

October 22, 2021

PCRB CIRCULAR NO. 1768

To All Members of the PCRB:

Re: **SUBMISSION OF FILING FOR NEW CODES 906, VOLUNTEER AMBULANCE CORPS – SUPPORT STAFF and 989, VOLUNTEER FIRE COMPANY – SUPPORT STAFF**

The PCRB submitted Filing No. 331 to the Pennsylvania Insurance Department on October 15, 2021. The filing is in response to Act 108 of 2020 (Senate Bill No. 94 – 2019-2020 Session) and contains workers compensation loss costs for two new class codes. Act 108 specified that all members of volunteer fire companies or volunteer fire departments and volunteer ambulance corps be entitled to receive compensation under the Act in the case of injuries received while performing duties for the volunteer fire company or volunteer fire department or volunteer ambulance corps. A detailed discussion of this recommendation is provided in the Classification Study Report and Actuarial Memorandum included in the filing.

Attached for reference are two tables, which include the proposed loss costs to be effective April 1, 2022. All loss costs in the attached tables include loss-based assessments, Merit Rating Plan credit offsets and proposed Certified Safety Committee credit offsets. Amendments to the Pennsylvania Workers Compensation Manual of Rules, Classifications and Rating Values (Basic Manual) are also attached.

As this filing includes new class codes, there is no overall percent change compared to the loss costs contained in Filing No. C-378, the April 1, 2021 Loss Cost Filing.

The proposed effective date of this filing is intended to make the implementation of these changes concurrent with the PCRB's normal annual loss cost filing revision, which will be filed separately at a later date.

Policies issued with effective dates on and after April 1, 2022 must be qualified as carrying tentative rates, and the Pending Rate Change Endorsement is to be used for this purpose. Note that such policies issued at current rates or on a "to-be-determined" basis must be endorsed subsequently with the new carrier rates.

The complete Filing is available on the PCRB website at www.pcrb.com in the "Filings" section. Members and other interested parties are encouraged to use the website to access the Filing.

The Insurance Department has assigned review of the Filing to Mr. Eric Zhou. Comments regarding the Filing should be submitted in writing to:

Mr. Eric Zhou
Actuarial Review Division
Commonwealth of Pennsylvania
Insurance Department
e-mail: gzhou@pa.gov

Actuarial questions concerning this filing should be directed to Brent Otto, Vice President of Actuarial Services and Chief Actuary, at botto@pcrb.com or Kenneth Creighton, Director of Actuarial Services, at kcreighton@pcrb.com. Questions regarding the Basic Manual should be directed to Delisa Fairley, Vice President of Underwriting Services, dfairley@pcrb.com.

William V. Taylor
President

dn
Attachment

Remember to visit our website at www.pcrb.com for more information about this and other topics.

**DIRECT EMPLOYMENT LOSS COSTS AND EXPECTED LOSS FACTORS
FOR PENNSYLVANIA WORKERS COMPENSATION INSURANCE
Proposed Effective Date: April 1, 2022 on New and Renewal Business**

CODE NO	LOSS COST	EXPERIENCE RATING PLAN EXPECTED LOSS FACTORS TABLE *			HAZARD GROUP A - G
		A-1	A-2	A-3	
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
<u>906</u>	<u>18.87</u> f	<u>14.09</u>	<u>17.92</u>	<u>19.88</u>	<u>C</u>
:	:	:	:	:	:
:	:	:	:	:	:
<u>989</u>	<u>g</u>	<u>h</u>	<u>h</u>	<u>h</u>	<u>C</u>
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:

* Table A-1 applies to the most current policy year, Table A-2 to the first prior policy year, and Table A-3 to the second prior policy year.

f Per ambulance corps.

g See appropriate page of Section 2.

h Apply the following percentages (A-1 = 74.86%, A-2 = 95.23%, A-3 = 105.65%) to annual loss cost from the appropriate page of Section 2.

