October 24, 2019

R.C. 2494

Re: 2020 Edition of the New York Workers’ Compensation and Employers’ Liability Manual; Effective Date: May 1, 2020

Members of the Rating Board:

I write to inform you that the New York State Department of Financial Services (“Department”) approved a new edition of the Rating Board’s New York Workers’ Compensation and Employers’ Liability Manual (“Manual”) which is effective on May 1, 2020.

The following changes were made to the Manual.

Part I – Rules

The amendments to the Rules section incorporated the Administrative Rules and Procedures and Digest of Rulings and Interpretations. See Exhibit A attached hereto, which describes the substantive amendments to the Rules as well as general changes that were made throughout the Manual.

Part II – Classifications

The amendments to the Classifications section reorganized and reformatted the previous version of this section. Further, language from the Digest of Rulings and Interpretations, the Master Alphabetical Classification Index (“MACI”) and other internal and external sources has been incorporated into this section. See Exhibit B attached hereto, which describes the substantive amendments to the Classifications section.

Part III – Loss Costs and Miscellaneous Values

The Loss Costs and Miscellaneous Values section has been reformatted.

Part IV – Endorsements

The amendments to the Endorsements contain updated language, notes, and rule references. See Exhibit C attached hereto, which describes the substantive amendments to the Endorsements.
Any amendments to the current Manual that the Rating Board files with the Department between now and May 1, 2020 will also be filed concurrently for the new edition of the Manual. The complete May 1, 2020 edition of the Manual reflecting the approved amendments is available on the Rating Board’s website at https://nycirb.org/pdfmanuals/WCEL-05-01-20.pdf.

For the convenience of our members, new versions of the Endorsements can be viewed separately in pdf format at https://nycirb.org/pdfmanuals/WCEL-Endorsements.pdf. If you would like to obtain the Endorsements in Microsoft Word format, please contact Ms. Deborah Rojan, Manager - Audit Division, at (212) 697-3535, ext. 169 or underwritingservices@nycirb.org.

If you have any questions or concerns, please do not hesitate to contact me at (212) 697-3535, ext. 113 or underwritingservices@nycirb.org.

Very truly yours,

Mark Battistelli

Mark Battistelli
Vice President of Underwriting Services

Enclosures
EXHIBIT A

The following terminology and general changes were made throughout the Manual for consistency:

- The term “workers’ compensation” replaced outdated terms, such as “workmen’s compensation.”
- The term “employer” replaced “insured” and, where applicable, “risk.”
- The term “remuneration” replaced “payroll,” where applicable.
- The term “computation” replaced “calculation,” where applicable.
- The term “carrier” replaced “insurance company or insurer,” where applicable.
- The term “interstate” replaced “multistate,” where applicable.
- The term “professional employer organization (PEO)” replaced “labor contractor” and “leasing firm.”
- The phrase “professional employer agreement means an agreement” replaced “employee leasing means an arrangement.”
- The term “Rating Board” replaced “NYCIRB.”
- The term “New York State Department of Financial Services” replaced “Department or New York State Department.”
- The term “New York State Workers’ Compensation Board” replaced “Workers’ Compensation Board.”
- Removed examples to avoid misinterpretations.
- Added Endorsement Form Numbers or Titles, where missing.
- Updated Rule references.
- Added reference to “Loss Costs Pages” for per capita charges.
- Added phraseologies for Classification and Statistical Codes and added Classification and Statistical Codes for phraseologies, where referenced.
- Removed Q & A items from the Digest of Rulings and Interpretations section.
- Repositioned all appendices to the corresponding Rules.
- Rules VII (Premium Discount), XV (Final Earned Premium Determination), and XVI (New York Schedule Rating Plan) were combined into Rule VI (Rates and Premium Determination) and the remaining Rules were renumbered, accordingly.
The following is a summary of the substantive amendments that were made to Part One – Rules of the Manual:

**Rule I: General**

**Section A**
- Modified the definition of “Workers’ Compensation.”

**Section B**
- Added effective dates to the listing of Mandatory Endorsements and noted endorsements that are not mandatory for a Volunteer Firefighters’ Benefit Law policy and a Volunteer Ambulance Workers’ Benefit Law policy.
- New table added to list the Mandatory Premium Elements that are required on policies.

