



October 15, 2021

VIA SERFF

The Honorable Jessica K. Altman
Insurance Commissioner
Commonwealth of Pennsylvania – Insurance Department
1311 Strawberry Square
Harrisburg, PA 17120

Attention: Michael McKenney, Actuarial Supervisor, Property & Casualty Bureau

RE: PCRB Filing No. 331 – Proposed Effective April 1, 2022: Revised Loss Cost Filing for Classes 993 (Volunteer Ambulance Corps) and 994 (Firefighter – Volunteer Fire Company)

Dear Commissioner Altman:

On behalf of the members of the Pennsylvania Compensation Rating Bureau (PCRB), we submit this filing, which contains workers compensation loss costs for two new class codes in response to Act 108 of 2020 (Senate Bill No. 94 – 2019-2020 Session) to be effective 12:01 a.m., April 1, 2022 with respect to new and renewal policies having effective dates on or after that date.

This filing proposes the creation of two new class codes (906, Volunteer Ambulance Corps – Support Staff, and 989, Volunteer Fire Company – Support Staff) and provides the methodology used to calculate the loss cost values. A detailed discussion of this recommendation and methodology is provided in the accompanying PCRB Classification Study and Actuarial Memorandum.

Since these are new class codes, there is no overall percent change. However, estimated additional pure premium amounts for this new exposure are provided in the Actuarial Memorandum.

These initial proposed loss costs values are based on Filing 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. The PCRB's normal annual loss cost proposal must anticipate and reflect approved classification definitions and designations in the course of its preparation and submission. Particularly with the intended coordination of this filing with the PCRB's next normal annual loss cost filing, your prompt attention and review of this filing is appreciated.

In order to accomplish the proposed voluntary support staff classification change, the following sections to the Pennsylvania Workers Compensation Manual of Rules, Classifications and Rating Values for Workers Compensation and for Employers Liability Insurance ("Basic Manual") will require amendment.

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Basic Manual Language Revisions

- Section 1 Underwriting Rules, Rule IV.B.5 Classifications: this has been amended to include clarifying language that this exposure shall be separately classified as described under the General Inclusions.
- Section 2 Classifications: this has been amended to clarify the distinctions and use of the new class codes 906 and 989 from class codes 993 and 994. This contains the names and definitions for the two new codes along with updates to clarify the names and descriptions of class codes 993 and 994. This includes the distinction that class codes 993 and 994 are used only for first responders and that codes 906 and 989 are used for the associated volunteer support staff.
- Section 2 Index, General Auditing & Classification Information: Item 9. under the Exceptions was updated to clarify that these new classes are not available for temporary staffing contractors.

Note that the set of proposed Basic Manual revisions are displayed using standard “track changes” so that you may track each insertion and deletion. A “clean” version is also included for your convenience.

Toward that objective, the PCRB will be pleased to answer any questions or provide any available supplementary information which you or your staff may require. Please direct all Actuarial questions to Brent Otto, Vice President of Actuarial Services and Chief Actuary, or to Kenneth Creighton, Director of Actuarial Services. Questions regarding the Basic Manual should be directed to Delisa Fairley, Vice President of Underwriting Services.

Sincerely,

William V. Taylor
President

WT/kc/dn

Attachments

TO: Pennsylvania Compensation Rating Bureau (PCRB) Classification and Rating Committee

FROM: Robert Ferrante, Senior Classification Analyst – Technical Services

DATE: October 7, 2021

RE: Class Study Report – Code 994, Firefighter – Volunteer Fire Company, and Code 993, Volunteer Ambulance Corps

INTRODUCTION AND OBJECTIVES

The PCRB study of Code 994, Firefighter – Volunteer Fire Company, and Code 993, Volunteer Ambulance Corps, was undertaken as a result of legislation enacted in late 2020 by the Commonwealth of Pennsylvania’s General Assembly, Senate Bill 94, amending the Workers’ Compensation Act (Act) by expanding the definition of “employee” to include certain persons associated with volunteer fire companies, volunteer ambulance corps, and select other organizations engaged in rescue, emergency response, and similar activities. Senate Bill 94 specified that in addition to those persons included within the definition of “employee” as defined in Section 104 of the Act, “employee” shall also include members of volunteer fire companies and members of volunteer ambulance corps. The term “members of volunteer fire departments or volunteer fire companies” as applied in Senate Bill 94 includes but is not necessarily limited to: active volunteer firefighters who respond to emergency calls, officers or directors of a volunteer fire department or volunteer fire company, and participating members of a volunteer fire department or volunteer fire company who provide necessary operational support to the volunteer fire department or volunteer fire company but does not respond to emergency calls. Similarly, Senate Bill 94 applies the term “members of volunteer ambulance corps” to active volunteer ambulance corpsmen who respond to emergency calls, officers or directors of a volunteer ambulance corps, and participating members of a volunteer ambulance corps who provide necessary operational support to the volunteer ambulance corps but who do not respond to emergency calls. Operational support includes maintaining the station and equipment, acting as trustee, organizing fundraisers, providing information technology support, and assisting with recruitment and other administrative tasks.

Senate Bill 94 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. Pennsylvania Governor Tom Wolf signed Senate Bill 94 into law as Act 108 of 2020 on November 3, 2020. The PCRB’s understanding is that until the passing of Act 108, workers’ compensation coverage for these entities has historically been limited to persons engaged in responding to emergency calls, and that volunteer fire company and volunteer ambulance corps staff dedicated to performing operational support duties were not covered.

Act 108 directs the PCRB to review and evaluate the impact that this legislative change may have on the existing classification codes affected by the expanded definition of “employee” i.e., Codes 994 and 993, and

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the PCRB loss costs for those classification codes. The PCRB anticipates that additional claims relating to volunteer fire and ambulance companies are forthcoming as a result of this new coverage exposure. The PCRB recognized that a classification study was necessary in order to evaluate the long-term impact of Act 108 on the Code 994 and Code 993 annual loss costs.

It is noted that “social members” of volunteer fire companies and volunteer ambulance corps are not to be included in the expanded definition of “employee” pursuant to Act 108. “Social member” is defined as a member of the organization whose class of membership is social in nature and is primarily intended to facilitate fraternization with other members of the organization or access to social amenities and social events offered by the organization, whether or not the member occasionally provides unpaid operational support to the organization.

CLASSIFICATION BACKGROUNDS

CODE 994

Code 994 was created in the early to mid-1920s. The exposure base for Code 994 at its inception was a per capita charge per “registered volunteer fireman.” Effective July 1, 1927 the exposure base was changed from a per capita charge per “registered volunteer fireman” to an annual charge per volunteer fire company. That remained the exposure base until September 1, 1977. The Pennsylvania State Association of Boroughs (Association) challenged the per company pricing method during the Pennsylvania Insurance Department (Department) hearings on the PCRB’s 1976 comprehensive rating values filing. The Association observed that Pennsylvania municipalities with volunteer fire companies ranged in population from several hundred persons to roughly 100,000. The Association argued that it was unfair to price the exposure uniformly when departments serviced populations of varying size. The Department directed the PCRB to review this matter and determine if developing an alternate exposure base for Code 994 was feasible. The PCRB found that certain other jurisdictions used population as the exposure base for volunteer fire companies. The PCRB opined that of the methodologies reviewed, population was the least problematic and most readily verifiable. The Association agreed with the PCRB’s analysis. As a result, the PCRB proposed that effective for new and renewal business of September 1, 1977 and later the exposure base for Code 994 be changed to an annual charge based on the population serviced by a volunteer fire company. The Department approved the PCRB’s proposal.

The PCRB periodically reviews the PCRB files for volunteer fire companies to verify the population(s) serviced by an individual company in order to determine such company’s annual loss costs under Code 994. Exhibit A attached shows the approved April 1, 2021 Code 994 annual loss costs per population range. The PCRB relies on population figures published by the Pennsylvania State Data Center. For comparison and reference, both New York and Wisconsin use population as the exposure base for their volunteer fire company classifications.

Manual language relating to the pricing methodology for Code 994 has been revised periodically since September 1, 1977 for clarity.

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CODE 993

Code 993 was created effective for new and renewal business as of April 1, 1968 and later. The creation of Code 993 resulted from the passage of legislation (Act 259) which made members of volunteer ambulance corps employees under the Workers' Compensation Act. The exposure basis for Code 993 has been consistent since its creation and is an annual per corps (or company) charge applied on a per location basis. The approved April 1, 2021 per corps loss cost for Code 993 is \$408.49.

Codes 994 and 993 differ from the majority of the PCRB's classifications in both pricing structure and scope. The majority of the PCRB's classifications use payroll as the exposure base. All PCRB payroll-based classifications (other than the standard exception classifications) contemplate the types of operational support duties that Act 108 addresses (other than office exposures which are classified to Code 953, Office) by way of the General Inclusions procedure, (Rule IV.5, found in Section 1, Page 28 of the Basic Manual), which states that "Some operations appear to be separate businesses, but they are included within the scope of all classifications other than the standard exception classifications..." Conversely, given that dedicated staff performing operational support duties were not covered prior to the passage of Act 108, the scope of Codes 994 and 993 has historically been focused to first responders.

