



Minnesota Workers' Compensation
Insurers Association, Inc.
7701 France Avenue South ▪ Suite 450
Minneapolis, MN 55435-3200

July 28, 2009

ALL ASSOCIATION MEMBERS

Circular Letter No. 09-1560

RE: NCCI Item P-1407(A) – Revised Retrospective Rating Plan Endorsements Amended

The Minnesota Department of Commerce has approved the above filing to become effective 12:01 a.m., January 1, 2010, for new and renewal business. The purpose of this filing is to amend the retrospective rating plan endorsements to coincide with NCCI's 2009 edition of the ***Retrospective Rating Plan Manual for Workers Compensation and Employers Liability***.

The rules of the ***Retrospective Rating Plan Manual*** were updated in NCCI Item R-1399. As a result, national retrospective rating plan endorsements were revised in this item to reflect updates made to the national rules. However, there are three current national endorsements that will not change as a result of the manual rewrite and will remain in effect. They are:

- WC 00 05 08 – Retrospective Premium Endorsement Aviation Exclusion
- WC 00 05 09 A – Retrospective Premium Endorsement Changes
- WC 00 05 11 – Retrospective Premium Endorsement Short Form

NCCI Item P-1407(A) also created a new endorsement, WC 00 05 16 – Retrospective Rating Plan Premium Endorsement – Large Risk Alternative Rating Option (LRARO), to be used where LRARO's are applicable. This endorsement was created based on feedback received from carriers on a national level.

A copy of NCCI's original filing memorandum and exhibits is attached to provide additional background information.

If you have any questions regarding this item, please contact our Member & Customer Service's staff by calling 952.897.1737 (Option 1) or by emailing info@mwcia.org.

FILING MEMORANDUM

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

PURPOSE

The purpose of this item is to amend the retrospective rating plan endorsements to coincide with the 2009 edition—*Retrospective Rating Plan Manual for Workers Compensation and Employers Liability Insurance* filed in Item R-1399 to be effective January 1, 2010.

This item revises Item P-1407, which was previously filed in conjunction with Item R-1399. We have identified some inconsistencies between the endorsements filed in Item P-1407 and our retrospective rating plan filing, R-1399. This item corrects those inconsistencies.

BACKGROUND

The rules of the *Retrospective Rating Plan Manual* are being updated in Item R-1399.

As a result, the national retrospective rating plan endorsements are being revised in this item to reflect the updates being made to the national rules.

In addition, the current state-specific endorsements were reviewed, and where possible, language from these endorsements was incorporated into the national endorsements.

PROPOSAL

This item proposes that the national retrospective rating plan endorsements be revised to coincide with the 2009 edition of the *Retrospective Rating Plan Manual* to be effective for new and renewal policies written under a retrospective rating plan effective January 1, 2010. However, there are three current national endorsements that will not change as a result of the manual rewrite and will remain in effect. They are:

- WC 00 05 08—Retrospective Rating Premium Endorsement Aviation Exclusion
- WC 00 05 09 A—Retrospective Rating Premium Endorsement Changes
- WC 00 05 11—Retrospective Rating Premium Endorsement Short Form

The current retrospective rating plan endorsements are located in both the *Retrospective Rating Plan Manual* and the *Forms Manual for Workers Compensation and Employers Liability Insurance*. This filing proposes that the retrospective rating plan endorsements be located in the *Forms Manual* only to eliminate redundancy.

In addition, this item proposes a new endorsement, WC 00 05 16—Retrospective Rating Plan Premium Endorsement—Large Risk Alternative Rating Option (LRARO), to be used where LRAROs are applicable. This endorsement is being introduced based on feedback received from carriers.

The table below provides a listing of the current endorsements, which will be withdrawn, and the new or revised national endorsements being proposed:

Current Endorsement Name and Number	Proposed New Endorsement Name and Number
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FILING MEMORANDUM

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

WC 00 05 03 A—Retrospective Premium Endorsement One Year Plan	WC 00 05 03 B—Retrospective Rating Plan Premium Endorsement One-Year Plan
WC 00 05 04 A—Retrospective Premium Endorsement Three Year Plan	WC 00 05 04 B—Retrospective Rating Plan Premium Endorsement Three-Year Plan
WC 00 05 05 A—Retrospective Premium Endorsement Long-Term Construction Project	WC 00 05 05 B—Retrospective Rating Plan Premium Endorsement Wrap-Up Construction Project
WC 00 05 10—Retrospective Premium Endorsement Non-Ratable Catastrophe Element or Surcharge	WC 00 05 10 A—Retrospective Rating Plan Premium Endorsement Nonratable Catastrophe Element or Surcharge
WC 00 05 12 A—Retrospective Premium Endorsement One-Year Plan-Multiple Lines	WC 00 05 12 B—Retrospective Rating Plan Premium Endorsement One-Year Plan—Multiple Lines
WC 00 05 13 A—Retrospective Premium Endorsement Three-Year Plan-Multiple Lines	WC 00 05 13 B—Retrospective Rating Plan Premium Endorsement Three-Year Plan—Multiple Lines
WC 00 05 14 A—Retrospective Premium Endorsement Long-Term Construction Project-Multiple Lines	WC 00 05 14 B—Retrospective Rating Plan Premium Endorsement Wrap-Up Construction Project—Multiple Lines
WC 00 05 15—Retrospective Premium Endorsement—Flexibility Options	WC 00 05 15 A—Retrospective Rating Plan Premium Endorsement—Flexibility Options
N/A	WC 00 05 16—Retrospective Rating Plan Premium Endorsement—Large Risk Alternative Rating Option (LRARO)

IMPACT

There will be no premium impact as a result of the proposed new endorsements for the new 2009 edition of the **Retrospective Rating Plan Manual**. We anticipate that the new endorsements, along with the new manual, will enhance the understanding of the rules and procedures related to workers compensation insurance policies written under a retrospective rating plan.

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FILING MEMORANDUM

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

IMPLEMENTATION

The attached exhibits outline the changes required to the national retrospective rating plan endorsements, which will be located in NCCI's *Forms Manual of Workers Compensation and Employers Liability Insurance*.

Below is a summary of the exhibits included in this filing package:

- **Exhibits 1–8** contains the revisions to the current national retrospective rating plan endorsements
- **Exhibit 9** contains the new national endorsement, WC 00 05 16—Retrospective Rating Plan Premium Endorsement—Large Risk Alternative Rating Option (LRARO)
- **Exhibits 10–11** contains the withdrawal of state-specific endorsements, if applicable

If applicable, when language from a state-specific endorsement is being incorporated into a national endorsement, the state-specific endorsement will be withdrawn. There are no new state-specific endorsements created as a result of the revisions to NCCI's 2009 edition of the *Retrospective Rating Plan Manual*.

This item will be effective at 12:01 a.m. on January 1, 2010, applicable to new and renewal voluntary policies.

