

MEMORANDUM

DATE: June 16, 2021

TO: Local Workforce Development Board Executive Directors

FROM: Keantha B. Moore, Administrator, Bureau of One-Stop and Program Support *Keantha B. Moore*

SUBJECT: Workers' Compensation Coverage

Florida law requires the Florida Department of Economic Opportunity (DEO) to provide workers' compensation for adults and youth participating in work experience programs. Section 445.009(11), Florida Statutes states:

A participant in an adult or youth work experience activity administered under this chapter shall be deemed an employee of the state for purposes of workers' compensation coverage. In determining the average weekly wage, all remuneration received from the employer shall be considered a gratuity and the participant is not entitled to any benefits otherwise payable under Florida Statutes Section 440.15, regardless of whether the participant may be receiving wages and remuneration from other employment with another employer and regardless of his or her future wage-earning capacity.

DEO provides an updated Certificate of Coverage each year. The attached certificate is valid through July 1, 2022.

AmeriSys is the state's workers' compensation provider. To report a work-related injury, employees should call AmeriSys at 1-800-455-2079. The employee will be asked to provide a four-digit code to identify the program area of the injured employee. The location code for which workers' compensation coverage is required for any adult or youth in a WIOA-funded work experience activity is 2306. The location code for Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) participants is 2305.

Local Workforce Development Boards (LWDBs) must track the number of participants and the number of hours that each participant is engaged in a work experience activity for which workers' compensation coverage is required and report it to DEO. Hours for SNAP and TANF are recorded in the One Stop Service Tracking (OSST) system and are not required to be reported separately. However, work experience hours for all other programs must be reported to DEO by August 15, 2021 for the most recent state fiscal year ending June 30, 2021. LWDBs can either report the

number of participants and number of hours for each program or just report the total number of hours.

DEO will report the information to the Division of Risk Management. Division of Risk Management converts hours worked into full-time equivalents (FTEs) and then uses that number, in addition to an "experience" or "claims history" element, by location code, to equitably distribute the cost of our workers' compensation premium.

LWDBs should include the information from this memorandum in their Local Operating Plans and worksite agreements with work experience providers, as appropriate.

If you have questions, please contact Christa Nelson at Christa.Nelson@deo.myflorida.com or (850) 245-7492.

KBM/cnn

Attachment: [Workers Compensation Certificate of Coverage](#)

cc: Casey Penn
Steven Gustafson
Charles Williams
Lisa Simpson