COVERAGE OPTIONS FOR VOLUNTEER FIRE COMPANIES AND VOLUNTEER AMBULANCE CORPS

In 2001, the PCRB requested an opinion from the Department with respect to whether a volunteer fire department or company may obtain workers' compensation coverage as an actual employer separate from the coverage of the municipality in which the volunteer fire department or company is based, and whether a volunteer ambulance corps or a volunteer rescue or lifesaving squad may also pursue workers' compensation coverage separate from the municipality in which it is based. Up to that time, the understanding was that workers' compensation coverage for volunteer fire departments or companies and volunteer ambulance corps may be provided only under the policy covering the municipality in which the volunteer fire company or department or volunteer ambulance corps is located. The Department opined that a volunteer fire department or company or a volunteer ambulance corps or volunteer rescue or lifesaving squad may separately obtain workers' compensation insurance as an employer independently from the municipality in which it is based. The Department found that there is nothing in the language of the Workers' Compensation Act or the case law accompanying Section 601 (a)(1) of the Act that indicates that a volunteer fire department or company would be prohibited from obtaining workers' compensation coverage separate from the municipality in which such department or company is based. Resulting from the Department's opinion, the Code 994 and Code 993 Basic Manual classification descriptions were revised to delete the wording "This classification may be used on a policy covering Class 980 (City, Township, Borough or County)" effective for new and renewal business as of April 1, 2003 and later.

FILE REVIEW

Staff determined that information regarding the staffing of volunteer ambulance corps and volunteer fire companies was needed in order to evaluate the long-term impact of Act 108 on Codes 994 and 993, and

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to determine whether revision to the pricing structure and scope of those classifications was warranted. Specifically, staff wanted to know the total number of active members for each volunteer ambulance corps and volunteer fire company and, of the total number of active members, how many were exclusively engaged in responding to emergency calls, how many were exclusively engaged in performing operational support duties, how many were exclusively engaged in office clerical duties and how many interchanged between responding to emergency calls and performing operational support duties. Staff was aware that this level of staffing detail was likely not in the PCRB files for entities classified to Code 994 or to Code 993 because this information was not relevant to PCRB file reviews for such entities or to the pricing structures of either Code 994 or Code 993 prior to the passage of Act 108.

Accordingly, the PCRB sent survey requests to all entities asking that they complete an online questionnaire on the PCRB's online correspondence database. The requests were sent to those classified to either Code 994 (1,568 total files) or to Code 993 (108 total files). As of this writing, the PCRB has received 659 Code 994 responses and 53 Code 993 responses. The PCRB sent second requests to complete the questionnaire to companies that did not respond to the first request. Of the Code 994 responses received, 133 were either marked "In Progress" or lacked sufficient information in order for the PCRB to assign the company to the appropriate study group. Of the Code 993 responses received, 6 were either marked "In Progress" or lacked sufficient information in order for the PCRB to assign the company to the appropriate study group. "In Progress" means that the respondent initiated their response but did not complete it. Staff was able to assign 526 Code 994 companies and 47 Code 993 companies to the appropriate study group. The study groups are defined in Exhibit B attached. The study group assignments are summarized in the table shown in Exhibit C attached.

The data collected via these questionnaires was used in conjunction with an analysis of other data sources discussed below to determine the PCRB's proposed course of action in response to Act 108.

CLASSIFICATION PROCEDURE AND PRICING METHODOLOGIES IN OTHER JURISDICTIONS

The National Council on Compensation Insurance, Inc. (NCCI) classifies volunteer fire companies to Code 7711, Firefighters & Drivers – Volunteer. The NCCI Code 7711 description states that "Code 7711 applies to volunteer firefighters working for organizations that provide services for the protection of the public. Examples of fire protection services provided by firefighting crews include, but are not limited to, fire suppression, emergency first responders, emergency medical service (EMS), technical rescue, urban search and rescue, hazardous materials response, and fire education and safety efforts..." The NCCI notes that Code 7711 applies when coverage is provided to volunteer firefighters in states where such workers are entitled to benefits under the workers compensation law. This is unlike PCRB Code 994, which uses population as the exposure base as discussed earlier in the report, Code 7711 uses payroll as the exposure base, with a minimum of \$300 per volunteer per year.

NCCI classifies volunteer ambulance corps to Code 7705, Ambulance Service Companies and EMS (Emergency Medical Service) Providers & Drivers. The NCCI Scopes Manual Code 7705 description states that Code 7705 "...Applies to volunteer ambulance or EMS personnel serving with or without payroll..." and that "...Ambulance services, emergency medical services (EMS), rescue and first aid squads, and lifesaving

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crews respond to emergency and nonemergency calls to help the ill and injured, extricate victims, when necessary, administer first aid and/or more advanced medical treatment, and provide transportation to a medical facility...” This is unlike PCRB Code 993, as Code 7705 does not use an annual per corps (or company) charge as the exposure base. Code 7705 uses payroll as the exposure base. The NCCI Scopes Manual Code 7705 description states “...premium for such volunteers must be determined on the basis of the payroll normally received by non-volunteer ambulance or EMS personnel doing the same or similar work; however, in no case should the payroll of any such volunteer be less than \$300 per volunteer per year...”

The descriptions for Codes 7711 and 7705 do not include reference to support personnel. The descriptions for both Codes 7711 and 7705 include the wording “...State statutes should be referenced for specific definitions and determination of coverage and benefit provisions...”

The Workers’ Compensation Insurance Rating Bureau of California (WCIRB) classifies volunteer fire companies to Code 7707, FIREFIGHTING OPERATIONS — volunteers, serving with or without remuneration. The Code 7707 classification description states that “This classification applies to volunteers performing firefighting operations, including but not limited to emergency fire and rescue operations, fire hydrant testing, fire investigations and fire prevention services...” WCIRB uses a per capita charge per volunteer for the exposure base. There is no reference to support personnel in the Code 7707 classification description.

WCIRB classifies both paid and volunteer ambulance services to the same classification – Code 7332, AMBULANCE SERVICES — all operations — including medical technicians and attendants and maintenance of vehicles and equipment. Code 7332 uses payroll as the exposure base. As the phraseology of Code 7332 suggests, this classification includes support personnel.

The report notes that the Delaware Compensation Rating Bureau, Inc. (DCRB) does not use either Code 993 or Code 994. Delaware considers volunteer ambulance and volunteer fire company staff to be state employees. Workers’ compensation insurance is provided to such staff via Delaware’s self-insurance program.

CONCLUSIONS AND RECOMMENDATIONS

The PCRB concludes that revision to the classification procedure for volunteer fire companies and volunteer ambulance corps is warranted to account for the additional exposures for these entities resulting from Act 108. Because Codes 994 and 993 apply to volunteer organizations and have a unique pricing structure (i.e., annual loss cost per population for Code 994 and annual loss cost per company per location for Code 993) versus the majority of the PCRB classifications (which use payroll as the exposure base), and given that the additional exposures now covered resulting from Act 108 were not contemplated by Codes 994 and 993, the classification procedure for these types of operational support duties applied to payroll based direct employment classifications as discussed earlier in the report is not appropriate in this instance. Accordingly, the PCRB recommends the creation of two new companion classifications to contemplate staff dedicated

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to performing operational support duties: Code 989, Volunteer Fire Company – Support Staff (companion classification to Code 994) and Code 906, Volunteer Ambulance Corps – Support Staff (companion classification to Code 993). With this proposed approach, volunteer companies that do not have any dedicated support staff responding to emergency calls would not incur additional cost as a result of the approval of these companion classifications. Further, establishing separate companion classifications will allow the PCRB and the individual insurance carriers to track losses resulting from operational support duties for volunteer fire companies and volunteer ambulance corps, which in turn will facilitate further PCRB evaluation of this procedure.

The exposure bases for proposed Codes 989 and 906 will be the same as their corresponding classifications i.e., Code 989 will use population as the exposure base and Code 906 will use a single loss cost on a per corps (company) basis. The PCRB's classification revision filing uses various data sources to calculate the surcharge factors under both an exposure-based and an empirical method. The existing class codes used included Code 953, Clerical Office Employees, Code 971, Commercial Buildings, Code 985, Police or Firefighters – Salaried Employees and Code 807, Ambulance Service – Salaried Employees. Based on previous class research, it was determined that the additional exposures resulting from Act 108 most closely align with the types of business contained in Code 971 and Code 953. Codes 971 and 953 were used as the basis to calculate a support employee loss cost for Codes 989 and 906. As Codes 971 and 953 are assigned to Hazard Group C, the PCRB recommends that Codes 989 and 906 also be assigned to Hazard Group C. Codes 985 and 807 were also used because they are the payroll-based counterparts to Codes 994 and 993, respectively. Codes 985 and 807 already contain the general inclusion of support employees allowing those classifications to be utilized in determining the loss cost amounts for these workers. Please see the PCRB's Actuarial Memorandum for PCRB Filing No. 325 for greater detail on the described methodologies and the development of the proposed loss costs for the Codes 989 and 906. Exhibit D attached shows loss cost Manual pages for this proposal.