Exceptions:

- In Hawaii, the effective date is determined upon regulatory approval of the individual carrier's election to adopt this change.
- In Virginia, this item will become effective for policies on and after 12:01 a.m. on January 1, 2010.

This item is being filed concurrently with Item R-1399—2009 Edition—Retrospective Rating Plan Manual for Workers Compensation and Employers Liability Insurance. The implementation of this item is conditional on concurrent approval of Item R-1399.

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ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 1**FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE****RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT ONE-YEAR PLAN WC 00 05 03 ~~A-B~~**

This endorsement is added to Part Five (Premium) because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy and any policy listed in the Schedule. The rating plan period is the one-year period beginning with the effective date of this endorsement.

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period if you had not chosen a retrospective rating plan premium rating, but with two exceptions. Standard premium does not include the expense constant charge or the premium discount credit the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premium shown in the Schedule, the basic premium will be recalculated. The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services
 - Insurance charge

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

3. Incurred losses are all amounts we pay or estimate we will pay for losses, interest on judgements, expenses to recover against third parties, and employers liability loss adjustment expenses. This

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 1 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

includes paid and outstanding losses (including any reserves set on open claims). If the allocated loss adjustment expense (ALAE) option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements or any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
4. ~~A converted incurred losses is an incurred loss multiplied by a percentage called the loss-conversion factor.~~ are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses. The loss conversion factor is shown in the Schedule.
5. ~~Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium, and converted incurred losses, and any elective elements. The percentage is called the tax multiplier. It varies by state and by federal and non-federal classifications. The tax multipliers are shown in the Schedule.~~

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

1. The election of a loss limitation means that the amount of incurred loss to be included in the retrospective rating plan premium is limited to an amount called the loss limitation. The loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by state, by classification, and by the amount of the loss limitation. If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule.

2. The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium, and is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective development factor. ~~Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

Retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 1 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, ~~and taxes~~, plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum ~~nor~~ more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

D. ~~Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all loss information we have as of a date six months after the rating plan period ends and annually thereafter. ~~We will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of a retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

E. ~~Work in Other Insureds Operating in More Than One States~~

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation of a Policy Under a Retrospective Rating Plan

1. ~~If any insurance subject to the policy to which this endorsement is attached is cancelled, the effective date of the cancellation will become the end of the rating plan period of all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.~~
2. ~~If other policies listed in the Schedule of this endorsement are cancelled, the effective date of cancellation will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.~~
3. ~~2.~~ If we cancel for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to 365 days, and will include all of the applicable retrospective rating plan factors shown in the Schedule.
4. ~~3.~~ If you cancel, the standard premium for the rating plan period will be increased by our short rate table and procedure. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 1 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

The short rate premium will be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to 365 days.

- 5. ~~4.~~ Section F-~~34.~~ will not apply if you cancel because:
 - a. ~~a~~All work covered by the insurance is completed;
 - b. ~~a~~All interest in the business covered by the insurance is sold; ~~or,~~
 - c. ~~y~~You retire from all business covered by the insurance.

Schedule

1. Other policies subject to this Retrospective Rating Plan Premium Endorsement _____

2. Loss Limitation: \$ _____

3. Loss Conversion Factor _____

Minimum Retrospective Rating Plan Premium Factor _____

Maximum Retrospective Rating Plan Premium Factor _____

4. The basic premium factors shown here are based on estimates of standard premium. If the actual standard premium is within the range of estimated standard premiums shown here, the basic premium factor will be obtained by linear interpolation to the nearest one-tenth of 1%. If the actual standard premium is not within the range of estimated standard premiums, shown below, the basic premium factor will be recalculated.

	50%	100%	150%
Estimated Standard Premium:	\$ _____	\$ _____	\$ _____
Basic Premium Factor:	_____	_____	_____

5. The tax multipliers, excess loss premium factors, and retrospective development factors, and the states where they apply, are shown in the Table of States.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 1 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

TABLE OF STATES

State	Excess Loss Premium Factors		Tax Multiplier		Retrospective Development Factors		
	State (Other than "F" Classes)	Federal ("F" Classes Only)	State (Other than "F" Classes)	Federal ("F" Classes Only)	1st	2nd	3rd

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 2
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT THREE-YEAR PLAN WC 00 05 04-A-B

This endorsement is added to Part Five (Premium) because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy, any policy listed in the Schedule, and the renewals of each. The rating plan period is the three-year period beginning with the effective date of this endorsement.

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period if you had not chosen a retrospective rating plan premium rating, but with two exceptions. Standard premium does not include the expense constant charge or the premium discount credit the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premium shown in the Schedule, the basic premium will be recalculated. The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services
 - Insurance charge

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

3. Incurred losses are all amounts we pay or estimate we will pay for losses, interest on judgements, expenses to recover against third parties, and employers liability loss adjustment expenses. This

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 2 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

includes paid and outstanding losses (including any reserves set on open claims). If the allocated loss adjustment expense (ALAE) option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements and any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
4. ~~A Converted incurred losses is an incurred loss multiplied by a percentage called the loss-conversion factor are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses. The loss conversion factor is shown in the Schedule.~~
5. Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium and converted incurred losses and any elective elements. The percentage is called the tax multiplier. It varies by state and by ~~F~~federal and non-~~F~~federal classifications. The tax multipliers or an average tax multiplier are shown in the Schedule. Tax multipliers may change during the rating plan period. Changes will be shown by endorsement.

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

1. The election of a loss limitation means that the amount of incurred loss to be included in the retrospective rating plan premium is limited to an amount called the loss limitation. The loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by state, by classification, and by the amount of the loss limitation. If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule. Excess loss premium factors may change during the retrospective rating plan policy period. Changes will be shown by endorsement.

2. The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium, and is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective development factor. ~~Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 2 (CONT'D)****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

Retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, ~~and taxes,~~ plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum ~~nor~~ more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

D. ~~Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all loss information we have as of a date six months after the rating plan period ends and annually thereafter. ~~We will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of a retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

We may make interim calculations of retrospective rating plan premium for the first year and the first two years of the rating plan period. We will use all loss information we have as of a date six months after the end of each of these periods.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

E. ~~Work in Other~~ Insureds Operating in More Than One States

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation and Nonrenewal of a Policy Under a Retrospective Rating Plan

1. If ~~any insurance subject to the policy to which~~ this endorsement is attached is cancelled or is not renewed, the effective date of the cancellation or nonrenewal will become the end of the rating plan

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 2 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

period for all insurance subject to this endorsement ~~unless we agree with you, by endorsement, to continue the rating plan period.~~

2. If the other policies listed in the Schedule of this endorsement are cancelled or not renewed, the effective date of cancellation or nonrenewal will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.
3. ~~2.~~ If we cancel or do not renew for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating period, increased pro rata to three years (1,095 days), and will include all of the applicable retrospective rating plan factors shown in the Schedule.
4. ~~3.~~ If you cancel or do not renew, the standard premium for the rating plan period will be increased by our short rate table and procedure. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

The short rate premium will be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to three years (1,095 days).

