



**THE WORKERS' COMPENSATION
RATING AND INSPECTION BUREAU OF MASSACHUSETTS**

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CIRCULAR LETTER NO. 1824

To All Members and Subscribers of the Bureau and The Agent Trade Association:

DOMESTIC WORKERS – INSIDE – PHYSICAL ASSISTANCE – CODE 0918

The Division of Insurance has approved the above captioned item, calling for the creation of a new and distinct class for domestic workers – inside – physical assistance, Code 0918.

This new classification will apply to domestic workers who provide physical assistance in activities of daily living to the elderly or to persons who are convalescent, acutely or chronically ill, or physically or mentally disabled. For purposes of assigning code 0918, physical assistance in activities of daily living shall mean the performance of any one or more of the following functions.

- Physically assisting a household member with walking or using prescribed medical equipment;
- Physically assisting a household member to take medications prescribed by a physician that otherwise would be self-administered;
- Physically assisting a household member with bowel or bladder needs;
- Physically assisting a household member with bathing, personal hygiene, dressing, or grooming;
- Physically assisting a household member with meal preparation, eating (including tube feeding and special nutritional/dietary needs), and clean-up;
- Physically assisting in transferring a household member in and out of bed;
- Physically assisting in the body repositioning of a household member;

- Physically assisting a household member to perform range-of-motion exercises;
- And physically assisting a household member with health related needs.

In addition to providing physical assistance with activities of daily living, a domestic worker properly assignable to this new classification may **also** perform functions such as cooking, laundry, shopping, housekeeping, providing transportation or assistance with paperwork or reading.

Revisions to the present phraseologies for codes 0913 and 0908 are concurrently being revised to more clearly differentiate amongst the various types of domestic employees. The newly approved phraseologies for each of the inside domestic employee classifications are shown on the attached sample manual pages, along with miscellaneous revisions necessitated by the implementation of this new classification. Reprinted manual pages will be released in due course.

It is important to note that the premium basis for this new classification will be **payroll** as opposed to the more traditional per capita basis normally associated with domestic classifications.

The initial rates and rating values for this new classification are as follows:

Manual Rate	\$1.00
Minimum Premium	\$155.00
Loss Constant	\$20.00
Expected Loss Rate	\$0.48
D-Ratio	0.25
Hazard Group	II

These changes are applicable to new and renewal policies effective on or after 12:01 a.m., July 15, 1999.

RALPH L. BOWDRIDGE
Vice President

Attachment

RULE XIV - DOMESTIC WORKERS - RESIDENCES

A. DEFINITIONS

1. Inside Domestic Workers

Domestic Workers - Inside are employees engaged exclusively in household or domestic work performed principally inside the residence. Examples include a cook, housekeeper, laundry worker, maid, butler, companion, nurse, babysitter and personal care assistant.

2. Outside Domestic Workers

Domestic Workers - Outside are employees engaged exclusively in household or domestic work performed principally outside the residence. Examples include a private chauffeur and gardener.

3. Occasional Domestic Workers

Domestic Workers - Occasional are domestic workers, inside or outside, who are employed part-time. Any domestic worker employed for more than 1/2 of the calendar year shall be assigned and rated as a full-time domestic worker. Examples of occasional domestic workers are persons engaged on a day-gardener, laundrying or butlering.

B. COVERAGE

Workers Compensation and Employers Liability
Domestic workers are subject to the same obligations of an employer as domestic workers in Massachusetts are subject to the same standard.

Members of the same residence may be insured, but only with respect to the employment of domestic workers in connection with such residence.

D. CLASSIFICATIONS

1. Domestic Workers

The following classifications apply to operations of domestic workers:

<u>Classification</u>	<u>Code</u>
Domestic Workers - Inside - NOC	0913

Applies to those domestic workers, however named, engaged in performing household tasks,

including such things as meal preparation; laundry; shopping; housekeeping and care of the household's infants and children who are not disabled.

Domestic workers, however named, engaged in providing any physical assistance in the activities of daily living to the elderly or to persons who are convalescent, acutely or chronically ill, or physically or mentally disabled shall be assigned to code 0918.

Domestic Workers - Inside - Occasional - NOC 0908

Applies to those domestic workers, however named, engaged in performing household tasks, including such things as meal preparation; laundry; shopping; housekeeping and care of the household's infants and children, who are not disabled.

Domestic workers, however named, engaged in providing any physical assistance in the activities of daily living to the elderly or to persons who are convalescent, acutely or chronically ill, or physically or mentally disabled shall be assigned to code 0918.

Domestic Workers - Inside - Physical Assistance 0918

Applies to those domestic workers, however named, engaged in providing any physical assistance in the activities of daily living to the elderly or to persons who are convalescent, acutely or chronically ill, or physically or mentally disabled.

Domestic Workers - Outside - including private chauffeurs 0912

Domestic Workers - Outside - Occasional - including occasional private chauffeurs 0909

Exception to D.1. above
If commercial farm operations are conducted, Codes 0912 and 0909 do not apply to any

operations at the farm location. Refer to the Farm Classifications in Part Two - Classifications of this manual.

2. Maintenance, Repair or Construction Operations

- a. Codes 0913, 0908, 0912, and 0909, and 0918 include ordinary repair or maintenance of the insured's premises or equipment by domestic workers.
- b. Building maintenance or repair by employees hired only for that purpose shall be assigned to Code 9015 - Buildings - Operation By Owner or Lessee.
- c. Extraordinary repairs, alterations, new construction, erection or demolition of structures shall be assigned to construction or erection classifications.

4. Occasional Domestic Workers

Premium for Codes 0908 and 0909 shall be computed on the estimated total time of all occasional domestic workers who are to be employed during the policy period. Regardless of concurrent employment, a single per capita charge applies for each worker employed during the time which is 1/2 of the total time of each such domestic worker. Additional per capita charge applies to any additional time.

F. MINIMUM PREMIUM

In any policy which provides for classifications, whether aggregated or separated, the highest minimum premium for any classification in the policy.

E. RATES AND PREMIUM

1. Rates

The rates for codes 0913, 0908, 0912, 0909, and 0918 are per capita premium charges. The rate for Code 0918 is payroll-based rates.

2. Records

The insured shall maintain records of the names, duties and per capita service charges for each domestic worker. In addition, records shall be maintained for each code classification for small maintenance and repair records.

3. Full-time Domestic Workers

Premium for codes 0912 and 0913 shall be computed on the estimated number of full-time domestic workers during the policy period. If additional full-time workers under Codes 0912 and 0913 are employed during the policy period or if full-time domestic workers are no longer employed and are not replaced, the per capita premium charges shall be prorated. Each pro rata charge shall be based on the period of employment but shall not be less than 25% of the per capita charge.