The PCRB recommends that with approval of this filing, Code 989 be approved and assigned for all companies classified to Code 994 and Code 906 be approved and assigned for all companies classified to Code 993. Carriers would not be required to report exposure to either Code 989 or Code 906 for companies that do not have dedicated support staff. The proposed enabling Section 2 Manual language amendments are also attached for review. The PCRB will notify all employers classified to Code 994 and Code 993 when this filing is made. In the event of the Commissioner's approval of the filing, the carrier of record for each employer impacted by this proposal will be notified and a copy of that notice will be provided to the employer.

Attachments.

c: Bill Taylor
Delisa Fairley
Bonnie Piacentino
Drew Kratz
Joe Lombo
Christina Yost

EXHIBIT A

**PENNSYLVANIA
FIREFIGHTER – VOLUNTEER FIRE COMPANY**

CODE 994

SCHEDULE OF ANNUAL LOSS COSTS

Approved Effective Date: April 1, 2021

Population	Annual Loss Cost	Population	Annual Loss Cost
Up to 300	1,206	6,501 to 7,000	5,045
301 to 500	1,482	7,001 to 7,500	5,229
501 to 700	1,725	7,501 to 8,000	5,411
701 to 1,000	1,994	8,001 to 8,500	5,589
1,001 to 1,500	2,345	8,501 to 9,000	5,763
1,501 to 2,000	2,723	9,001 to 9,500	5,928
2,001 to 2,500	3,045	9,501 to 10,000	6,094
2,501 to 3,000	3,334	10,001 to 15,000	6,993
3,001 to 3,500	3,585	15,001 to 20,000	8,550
3,501 to 4,000	3,824	20,001 to 25,000	10,080
4,001 to 4,500	4,046	25,001 to 30,000	11,593
4,501 to 5,000	4,258	30,001 to 35,000	13,081
5,001 to 5,500	4,465	35,001 to 40,000	14,550
5,501 to 6,000	4,661	40,001 to 45,000	15,994
6,001 to 6,500	4,856	45,001 to 50,000	17,413
		For each additional 5,000 population.....	1,425

EXHIBIT B

Study Group No.	Study Group Scope
1	Has 0 to 10 active volunteers.
1A	Has 1 to 5 dedicated support staff.
1B	Has 6 to 10 dedicated support staff.
2	Has 11 to 20 active volunteers.
2A	Has 1 to 10 dedicated support staff.
2B	Has 11 to 20 dedicated support staff.
3	Has 21 to 30 active volunteers.
3A	Has 1 to 15 dedicated support staff.
3B	Has 16 to 30 dedicated support staff.
4	Has 31 to 40 active volunteers.
4A	Has 1 to 20 dedicated support staff.
4B	Has 21 to 40 dedicated support staff.
5	Has 41 to 50 active volunteers.
5A	Has 1 to 25 dedicated support staff.
5B	Has 26 to 50 dedicated support staff.
6	Has 51 to 60 active volunteers.
6A	Has 1 to 30 dedicated support staff.
6B	Has 31 to 60 dedicated support staff.
7	Has 61 to 70 active volunteers.
7A	Has 1 to 35 dedicated support staff.
7B	Has 36 to 70 dedicated support staff.
8	Has 71 to 80 active volunteers.
8A	Has 1 to 40 dedicated support staff.
8B	Has 41 to 80 dedicated support staff.
9	Has 81 to 90 active volunteers.
9A	Has 1 to 45 dedicated support staff.
9B	Has 46 to 90 dedicated support staff.
10	Has 91 to 100 active volunteers.
10A	Has 1 to 50 dedicated support staff.
10B	Has 51 to 100 dedicated support staff.
11	Has more than 100 active volunteers.
11A	Has 50% or less dedicated support staff.
11B	Has more than 50% dedicated support staff.

EXHIBIT C

Study Group	No. of Volunteer Fire Companies (Code 994)	No. of Volunteer Ambulance Corps (Code 993)
1	2	10
1A	11	8
1B	0	0
2	31	6
2A	49	10
2B	3	3
3	29	1
3A	96	0
3B	1	0
4	21	0
4A	86	3
4B	3	0
5	13	0
5A	67	1
5B	3	0
6	8	0
6A	24	1
6B	0	0
7	1	0
7A	16	0
7B	4	0
8	1	0
8A	16	0
8B	3	2
9	1	1
9A	5	0
9B	2	0
10	1	0
10A	2	0
10B	0	0
11	3	0
11A	20	1
11B	4	0

EXHIBIT D

**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	
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:
906	18.87	f	14.09	17.92	19.88
:	:	:	:	:	:
:	:	:	:	:	:
989	g	h	h	h	C
:	:	:	:	:	:
:	:	:	:	:	:
:	:	:	:	:	:

* 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

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

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
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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.](#)

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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)

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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
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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.

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.

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.

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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 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 - 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.

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- 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)

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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
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CLASSIFICATION UNDERWRITING GUIDE

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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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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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CLASSIFICATION UNDERWRITING GUIDE

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Ambulance Corps – Volunteer – Support Staff	906
No change to Ambulance Service – Non Volunteer – Code 807 through Fire Department – Paid – Code 985	
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Volunteer Fire Company – Support Staff	989
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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

TO: The Honorable Jessica K. Altman
Insurance Commissioner, Commonwealth of Pennsylvania

FROM: Brent Otto, FCAS, MAAA
Vice President of Actuarial Services and Chief Actuary

DATE: October 15, 2021

RE: Actuarial Memorandum for PCRB Filing No. 331: Revised Loss Costs Filing for Classes 993 (Volunteer Ambulance Corps) and 994 (Firefighter – Volunteer Fire Company)

This actuarial memorandum provides a discussion of the analysis performed by the PCRB resulting from the institution of Act 108 of 2020 (Senate Bill No. 94 – 2019-2020 Session) by the Commonwealth of Pennsylvania’s General Assembly. This piece of legislation amended portions of the Workers’ Compensation Act related to volunteer ambulance corps (code 993) and volunteer fire company (code 994) by expanding the definition of “employee” to include certain persons associated with volunteer fire departments, volunteer ambulance corps, and select other organizations engaged in rescue, emergency response, and similar activities. Based on the PCRB’s review and evaluation of this legislation, which expands the exposure for classes 993 and 994 to include support personnel, the PCRB has performed a study and analysis resulting in the creation of two new class codes to reflect the added exposures.

DEFINITION OF COVERAGES SUBJECT TO THIS FILING

Among other changes to the definition of “employee”, Act 108 defines “members of volunteer fire and ambulance companies” to include not only active employees responding to emergency calls, but also participating members who provide necessary operational “support” to the fire company who do not respond to emergency calls. The term “members of volunteer fire departments or volunteer fire companies” as applied in Act 108 includes, but is not necessarily limited to: active volunteer firefighters who respond to emergency calls, officers or directors of a volunteer fire department or volunteer fire company, and participating members of a volunteer fire department or volunteer fire company who provide necessary operational support to the volunteer fire department or volunteer fire company but does not respond to emergency calls. Similarly, Act 108 applies the term “members of volunteer ambulance corps” to active volunteer ambulance corpsmen who respond to emergency calls, officers or directors of a volunteer ambulance corps, and participating members of a volunteer ambulance corps who provide necessary operational support to the volunteer ambulance corps but who do not respond to emergency calls. Operational support includes maintaining the station and equipment, acting as trustee, organizing fundraisers, providing information technology support, and assisting with recruitment and other administrative tasks. This is similar to how these employees are covered in the payroll-based emergency responder classes 985 (Police or Firefighters – Salaried Employees) and 807 (Ambulance Service – Salaried Employees).

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. Prior to the passing of this Act, coverage for these entities had historically been limited to persons engaged in responding to emergency calls, and that claims filed by volunteer fire company and volunteer ambulance corps support staff for injuries sustained in the course of their support duties were routinely denied.

The Act further notes that “social members” of volunteer fire companies and volunteer ambulance corps are **NOT** included in the expanded definition of “employee”. “Social member” is defined in the Act as a member of the organization whose class of membership is social in nature and is primarily intended to facilitate fraternization with other members of the organization or access to social amenities and social events offered by the organization, whether or not the member occasionally provides unpaid operational support to the organization.

Pennsylvania Governor Tom Wolf signed Senate Bill 94 into law as Act 108 of 2020 on November 3, 2020. Act 108 directs the PCRB to review and evaluate the impact that this legislative change may have on the existing classification codes affected by the expanded definition of “employee” (i.e., Codes 994 and 993), and the PCRB loss costs for those classification codes. The PCRB anticipates that additional claims relating to volunteer fire and ambulance companies are forthcoming as a result of this new coverage exposure. In light of the added risk exposure, the PCRB determined that a classification study was necessary in order to evaluate the long-term impact of Act 108 in order to better define specific changes that may be warranted for the scope of the classifications and any corresponding change to loss costs.