**Section C**
- Administrative Rules and Procedures Section L (New York Endorsements) was moved to Section C of Rule I and modifications were made to the language.
- Added that forms can be obtained from the Rating Board by contacting the Rating Board or visiting the Rating Board website and included the link for easy access to forms.
- Clarified that when an insurer deviates from a form, it must be submitted to the Rating Board for approval and filed with and approved by the New York State Department of Financial Services.

**Section E**
- Administrative Rules and Procedures Section K (Provisions for Cancelations, Reinstatements, and Notice of Intention Not to Renew) was moved to Section E of Rule I. Changes were made to reflect the timing requirements in accordance with New York State Workers’ Compensation Board regulations and to reflect “certified mailing” requirements in accordance with the New York State Workers’ Compensation Law.
- Administrative Rules and Procedures Section (K)(4) “Conditional Renewal for Carriers Under Common Control” was moved to Section (E)(4) of Rule I.

**Section F**
- Digest Section I(E) (Policy Checking) was moved to Section F of Rule I. Added a reference to “Online via Manage Data” so that the Manual corresponds with current applications.
Section G

- Administrative Rules and Procedures Section F (1) (Incorrect Underwriting) was moved to Section G of Rule I.
- Administrative Rules and Procedures Section F (2) (Complaints) was moved to Section G of Rule I.

Section H

- Digest Section I(G) (Responses to Rating Board Letters and Criticisms) was moved to Section H of Rule I. Minor language changes were made, and the fine amount was deleted.

Section I

- Digest Section I(B) (Inquiries) was moved to Section I of Rule I. Moved the note regarding request for changes in classification to Rule IV (Classifications). Minor language changes were made to “Written” and “Telephone” items within Section I.
- Digest Section I(C) (Letters of Authority) was moved to Section I of Rule I.

Section J

- Administrative Rules and Procedures Section M (Appeal Process) was moved to Section J of Rule I.
- Added new five (5) business days Rating Board acknowledgement.
- Amended the steps of the Appeal process and endorsement WC 31 06 18 “New York Workers’ Compensation Policyholder Notice of Right to Appeal” to reflect changes.

Rule II: Explanation of Coverages and Methods of Insuring

Section B

- Modified the definition of Employers’ Liability Insurance, Section (B)(1) “Description of Coverage.”

Section D

- Modified the definition of Voluntary Compensation Insurance, Section (D)(1) “Description of Coverage.”
Section E

- Modified the definition of Foreign Voluntary Compensation and Employers’ Liability Insurance, Section 1 “Description of Coverage.”

Section H

- Created new section titled “Professional Employer Organization (PEO), Co-Employment” which replaces “Employee Leasing.” This section includes modified language and includes legal citations and reflects statute from the New York Professional Employer Act – Article 31 of the New York State Labor Law – Effective March 31, 2015.
- Item (1)(d) - added additional language to indicate that PEO’s entering in professional employer agreements with clients are required to be registered by the New York State Department of Labor.
- Item (2)(a)(ii) - modified language to clarify that separate workers’ compensation coverage is not required for the PEO and the client and that the PEO is required to secure and provide workers’ compensation coverage for its worksite employees in the client’s name.
- Item (2)(b)(i) - modified the language to clarify if the policy is in the PEO’s name, the client is to be named as an additional insured.
- Item 4 – modified to clarify that the effective date of the policy issued must coincide with the “New York Optional Client Exclusion Endorsement” (WC 31 03 22 A) issued by the carrier of the client’s non-leased employees.

Rule IV: Classifications

Section A

- Amended the title from “Explanation” to “Explanation of the Classification System.”