5. ~~4.~~ Section F.3.4. will not apply if you cancel or do not renew because:
 - a. ~~a.~~ All work covered by the insurance is completed;
 - b. ~~b.~~ All interest in the business covered by the insurance is sold; or,
 - c. ~~c.~~ You retire from all business covered by the insurance.

Schedule

1. Other policies subject to this Retrospective Rating Plan Premium Endorsement

2. Loss Limitation: \$

3. Loss Conversion Factor

Minimum Retrospective Rating Plan Premium Factor

Maximum Retrospective Rating Plan Premium Factor

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 2 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

4. The basic premium factors shown here are based on estimates of standard premium. If the actual standard premium is within the range of estimated standard premiums shown here, the basic premium factor will be obtained by linear interpolation to the nearest one-tenth of 1%. If the actual standard premium is not within the range of estimated standard premiums, shown below, the basic premium factor will be recalculated.

	50%	100%	150%
Estimated Standard Premium:	\$ _____	\$ _____	\$ _____
Basic Premium Factor:	_____	_____	_____

5. The tax multipliers, excess loss premium factors, and retrospective development factors, and the states where they apply, are shown in the Table of States.

TABLE OF STATES

State	Excess Loss Premium Factors		Tax Multiplier		Retrospective Development Factors		
	State (Other than "F" Classes)	Federal ("F" Classes Only)	State (Other than "F" Classes)	Federal ("F" Classes Only)	1st	2nd	3rd

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 3

FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT—~~LONG TERM WRAP-UP~~ CONSTRUCTION PROJECT WC 00 05 05 ~~A B~~

This endorsement is added to Part Five (Premium) because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy, any policy listed in the Schedule, and the renewals of each. The rating plan period is the duration of the wrap-up construction project described on the Information Page, beginning with the effective date of this endorsement.

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period if you had not chosen a retrospective rating plan premium rating, ~~but with two exceptions~~. Standard premium does not include ~~the expense constant charge or the premium discount credit~~ the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. ~~The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premium shown in the Schedule, the basic premium will be recalculated.~~ The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services
 - Insurance charge

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 3 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

- Incurred losses are all amounts we pay or estimate we will pay for losses, interest on judgements, expenses to recover against third parties, and employers liability loss adjustment expenses. This includes paid and outstanding losses (including any reserves set on open claims). If the allocated loss adjustment expense (ALAE) option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements or any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
- ~~A Converted incurred losses is an incurred loss multiplied by a percentage called the loss conversion factor. are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses. The loss conversion factor is shown in the Schedule.~~
 - Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium, ~~and converted incurred losses, and any elective elements.~~ The percentage is called the tax multiplier. It varies by state and by ~~Federal and non-Federal~~ federal and non-federal classifications. The tax multipliers or an average tax multiplier are shown in the Schedule. Tax multipliers may change during the rating plan period. Changes will be shown by endorsement.

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

- The election of a loss limitation means that the amount of incurred loss to be included in the retrospective rating plan premium is limited to an amount called the loss limitation. The loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by state, by classification, and by the amount of the loss limitation. If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule. Excess loss premium factors may change during the retrospective rating plan policy period. Changes will be shown by endorsement.

- The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium, and is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 3 (CONT'D)****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

~~development factor. Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

Retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, ~~and taxes,~~ plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum ~~nor~~ more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

~~D. Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all loss information we have as of a date six months after the rating plan period ends and annually thereafter. ~~We will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of the retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

We may make interim calculations of retrospective rating plan premium for the first year and the first two years of the rating plan period. We will use all loss information we have as of a date six months after the end of each of these periods.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

~~E. Work in Other~~ Insureds Operating in More Than One States

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation and Nonrenewal of a Policy Under a Retrospective Rating Plan

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 3 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

1. ~~If any insurance subject to the policy to which this endorsement is attached is cancelled or is not renewed, the effective date of the cancellation or nonrenewal will become the end of the rating plan period of all insurance subject to this endorsement, unless we agree with you, by endorsement, to continue the rating plan period.~~
2. If other policies listed in the Schedule of this endorsement are cancelled or not renewed, the effective date of cancellation or nonrenewal will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.
3. ~~2.~~ If we cancel or do not renew because of for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, plus the estimated standard premium from the end of the rating plan period to the estimated project completion date, and will include all of the applicable retrospective rating factors shown in the Schedule.
4. ~~3.~~ If you cancel or do not renew, the standard premium for the rating plan period will be increased by our short rate table and procedure. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

The short rate premium will be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period plus the estimated standard premium from the end of the rating plan period to the estimated project completion date.

5. Section F-34. will not apply if you cancel or do not renew because:
 - a. ~~All work covered by the insurance is completed;~~
 - b. ~~All interest in the business covered by the insurance is sold; or,~~
 - c. ~~You retire from all business covered by the insurance.~~

Schedule

1. Other policies subject to this Retrospective Rating Plan Premium Endorsement

2. Loss Limitation: \$

3. Loss Conversion Factor

Minimum Retrospective Rating Plan Premium Factor

Maximum Retrospective Rating Plan Premium Factor

4. The basic premium factors shown here are based on estimates of standard premium. If the actual standard premium is within the range of estimated standard premiums shown here, the basic premium factor will be obtained by linear interpolation to the nearest one-tenth of 1%. If the actual standard premium is not within the range of estimated standard premiums, shown below, the basic premium factor will be recalculated.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 3 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

	50%	100%	150%
Estimated Standard Premium:	\$ _____	\$ _____	\$ _____
Basic Premium Factor:	_____	_____	_____

5. The tax multipliers, excess loss premium factors, and retrospective development factors, and the states where they apply, are shown in the Table of States.

TABLE OF STATES

State	Excess Loss Premium Factors		Tax Multiplier		Retrospective Development Factors		
	State (Other than "F" Classes)	Federal ("F" Classes Only)	State (Other than "F" Classes)	Federal ("F" Classes Only)	1st	2nd	3rd

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 4

FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

**RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT NON-RATABLE CATASTROPHE
ELEMENT OR SURCHARGE WC 00 05 10 A**

This endorsement is issued because you chose to have the cost of the insurance rated retrospectively. This endorsement changes the ~~R~~retrospective rating plan ~~P~~premium endorsement attached to the policy.