SUMMARY OF THE FILING PROPOSAL

To account for the expanded definition of “employee” stated above, this filing proposes to create two new class codes in addition to the existing 993 and 994 class codes for the exposures who do not respond to emergency calls. The proposed new classifications are code 906 for the support workers related to class 993, and code 989 for the workers related to class 994. Over time, as actual class experience containing the new exposures enters the ratemaking process, the class loss costs will be adjusted using a similar process to what is currently used for classes 993 and 994.

ADHERENCE TO ACTUARIAL PRINCIPLES AND STANDARDS OF PRACTICE

This filing has been developed using actuarial methods that are consistent with all applicable actuarial principles and standards of practice. Loss costs, as developed, filed and distributed by the PCRB represent estimates of future costs. These estimates rely on projections of loss experience (claim costs) to the prospective time period during which they will be in effect. That is, they are estimates of the costs of claims that are made under workers compensation insurance policies to be in effect from April 1, 2022 to March 31, 2023. The ultimate, true value of these claims is uncertain and will not be known until they have all closed. As a result, estimates of the future costs must be used. Adherence to actuarial principles and standards of practice ensures the reasonableness of the estimates, along with their compliance with regulatory requirements.

Four principles are provided in the Casualty Actuarial Society’s Statement of Principles Regarding Property and Casualty Insurance Ratemaking. The fourth principle states:

“A rate is reasonable and not excessive, inadequate, or unfairly discriminatory if it is an actuarially sound estimate of the expected value of all future costs associated with an individual risk transfer.”

There are many Actuarial Standards of Practice (ASOPs) applicable to this filing. These documents set forth the standards, including appropriate considerations, that guide an actuary in developing and presenting the methods and calculations contained in this filing. These include ASOPs regarding data quality, credibility, trend, risk classification, and communications.

This filing relied on the classification study survey data collected by the PCRB, which assisted in the development of assumptions used to quantify the impact of the added exposures due to the legislation. The analysis also used data provided by our member companies; however in accordance with ASOP No. 23 Data Quality, the data has been reviewed for reasonableness and consistency. Some examples of review include, but are not limited to, identifying data anomalies, comparing loss data, and data patterns observed in other analyses.

Actuarial Standard of Practice No. 25, Credibility Procedures (ASOP25 or the Standard), provides guidance that is applicable to this filing. ASOP25 defines the term “Credibility” as, “A measure of the predictive value in a given application that the actuary attaches to a particular set of data (predictive is used here in the statistical sense and not in the sense of predicting the future).”¹ The Standard provides guidance to actuaries for the use of credibility procedures. Relevant to this filing, the standard describes the use of professional judgment:

The actuary should use professional judgment when selecting, developing, or using a credibility procedure. The use of credibility procedures is not always a precise mathematical process. For example, in some situations, an acceptable procedure for blending the subject experience with the relevant experience may be based on the actuary assigning full, partial, or zero credibility to the subject experience without using a rigorous mathematical model.

In this filing, weight is placed on data from other classes that were determined based on the use of credibility procedures, which were used as a basis for determining the cost of the similar exposure presented in the legislation.

Also, given the uniqueness of this exercise, the Standards also provide the following discussion:

A number of ratemaking methodologies have been established by precedent or common usage within the actuarial profession. Since it is desirable to encourage experimentation and innovation in ratemaking, the actuary need not be completely bound by these precedents. Regardless of the ratemaking methodology utilized, the material assumptions should be documented and available for disclosure. While no ratemaking methodology is appropriate in all cases, a number of considerations commonly apply. Informed actuarial judgments can be used effectively in ratemaking. Such judgments may be applied throughout the ratemaking process and should be documented and available for disclosure.²

DISCUSSION OF THIS FILING’S APPROACH, DATA, METHODS, AND FINDINGS

General Approach

The PCRB believes the legislation requires a change in classifications and loss costs given that these exposures were not previously covered. The legislation is not just codifying current practices, but adding new exposure. Also, the PCRB believes there are two approaches to reasonably estimate the cost of including the support volunteers. While it is estimated that the costs for these added exposures are relatively small, they were deemed material and resulted in the new proposed loss costs.

The PCRB Study of Code 993, Volunteer Ambulance Corps, and Code 994, Firefighter-Volunteer Fire Company recommends that the best approach to account for the new exposure is the creation of two new classes for the support staff exposures that would be used with the existing 993 and 994 classes. It confirmed that the exposure base will remain the same as their underlying class, respectively. That is, Code 906 will use a single loss cost value on a per corps (company) basis and Code 989 will use population as the exposure base with new loss cost values developed by population band.

The study also acknowledges that, due to the unique voluntary nature of these workers, the creation of these two codes would be appropriate to represent this new exposure. It was determined that not all companies have support volunteers, and thus simply increasing the per capital loss costs for 993 and 994

¹ ASOP25, Section 2.1.

² CAS Principles of Ratemaking, lines 59 through 64, 138 through 140.

would negatively impact the volunteer organizations with no dedicated support staff. By contrast, payroll-based classes do not see any additional increase if they do not employ support staff. Further, establishing a separate companion classification will better allow the PCRB and the insurance carriers to track the cost of these new exposures over time.

Data and Methods Used

By creating separate aligned classifications with 993 and 994, it was determined that the best approach to establish initial loss costs would be to determine a surcharge methodology. Various data sources were used to calculate these surcharge factors under an exposure-based method and an empirical method, both described below, which serve as the basis in developing loss costs for the new classes.

The exposure-based method relies on existing class codes and survey data obtained from individual volunteer firefighting companies and ambulance corps. The existing class codes used included 953 (Clerical Office Employees), 971 (Commercial Buildings), 807 (Ambulance Service – Salaried Employees), and 985 (Police or Firefighters – Salaried Employees). Classes 953 and 971 were used as the basis to calculate a support employee loss cost. Based on the survey data, these support employees typically performed job duties other than just office work such as cleaning, maintenance, lawn care, etc. In 2002, a Classification study was performed on classes 971 and 972 referenced in PCRB Circular No. 1446. Based on this previous class research, it was determined that the job duties added in this legislation most closely align with the types of business contained in class 971 resulting in the use of this class, along with class 953. Codes 807 and 985 were also utilized given the similarities to 993 and 994, respectively. These codes already contain the general inclusion of support employees allowing those codes to be utilized in determining the loss cost amounts for these workers.

The survey data sample was deemed adequate and credible based on the percentage of responses received and the consistency of the data. The data collected by company for each of the class codes contained total number of volunteers, volunteers that only responded to emergency calls, volunteers that performed support only, those that responded to calls and performed support, and those that performed office work only. The data also collected duties performed by the support workers.

The empirical method utilizes claim counts, loss and exposure data from codes 807, 985, 993, and 994. It uses unit statistical data from Policy Years 2013-2017 to calculate frequency and severity for each class. Given the relativity approach taken for this analysis, the data did not need to be developed, trended or adjusted as there would be no material difference in the results after making such adjustments. The calculated factors, however, are applied to final loss costs that included those adjustments. For codes 807 and 985, frequency and severity are split between support workers and first responders using historical claim counts and loss amounts associated with the worker's occupation that is coded to the claim.

Actuarial best practice is to use multiple methods when more than one reasonable method is available. While both methods took different approaches, the two methods produced reasonably similar results. Based on this, and the fact that neither method seemed superior to the other, the final selected surcharge factors were determined as the simple average of the factors produced by each method.

Key Results

Class	Surcharge Factor Exposure-Based Method	Surcharge Factor Empirical Method	Selected Surcharge Factor (Average)
993	1.0403	1.0521	1.0462
994	1.1060	1.0762	1.0911

DISCUSSION OF EXHIBITS

An index of all exhibits appears at the end of this memorandum. The following material provides discussion of the key elements.

Exhibit 1 – Exposure-Based Method

Exhibit 1 (993) and Exhibit 1 (994) show the derivation of the surcharge factors using the exposure-based method.

Exhibit 1 (993) shows the calculated surcharge factor of 1.0403. That factor will be used to determine a final selected factor to apply to the current 993 Volunteer Ambulance Corps loss cost, which will result in a loss cost for class 906.

This is done by using the survey data to obtain the exposure weights of 85%/15% split between first responders and support workers. Next, the survey data is also used to determine the exposure weights between Clerical Office duties and Non-Clerical Office duties for Support staff. Clerical Office exposure is calculated as the sum of the 34% that perform 100% Clerical Office only duties plus 50% of the remaining Non-Clerical Office only staff exposures. The assumption that 50% of the duties of Non-Clerical office only staff is also office-type work is based on the duties listed in the survey. This results in the exposure weight for the dedicated support staff to be 67% for Clerical Office support and 33% for Non-Clerical Office duties such as maintenance of equipment, cleaning/janitorial duties, lawn maintenance, cooking, etc.