Section B

- Amended the title from “Explanation of Classifications” to “Explanation of Types of Classifications.”
- Created table and updated codes within the table to include main phraseologies.
- Moved original Rule IV(B)(2) (Standard Exception Classifications) to Section B of Rule IV.
- Amended wording per NCCI’s wording for codes 8810 (Clerical Office Employees) and 8871 (Telecommuter Clerical Employees) in paragraphs (2)(a) and (2)(b) to clarify related duties within those classifications. Also, amended wording to appropriately reflect that employees involved in the specified activities should have their payroll assigned to the highest rated classification.
- Digest Section II (Clerical Office Employees) was moved to Section B of Rule IV and
renamed “Special Conditions.”

- Digest Section II (General Inclusions & General Exclusions) was separated, renamed “Inclusions” and “Exclusions,” and moved to Section B of Rule IV.
- Moved the warehouse entry language from Digest Section II to Section (B)(3)(a)(ix), with some modifications.

**Section C**

- Section (B)(5) (Governing Classification) of original Rule IV is now Section C of Rule IV.
- Wording was modified to remove the reference to “Payroll Limitation” of Rule V(F).
- Added New Table from NCCI for clarification on determining the governing classification.

**Section D**

- Section C (Classification Wording) of original Rule IV was moved to Section D of Rule IV. The sections on “Captions” and “Notes” were removed because they are explained within the phraseologies and interpretations of each classification.
- Amended the terminology of “or” and modified the wording for consistency with NCCI.

**Section E**

- Digest Section II (Repair Operations) was moved to Rules IV(E)(9).
- Digest Section III (Types of Merchandise Sold) was moved to Rule IV (E)(10) (Mercantile Business) and a clarification was included on types of merchandise sold.
- Added Item 11 (Professional Employer Organizations, Leasing Firms, Labor Contractors and Temporary Labor Firms) to Rule IV to include information regarding the classification of leased employees.

**Section F**

- Section E (Payroll Assignment – Multiple Classifications) of original Rule IV was moved to Section F (Payroll Assignment – Multiple Classifications) of Rule IV and the wording of Item 1 (Miscellaneous Employees) was modified for consistency with NCCI.

**Section H**

- Digest Section I(D) (Notice of Classification Changed by the Rating Board) was moved to Section H (Changes or Corrections in Classification) of Rule IV.
Rule V: Premium Basis

Section A

- Section A (Basis of Premium – Total Remuneration) was reorganized to be consistent with NCCI and a table was created containing classifications whose premium bases are other than remuneration.

Section B

- Digest Section I(H) (Basis of Premium) was separated and moved to Rule V(B)(2) (Inclusions) and Rule V(B)(3) (Exclusions).
- Modified the note in Section (B)(2)(x).

Section F

- Added the definition of “payroll limitation.”
- Clarified “To Whom Payroll Limitation Applies” and included the exception for entertainers and musicians.
- Modified Section (F)(1)(b) to further clarify when Payroll Limitation applies.
- Digest Section I(H)(11) (Payroll Limitation - Interstate Risk) was moved to Rule V(F)(1)(c)(iii).
- Rule V(F)(2) (Partial Weeks) was amended to include the NCCI definition of “Partial Weeks.”

Section G

- Added language to Section G (Construction Employment Classifications) to explain the payroll limitation application to executive officers and sole proprietors within the construction industry.
- Modified Section (G)(2) to further clarify when Payroll Limitation applies.
- Rule V(G)(3) (How Payroll Limitation Applies) was amended to remove the weekly maximum amount because this amount changes annually and can be found in the “Miscellaneous Values Pages.”
- Rule V(G)(3)(b) (How Payroll Limitation Applies) - adopted language from NCCI to clarify remuneration for employees paid on a weekly basis.
- Rule V(G)(4) (Partial Weeks) - adopted NCCI definition of Partial Weeks.
Rule VI: Rates and Premium Determination

Section A

- Modified the definition of “Rates” to explain that Loss Cost (LC) and Loss Cost Multiplier (LCM) are used to derive the carrier’s approved rate.
- Added new section “Carrier Approved Rate Components” with explanations of “Loss Cost” and “Loss Cost Multiplier.”
- Item (4) “Rates for (a) Rated Classifications”
  - This was previously Section A (3) of Rule VI.
  - Changed title from “(a) Rates” to “Rates for (a) Rated Classifications.”
- Item (5) “Non-Ratable Elements”
  - This was previously Section A (4) of Rule VI.
  - Added definition for “Non-Ratable Elements.”
  - Added language to “Refer to the “Loss Costs” pages in Part Three – Loss Costs of this Manual for class codes designated with an “N” that are part of a ratable/non-ratable group.”

