



**CORCORAN & HAVLIN
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**CORCORAN & HAVLIN
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RISK ADVISOR

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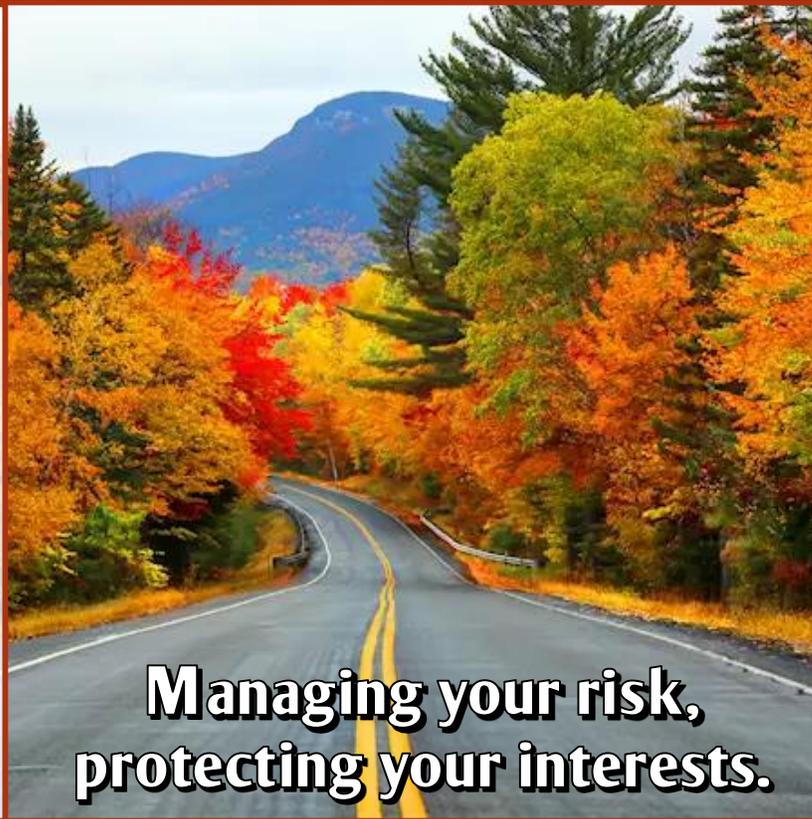
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The Importance of Timely Claims Reporting

Every insurance policy is a contract. One of the critical obligations of an Insured is the responsibility to report any claims, or circumstances that may result in a claim. Failure to do so in a timely manner can result in a claim being denied, or even worse, having the policy voided. Delays in reporting claims can add to higher claims costs, exacerbated losses, and even denials of claims. When you put off reporting a claim, it can also cause increased employee anxiety & unnecessary litigation.

Employers who take the time to evaluate & tweak their reporting processes quickly realize the claims-related costs they can save by continuing this pattern. Claims reported after a longer time has passed are more complex, take longer to close & can delay employees returning to work. The bottom line – early reporting can save you money.



circumstances that a claim may arise from) in a timely fashion. With these policies, there are usually retroactive dates; the policy that was in force when a claim is made is the policy that will respond, regardless of when the negligent act took place. If you are aware of a claim prior to the time your policy renewed & didn't report it, the insurance company can choose to deny the claim. It's irrelevant if the policy has been continuously renewed by one insurance company – the policy excludes it.

Occurrence Based Policies

Other policies are written on an occurrence basis (as opposed to claims-made). This means that the policy in force when the occurrence/accident occurs is the policy that will respond, despite when the claim is made. Timely reporting is not as crucial for these types of policies, but it's still important. If you fail to abide by your policy's conditions, you may endanger your coverage.

Business Personal Property: Are you Adequately Covered?

More than ever, business owners are facing challenges. Small business & national chains are both suffering, and many are realizing (too late) that they don't have the coverage that they need. A recent study shows that 75% of US businesses are underinsured by 40% or more. Commercial Property insurance is designed to cover expenses that result from a loss, or damage to your building or contents. Contents are another way of saying **Business Personal Property (BPP)**. Being aware of your contents, or BPP is essential when deciding how much insurance coverage you should purchase. Some businesses don't pay enough attention to all of their contents, and even underestimate the value of their assets. Then, when a loss occurs, they find out that their company is under-insured. Accurately evaluating your business' assets/contents may take some time & effort, but the financial benefits (in the event of a loss) are more than worth the task.