1. Standard premium excludes the portion of the premium that is determined by the application of a non-ratable catastrophe element in a rate or a non-ratable catastrophe surcharge required by our manuals. The classification codes involving such premiums are listed in the Schedule below.
2. Incurred losses do not include:
 - a. ~~T~~The cost in excess of the two most costly claims arising out of an accident involving two or more persons under a classification code for which our manuals contain a non-ratable catastrophe element.
 - b. ~~L~~osses involving passenger employees, other than members of the flying crew, if the losses result from the crash of an aircraft described on the Aircraft Premium Endorsement.

Catastrophe provisions, as described in our manuals, are included in the total policy premium, but excluded from the standard premium used in a retrospective rating plan premium.

Schedule

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 5****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE****RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT ONE-YEAR PLAN—MULTIPLE LINES
WC 00 05 12 ~~A B~~**

This endorsement is issued because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined. For workers compensation and employers liability insurance, this endorsement refers to Part Five (Premium) of that policy.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy, and any policy listed in the Schedule. The rating plan period is the one-year period beginning with the effective date of this endorsement.

The final premium for the policies designated in the Schedule is the sum of:

1. ~~The premium for the insurance subject to a retrospective rating plan as shown in the Schedule and~~ computed/calculated as explained in this endorsement and referred to as the retrospective rating plan premium, and
2. ~~The premium for the insurance not subject to a retrospective rating plan as shown in the Schedule and~~ computed/calculated in accordance with the provisions of such policies other than this endorsement.

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period ~~for the insurance subject to retrospective rating if you had not chosen a retrospective rating plan premium rating, but with exceptions.~~ Standard premium does not include ~~the expense constant charge or the premium discount credit or any other expense modification.~~ the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. ~~The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the schedule, the basic premium will be recalculated.~~ The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services
 - Insurance charge

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

3. Incurred losses are all amounts we pay or estimate we will pay for losses ~~and~~ for the following expenses:
- a. ~~p~~remiums on bonds paid for by the company in accordance with the provisions of the policies, except that this will not apply for workers compensation, employers liability, or auto physical damage insurance;
 - b. ~~i~~interest payable in accordance with the provisions of the policy, except that this will not apply for auto physical damage insurance;
 - c. ~~a~~allocated loss adjustment expenses (ALAE), except that this will apply for auto liability, general liability, and employers liability insurance only;
 - d. ~~e~~expenses incurred in seeking recovery against a third party under the insurance subject to retrospective rating, except that this will apply for workers compensation and employers liability insurance only if recovery is obtained against the third party.

Incurred losses include paid and outstanding losses (including any reserves set on open claims). For workers compensation and employers liability insurance, if the ALAE option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements or any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
4. ~~A converted incurred losses is an incurred loss multiplied by a percentage called the loss conversion factor.~~ Converted incurred losses are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses. The loss conversion factor is shown in the Schedule.
5. Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium, converted incurred losses, and any elective elements. The percentage is called the tax multiplier. It varies by state and by line of insurance. For workers compensation and employers liability insurance, it varies by ~~F~~federal and non-~~F~~federal classifications. The tax multipliers are shown in the Schedule.

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

1. The election of a loss limitation means that the amounts of incurred loss to be included in the retrospective rating plan premium are limited to an amount called the loss limitation. For workers compensation and employers liability insurance, the loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

For other lines of insurance, the loss limitation applies separately to each accident or occurrence, either by line of insurance or to a combination of these lines of insurance, as shown in the Schedule.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by line of insurance and by the amount of the loss limitation. For workers compensation and employers liability insurance, these factors also vary by state ~~and, classification, and by the amount of the loss limitation.~~ If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule.

2. The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium for workers compensation and employers liability insurance, and the first four calculations for auto liability and general liability. This premium is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective development factor. ~~Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

For workers compensation and employers liability insurance, retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. For general liability and automobile liability insurance, retrospective development factors vary by first, second, third, and fourth calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, ~~and taxes,~~ plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum nor more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

D. ~~Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all ~~incurred losses information~~ we have as of a date six months after the rating plan period ends and annually thereafter. ~~With respect to workers compensation and employers liability insurance, we will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of a retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 5 (CONT'D)****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

E. ~~Work in Other~~ Insureds Operating in More Than One States

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation of a Policy Under a Retrospective Rating Plan

1. If ~~any insurance subject to the policy to which this endorsement is attached~~ is cancelled, the effective date of the cancellation will become the end of the rating plan period of all insurance subject to this endorsement, ~~to continue the rating plan period.~~
2. If other policies listed in the Schedule of this endorsement are cancelled, the effective date of cancellation will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.
3. ~~2.~~ If we cancel for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to 365 days, and will include all of the applicable retrospective rating plan factors shown in the Schedule.
4. ~~3.~~ If you cancel, the standard premium for the rating plan period will be ~~calculated according to the increased by our short rate cancellation table and~~ procedure for workers compensation and employers liability insurance and the applicable cancellation procedure for other lines of insurance. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

~~This~~ ~~The minimum~~ short rate retrospective rating plan premium will ~~also~~ be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to 365 days.

5. ~~4.~~ Section F-~~3-4.~~ will not apply if you cancel because:
 - a. ~~a~~ All work covered by the insurance is completed;
 - b. ~~a~~ All interest in the business covered by the insurance is sold; ~~or,~~
 - c. ~~y~~ You retire from all business covered by the insurance.

Schedule

Premium Subject to Retrospective Rating Plan, Loss Limitations, Loss Conversion Factors, State Tax Multipliers, Excess Loss Premium Factors, Retrospective Development Factors—

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

1. The premium for the following policies combined is to be ~~computed~~calculated in accordance with the provisions of this Retrospective Rating Plan Premium Endorsement:

List of Policies

2. The retrospective rating plan does not apply to the premium for policies

in the states of

3. The retrospective rating plan does not apply to the premium for ~~Uninsured Motorist~~ insurance if afforded under the policies designated in paragraph 1.

4. The premium for the general liability and automobile liability insurance afforded under policies designated in paragraph 1 above for insurance in excess of the limits of liability stated below will not be subject to retrospective rating. State the dollar amount of the limit of liability and the manner in which it applies.

Coverage

Limit of Liability

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

_____	\$	_____
_____	\$	_____
_____	\$	_____
_____	\$	_____

The incurred losses to be included in ~~computing~~ calculating the premium for the insurance subject to retrospective rating plan will not include that portion of the losses actually paid and the reserves for unpaid losses that is in excess of the limits of liability stated above, but that part of the incurred losses consisting of premiums on bonds, interest payable in accordance with the provisions of the policy, allocated loss adjustment expenses, and expenses incurred in seeking recovery against a third party will not be subject to such limits.

5. Workers Compensation and Employers Liability
Loss Limitation is \$ _____

6. Combination Loss Limitation of \$ _____ is the overall limit on the incurred losses arising out of any one accident or occurrence for the following combination of insurance.