Section B

- Retained this section (Premium Determination) and merged Section C (Whole Dollars-Premium) into it.

Section C

- Section D (Expense Constant) of Rule VI is now Section C (Expense Constant).
- Item (2)
  - Title change from “Amount of Expense Constant” to “Amount.”
  - Added clarification on how expense constants are treated on a short-term policy. The language was adopted from NCCI for consistency.
  - Added “The expense constant charged at the inception of the policy will not change when a state is added or deleted during the policy term.” This was moved from Digest Section I(L).

Section D

- Section E (Minimum Premium) of Rule VI is now Section D (Minimum Premium).
- Item (2)
  - Added clarification on how minimum premiums are treated on a short-term policy. This language was adopted from NCCI for consistency.
  - Modified “Note” with language from Digest Section I (L) for clarification on how minimum premium is determined for new operations or changes in operations.
- Item (7) – amended the language for consistency with NCCI.
- Item (8) – added language from Digest Section I (M) (1-3) (Premium Charges Applicable to Policies for Which No New York Exposure is Developed).
Section E
- Rule VII (B)(1) and (2) was moved to newly created section titled (Standard Premium) to define standard premium.

Section F
- Rule VII (A) (Explanation) was moved to Rule VI (F) and changed title to (Determination of Premium Discount).
- Rule VII (D)(1) (a-b) was moved to Rule VI (F)(1)(a-b) (Without Retrospective Rating).
- Rule VII (C) and (D)(2)(a-c) was moved to Rule VI (F)(2)(a-c) (With Retrospective Rating).
- Rule VII (E) (Combination of Policies) was moved to Rule VI(F) (Determination of Premium Discount) as Item 3. The purpose of this rule is for the computing of premium discount.
- Removed titles “1. Combination Permitted” and “2. Combination Procedure” and made into one comprehensive paragraph to be consistent with NCCI and other jurisdictions.

Section I
- Section G (Audit of Payroll and Adjustment of Premium) of Rule VI is now Section I and the title was renamed (Audit of Remuneration and Adjustment of Premium).
- Digest Section I (H)(10) (Maintenance of Records) was moved to Item (2) of this section as a note.

Section M
- Rule VII (F) (Wrap-Up Construction projects) was moved to Rule VI and is now Section M (Wrap-Up Construction Projects).
- Moved “Note” from the Administrative Rules and Procedures Section (J) and removed reference to “WCPOLS.”
- Item (2) – moved from Rule VII (F)(2) “Application of Premium Discount Rule.”
- Item (2)(c) – added clarification on ex-insurance.
- Item (2)(e) – removed “Chapter 738 Laws of 1988.”

Section N
- Added “Premium Surcharge” to the title of Item (2), to point out that this section is strictly for premium surcharge.
- Deleted “section 135” from the first paragraph of Item (2), as only section 134 pertains to premium surcharge.
- Added “WCL Section 135” to the title of Item (3).
- Rule XVI (New York Schedule Rating Plan) was moved to Rule VI and is now part of Section (N)(5) (New York Schedule Rating Plan). This was merged with this Rule to be consistent with the sequence of the Premium Algorithm.
• Added new Item (N)(5)(ix) to include the Statistical Codes to be used for reporting the Schedule Rating Credit or Debit.
• Appendix D (New York Schedule Rating Worksheet) was moved to Rule VI in Section N.

Rule VII: Limits of Liability

Section A
• Modified sentences in 2(A)(e)(ii).
• Added table from Appendix B “Table 1A – Minimum Premiums To Be Used When Increasing The Limits of Employers’ Liability Under Part Two of a Workers’ Compensation and Employers’ Liability Policy” and changed “1A” to “1” of the title.

Section B
• Item (2) – Added note with modified language from NCCI.
• Item (3) was moved from Rule VIII (B)(3).
• Added email address for request for factors for limits greater than shown in table to Item (3)(b).