Next, a Support Workers loss cost can be calculated using the exposure weights previously developed using class 953 for the cost of office duty exposure, and class 971 for the support exposure that is not office work. This results in a calculated Support Workers loss cost of $0.73 = (67\% \times 953 \text{ Office loss cost}) + (33\% \times 971 \text{ Commercial Buildings loss cost})$. The 953 and 971 loss cost values are from the April 1, 2021 PCRB loss cost filing. As a Support Workers loss cost has now been calculated, the loss cost for 807 can be split between first responders and support workers using the exposure weights of 85%/15% discussed above. Line (3) in the exhibit shows the contributions related to these two exposures underlying class 807. Based on these values, the proportion of the total class 807 loss cost can be calculated. Assuming that the exposures between first responders and support workers are the same between salaried and volunteer companies, the surcharge factor to be applied to the current 993 loss cost can be calculated as 1.0 divided by the first responders proportion and is shown in Line (5), or 1.0403.

Exhibit 1 (994) for class 994 is calculated in the same way as was described for class 993. However, the exposure weights are different for this class and the loss cost for payroll-based class 985, which contains salaried firefighters, is used. With this method, the calculated surcharge factor used to calculate a loss cost for 989 is 1.1060. Again, this is based on the first responders and support workers exposure weights of 77% and 23%, respectively, and Clerical Office Support to Non-Clerical Office Support weights of 60% and 40%, respectively. The Clerical Office Support exposure is calculated as the sum of 20% that perform 100% office only duties plus 50% of the remaining non-office only staff exposures. These weights generate the Support Workers loss cost of 0.87 used to calculate the surcharge factor.

Exhibit 2 – Empirical Method

Exhibit 2 (993) and Exhibit 2 (994) show the derivation of the surcharge factors using the empirical method.

Exhibits 2 (993) shows the calculated surcharge factor of 1.0521. That factor will be used to calculate a selected factor to apply to the current 993 Volunteer Ambulance Corp loss cost to generate the new loss cost for 906 for the additional exposure of support workers. This is done by using a frequency and severity approach to calculate separate loss costs for Support Workers (S) versus First Responders (FR) based on class 807 data, which includes Support Worker exposures. Loss costs are calculated by multiplying frequency (claim counts divided by payroll (in 100's)) by severity (claim amounts divided claim counts). The exposure is split between Support Workers and First Responders using empirical claim data that provides a distribution of claim counts and loss amounts based on the injured worker's occupation. Once this is done, Support Worker relativities for frequency and severity can be calculated using class 807 data. Using the assumption that class 993 and 807 have the same proportion of support workers, the 807 frequency and severity relativities for Support Workers can be applied to the 993 frequency and severity values to split these for the two types of exposures. Then the surcharge factor for this method can be calculated as the ratio of the (993_FR Loss Cost + 993_S Loss Cost) / 993_FR Loss Cost.

Exhibits 2 (994) shows the calculated surcharge factor for 989 of 1.0762 in a similar fashion to 906 described above. The only differences are that class 985 is used to calculate the frequency and severity relativities and the empirical data used to split the exposures is also from class 985 using the occupation coding from the claim data.

Exhibit 3 – Development of Loss Costs for 906 and 989

Exhibit 3 shows the selected support worker surcharge factor for each class as the simple average of the two methods described above. The support worker surcharge factors minus 1.0 are then multiplied by the current April 1, 2021 pre-surcharge loss costs for each class. Then the final post-surcharge factor used in the April 1, 2021 filing was applied to calculate the proposed post-surcharge loss costs for the new classes 906 and 989. The 989 population band relativities remained the same as those used for class 994. Since these are new classes with new exposure, the loss costs did not include an off-balance factor to maintain a revenue-neutral position.

An estimate of the additional pure premiums generated for these two classes based on the proposed loss costs and distribution of individual risks is projected to be less than \$2,000 for class 906, and \$660,000 for class 989. Survey responses indicated that roughly 20% of the companies may not have any dedicated support staff and therefore would not use these class codes. This assumption was not directly factored into the projected values above, however this is why the estimates are expected to be "less than" the stated values.

Exhibit 4 – Survey Data Graphs

Exhibit 4 shows a series of graphs for classes 993 and 994 displaying the percentage of dedicated support workers contained within a company based on the number of volunteers. In general, the graphs show that the distribution of dedicated support workers are reasonably consistent. For class 993, all size companies generally show a similar distribution of dedicated support workers. The data shows that, on average, 15% of the total volunteers are dedicated support workers and 34% of these dedicated support workers perform office clerical only duties. For class 994, only the largest companies with at least 75 volunteers had a slightly higher percentage of dedicated support workers. The data shows that on average 23% of the total volunteers are dedicated support workers and 20% of these dedicated support workers perform office clerical only duties. Also, note that workers categorized in the survey as responding to calls and performing support duties, are considered first responders, and not dedicated support workers.

Exhibit 5 – Loss Cost Manual Page Changes

Exhibit 5 shows revised manual pages reflecting the two new class codes and their proposed loss costs calculated in Exhibit 3. Also, Exhibit D within the Classification Study for Classes 993 and 994 (included with this filing) contains the proposed Basic Manual language changes.

INDEX OF EXHIBITS

Item	Description
Exhibit 1	Exposure-Based Method
Exhibit 2	Empirical Method
Exhibit 3	Development of Loss Costs for 906 and 989
Exhibit 4	Survey Data Graphs
Exhibit 5	Loss Cost Manual Page Changes

PCRB Institution of Act 108 of 2020 (SB 94 from 2019-2020 Session)
 Calculation of Surcharge Factor to add Support Volunteer Exposures for Class 993
 Method 1: Based on survey data and existing classifications with similar exposures.

Exhibit 1 (993)

<u>Class Code</u>	<u>Class Name</u>	<u>4/1/2021 Loss Cost</u> ¹	<u>Type of Volunteer</u>	<u>Exposure Weights</u>	<u>Comments</u>
953	Clerical Office Employees (Office)	0.08	Support Workers	15%	From survey data = 1.0 - 15%
971	Commercial Buildings	2.05	First Responders	85%	
807	Ambulance Service, Salaried	2.77			
			Clerical Office Duties ²	67%	From survey data = 1.0 - 67%
			Non-Clerical Office Duties	33%	
NA	Support Workers Loss Cost	0.73	= (67% x Office LC) + (33% x Commercial Building LC)		
NA	Implied LC for First Responders	3.12	Based on Class 807 excluding Support Workers exposure		

Calculation of Relativity to Load in Support Volunteer Exposure

		First Responders	Support Workers	807 Loss Cost	Comments
(1)	Weight	85%	15%		
(2)	Loss Cost	3.12	0.73		
(3)	Loss Cost Contribution	2.661	0.107	2.77	(3) = (1) x (2)
(4)	Proportion to 807 Loss Cost	96.1%	3.9%		(4) = (3) / Loss Cost
(5)	807 Support Worker Surcharge Factor	1.0403			(5) = 1 / (4)First Responders

¹ Values are pre-surcharge loss costs.

² From the survey, 34% performed Clerical Office duties only. Additionally, It was assumed that duties performed by the remaining 66% also contained 50% Clerical Office duties and 50% other non-Clerical duties (e.g. cooking, lawn and equipment maintenance).

PCRB Institution of Act 108 of 2020 (SB 94 from 2019-2020 Session)
 Calculation of Surcharge Factor to add Support Volunteer Exposures for Class 994
 Method 1: Based on survey data and existing classifications with similar exposures.

Exhibit 1 (994)

<u>Class Code</u>	<u>Class Name</u>	<u>4/1/2021 Loss Cost</u> ¹	<u>Type of Volunteer</u>	<u>Exposure Weights</u>	<u>Comments</u>
953	Clerical Office Employees (Office)	0.08	Support Workers	23%	From survey data = 1.0 - 23%
971	Commercial Buildings	2.05	First Responders	77%	
985	Police or Firefighters, Salaried	2.07			
			Clerical Office Duties ²	60%	From survey data = 1.0 - 60%
			Non-Clerical Office Duties	40%	
NA	Support Workers Loss Cost	0.87	= (60% x Office LC) + (40% x Commercial Building LC)		
NA	Implied LC for First Responders	2.43	Based on Class 985 excluding Support Workers exposure		

Calculation of Relativity to Load in Support Volunteer Exposure

		First Responders	Support Workers	985 Loss Cost	Comments
(1)	Weight	77%	23%		
(2)	Loss Cost	2.43	0.87		
(3)	Loss Cost Contribution	1.875	0.199	2.07	(3) = (1) x (2)
(4)	Proportion to 807 Loss Cost	90.4%	9.6%		(4) = (3) / Loss Cost
(5)	985 Support Worker Surcharge Factor	1.1060			(5) = 1 / (4)First Responders

¹ Values are pre-surcharge loss costs.