7. If the combination loss limitation does not apply, for general liability, auto liability, auto physical damage, or theft insurance, specify the loss limitation that applies separately to each accident or occurrence:

Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____

8. Loss Conversion
Factor is _____

9. Minimum Retrospective Rating Plan Premium Factor is _____
Maximum Retrospective Rating Plan Premium Factor is _____

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

10. The basic premium factors shown here are based on estimates of standard premium. If the actual standard premium is within the range of estimated standard premiums shown here, the basic premium factor will be obtained by linear interpolation to the nearest one-tenth of 1%. If the actual standard premium is not within the range of estimated standard premiums, shown below, the basic premium factor will be recalculated.

	50%	100%	150%
Estimated Standard Premium:	\$ _____	\$ _____	\$ _____
Basic Premium Factor:	_____	_____	_____

TABLE OF STATES

11.A State	Excess Loss Premium Factors		Tax Multiplier	
	Workers Compensation and Employers Liability		Workers Compensation and Employers Liability	
	State (Other than "F" Classes)	Federal ("F" Classes Only)	State (Other than "F" Classes)	Federal ("F" Classes Only)

11.B State	Excess Loss Premium Factors			Tax Multiplier		
	General Liability	Automobile Liability	Automobile Physical Damage	General Liability	Automobile Liability	Automobile Physical Damage

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 5 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

11.B	Excess Loss Premium Factors			Tax Multiplier		
State	General Liability	Automobile Liability	Automobile Physical Damage	General Liability	Automobile Liability	Automobile Physical Damage

12.A	Retrospective Development Factors		
State	Workers Compensation and Employers Liability		
	1st	2nd	3rd

12.B	Retrospective Development Factors							
State	General Liability				Automobile Liability			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 6****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE****RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT THREE-YEAR PLAN—MULTIPLE LINES
WC 00 05 13 ~~A B~~**

This endorsement is issued because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined. For workers compensation and employers liability insurance, this endorsement refers to Part Five (Premium) of that policy.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy ~~and~~ any policy listed in the Schedule, and the renewals of each. The rating plan period is the three-year period beginning with the effective date of this endorsement.

The final premium for the policies designated in the Schedule is the sum of:

1. ~~The~~ premium for the insurance subject to a retrospective rating plan as shown in the Schedule and ~~computed~~ calculated as explained in this endorsement and referred to as the retrospective rating plan premium, and
2. ~~The~~ premium for the insurance not subject to a retrospective rating plan as shown in the Schedule and ~~computed~~ calculated in accordance with the provisions of such policies other than this endorsement.

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period ~~for the insurance subject to retrospective rating if you had not chosen a retrospective rating plan premium rating, but with exceptions.~~ Standard premium does not include ~~the expense constant charge or the premium discount credit or any other expense modification.~~ the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is the standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. ~~The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.~~ The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

- Insurance charge

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

- Incurred losses are all amounts we pay or estimate we will pay ~~and for~~ losses for the following expenses:
 - ~~p~~Premiums on bonds paid for by the company in accordance with the provisions of the policies, except that this will not apply for workers compensation, employers liability, or auto physical damage insurance;
 - ~~i~~Interest payable in accordance with the provisions of the policy, except that this will not apply for auto physical damage insurance;
 - ~~a~~Allocated loss adjustment expenses (ALAE), except that this will apply for auto liability, general liability, and employers liability insurance only;
 - ~~e~~Expenses incurred in seeking recovery against a third party under the insurance subject to retrospective rating, except that this will apply for workers compensation and employers liability insurance only if recovery is obtained against the third party;

Incurred losses include paid and outstanding losses (including any reserves set on open claims). For workers compensation and employers liability insurance, if the ALAE option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements or any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
- ~~A~~ Converted incurred losses is an incurred loss multiplied by a percentage called the loss conversion factor. ~~are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses.~~ The loss conversion factor is shown in the Schedule.
 - Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium, converted incurred losses, and any elective elements. The percentage is called the tax multiplier. It varies by state and by line of insurance. For workers compensation and employers liability insurance, it varies by Federal and non-Federal classifications. The tax multipliers or an average tax multiplier are shown in the Schedule. Tax multipliers may change during the rating plan period. Changes will be shown by endorsement.

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

1. The election of a loss limitation means that the amounts of incurred loss to be included in the retrospective rating plan premium are limited to an amount called the loss limitation. For workers compensation and employers liability insurance, the loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident. For other lines of insurance, the loss limitation applies separately to each accident or occurrence, either by line of insurance or to a combination of these lines of insurance, as shown in the Schedule.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by line of insurance and by the amount of the loss limitation. For workers compensation and employers liability insurance, these factors also vary by state ~~and~~ classification, ~~and by the amount of the loss limitation.~~ If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule. Excess loss premium factors may change during the policy period. Changes will be shown by endorsement.

2. The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium for workers compensation and employers liability insurance, and the first four calculations for auto liability and general liability. This premium is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective development factor. ~~Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

For workers compensation and employers liability insurance, retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. For general liability and automobile liability insurance, retrospective development factors vary by first, second, third, and fourth calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, ~~and taxes,~~ plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum ~~nor~~ more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

D. ~~Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all ~~incurred losses information~~ we have as of a date six months after the rating plan period ends and annually thereafter. ~~With respect to~~

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 6 (CONT'D)****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

~~workers compensation and employers liability insurance, we will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of the retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

We may make interim calculations of retrospective rating plan premium for the first year and the first two years of the rating plan period. We will use all ~~incurred losses~~ information we have as of a date six months after the end of each of these periods.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

E. ~~Work in Other Insureds Operating in More Than One States~~

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation and Nonrenewal of a Policy Under a Retrospective Rating Plan

1. ~~If any insurance subject to the policy to which this endorsement is attached is cancelled or is not renewed, the effective date of the cancellation or nonrenewal will become the end of the rating plan period of all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.~~
2. If other policies listed in the Schedule of this endorsement are cancelled or not renewed, the effective date of cancellation or nonrenewal will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.
3. ~~2.~~ If we cancel or do not renew for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to three years (1,095 days), and will include all of the applicable retrospective rating factors shown in the Schedule.
4. ~~3.~~ If you cancel or do not renew, the standard premium for the rating plan period will be calculated according to the increased by our short rate cancellation table and procedure for workers compensation and employers liability insurance and the applicable cancellation procedure for other lines of insurance. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

~~This~~ The short rate minimum retrospective rating plan premium will be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, increased pro rata to three years (1,095 days).

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

- 5. ~~4.~~ Section F.3.4. will not apply if you cancel or do not renew because:
 - a. ~~a~~ All work covered by the insurance is completed;
 - b. ~~a~~ All interest in the business covered by the insurance is sold; ~~or,~~
 - c. ~~y~~ You retire from all business covered by the insurance.