Section D
• Added clarification of repatriation expense to Section (D)(2) (Limits of Liability for Repatriation Expense).
• Deleted sentence “The premium charge for repatriation expense is $375 for limits shown in 2. above” from Section (D)(4) (Premium Determination) as this is stated in item (2) (Limits of Liability for Repatriation Expense).

Rule VIII: Special Conditions or Operations Affecting Coverage and Premium

Section A
• Modified definition of “Executive Officers” to merge executive officers of a corporation or unincorporated association as one paragraph.
• Added to Section (A)(6)(a)(iv) rule reference to Section (A)(10) for definition of “Inactive Executive Officers.”
• Modified wording of Item (8) (Flight Duties) to be consistent with NCCI.
• Digest Section I (K)(1) was moved to Rule VIII (A)(9).
• Digest Section I (K)(2) was moved to Rule VIII (A)(10).
• Digest Section I (K)(3) was moved to Rule VIII (A)(11) and changed title to “Multiple Corporations or Policies – Multiple Carriers.”
• Digest Section I (K)(4) was moved to Rule VIII (A)(12) and changed title to
“Multiple Corporations or Policies – Single Carrier.”

Section B

- Modified definitions of Sole Proprietors and Partners in accordance with the law.

Section C

- Updated the language in Item (1) in conformance with the New York State Workers’ Compensation Law (Section 56) by adding additional language on the assignment of responsibility in the chain of contract.
- Added Item (6) “Independent Contractors Status for Non-Construction or Trucking Industry” to reference the factors considered for determination whether an individual is an independent contractor and thus not an employee.

Section E

- Amended Item (2) header to “Documentation Required” and modified language to indicate that the carrier must obtain documentation that an employer has received authorization by the New York State Workers’ Compensation Board to furnish medical and hospital services. The previous language indicated that the carrier has to apply for approval from the Rating Board by submitting such documentation.

Section G

- Renamed the title to “Endorsements To Be Used For Exclusion or Modification of Other Coverages.”
- Added additional exclusion endorsements as follows:
  - “New York Ambulance District Liability Exclusion Endorsement for County or Town Policies” (WC 31 06 09 A).
  - “New York Fire District Liability Exclusion Endorsement for County or Town Policies” (WC 31 06 04 A).
  - “New York Sole Proprietors, Partners and Members of LLC’s, PSCL’s Exclusion Endorsement” (WC 31 03 16 C).
  - “Designated Workplaces Exclusion Endorsement” (WC 00 03 02).
  - “New York Optional Professional Employer Organization (PEO) Exclusion Endorsement” (WC 31 03 21 A).
  - “New York Optional Client Exclusion Endorsement” (WC 31 03 22 A).
Section H
- Updated coverage for deductible program in accordance with the statute.

Section I
- Added Contractors Controlled Insurance Program (CCIP) to the explanation of the New York Construction Classification Premium Adjustment Program.
- Item (2) “Application” – modified language to clarify the application for the credit is for the renewal policy.
- Item (3) – renamed section to “Payroll and Credit Determination” and created two sub sections “(a) Payroll Determination” and “(b) Credit Determination.”
- Item (3)(a) “Payroll and Credit Determination”
  - Removed table that shows which third quarter payroll is to be used and modified paragraph to specify the policy dates and which payroll information is to be used for credit determination.
  - Reference was added to refer to the Miscellaneous Values in Part Three-Loss Costs for current weekly minimum and maximum amounts.
- Item (3)(b) – modified average hourly wage from Under $23.24 to Under $23.25 to reflect that $23.24 or less will not qualify for a credit.
- Item (4) “Experience Modification” – modified to clarify that the experience modification must be available for the policy to which the credit would apply before the credit can be calculated.
- Item (6) – deleted “If an application for a credit was submitted and a credit was not authorized for the employer, the value of “.00” is to be shown on the Information Page.”
- Deleted Item (9) “Statistical Code” and merged with Item (6) “Information Page” and included “The credit authorized by the Rating Board must be reported on Item 4 of the Information Page using Statistical Code 9046 “Premium Adjustment Factor.”
- Item (8) – modified to include which Department of the Rating Board that the standardized letter is to be sent.
- Moved the listing of the eligible construction classifications to item (3)(b).

