F. DELAWARE WORKPLACE SAFETY PROGRAM

1. The Effective Date

Delaware Workplace Safety Program effective February 1, 1989. Revised December 1, 2026.

2. Eligibility

Employers are eligible for the Workplace Safety Program if they currently qualify for the uniform experience rating plan or who otherwise qualify for the program pursuant to parameters set by the Insurance Commissioner by regulation. The Delaware Compensation Rating Bureau, or another qualified entity designated by the Department of Insurance, shall test each employer to determine eligibility.

3. Employer Notification

Employers meeting the eligibility requirement will be notified by the Delaware Department of Insurance seven months in advance of renewal date. This notification will inform the employer of the premium credit they are eligible for if attested safe, together with the schedule of inspection costs.

4. Inspection

The cost of each Department of Insurance safety inspection will be borne by the employer. Each work location must pass inspection for the employer to be eligible for premium credit under the Workplace Safety Program. All inspection fees for employers may be established by the Department of Insurance, a fee schedule can be found on the Delaware Department of Insurance website via: insurance.delaware.gov.

5. Employer Action

Once the employer receives their notification of eligibility, the employer must decide to participate in the Workplace Safety Program. This decision must be made no later than five months before their policy renewal. The employer must contact the Delaware Department of Insurance and request an inspection. Inspections will be made by a representative from one of the independent safety expert companies contracted by the Delaware Department of Insurance.

6. Delaware Department of Insurance Action

The Department of Insurance will notify the inspector of the employer’s request. The inspector will then contact the employer to set up the first of two inspections. A second unannounced inspection will be made at some later date to confirm initial certifications of safety in the workplace. Failure to pass this non-scheduled inspection will result in withdrawal of the safety credit.

7. Qualified Employer

The DCRB will be informed when an employer passes the inspection. The DCRB will then record on the experience rating calculation sheet the credit percentage to apply to the renewal policy. Code 9880 is to be used in policy issuance and statistical reporting to record the Workplace Safety Program premium credit, which is to be applied after experience modification and after deviation or schedule rating adjustments but before calculating premium discount and before adding of expense constant.

For Example:

975	Restaurant	$350,000	$4.39	$15,365	
953	Clerical	80,000	0.54	432	
	Sub-Total			15,797	
9898	Experience Modification		0.95	790	Credit
	Sub-Total			15,007	
9887	Schedule Credit 5%			750	Credit
	Sub-Total			14,257	
9880	**Safety Program Credit**			**2,709**	**Credit**
	Sub-Total			11,548	
63	Premium Discount				
	if applicable				
900	Expense Constant				
	if applicable				
9999	Estimated Annual Premium			11,548	

8. Safety Credit Percentages

Safety credits will be granted according to the following formula:

<u>40% x [1.0000 – C]</u>

Where “C” is the credibility of the qualified employer based on the uniform experience rating plan for the policy period expiring immediately prior to the application of the safety credit. Safety credit factors will be rounded to the nearest whole percent.

9. DCRB Rating Values

A Delaware Workplace Safety Program Correction Factor shall be included in loss costs and residual market rates. This factor shall be designed to make the Workplace Safety Program revenue neutral in the aggregate.

10 Appeals

The DCRB’s determination of the percentage credit for an individual risk eligible for the Delaware Workplace Safety Program may be appealed pursuant to Rule XVI, APPEALS FROM APPLICATION OF THE RATING SYSTEM PROCEDURE, Section 1 of this Manual.

G TRUCKERS - INTERSTATE

The payroll of a trucker shall be assigned to a state in which it has a terminal or base of operations. These guidelines are not applicable to dispatching or broker operations.

Example:

A driver/employee resides in State A. His employer/trucker base of operations is in State B. If the driver/employee regularly travels to the terminal or base of operations in State B to load or unload freight or perform other regular work functions, i.e., mechanic, the driver/employee payroll shall be assigned to State B.

When the trucker does not operate from a terminal or base of operations, the state to which the payroll is assigned shall be determined in accordance with the following procedures.