Schedule

Premium Subject to Retrospective Rating Plan, Loss Limitations, Loss Conversion Factors, State Tax Multipliers, Excess Loss Premium Factors, Retrospective Development Factors—

- 1. The premium for the following policies combined is to be ~~computed~~ calculated in accordance with the provisions of this Retrospective Rating Plan Premium Endorsement:

List of Policies

- 2. The retrospective rating plan does not apply to the premium for policies

in the states of

- 3. The retrospective rating plan does not apply to the premium for ~~U~~ ninsured ~~M~~ motorist ~~I~~ insurance if afforded under the policies designated in paragraph 1.
- 4. The premium for the general liability and automobile liability insurance afforded under policies designated in paragraph 1 above for insurance in excess of the limits of liability stated below will not be subject to retrospective rating. State the dollar amount of the limit of liability and the manner in which it applies.

Coverage

Limit of Liability

<hr/>	\$	<hr/>
<hr/>	\$	<hr/>

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

If aggregate limits of liability are stated above, they will apply separately to each annual period included in the three-year period.

The incurred losses to be included in ~~computing~~ calculating the premium for the insurance subject to retrospective rating will not include that portion of the losses actually paid and the reserves for unpaid losses that is in excess of the limits of liability stated above, but that part of the incurred losses consisting of premiums on bonds, interest payable in accordance with the provisions of the policy, allocated loss adjustment expenses, and expenses incurred in seeking recovery against a third party will not be subject to such limits.

5. Workers Compensation and Employers Liability Loss
Limitation is \$ _____

6. Combination Loss Limitation of \$ _____ is the overall limit on the incurred losses arising out of any one accident or occurrence for the following combination of insurance

7. If the combination loss limitation does not apply, for general liability, auto liability, auto physical damage or theft insurance, specify the loss limitation that applies separately to each accident or occurrence:

Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
TABLE OF STATES (Cont'd)

11.A	Excess Loss Premium Factors		Tax Multiplier	
State	Workers Compensation and Employers Liability		Workers Compensation and Employers Liability	
	State (Other than "F" Classes)	Federal ("F" Classes Only)	State (Other than "F" Classes)	Federal ("F" Classes Only)

11.B	Excess Loss Premium Factors			Tax Multiplier		
State	General Liability	Automobile Liability	Automobile Physical Damage	General Liability	Automobile Liability	Automobile Physical Damage

12.A	Retrospective Development Factors		
State	Workers Compensation and Employers Liability		
	1st	2nd	3rd

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 6 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

12.B	Retrospective Development Factors							
	General Liability				Automobile Liability			
State	1st	2nd	3rd	4th	1st	2nd	3rd	4th

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 7****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE****RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT ~~LONG TERM WRAP-UP~~ CONSTRUCTION PROJECT—MULTIPLE LINES WC 00 05 14 ~~A B~~**

This endorsement is issued because you chose to have the cost of the insurance rated retrospectively. This endorsement explains the rating plan and how the retrospective rating plan premium will be determined. For workers compensation and employers liability insurance, this endorsement refers to Part Five (Premium) of that policy.

This endorsement applies in the states listed in the Schedule. It determines the retrospective rating plan premium for the insurance provided during the rating plan period by this policy, ~~and any policy listed in the Schedule~~, and the renewals of each. The rating plan period is the duration of the wrap-up construction project described in the declarations or Information Page of such policies, beginning with the effective date of this endorsement.

The final premium for the policies designated in the Schedule is the sum of:

1. ~~The premium for the insurance subject to a retrospective rating plan as shown in the Schedule and computed/calculated as explained in this endorsement and referred to as the retrospective rating plan premium, and~~
2. ~~The premium for the insurance not subject to a retrospective rating plan as shown in the Schedule and computed/calculated in accordance with the provisions of such policies other than this endorsement.~~

The amount of retrospective rating plan premium depends on five standard elements and two elective elements.

A. Retrospective Rating Plan Premium Standard Elements

The five standard elements are explained here.

1. Standard premium is the premium we would charge during the rating plan period ~~for the insurance subject to retrospective rating if you had not chosen a retrospective rating plan premium rating, but with exceptions.~~ Standard premium does not include ~~the expense constant charge, the premium discount credit or any other expense modification.~~ the following elements and any other elements excluded based on our manuals:
 - Premium discount
 - Expense constant
 - Premium resulting from the nonratable element codes
 - Premium developed by the passenger seat surcharge under Classification Code 7421
 - Premium developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Premium developed by the catastrophe provisions as outlined in our manuals
2. Basic premium is less than standard premium. It is standard premium multiplied by a percentage called the basic premium factor. The basic premium factor varies depending on the total amount of standard premium. ~~The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.~~ The basic premium factor includes:
 - General administration costs of the carrier
 - Cost of loss control services

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

- Insurance charge

The basic premium factor does not cover premium taxes or claims adjustment expenses. Those elements are usually provided for in the tax multiplier and the loss conversion factor.

The Schedule shows a range of basic premium factors for differing amounts of estimated standard premium. The actual basic premium factor will be determined after the standard premium is determined. If earned standard premium is not within the range of the estimated standard premiums shown in the Schedule, the basic premium will be recalculated.

- Incurred losses are all amounts we pay or estimate we will pay ~~and for~~ losses for the following expenses:
 - ~~pp~~ Premiums on bonds paid for by the company in accordance with the provisions of the policies, except that this will not apply for workers compensation, employers liability₁ or auto physical damage insurance~~;~~
 - ~~ii~~ Interest payable in accordance with the provisions of the policy, except that this will not apply for auto physical damage insurance~~;~~
 - ~~aa~~ Allocated loss adjustment expenses (ALAE), except that this will apply for auto liability, general liability₁ and employers liability insurance only~~;~~
 - ~~ee~~ Expenses incurred in seeking recovery against a third party under the insurance subject to retrospective rating, except that this will apply for workers compensation and employers liability insurance only if recovery is obtained against the third party~~;~~

Incurred losses include paid and outstanding losses (including any reserves set on open claims). For workers compensation and employers liability insurance, if the ALAE option is elected, then incurred losses will include ALAE.

Note: The rating formula for incurred losses will not include a loss for the following elements and any other elements excluded from our manuals:

- Resulting from the nonratable element codes
 - Developed by the passenger seat surcharge under Classification Code 7421
 - Developed by the occupational disease rates for employers subject to the Federal Coal Mine Safety and Health Act
 - Developed by the catastrophe provisions as outlined in our manuals
- ~~A C~~ Converted incurred losses is an incurred loss multiplied by a percentage called the loss conversion factor. ~~are based on the incurred losses for a policy or policies to which the retrospective rating plan applies. A loss conversion factor is applied to incurred losses to produce the converted incurred losses.~~ The loss conversion factor is shown in the Schedule.
 - Taxes are a part of the premium we collect. Taxes are determined as a percentage of basic premium~~and~~₁ converted incurred losses, and any elective elements. The percentage is called the tax multiplier. It varies by state and by line of insurance. For workers compensation and employers liability insurance, it varies by ~~F~~ federal and non-~~F~~ federal classifications. The tax multipliers or an average tax multiplier are shown in the Schedule. Tax multipliers may change during the rating plan period. Changes will be shown by endorsement.