Section J
- Removed the example for loss cost calculation for classifications that are to be discontinued as the carrier no longer needs to contact the Rating Board for the transitional loss cost. It is calculated each year with the loss cost filing and published in the Loss Cost Pages.

Section K
- Item (1) – changed title from “Coverage” to “Waivers.”
- Item (2) – created definitions of “Specific” and “Blanket” waivers as follows:
  - Specific waiver means that the carrier waives the right to recover from specific third parties listed on the policy who may be liable for an injury covered by the
policy. A premium charge of 5% to 10% of the manual premium developed in conjunction with the work for which the waiver is provided shall apply for each person or organization named in the endorsement, subject to a minimum premium of $250 per policy.

- Blanket waiver means the carrier waives the right to recover from any third party liable for an injury covered by the policy. A premium charge equal to 2% to 10% of the policy manual premium shall apply, subject to a minimum premium of $250 per policy.

**Section L**

- Updated the “New York State Assessment” indicating that for procedures to determine the New York State Assessment, carriers need to contact the New York State Workers’ Compensation Board.

**Section N**

- Item (1)
  - Reworded to clarify the calculation of terrorism premium.
- Item (2)
  - Reworded to clarify the calculation of Natural Disasters and Catastrophic Industrial Accidents premium.

**Rule IX: Cancelation**

**Section B**

- Digest Section I (l) (Cancellation) was moved to Section B (Premium Determination - Cancellation by the Insurance Carrier) and renamed “Cancellation Procedures.”

**Section C**

- Sections B, C and D of Rule X were combined into Section C of Rule IX which was renamed “Premium Determination - Cancelation.”
- Item (3)(f) - Clarified the two options available for “Determination of Short Rate Manual Premium:”
  - Option I – Short Rate Percentage; and
  - Option II – Short Rate Factor Alternative Method.
- Added “Alternative Short Rate Cancelation Table” from Appendix A - Pages AA-3 to AA-6.
- Added “Pro Rata Cancelation Table” from Appendix A – Pages AA-1 to AA-2.
Rule X: Three-Year Fixed Rate Policy Option

Section A

- Created new Section A to explain the three-year fixed rate policy option. The new language was taken from the New York Workers’ Compensation Statistical Plan.

Section B

- Section A of original Rule XI is now Section B of Rule X (Eligibility). Modified language to include details from the New York Workers’ Compensation Statistical Plan.

Rule XI: U.S. Longshore and Harbor Workers’ Compensation Act

Section A

- Modified wording of General Explanation to be consistent with NCCI.

Section D

- Created table with Codes and Phraseology for easy reference.

Section E

- Amended the title of Defense Base Act to be consistent with NCCI.
- Added Item (3) (Civilian Employees of Nonappropriated Fund Instrumentalities Act) as additional information with regards to USL & HW Act for consistency with NCCI.

Rule XII: The Admiralty Law and the Federal Employers’ Liability Act

Section A

- Amended title of Admiralty Law to include (Jones Act or Merchant Marine Act of 1920) to be consistent with NCCI.
- Updated the Code and Section number of the Jones Act.
- Removed “Admiralty Law Coverage Option” to reflect the changes made to the endorsement in 2013.
- Item (2)(b) – removed the reference to Endorsement (WC 00 03 11 A) to clarify that this endorsement is not required on the policy under Program II and modified the language to be consistent with NCCI.
- Item (4)(c) – changed reference of “carrier minimum premium” to “minimum premium.”
Section B

- Deleted the year of the Federal Employers’ Act to be consistent with NCCI.
- Item (2) – added Program I and Program II to clarify that they are applicable to FELA.
- Added table “Employers’ Liability Insurance for Admiralty or FELA Table for Increased Limits” from Appendix B AB-3 and removed “Original effective for publication of this table is October 1, 2000.”