**PENNSYLVANIA
VOLUNTEER FIRE COMPANY - SUPPORT STAFF**

CODE 989

SCHEDULE OF ANNUAL LOSS COSTS

Proposed Effective Date: April 1, 2022

Population	Annual Loss Cost	Population	Annual Loss Cost
Up to 300	110	6,501 to 7,000	460
301 to 500	135	7,001 to 7,500	476
501 to 700	157	7,501 to 8,000	493
701 to 1,000	182	8,001 to 8,500	509
1,001 to 1,500	214	8,501 to 9,000	525
1,501 to 2,000	248	9,001 to 9,500	540
2,001 to 2,500	277	9,501 to 10,000	555
2,501 to 3,000	304	10,001 to 15,000	637
3,001 to 3,500	327	15,001 to 20,000	779
3,501 to 4,000	348	20,001 to 25,000	918
4,001 to 4,500	369	25,001 to 30,000	1,056
4,501 to 5,000	388	30,001 to 35,000	1,192
5,001 to 5,500	407	35,001 to 40,000	1,326
5,501 to 6,000	425	40,001 to 45,000	1,457
6,001 to 6,500	442	45,001 to 50,000	1,586
		For each additional 5,000 population.....	130

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective April 1, 2022

INFORMATION PAGE PREFACE

remains unchanged.

MEMBERSHIP remains unchanged.

TABLE OF CONTENTS remains unchanged.

SECTION I – UNDERWRITING RULES

RULE I through RULE III remains unchanged.

RULE IV – CLASSIFICATIONS

ITEM A. remains unchanged.

ITEM B.1 through **ITEM B.4** remain unchanged.

5. GENERAL INCLUSIONS

- a. Remains unchanged.
- b. **Item 1.** through **Item 3.** remain unchanged.

(4) Act 108 of 2020 amended the Workers' Compensation Act (Act) by expanding the definition of "employee" to include members of volunteer fire companies and members of volunteer ambulance corps providing operational support but who do not respond to emergency calls. Operational support includes maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks. The additional exposures for these entities resulting from this legislation shall be separately classified as follows: Code 989 shall be applied to dedicated staff providing operational support for a volunteer fire company (an entity classified to Code 994) and Code 906 shall be applied to dedicated staff providing operational support for a volunteer ambulance corps (an entity classified to Code 906).

ITEM B.6 remains unchanged.

ITEM C. and **D.** remain unchanged.

RULE V. through **RULE XVIII** remain unchanged.

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective April 1, 2022

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remains unchanged.

MEMBERSHIP remains unchanged.

TABLE OF CONTENTS remains unchanged.

SECTION I – UNDERWRITING RULES

RULE I through RULE III remains unchanged.

RULE IV – CLASSIFICATIONS

ITEM A. remains unchanged.

ITEM B.1 through **ITEM B.4** remain unchanged.

5. GENERAL INCLUSIONS

a. Remains unchanged.

b. Item 1. through **Item 3.** remain unchanged.

(4) Act 108 of 2020 amended the Workers' Compensation Act (Act) by expanding the definition of "employee" to include members of volunteer fire companies and members of volunteer ambulance corps providing operational support but who do not respond to emergency calls. Operational support includes maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks. The additional exposures for these entities resulting from this legislation shall be separately classified as follows: Code 989 shall be applied to dedicated staff providing operational support for a volunteer fire company (an entity classified to Code 994) and Code 906 shall be applied to dedicated staff providing operational support for a volunteer ambulance corps (an entity classified to Code 906).

ITEM B.6 remains unchanged.

ITEM C. and **D.** remain unchanged.

RULE V. through **RULE XVIII** remain unchanged.

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective April 1, 2022

SECTION 2 –

CLASSIFICATIONS AND PCRB RATING VALUES

RATING VALUES through **DEFINITIONS** remains unchanged.

CLASSIFICATIONS

No change to Classification Code 005 – TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING through Classification Code 979 – RESIDENTIAL FACILITY FOR THE ELDERLY – NON-MEDICAL – ALL EMPLOYEES EXCEPT OFFICE AND HOME HEALTH CARE

980 CITY, TOWNSHIP, BOROUGH OR COUNTY

Remains unchanged.

OPERATIONS NOT INCLUDED:

ITEM 1. through **ITEM 10.** remain unchanged.

11. Assign Code 993 [and, if applicable, Code 906](#) to Volunteer Ambulance Corps.

12. Assign Code 994 [and, if applicable, Code 989](#) to Volunteer Fire Companies. **ITEM 13.** through **ITEM 15.** remain unchanged.

