

9444 – Public Employer Clerical & Clerical Telecommuter Employees

This code applies to Ohio public employers whose employees meet the definition of clerical or clerical telecommuter under the Ohio Administrative Code (OAC) 4123-17-08

The phraseology for 9444 will change January 1, 2023. This change will:

- Allow public employers to report clerical and clerical telecommuter employees separately from the operations employees.
- Create consistency between PEC and Private Employers when reporting wages for clerical type employees.
- Create consistency for premium purposes as the base rate for PEC class code 9444 will reflect lower exposures as with the Private Employer class code 8810 and 8871.

With this change in phraseology for 9444 there will be an impact to each PE classification that included clerical and clerical telecommuter employees. All PE classifications will be updated to remove these types of employees from its phraseology. For example, effective January 1, 2023, 9430 will read “County Employees: All Employees & Salesperson, Drivers”.

Who is reportable to 9444?

The scope for 9444 is clear that only employees that meet the definition of clerical and clerical telecommuter under 4123-17-08 are reportable to 9444.

Class code 9444 will be assigned when all the following conditions are met:

Duties

Duties must be limited to one or more of the following work activities:

- Creation or maintenance of employer records, correspondence, computer programs, files.
- Drafting.
- Telephone duties, including telephone sales.
- Data entry or word processing.
- Copy or fax machine operations, unless the insured is in the business of making copies or faxing for the public.
- General office work similar in nature to the above.

Site

- Code 9444 - the duties above must take place in a workstation that is separated from the operative hazards of:
 - Factories.
 - Stores;
 - Shops;
 - Construction sites;
 - Warehouses;
 - Yards;

- Any other work areas such as:
 - Work or service areas.
 - Areas where inventory is located.
 - Areas where products are displayed for sale.
 - Areas to which the purchaser customarily brings the product from another area for payment.
- Work stations or service areas as described in paragraph (B)(2)(a)(ii)(a) of this rule must be physically separated by:
 - Floors.
 - Walls.
 - Partitions.
 - Counters.
 - Other physical barriers that protect the clerical employee from the operating hazards of a business.
- Telecommuter - the duties above must take place in a clerical work area located within the home of the clerical employee. It must be separate and distinct from the location of the employer.

Other requirements

- Employees who otherwise meet the requirements for clerical will not be disqualified from assignment to this classification if they perform certain incidental duties directly related to that employee's duties in the office. These duties include:
 - Depositing of funds in a bank.
 - Pickup or delivery of mail.
 - Purchase of office supplies.
 - Entering an area exposed to the operative hazards of the business for clerical purposes, such as delivering paychecks.
- Employees who otherwise meet the requirements for clerical will be disqualified from assignment to this classification if their duties involve:
 - Outside sales or outside representatives.
 - Direct supervision of non-clerical employees not performed in an eligible site. This means if the individual supervises employees in the following worksite, that individual is **not** eligible for 9444.
 - Factories.
 - Stores;
 - Shops;
 - Construction sites;
 - Warehouses;
 - Yards;
 - Any other work areas such as:

- Work or service areas.
 - Areas where inventory is located.
 - Areas where products are displayed for sale.
 - Areas to which the purchaser customarily brings the product from another area for payment.
- Physical labor.
- Any work exposed to the operative hazards of the business, such as a stock or tally clerk, that is necessary, incidental, or related to any operations of the business other than a clerical office.

Are public employers required to use 9444?

No, if the public employer chooses not to maintain proper payroll records to take advantage of 9444 for its clerical and clerical telecommuter employees, it can report 100% of its payroll to the operations code. For example, if a county classified to 9430 chooses not to allocate the payroll based on duties it can report 100% of the payroll to 9430, the highest rated classification. This is standard classification reporting requirements.