**Rule XIII: Domestic Workers - Residences**

Section C

- Amended wording to be consistent with NCCI.
EXHIBIT B

The following is a summary of the substantive amendments that were made to Part Two – Classifications of the Manual:

The Classification Index has been amended to remove the additional phraseologies that were redundant or analogous to the main phraseologies of the classification codes. The analogous phraseology information has been incorporated into either the newly created “Description” or “Assignment By Analogy” section of the individual classification codes. The Classification Index has also been amended by updating the main phraseologies of some of the classification codes for consistency with NCCI.

In addition to the newly created “Description” and “Assignment By Analogy” sections of the individual classification codes, an “Operations To Be Separately Rated” section has also been newly added. Similar sections are found in NCCI’s Scopes Manual.
EXHIBIT C

The following is a summary of the substantive amendments that were made to Part Four – Endorsements of the Manual:

Part Four – Policy Forms and Authorized Endorsements

- Deleted “CPL = Comprehensive Personal Liability Policy” as this is not a type of policy accepted by the Rating Board or mentioned in any Manual.
- Added explanation on the numbering standard for endorsements.
- Added procedure for any deviation, modification or customization of any National or New York specific endorsement.
- Revised Alphabetical and Numerical Index to reflect new titles and versions.
- The “Notes” section of both the National and New York specific endorsements were amended or newly added, where appropriate.

WC 00 00 01 E

- Added “New York” to the title as these notes are specific to New York.
- Item (4) – replaced the sentence “Use appropriate text on the Board copy of a renewal policy Information Page to designate the prior policy by number” with “Indicate the prior policy number on the Information Page of all renewal policies.”
- Item (21) – added new language to reference the application of “Schedule Rating Plan.”
- Updated the version of the endorsement from “D” to “E.”

WC 31 00 00 B

- Part One A. and B. contents reversed to read “A. How This Insurance Applies” and “B. We Will Pay.” This would be consistent with WC 00 00 00 C.
- Updated the version of the endorsement from “A” to “B.”

WC 31 00 01 B

- Added title “Information Page Volunteer Firefighters’ Benefit Policy” to this endorsement.
- Updated the version of the endorsement from “A” to “B.”

WC 31 00 02 B

- Part One A. and B. contents reversed to read “A. How This Insurance Applies” and “B. We Will Pay.” This would be consistent with WC 00 00 00 C.
- Updated the version of the endorsement from “A” to “B.”

WC 31 00 03 B

- Changed the title of “Reference Notes for Information Page:” to “Notes” for consistency with other endorsements.
• Updated the version of the endorsement from “A” to “B.”

**WC 31 03 01 A**
• Modified paragraph to include the Article number (“Article 4”) of the New York Workers’ Compensation Law.
• Updated the version of the endorsement to “A.”

**WC 31 03 03 A**
• Corrected the title of the Medical Benefits Reimbursement Endorsement to include “New York” and added the endorsement number “(WC 31 03 10)” in both the content and “Notes” section.
• Deleted Item (3) “Matter in brackets is to be included if excess coverage is on a per accident basis” of the “Notes” section.
• Updated the version of the endorsement to “A.”

**WC 31 03 13 C**
• Updated Rule reference and added “New York” before the reference to “Workers’ Compensation Law.”
• Added Rule reference to Item (1) of the “Notes” section and deleted “etc.”
• Item (2)(c) – replaced “4” with “1.”
• Updated the version of the endorsement from “B” to “C.”

**WC 31 03 16 C**
• Removed “ETC.” from the title of this endorsement.
• Amended language to accommodate the removal of “etc.”
• Deleted the “Schedule” that requires naming the Sole Proprietor, Partners, and Members, of LLC’s, PSLC’s and RLLP’s that are to be excluded from coverage.
• Added Rule reference and amended language in Item (1) of the “Note” section.
• Added new note Item (2) to reference the “New York Sole Proprietors, Partners, and Members of LLC’s, PSLC’s and RLLP’s Coverage Endorsement (WC 31 03 13 C).”
• Updated the version of the endorsement from “B” to “C.”