² From the survey, 20% performed Clerical Office duties only. Additionally, It was assumed that duties performed by the remaining 80% also contained 50% Clerical Office duties and 50% other non-Clerical duties (e.g. cooking, lawn and equipment maintenance).

Calculation of Surcharge Factor to add Support Volunteer Exposures for Class 993

Method 2: Based on Unit Stat data and existing classifications with similar exposures

807		Frequency	Severity				
Support Worker	Freq X Sev	= $\frac{\text{Claim Count}_S}{\text{Payroll_ALL}}$	X $\frac{\text{Claim Amount}_S}{\text{Claim Count}_S}$	=	Loss Cost_S	$\frac{51.0}{13,002,520}$	X $\frac{1,710,852}{51.0}$ = 0.1316
First Responder	Freq X Sev	= $\frac{\text{Claim Count_FR}}{\text{Payroll_ALL}}$	X $\frac{\text{Claim Amount_FR}}{\text{Claim Count_FR}}$	=	Loss Cost_FR	$\frac{950}{13,002,520}$	X $\frac{32,847,654}{950}$ = 2.5263
	Relativity for Frequency	= $\frac{\text{Claim Count}_S}{\text{Payroll_ALL}}$	/ $\frac{\text{Claim Count_FR}}{\text{Payroll_ALL}}$			0.000003921	/ 0.00007306 = 0.0537
	Relativity for Severity	= $\frac{\text{Claim Amount}_S}{\text{Claim Count}_S}$	/ $\frac{\text{Claim Amount_FR}}{\text{Claim Count_FR}}$			33,560	/ 34,576 = 0.9706
993							
First Responder	Freq X Sev=	$\frac{\text{Claim Count}_{993_FR}}{\text{\# of Companies}_{993_FR}}$	X $\frac{\text{Claim Amount}_{993_FR}}{\text{Claim Count}_{993_FR}}$	=	Loss Cost_{993_FR}	$\frac{33}{2,189}$	X $\frac{1,170,350}{33}$ = 534.65
	$\frac{\text{Claim Count}_{993_S}}{\text{\# of Companies}_S}$	= $\frac{\text{Claim Count}_{993_FR}}{\text{\# of Companies}_{993_FR}}$	X		Relativity for Frequency	0.015075	X 0.0537 = 0.000809
	$\frac{\text{Claim Amount}_{993_S}}{\text{Claim Count}_{993_S}}$	= $\frac{\text{Claim Amount}_{993_FR}}{\text{Claim Count}_{993_FR}}$	X		Relativity for Severity	35,465	X 0.9706 = 34,423.12
Support Worker	Freq X Sev=	$\frac{\text{Claim Count}_{993_S}}{\text{\# of Companies}_S}$	X $\frac{\text{Claim Amount}_{993_S}}{\text{Claim Count}_{993_S}}$	=	Loss Cost_{993_S}	0.000809	X 34,423.12 = 27.85
	Surcharge Factor=	= $\frac{\text{Loss Cost}_{993_FR} + \text{Loss Cost}_{993_S}}{\text{Loss Cost}_{993_FR}}$				$\frac{562.50}{534.65}$	= 1.0521

Exhibit 2 (993)

Distribution of data

	807	993
Exposure*	1,300,252,000	2,189
Claim Amount	34,558,506	1,170,350
Claim Count	1,001	33

Source: Pennsylvania 2021 Loss Cost Filing, PY 2013 - PY 2017

* Exposure Base: 807-Payroll, 993-Companies Reported

Job Duties Class 807	Count	Total	Distribution	
			Count	Amount
First Responder	3,783	76,938,231	94.9%	95.0%
Support Worker	203	4,007,286	5.1%	5.0%
Total	4,207	83,259,098	100%	100%

Source: Unit Stat Data, PY 2006 - PY 2018

Calculation of Surcharge Factor to add Support Volunteer Exposures for Class 994

Method 2: Based on Unit Stat data and existing classifications with similar exposures

985		Frequency	Severity				
Support Worker	Freq X Sev	= $\frac{\text{Claim Count}_S}{\text{Payroll_ALL}}$	X $\frac{\text{Claim Amount}_S}{\text{Claim Count}_S}$	=	Loss Cost_S	$\frac{72.5}{27,750,380}$	X $\frac{4,439,725}{72.5}$ = 0.1600
First Responder	Freq X Sev	= $\frac{\text{Claim Count}_{FR}}{\text{Payroll_ALL}}$	X $\frac{\text{Claim Amount}_{FR}}{\text{Claim Count}_{FR}}$	=	Loss Cost_{FR}	$\frac{1,131}{27,750,380}$	X $\frac{58,235,843}{1,131}$ = 2.0986
	Relativity for Frequency	= $\frac{\text{Claim Count}_S}{\text{Payroll_ALL}}$	/ $\frac{\text{Claim Count}_{FR}}{\text{Payroll_ALL}}$			0.000002613	/ 0.00004077 = 0.0641
	Relativity for Severity	= $\frac{\text{Claim Amount}_S}{\text{Claim Count}_S}$	/ $\frac{\text{Claim Amount}_{FR}}{\text{Claim Count}_{FR}}$			61,231	/ 51,468 = 1.1897
994							
First Responder	Freq X Sev=	$\frac{\text{Claim Count}_{994_FR}}{\text{Population}_{994_FR}}$	X $\frac{\text{Claim Amount}_{994_FR}}{\text{Claim Count}_{994_FR}}$	=	Loss Cost_{994_FR}	$\frac{854}{47,853,643}$	X $\frac{46,702,795}{854}$ = 0.9760
	$\frac{\text{Claim Count}_{994_S}}{\text{Population}_S}$	= $\frac{\text{Claim Count}_{994_FR}}{\text{Population}_{994_FR}}$	X		Relativity for Frequency	0.000018	X 0.0641 = 0.000001
	$\frac{\text{Claim Amount}_{994_S}}{\text{Claim Count}_{994_S}}$	= $\frac{\text{Claim Amount}_{994_FR}}{\text{Claim Count}_{994_FR}}$	X		Relativity for Severity	54,687	X 1.1897 = 65,060.81
Support Worker	Freq X Sev=	$\frac{\text{Claim Count}_{994_S}}{\text{Population}_S}$	X $\frac{\text{Claim Amount}_{994_S}}{\text{Claim Count}_{994_S}}$	=	Loss Cost_{994_S}	0.000001	X 65,060.81 = 0.0744
Surcharge Factor=		= $\frac{\text{Loss Cost}_{994_FR} + \text{Loss Cost}_{994_S}}{\text{Loss Cost}_{994_FR}}$					$\frac{1.0504}{0.9760}$ = 1.0762

Exhibit 2 (994)

Distribution of data

	985	994
Exposure*	2,775,038,000	47,853,643
Claim Amount	62,675,568	46,702,795
Claim Count	1,204	854

Source: Pennsylvania 2021 Loss Cost Filing, PY 2013 - PY 2017

* Exposure Base: 985-Payroll, 994-Municipal Population

Job Duties Class 985	Count	Total	Distribution	
			Count	Amount
First Responder	4,822	148,293,756	94.0%	92.9%
Support Worker	309	11,305,469	6.0%	7.1%
Total	5,169	160,285,272	100%	100%

Source: Unit Stat Data, PY 2006 - PY 2018

PCRB Institution of Act 108 of 2020 (SB 94 from 2019-2020 Session)
Calculation of Final Loss Costs

Calculation of Selected 993 and 994 Support Worker Surcharge Factors

<u>Class Code</u>	Surcharge Factor Exposure- Based <u>Method #1</u>	Surcharge Factor Empirical <u>Method #2</u>	Selected Surcharge Factor (Average)¹
993	1.0403	1.0521	1.0462
994	1.1060	1.0762	1.0911

¹ Only the selected factors have been rounded to four decimal places.