B. Retrospective Rating Plan Premium Elective Elements

Two other elements are included in determining retrospective rating plan premium if you elected to include them. They are the excess loss premium for the loss limitation and the retrospective development premium. They are explained here.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

1. The election of a loss limitation means that the amounts of incurred loss to be included in the retrospective rating plan premium are limited to an amount called the loss limitation. For workers compensation and employers liability insurance, the loss limitation applies separately to each person who sustains bodily injury by disease and separately to all bodily injury arising out of any one accident. For other lines of insurance, the loss limitation applies separately to each accident or occurrence, either by line of insurance or to a combination of these lines of insurance, as shown in the Schedule.

The charge for this loss limitation is called the excess loss premium. Excess loss premium is a percentage of standard premium multiplied by the loss conversion factor. The percentage is called the excess loss premium factor. ~~Taxes are added to excess loss premium just as they are for other elements of retrospective premium.~~

Excess loss premium factors vary by line of insurance and by the amount of the loss limitation. For workers compensation and employers liability insurance, these factors also vary by state ~~and~~ classification, and by the amount of the loss limitation. If you chose this elective element, the loss conversion factor, the loss limitation, the excess loss premium factors, and the states where they apply are shown in the Schedule. Excess loss premium factors may change during the policy period. Changes will be shown by endorsement.

2. The retrospective development element is used to help stabilize premium adjustments. The premium for this element is charged with the first three calculations of a retrospective rating plan premium for workers compensation and employers liability insurance, and the first four calculations for auto liability and general liability. This premium is called the retrospective development premium. It is a percentage of standard premium multiplied by the loss conversion factor. The percentage of standard premium is called the retrospective development factor. ~~Taxes are added to retrospective development premium just as they are for other elements of retrospective premium.~~

For workers compensation and employers liability insurance, retrospective development factors vary by state, by electing a loss limitation, and by first, second, and third calculations of retrospective rating plan premium. For general liability and automobile liability insurance, retrospective development factors vary by first, second, third, and fourth calculations of retrospective rating plan premium. If you chose this elective element, the retrospective development factors are shown in the Schedule.

C. Retrospective Rating Plan Premium Formula

Insurance policies listed in the Schedule will be combined with this policy to calculate the retrospective rating plan premium. If the policies provide insurance for more than one insured, the retrospective rating plan premium will be determined for all insureds combined, not separately for each insured.

1. Retrospective rating plan premium is the sum of basic premium, converted losses, plus the excess loss premium and retrospective development premium elective elements if you chose them. This sum is multiplied by the applicable tax multiplier shown in the Schedule.
2. The retrospective rating plan premium will not be less than the minimum nor more than the maximum retrospective rating plan premium. The minimum and maximum retrospective rating plan premiums are determined by applying the minimum and maximum retrospective rating plan premium factors, shown in the Schedule, to the standard premium.
3. If this endorsement applies to more than one policy or state, the standard premium will be the sum of the standard premiums for each policy and state.

D. ~~Premium Calculations and Payments~~ Calculation of Retrospective Rating Plan Premium

1. We will calculate the retrospective rating plan premium using all ~~incurred losses information~~ we have as of a date six months after the rating plan period ends and annually thereafter. ~~With respect to~~

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED**EXHIBIT 7 (CONT'D)****FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

~~workers compensation and employers liability insurance, we will have the calculations verified by the appropriate rate service organization at your request.~~

We may make a special valuation of the retrospective rating plan premium as of any date that you are declared bankrupt or insolvent, make an assignment for the benefit of creditors, are involved in reorganization, receivership, or liquidation, or dispose of all your interest in work covered by the insurance. You will pay the amount due to us if the retrospective rating plan premium is more than the total standard premium as of the special valuation date.

We may make interim calculations of retrospective rating plan premium for the first year and the first two years of the rating plan period. We will use all ~~incurred losses~~ information we have as of a date six months after the end of each of these periods.

2. After any calculation of retrospective rating plan premium, you and we may agree that it is the final calculation. ~~No other calculation will be made unless there is clerical error in the final calculation.~~
3. After each calculation of the retrospective rating plan premium, you will pay promptly the amount due us, or we will refund the amount due you. Each insured is responsible for the payment of all standard premium and retrospective rating plan premium calculated under this endorsement.

E. ~~Work in Other Insureds Operating in More Than One States~~

If any of the policies provide insurance in a state not listed in the Table of States, and if you begin work in that state during the retrospective rating plan period, this endorsement will apply to that insurance if this retrospective rating plan applies in that state on an interstate basis. The retrospective rating plan premium standard elements, and the elective elements you chose, will be determined by our manuals for that state, and added to the Schedule by endorsement.

F. Cancellation and Nonrenewal of a Policy Under a Retrospective Rating Plan

1. ~~If any insurance subject to the policy to which this endorsement is attached is cancelled or is not renewed, the effective date of the cancellation will become the end of the rating plan period of all insurance subject to this endorsement, unless we agree with you, by endorsement, to continue the rating plan period.~~
2. If other policies listed in the Schedule of this endorsement are cancelled or not renewed, the effective date of cancellation or nonrenewal will become the end of the rating plan period for all insurance subject to this endorsement unless we agree with you, by endorsement, to continue the rating plan period.
3. ~~2.~~ If we cancel or do not renew for nonpayment of premium, the maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, plus the estimated standard premium from the end of the rating plan period to the estimated project completion date, and will include all of the applicable retrospective rating factors shown in the Schedule.
4. ~~3.~~ If you cancel or do not renew, the standard premium for the rating plan period will be calculated according to the increased by our short rate table and cancellation procedure for workers compensation and employers liability insurance and the applicable cancellation procedure for other lines of insurance. This short rate premium will be the minimum retrospective rating plan premium and will be used to determine the basic premium.

~~This~~ The short rate minimum retrospective rating plan premium will be used to determine the excess loss premium and retrospective development premium if you chose these elective elements.

EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE

The maximum retrospective rating plan premium will be based on the standard premium for the rating plan period, plus the estimated standard premium from the end of the rating plan period to the estimated project completion date.

5. ~~4.~~ Section F.~~34.~~ will not apply if you cancel or do not renew because:
- a. ~~a~~All work covered by the insurance is completed;
 - b. ~~a~~All interest in the business covered by the insurance is sold; ~~or,~~
 - c. ~~y~~You retire from all business covered by the insurance.

