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ARCHIVES DIVISION

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PERMANENT ADMINISTRATIVE ORDER

WCD 3-2023

CHAPTER 436
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
WORKERS' COMPENSATION DIVISION

FILED

10/13/2023 10:30 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Permanent changes to: OAR 436-070, "Workers' Benefit Fund," rules 0003 and 0010

EFFECTIVE DATE: 01/01/2024

AGENCY APPROVED DATE: 10/13/2023

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RULES:

436-070-0003, 436-070-0010

AMEND: 436-070-0003

NOTICE FILED DATE: 08/28/2023

RULE SUMMARY: • Amended rule 0003 includes the effective date for OAR 436-070, and this date will be revised from Jan. 1, 2022 to Jan. 1, 2024.

CHANGES TO RULE:

436-070-0003

Purpose and Applicability ¶¶

(1) Purpose. These rules prescribe the rate of the Workers' Benefit Fund assessment under ORS 656.506 effective Jan. 1, 2024, the method and manner for calculating the assessment rate, and the method and manner in which employers are to pay the assessment.¶¶

(2) Applicability.¶¶

(a) These rules apply to all employers.¶¶

(b) The director may waive procedural rules as justice requires, unless otherwise obligated by statute.

Statutory/Other Authority: ORS 656.506, ORS 656.726(4)

Statutes/Other Implemented: ORS 656.506

AMEND: 436-070-0010

NOTICE FILED DATE: 08/28/2023

RULE SUMMARY: Amended rule 0010 will set the 2024 Workers' Benefit Fund (WBF) assessment rate. The WBF assessment rate will be lowered to 2.0 cents per hour for calendar year 2024.

CHANGES TO RULE:

436-070-0010

Assessment Rate: Method and Manner of Determining ¶¶

(1) The assessment owed by an employer under this rule division and ORS 656.506 must be calculated using the method in OAR 436-070-0020 and based on a rate of 2.20 cents per hour.¶¶

(2) Factors considered by the director in developing the rate include, but are not limited to:¶¶

(a) The estimated annual fund expenditures and revenues;¶¶

(b) The fund balance requirements;¶¶

(c) The estimated annual hours worked per employee;¶¶

(d) The estimated number of employees covered by workers' compensation insurance; and¶¶

(e) Other records relating to fund expenditures and revenues.

Statutory/Other Authority: ORS 656.506, ORS 656.726(4)

Statutes/Other Implemented: ORS 656.506