Subrogation Premium

Report the premium charged for the waiver of subrogation as calculated according to Note 3 of WC 00 03 13 in the New York Workers Compensation and Employers Liability Manual under Code 0930.

7. Total Subject Premium—Line A

Report the sum of premium amounts subject to experience modification.

Note: If experience is reported on a split basis, the Total Subject Premium shall be reported separately for each portion of the split. If the split portion consists of multiple pages, report the Total Subject Premium on the last page of each split portion.

8. Experience Modification—Line B

Report the experience modification factor, expressed as a decimal, applicable to the policy.

If a change in experience modification occurs subsequent to the policy effective date due to an Anniversary Rating Date change, the payrolls, authorized rates and corresponding premiums must be split and reported on separate pages of a unit report. The inception date of each period covered shall be reported in the “Mod Effective Date” field.

Leave blank for policies not subject to experience modification. Refer to Item 10e of this Part for instructions on reporting Merit Rating credits and debits.

9. Total Modified Premium—Line C

Report the product of the Total Subject Premium (Line A) and the Experience Modification (Line B).

Note: If experience is reported on a split basis, the Total Subject Premium shall be reported separately for each portion of the split. If the split portion consists of multiple pages, report the Total Subject Premium on the last page of each split portion.

For policies not subject to experience modification, leave this field blank.

10. Premium Not Subject To Experience Modification—Lines D, E and F

Report the classification codes and corresponding exposures and rates (if applicable) and premium amounts for those classifications not subject to experience modification.

a. Aircraft Operation—Passenger Seat Surcharge

Report the premium charged for this exposure under Code 9108.

b. Atomic Energy Radiation Exposure

Refer to Part I, Item 9.