**WC 31 03 17 A**
• Amended the title of the endorsement from “New York Labor Contractor Endorsement” to “New York Professional Employer Organization (PEO) Endorsement.”
• Added the title of Part Six “(Conditions).”
• Updated the version of the endorsement to “A.”

**WC 31 03 18 A**
• Amended the title of the endorsement from “New York Labor Contractor Exclusion Endorsement” to “New York Professional Employer Organization (PEO) Exclusion Endorsement.”
• Deleted “has secured and” because the PEO is the one who secures the workers’ compensation insurance.
• Updated the version of the endorsement to “A.”

WC 31 03 19 J
• Deleted “The declarations section of this policy will show a credit of 0.00% if you are not eligible for this credit, or if you are eligible for this credit and have not yet applied for a credit.”
• Removed the table that shows which quarter payroll is to be used and modified the language to be consistent with Rule VIII (I) of the Manual.
• Updated the version of the endorsement from “I” to “J.”

WC 31 03 20 A
• Amended the title of the endorsement from “New York Optional Labor Contractor Endorsement” to “New York Optional Professional Employer Organization (PEO) Endorsement.”
• Updated the version of the endorsement to “A.”

WC 31 03 21 A
• Amended the title of the endorsement from “New York Optional Labor Contractor Exclusion Endorsement” to “New York Optional Professional Employer Organization (PEO) Exclusion Endorsement.”
• Updated the version of the endorsement to “A.”

WC 31 03 22 A
• Updated the version of the endorsement to “A.”

WC 31 04 04 B
• Added the word “classification” to clarify the type of code.
• Updated the version of the endorsement to “B.”

WC 31 04 05 A
• Amended title to reference “Flat Credit” to differentiate from endorsement WC 31 04 06 which is for “Tiered Credit.”
• Replaced “declarations section” with “Information Page.”
• Updated the version of the endorsement to “A.”

WC 31 04 06 A
• Amended title to reference “Tiered Credit” to differentiate from endorsement WC 31 04 05 which is for “Flat Credit.”
• Replaced “declarations section” with “Information Page.”
• Updated the version of the endorsement to “A.”

**WC 31 06 04 A**

• Deleted “to wit²:” as the Item (2) in the “Notes” section references how to handle “No Exceptions.”
• Added “Article 3” and “Article 11.”
• Updated the version of the endorsement to “A.”

**WC 31 06 05 A**

• Added “Article 3” for more details of the New York Volunteer Firefighters’ Benefit Law.
• Updated the version of the endorsement to “A.”

**WC 31 06 06 A**

• Added additional language to specify which policy number is to be entered in Item (4) “Enter the policy number of that policy” in the “Notes” section.
• Updated the version of the endorsement to “A.”

**WC 31 06 07 A**

• Added reference to the “Miscellaneous Values Pages in Item (1) of the “Note” section.
• Updated the version of the endorsement to “A.”

**WC 31 06 08 A**

• Updated Rule reference and modified Item (1) of the “Notes” section to add the word “Premium” before “Discount Rule.”
• Added the word “Premium” before Discount Rule in Item (4) of the “Notes” section.
• Added additional language to specify which policy number is to be entered in Item (4) “Enter the policy number of that policy” in the “Notes” section.
• Updated the version of the endorsement to “A.”

**WC 31 06 09 A**

• Deleted “to wit (if there are no exceptions, enter “No Exceptions”)” and added this sentence as Item (2) in the “Notes” section for consistency with endorsement (WC 31 06 04 A) “New York Fire District Liability Exclusion Endorsement for County or Town Policies.”
• Updated the version of the endorsement to “A.”

**WC 31 06 10 A**

• Added “Article 3” of the New York Volunteer Ambulance Workers’ Benefit Law for easy reference.
• Updated the version of the endorsement to “A.”
WC 31 06 11 A
- Updated the version of the endorsement to “A.”

WC 31 06 17 B
- Updated the version of the endorsement from “A” to “B.”

WC 31 06 18 A
- Updated “Policyholder Right to Appeal” to conform with the title of the endorsement.
- Updated the steps of the Appeal Process to be consistent with Rule I (J).
- Updated the version of the endorsement to “A.”