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

Schedule

Premium Subject to Retrospective Rating Plan, Loss Limitations, Loss Conversion Factors, State Tax Multipliers, Excess Loss Premium Factors, Retrospective Development Factors—

- 1. The premium for the following policies combined is to be ~~computed~~calculated in accordance with the provisions of this Retrospective Rating Plan Premium Endorsement:

List of Policies

- 2. The retrospective rating plan does not apply to the premium for policies

in the states of

- 3. The retrospective rating plan does not apply to the premium for ~~Uninsured Motorist~~ insurance if afforded under the policies designated in paragraph 1.

- 4. The premium for the general liability and automobile liability insurance afforded under policies designated in paragraph 1 above for insurance in excess of the limits of liability stated below will not be subject to retrospective rating. State the dollar amount of the limit of liability and the manner in which it applies.

Coverage

Limit of Liability

_____	\$	_____
_____	\$	_____
_____	\$	_____
_____	\$	_____
_____	\$	_____

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

If the aggregate limits of liability are stated above, they will apply separately to each annual period included in the duration of the construction project.

The incurred losses to be included in ~~computing~~ calculating the premium for the insurance subject to retrospective rating plan will not include that portion of the losses actually paid and the reserves for unpaid losses that is in excess of the limits of liability stated above, but that part of the incurred losses consisting of premiums on bonds, interest payable in accordance with the provisions of the policy, allocated loss adjustment expenses, and expenses incurred in seeking recovery against a third party will not be subject to such limits.

5. Workers Compensation and Employers Liability Loss Limitation is \$ _____

6. Combination Loss Limitation of \$ _____ is the overall limit on the incurred losses arising out of any one accident or occurrence for the following combination of insurance.

7. If the combination loss limitation does not apply, for general liability, auto liability, auto physical damage or theft insurance, specify the loss limitation that applies separately to each accident or occurrence:

Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____
Loss Limitation for _____	insurance is \$ _____

8. Loss Conversion Factor is _____

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

11.B State	Excess Loss Premium Factors			Tax Multiplier		
	General Liability	Automobile Liability	Automobile Physical Damage	General Liability	Automobile Liability	Automobile Physical Damage

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 7 (CONT'D)
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE**

12.A	Retrospective Development Factors		
State	Workers Compensation and Employers Liability		
	1st	2nd	3rd

12.B	Retrospective Development Factors							
State	General Liability				Automobile Liability			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th

ITEM P-1407(A)—REVISED RETROSPECTIVE RATING PLAN ENDORSEMENTS AMENDED

**EXHIBIT 8
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT—FLEXIBILITY OPTIONS WC 00 05 15 A**

This endorsement is added to Part Five (Premium) because you chose to have the cost of the insurance rated retrospectively.

The ~~R~~retrospective rating plan ~~P~~premium endorsement attached to the policy is changed by the selection of one or more of the options information shown below in the Schedule.

Schedule

1. Incurred losses are changed to include allocated loss adjustment expense in these states:

2. The correctly calculated basic premium factor for 100% of the estimated standard premium shall be used without linear interpolation, for each calculation of retrospective premium.

3. Each calculation of retrospective rating plan premium will use all loss information we have as of a date agreed to by you and us.

EXHIBIT 9
FORMS MANUAL OF WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE
RETROSPECTIVE RATING PLAN PREMIUM ENDORSEMENT—LARGE RISK ALTERNATIVE RATING
OPTION (LRARO) WC 00 05 16

This endorsement is issued because you chose to have the cost of the insurance rated retrospectively. This endorsement applies only to workers compensation and employers liability insurance when rated under the provisions of the Large Risk Alternative Rating Option that we have negotiated with you.

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MINNESOTA FORMS MANUAL

The following forms and endorsements in this Minnesota Forms Manual have been approved by the Minnesota Commerce Department and are available for use in Minnesota.

- Introduction
- Workers' Compensation and Employers Liability Insurance Policy Rules
- WC 00 00 00 A Workers Compensation and Employers Liability Insurance Policy
- WC 00 01 01 A Defense Base Act Coverage Endorsement
- WC 00 01 04 A Federal Employers' Liability Act Coverage Endorsement
- WC 00 01 06 A Longshore and Harbor Workers' Compensation Act Coverage Endt.
- WC 00 01 08 A Nonappropriated Fund Instrumentalities Act Coverage Endorsement
- WC 00 01 09 A Outer Continental Shelf Lands Act Coverage Endorsement
- WC 00 01 11 Migrant and Seasonal Agricultural Worker Protection Act Coverage Endorsement
- WC 00 02 01 A Maritime Coverage Endorsement
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- WC 00 03 01 A Alternate Employer Endorsement
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- WC 00 03 03 C Employers Liability Coverage Endorsement
- WC 00 03 04 Insurance Company as Insured Endorsement
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- WC 00 03 09 B Rural Utilities Service Endorsement
- WC 00 03 10 Sole Proprietors, Partners, Officers and Others Coverage Endorsement
- WC 00 03 11 A Voluntary Compensation and Employers Liability Coverage Endt.
- WC 00 03 13 Waiver of Our Right to Recover from Others Endorsement
- WC 00 04 01 A Aircraft Premium Endorsement
- WC 00 04 03 Experience Rating Modification Factor Endorsement
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- WC 00 04 10 Premium Determination Endorsement — Former Self-Insurers 2
- WC 00 04 12 Contingent Experience Rating Modification Factor Endorsement
- WC 00 04 14 Notification of Change in Ownership Endorsement
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- WC 00 04 22 A Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement
- WC 00 05 03 B Retrospective Rating Plan Premium Endorsement — One Year Plan
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- WC 00 05 08 Retrospective Rating Premium Endorsement Aviation Exclusion
- WC 00 05 09 A Retrospective Rating Premium Endorsement Changes
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- WC 00 05 11 Retrospective Rating Premium Endorsement Short Form
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- WC 00 05 14 B Retrospective Rating Plan Premium Endorsement ~~Long Term~~ Wrap-Up Construction Project — Multiple Lines
- WC 00 05 15 A Retrospective Rating Plan Premium Endorsement ~~Flexibility Options~~ Losses Redefined To Include Allocated Loss Adjustment Expense (ALAE)
- WC 00 05 16 Retrospective Rating Plan Premium Endorsement — Large Risk Alternative Rating Option (LRARO)
- WC 00 06 03 Benefits Deductible Endorsement
- WC 89 06 09 B Policy Termination/Cancellation/Reinstatement Notice
- WC 22 00 00 A Minnesota Amendatory Endorsement
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- WC 22 03 05 Minnesota Exclusion of Coverage for Leased Employees Endorsement
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- WC 22 04 01 Minnesota Contracting Premium Adjustment Program Endorsement
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- WC 22 06 01 D Minnesota Cancellation and Nonrenewal Endorsement
- WC 22 06 02 Minnesota Policy Information Page Endorsement Insured's Name
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