

WYOMING WORKERS' COMPENSATION

**Presented by the Wyoming
Department of Workforce Services**



OVERVIEW

Workers' Compensation is funded by premiums paid by employers to provide coverage for lost wages and medical bills when an on the job injury occurs.

In exchange, employers receive the benefit of reduced medical costs and are protected against lawsuits from the injured party, as outlined in **Wyo. Stat. Ann. § 27-14.104.**



All employers doing business in Wyoming need to register with Workers' Compensation. From this registration, it is then determined what NAICS code the employment falls under and whether it is required or optional coverage under *Wyo. Stat. Ann. §27-14-108*.

Workers' Compensation is outlined in *Wyo. Stat. Ann. §§ 27-14-101 - through 27-15-103*.



WORKERS' COMPENSATION PROGRAMS



CLAIMS



**EMPLOYER
SERVICES/
PROVIDER
SERVICES**



**SAFETY AND
RISK**



**RISK
MANAGEMENT**



CLAIMS



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- ✓ **Complete compensability determinations, review medical claims, and make indemnity payments for individuals who are injured on-the-job while working for a covered employer.**
 - ✓ **Work with treating doctors and other medical staff in an effort to return the injured party back to gainful employment when possible.**
 - ✓ **A Medical Case Management Unit, consisting of registered nurses provides case management services to injured workers, outreach services to employers, and researches and documents medical advice. This Unit also monitors the purchase/rental of durable medical equipment, including orthotics and prosthetics, and works closely with the Medical Commission to develop rules, practices, and procedures as well as the approval of medical procedures.**
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EMPLOYER SERVICES/ PROVIDER SERVICES



The Employer Services/Policy staff is responsible for registering all employers liable for Workers' Compensation premiums in Wyoming. This program performs the following functions:

- ✓ Reviews Workers' Compensation joint registrations**
- ✓ Processes quarterly and monthly payroll reports for Workers' Compensation**
- ✓ Collects Workers' Compensation premiums**
- ✓ Approve extraterritorial coverage for Wyoming employers who work in other states**
- ✓ Issue certificates of good standing**
- ✓ Point of contact for non-resident employers to notify Workers' Compensation of their employees working in Wyoming and send their extraterritorial coverage certifications to the Division**
- ✓ Employer Rate setting by NAICS (North American Industry Classification System) code**



WORKERS' COMPENSATION PREMIUMS

**INDUSTRY/
BASE RATE** + **EXPERIENCE
MODIFICATION
RATING**



EXPERIENCE MODIFICATION **RATING**



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- ✓ **Adjusts the industry base rate up or down depending on the three year experience history of an employer.**
 - ✓ **Produces a premium cost that is the best indicator of an employer's future risk for accidents.**
 - ✓ **Takes into account the unique safety record of an employer.**
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WORKERS' **COMPENSATION** **SAFETY AND RISK**



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- ✓ **WCSR's mission is to promote and support a safety culture with all employers registered and in good standing with Wyoming Workers' Compensation.**
 - ✓ **Safety Specialists provide health and safety consultation, hazard identification, and hazard reduction plans for Wyoming's employers. They assist businesses in understanding what they need to do to be qualified for safety discounts with Workers' Compensation and to reduce premiums.**
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RISK MANAGEMENT



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- ✓ **Risk Management works closely with the Safety Specialists to provide a collaborative resource for employers. Risk Management focuses on educating and assisting employers to better understand their policies, history of workplace injuries, and overall Workers' Compensation coverage.**
 - ✓ **The Risk Management team promotes, administers and manages employer discount programs.**
 - ✓ **Employer discount programs are outlined in **Wyo. Stat. Ann. § 27-14-201(o)**, and in Workers' Compensation Rules & Regulations, Ch. 2, Sections 8-10.**
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WHAT IS AN EMPLOYER?



Employer is defined under *Wyo. Stat. Ann. § 27-14-102(a)(viii)* as any person or entity employing an employee engaged in any extra hazardous occupation or electing coverage under *Wyo. Stat. Ann. § 27-14-108(j) or (k)* and at least one (1) of whose employees is described in *Wyo. Stat. Ann. § 27-14-301*.