PCRB Institution of Act 108 of 2020 (SB 94 from 2019-2020 Session)**Calculation of Final Loss Costs**Calculation of Pre/Post Surcharge 906 Loss Costs

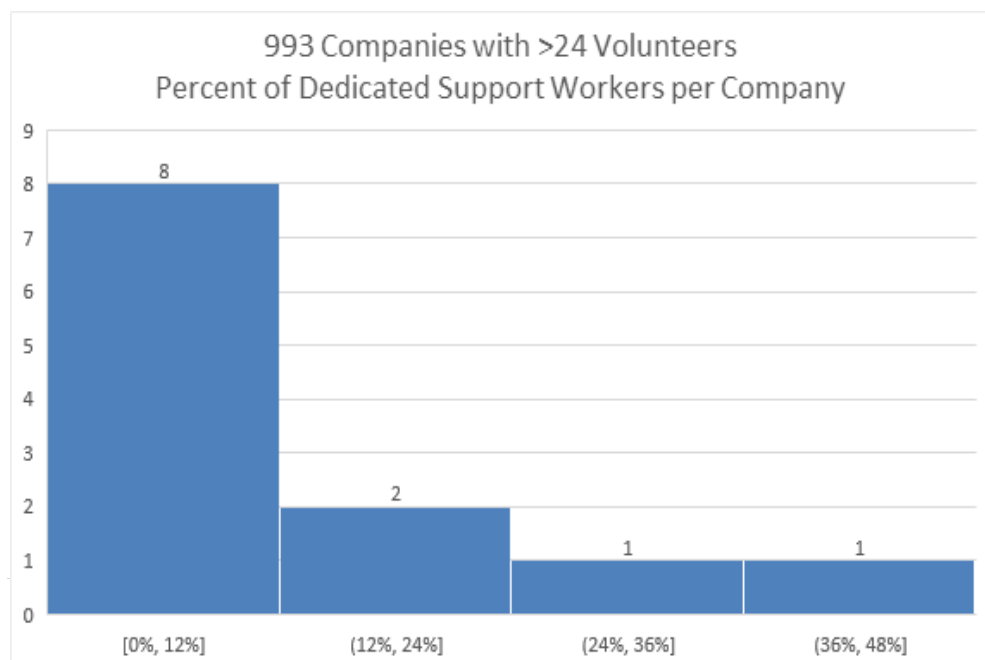
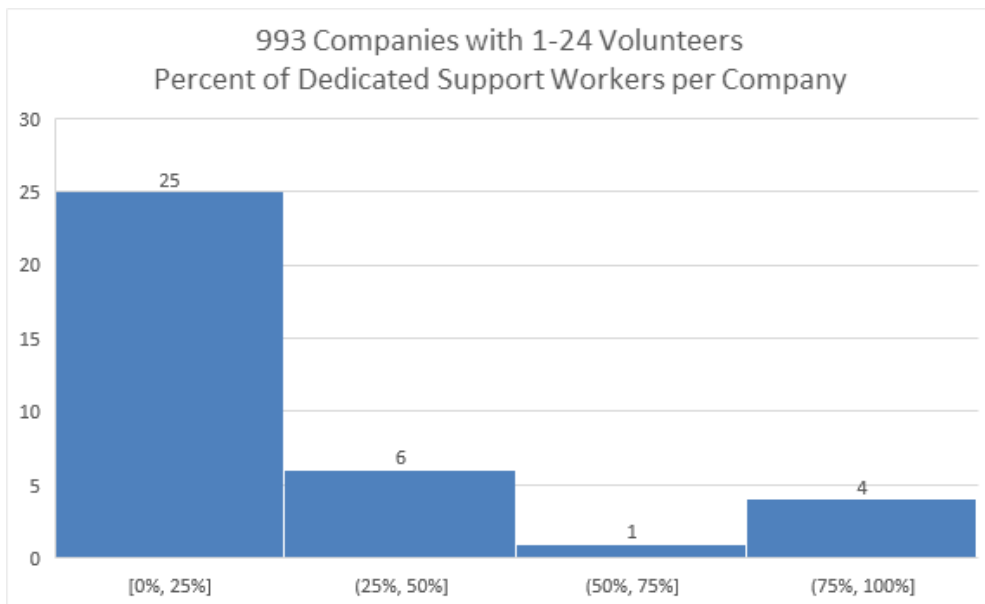
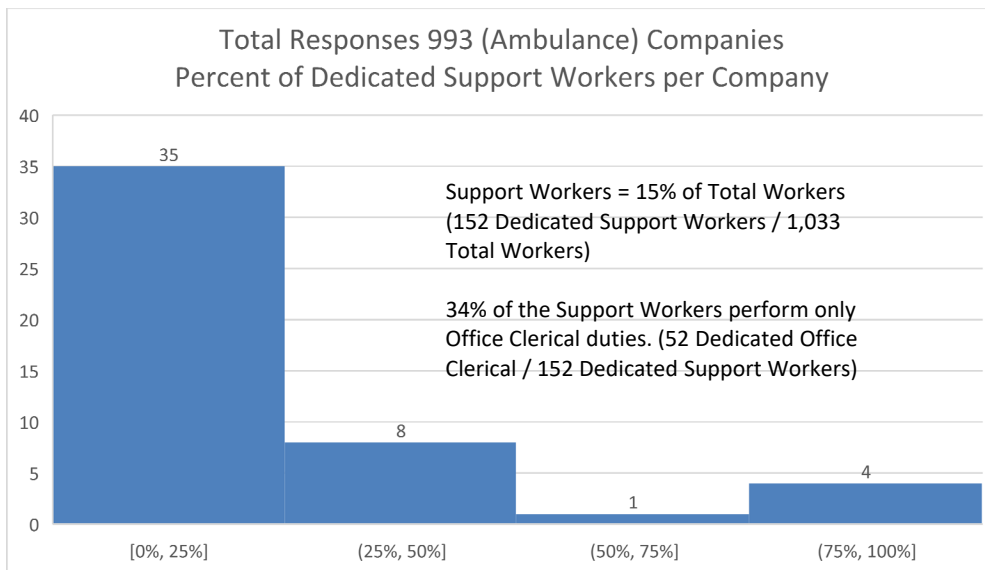
(1) Class 993 Support Worker Surcharge Factor (From Exhibit 3, Page 1):	1.0462
(2) Class 993 Final April 1, 2021 Post-Surcharge Factor:	1.0141

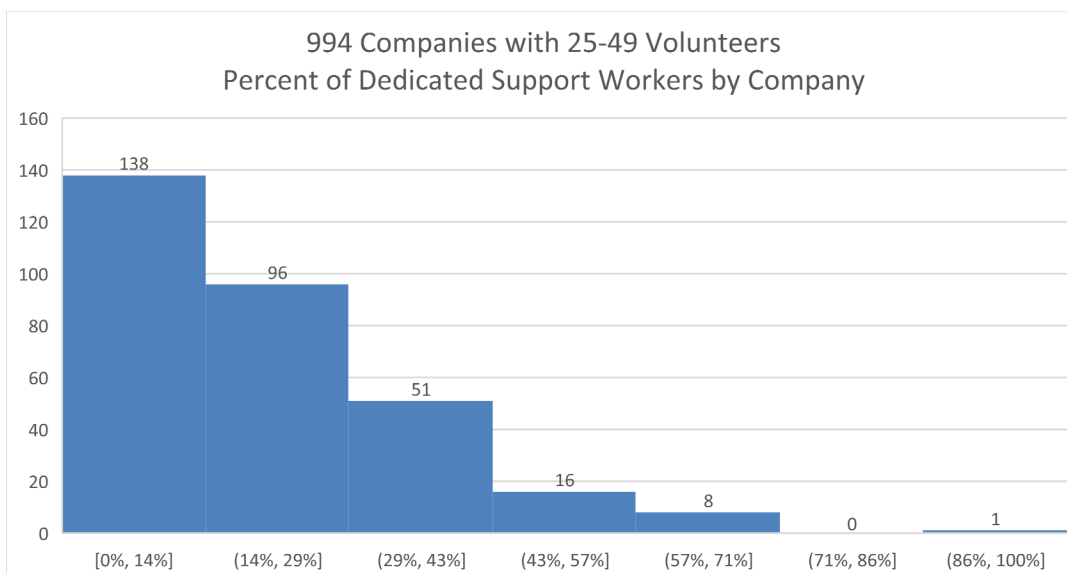
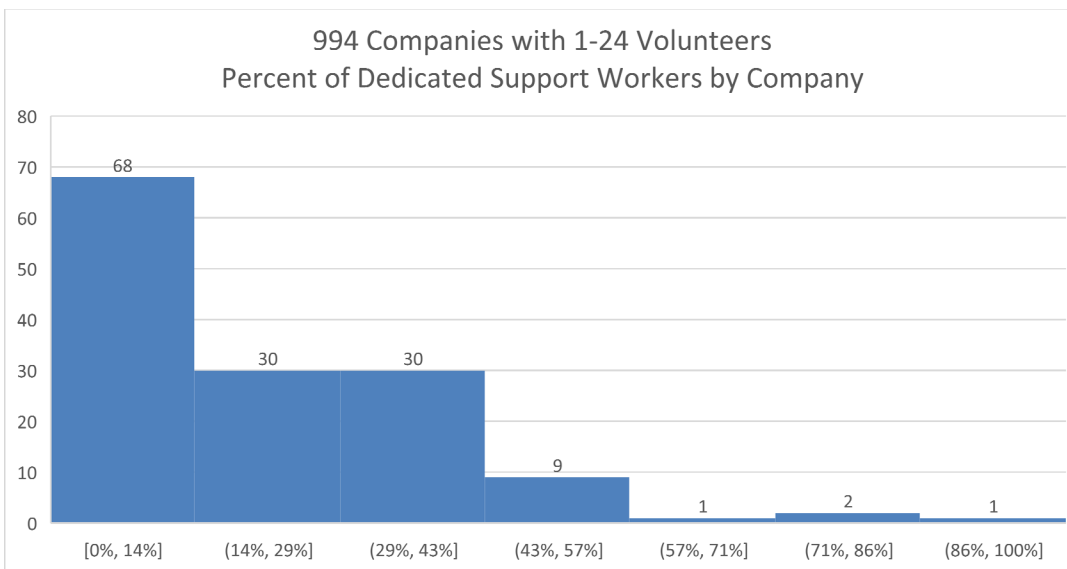
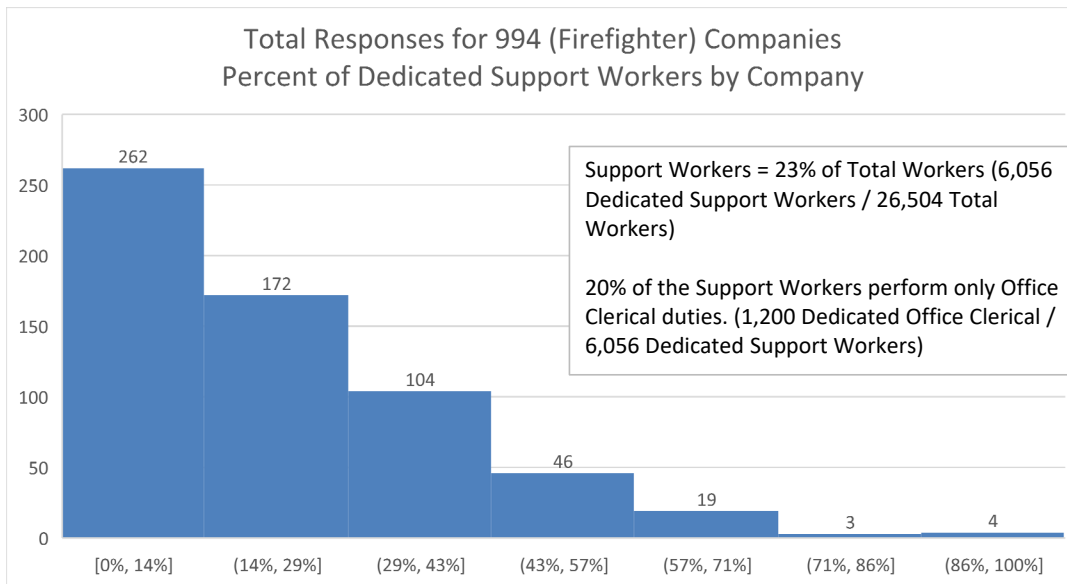
(3)	(4)	(5)
From 4/1/2021	= [(1) - 1.0] x (3)	= (2) x (4)
Filing		
993 Pre-	906 Pre-	906 Post-
Surcharge	Surcharge	Surcharge
Proposed	Proposed	Proposed
<u>Loss Cost</u>	<u>Loss Cost</u>	<u>Loss Cost</u>
402.81	18.61	18.87