UNDERWRITING GUIDE

Remains unchanged.

No change to Classification Code 981 – CASINO GAMBLING - ALL EMPLOYEES INCLUDING OFFICE through Classification Code 988 – BANK – ALL EMPLOYEES INCLUDING OFFICE.

906 VOLUNTEER AMBULANCE CORPS – SUPPORT STAFF

[Applies to staff of volunteer ambulance services, emergency medical services \(EMS\), and rescue and/or first aid squads providing operational support but who do not respond to calls. Operational support includes but is not necessarily limited to: maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks.](#)

OPERATIONS NOT INCLUDED:

1. [Classify first responders of a volunteer ambulance service, EMS and/or rescue and/or first aid squad to Code 993.](#)

2. [Classify an independent contractor operating an ambulance service staffed by salaried employees to Code 807.](#)

UNDERWRITING GUIDE

[Ambulance Corps – Volunteer – Support Staff](#)

[Volunteer Ambulance Corps – Support Staff](#)

No change to Classification Code 991 – ATHLETIC TEAM - NONCONTACT SPORTS – PROFESSIONAL OR SEMIPROFESSIONAL through Classification Code 992 – SANITATION COMPANY.

993 VOLUNTEER AMBULANCE CORPS – FIRST RESPONDERS

[Applies to first responders of volunteer ambulance services, emergency medical services \(EMS\), and rescue and/or first aid squads.](#)

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

Proposed Effective April 1, 2022

The per Corps (Company) charge shall be applied on a per location basis, regardless of the number of ambulances garaged at each location.

Any stipends paid to a member(s) of a volunteer ambulance corps should be considered remuneration except to the extent that stipends paid qualify as expense reimbursements (See Section 1, Rule V, Item F.1. - Employee Expense Reimbursements).

[For additional details please see the Volunteer Fire Departments and/or Volunteer Fire Companies – Workers’ Compensation Insurance Options entry in the General Auditing & Classification Information section, which includes information on coverage options for volunteer ambulance corps.](#)

OPERATIONS NOT INCLUDED:

1. [Classify support staff of a volunteer ambulance service, EMS and/or rescue and/or first aid squad to Code 906.](#)
2. [Classify an independent contractor operating an ambulance service staffed by salaried employees to Code 807.](#)

UNDERWRITING GUIDE

Ambulance Corps - Volunteer – [First Responders](#)

Volunteer Ambulance Corps – [First Responders](#)

994 ~~FIREFIGHTER~~ – VOLUNTEER FIRE COMPANY – [FIRST RESPONDERS](#)

[Applies to first responders of a volunteer fire company.](#)

Please see the Volunteer Fire Departments and/or Volunteer Fire Companies – Workers’ Compensation Insurance Options entry in the General Auditing & Classification Information section for further information.

OPERATIONS NOT INCLUDED:

1. [Classify support staff of a volunteer fire company to Code 906.](#)
2. [Classify salaried employees of cities, townships, boroughs, or counties performing firefighting duties to Code 985.](#)

UNDERWRITING GUIDE

Fire Department - Volunteer – [First Responders](#)

Fire Police - Special Voluntary

~~Firefighters~~ ~~Firemen~~ - Volunteer

Police, Special Fire - Voluntary

Volunteer Fire Company – [First Responders](#)

No change to Classification Code 995 – RUBBISH OR GARBAGE REMOVAL through Classification Code 997 – UNDERTAKERS.

989 VOLUNTEER FIRE COMPANY – SUPPORT STAFF

[Applies to staff of volunteer fire companies providing operational support but who do not respond to calls. Operational support includes but is not necessarily limited to: maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks.](#)

OPERATIONS NOT INCLUDED:

1. [Classify first responders of a volunteer fire company to Code 994.](#)

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
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Proposed Effective April 1, 2022

2. [Fire company staff that are salaried employees of cities, townships, boroughs, or counties shall be classified to Code 985.](#)

UNDERWRITING GUIDE

[Fire Department – Volunteer – Support Staff](#)

[Volunteer Fire Company – Support Staff](#)

No change to Classification Code 999 – CEMETERY through Classification Code 9741 – CATASTROPHE (OTHER THAN CERTIFIED ACTS OF TERRORISM)

INDEX

GENERAL AUDITING & CLASSIFICATION INFORMATION

No change to AUTOMOBILE DISMANTLERS through DRIVERS (Payroll Allocation) *Proposed Effective April 1, 2022*

TEMPORARY STAFFING CONTRACTOR

No change.