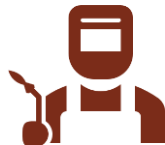
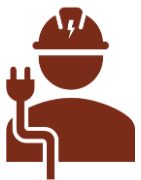


WHO IS REQUIRED TO CARRY WORKERS' COMPENSATION COVERAGE?

REQUIRED

Any employees performing work in hazardous sectors, subsectors, or industries defined in **Wyo. Stat. Ann. § 27-14-108**

- ✓ Dependent on classification in North American Industry Classification System (NAICS) manual



OPTIONAL

Any employee performing work in an industry not specifically defined in **Wyo. Stat. Ann. § 27-14-108**



EXAMPLES

(A) Agriculture, sector 11

Subsector 113, Forestry and Logging:

Industry group 1133, logging

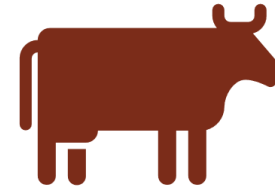
REQUIRED

Forestry and logging

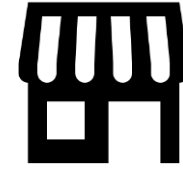


OPTIONAL

**Agriculture involving animal
production or crop production**



RETAIL EXAMPLES



REQUIRED

- ✓ Warehouses (NAICS code 493000)
- ✓ Gas Stations (NAICS code 447000)
- ✓ Auto Parts Stores NAICS Code 441000

OPTIONAL

- ✓ Grocery Stores (NAICS code 445110)
- ✓ Supercenters (NAICS code 452000)



SCHOOL DISTRICTS



School Districts are not specifically mentioned under **Wyo. Stat. Ann. § 27-14-108(a)(N)**, Educational Services.

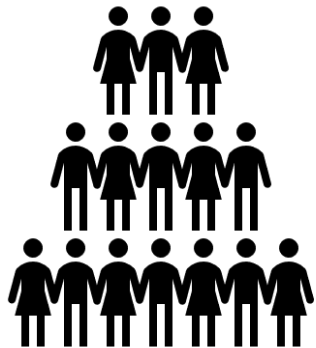
However, per **Wyo. Stat. Ann. § 27-14-108(d)**, this act applies to governmental entities engaged in an industrial classification listed under subsection (a), and to employees of governmental entities engaged in or employed under certain parameters. Some of these parameters apply to certain school district employees (i.e., custodial staff, maintenance workers, grounds crews, and some teachers).



STATISTICS

All figures through June 30, 2020

**TOTAL COVERED
EMPLOYEES**
282,417



REQUIRED COVERAGE

11,392

**AVERAGE TOTAL
ANNUAL PREMIUM**
\$167,388,623.45



OPTIONAL COVERAGE

5,342

**AVERAGE TOTAL
ANNUAL PREMIUM**
\$43,838,215.55

TOTAL

**REGISTRATIONS WITH
POLICY NOT ACTIVATED
(CALENDAR YEAR 2019)**

1,134

STATE COMPARISONS



- ✓ In North Dakota, WSI is the sole provider and administrator of workers' compensation . WSI is an exclusive employer-financed, no-fault insurance system covering workplace injuries, illnesses, and death.
- ✓ Law does not allow private insurers to underwrite workers' compensation insurance.
- ✓ Workers' Compensation law, with limited exceptions, requires all employers to insure all employees including full-time, part-time, seasonal, and occasional workers before employees begin working.



- ✓ Washington State does not allow private workers' compensation coverage. You must purchase your coverage from L&I or be a certified self-insured employer.



- ✓ In Ohio, all employers with one or more employees must, by law, have workers' compensation coverage. Coverage for Ohio employers and their employees becomes effective when BWC receives an application and \$120 application fee.
- ✓ Self Insurance is a privilege offered if the employer meets certain financial criteria.

QUESTIONS?