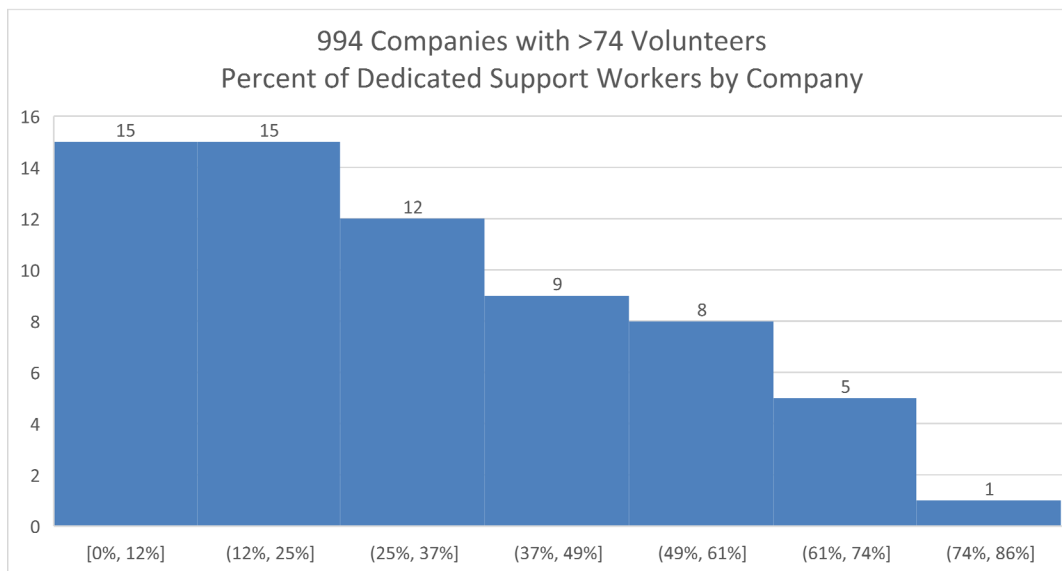
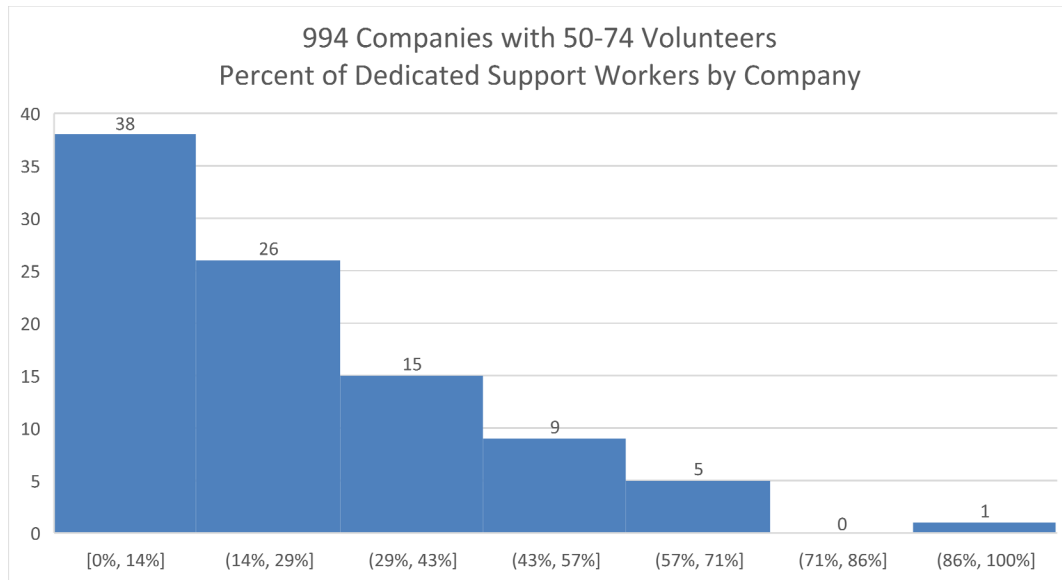
PCRB Institution of Act 108 of 2020 (SB 94 from 2019-2020 Session)**Calculation of Final Loss Costs**Calculation of Pre/Post Surcharge 989 Loss Costs

(1) Class 994 Support Worker Surcharge Factor (From Exhibit 3, Page 1):	1.0911
(2) Class 994 Final April 1, 2021 Post-Surcharge Factor:	1.0141

	(3) From 4/1/2021 Filing	(4) = [(1) - 1.0] x (3)	(5) = (2) x (4)
<u>Population</u>	<u>994 Pre-Surcharge Loss Cost</u>	<u>989 Pre-Surcharge Proposed Loss Cost</u>	<u>989 Post-Surcharge Proposed Loss Cost</u>
Up to 300	1,189	108	110
301 to 500	1,461	133	135
501 to 700	1,701	155	157
701 to 1,000	1,966	179	182
1,001 to 1,500	2,312	211	214
1,501 to 2,000	2,685	245	248
2,001 to 2,500	3,003	274	277
2,501 to 3,000	3,288	300	304
3,001 to 3,500	3,535	322	327
3,501 to 4,000	3,771	344	348
4,001 to 4,500	3,990	363	369
4,501 to 5,000	4,199	383	388
5,001 to 5,500	4,403	401	407
5,501 to 6,000	4,596	419	425
6,001 to 6,500	4,788	436	442
6,501 to 7,000	4,975	453	460
7,001 to 7,500	5,156	470	476
7,501 to 8,000	5,336	486	493
8,001 to 8,500	5,511	502	509
8,501 to 9,000	5,683	518	525
9,001 to 9,500	5,846	533	540
9,501 to 10,000	6,009	547	555
10,001 to 15,000	6,896	628	637
15,001 to 20,000	8,431	768	779
20,001 to 25,000	9,940	906	918
25,001 to 30,000	11,432	1,041	1,056
30,001 to 35,000	12,899	1,175	1,192
35,001 to 40,000	14,348	1,307	1,326
40,001 to 45,000	15,772	1,437	1,457
45,001 to 50,000	17,171	1,564	1,586
For Each Add'l 5K Population	1,405	128	130







**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

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

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
AND RATING VALUES FOR WORKERS COMPENSATION AND FOR EMPLOYERS LIABILITY INSURANCE**

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

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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.

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.

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.

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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 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 - 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.

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- 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)

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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

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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

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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