Exceptions to the general procedure for classifying temporary staffing are as follows:

EXCEPTIONS

ITEM 1. through **ITEM 8.** remain unchanged.

9. The following classifications are not available as a guide in classifying temporary staffing contractors: [906](#), 972, 985, [989](#), 993, 994, 996, 0901, 0902, 0908, 0909, 0912 and 0913.

No change to EXECUTIVE OFFICERS - CLASSIFICATION ASSIGNMENT through COAL MINES

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

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RATING VALUES through DEFINITIONS remains unchanged.

CLASSIFICATIONS

No change to Classification Code 005 – TREE PRUNING, SPRAYING, REPAIRING OR FUMIGATING through Classification Code 979 – RESIDENTIAL FACILITY FOR THE ELDERLY – NON-MEDICAL – ALL EMPLOYEES EXCEPT OFFICE AND HOME HEALTH CARE

980 CITY, TOWNSHIP, BOROUGH OR COUNTY

Remains unchanged.

OPERATIONS NOT INCLUDED:

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13. Assign Code 993 and, if applicable, Code 906 to Volunteer Ambulance Corps.

14. Assign Code 994 and, if applicable, Code 989 to Volunteer Fire Companies. **ITEM 13.** through **ITEM 15.** remain unchanged.

UNDERWRITING GUIDE

Remains unchanged.

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906 VOLUNTEER AMBULANCE CORPS – SUPPORT STAFF

Applies to staff of volunteer ambulance services, emergency medical services (EMS), and rescue and/or first aid squads providing operational support but who do not respond to calls. Operational support includes but is not necessarily limited to: maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks.

OPERATIONS NOT INCLUDED:

1. Classify first responders of a volunteer ambulance service, EMS and/or rescue and/or first aid squad to Code 993.

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UNDERWRITING GUIDE

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UNDERWRITING GUIDE

Ambulance Corps - Volunteer – First Responders
Volunteer Ambulance Corps– First Responders

994 VOLUNTEER FIRE COMPANY – FIRST RESPONDERS

Applies to first responders of a volunteer fire company.

Please see the Volunteer Fire Departments and/or Volunteer Fire Companies – Workers’ Compensation Insurance Options entry in the General Auditing & Classification Information section for further information.

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Applies to staff of volunteer fire companies providing operational support but who do not respond to calls. Operational support includes but is not necessarily limited to: maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks.

OPERATIONS NOT INCLUDED:

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**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
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Proposed Effective April 1, 2022

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UNDERWRITING GUIDE

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Proposed Effective April 1, 2022

CLASSIFICATION UNDERWRITING GUIDE

No change to Abrasive Paper or Cloth Preparation – Code 255 through Ambulance Body Mfg. - Including Attaching Manufactured Body To A Customer Supplied Or Purchased Chassis – Code 451 Ambulance Corps - Volunteer – First Responders Ambulance Corps – Volunteer – Support Staff	<u>993</u> <u>906</u>
No change to Ambulance Service – Non Volunteer – Code 807 through Fire Department – Paid – Code 985 Fire Department - Volunteer – First Responders Fire Department – Volunteer – Support Staff	<u>994</u> <u>989</u>
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Volunteer Fire Company – First Responders Volunteer Fire Company – Support Staff	<u>994</u> <u>989</u>
No change to Volunteer Haz Mat (Hazardous Materials) Response Team – Code 996 through Zoo – Code 969	

SECTION 3 – ENDORSEMENTS – remains unchanged

SECTION 4 – RETROSPECTIVE RATING PLANS – remains unchanged

SECTION 5 – EXPERIENCE RATING PLAN – remains unchanged

SECTION 6 – MERIT RATING PLAN – remains unchanged

**PENNSYLVANIA WORKERS COMPENSATION MANUAL OF RULES, CLASSIFICATIONS
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

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