Getting Started

- Create & maintain an inventory of items & their estimated value (review/update annually)
- Take into account seasonal variabilities in your inventory
- If you have items that leave your commercial space, consider Inland Marine Coverage
- Exclude company-owned vehicles (these have their own policy)
- Contact your **Corcoran & Havlin Account Manager** to discuss your coverages

Checklist

- Computers
- Equipment & Machinery
- Decorations
- Display Racks/Cases
- Fixtures/Furniture/Furnishings
- Merchandise & Inventory
- Office Supplies
- Tools
- Papers/Records/Receipts
- Signage
- Uniforms
- Personal Protective Equipment
- Any other movable, owned items

Revised Rules for Furloughed Employees



The MA DOI has approved the Workers' Compensation Rating & Inspection Bureau of Massachusetts (WCRIBMA) revisions to the manual rules related to the COVID-19 pandemic. Any employee who continues to receive payment during a temporary layoff while not performing any work duties are considered furloughed. If you have any questions regarding furloughed employees, please contact your *Corcoran & Havlin* agent.

Q. A business continues to pay employees during a temporary layoff and these employees are not performing any work duties. Is this payroll included in the premium calculations for workers compensation?

A. Payments to paid furloughed employees who are performing absolutely no work for their employer and are not present on their employer's premises during this period must be assigned to Code 0012. Payments to paid furloughed employees made in accordance with MA Manual Rule V-G-7 are excluded from the premium and experience rating calculations only if the employer keeps separate, accurate, and verifiable entries within the employer's payroll records. If these entries within the employer's payroll records are not maintained, payroll is assigned to the classification for work normally performed by the employee prior to any emergency regulations issued due to the COVID-19 pandemic.

Q. Is there any documentation that the business is required to provide to the insurance company in order to allocate payroll to Code 0012, when a business is making payments to their paid furloughed workers?

A. An employer who is making payments to paid furloughed workers must provide to their workers' compensation carrier, within 60 days of approval date (July 17, 2020) of this rule, a list of all furloughed employees. This should include the employee's normal workers' compensation classification, weekly wage, furloughed date, and anticipated date of return to work.

Q. If an employer has temporarily transitioned to a new business operation due to the suspension of normal business activities caused by the COVID-19 pandemic; do these new operations qualify for the assignment of a secondary business classification?

A. If an employer has temporarily altered their business operations due to the suspension of their normal business activities, as a direct result of the COVID-19 pandemic, the new operations may qualify for a secondary classification. Refer to Rule IV-D.4 to determine if the new operations qualify to be rated separately while normal business operations are interrupted. Once normal business operations resume, appropriate classifications should be applied.

Q. What classifications can be assigned to employees reassigned to work from home?

A. If an employee is working from home, and the employee's duties are now of a clerical nature, the employee's payroll during the pandemic period can be changed to Code 8810 (Clerical Office) as long as the employer maintained separate payroll records for the wages earned for each employee who has undergone this change. If these records were not maintained, the employee's payroll would be assigned to the classification representing their normal duties before the stay at home order. A single employee's payroll may be divided between Classification 8810 and another classification only once during this time period. Once the employee's duties are no longer exclusively clerical in nature, Classification 8810 shall not be assigned.

Q. If a Business was closed due to a Government shutdown can I prorate the Sole Proprietor, Partner, Member of an LLC basis of remuneration amount?

A. Yes. If the business was closed as a result of a Government shutdown, the basis of remuneration for the sole prop, partner or member of an LLC can be prorated for the number of weeks that the business was open for business during the policy period. The auditor should document the files so that it is clear how they arrived at their adjustment.

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Website ADA Compliance & Lawsuits

There has been an increase in lawsuits on behalf of the visually impaired, against owners & operators of websites that have not been optimized for screen-reader technology. You're probably thinking, "What? I can be sued because my business' website is accessible to all?!" The short answer – yes. No industry is immune to these complaints which claim violations against the American with Disabilities Act (ADA). The ADA is a federal law that requires public spaces to be accessible to people with disabilities. In prior years, this mostly only applied to making your business' building accessible. In today's digital work, accessibility takes on a whole new meaning. Online transactions are critical for many people, so accordingly, the ADA has expanded to include website-access lawsuits. **Statistics advocate that the number of lawsuits over inaccessible websites filed in federal courts has nearly tripled over the past couple of years.**

Because there are no governmental rules or procedures for website accessibility, the Web Content Accessibility Guidelines (WCAG) are now widely accepted as the standard. Remember that creating an ADA-compliant website takes time. When you're taking on this project, allow several months – not days. Making your site compliant with the ADA means that all users will feel comfortable on your site and will be able to use it for its intended purpose. In the end, everyone wins.

Here are seven steps toward building a more inclusive site and adopting the WCAG:

Make Website Features Logical

An ADA-compliant website must be understandable to a wide audience. The site should operate in a predictable way and have helpful labels over blocks of content and media. For example, put a clear "x" in the upper corner of a pop-up to show users how to close the window. The site should be built in a way that avoids user error and has readable instructions on all forms where users are expected to enter information.

Evaluate your Current Site

What is the state of your current website? You can use programs like WAVE or Lighthouse to rate your own site, and manually test the site with screen reader software. In order to be ADA-compliant a site must meet standards within **four** categories: Perceivable, Operable, Understandable, & Robust.

Choose the Right Graphics

Being careful on what graphics you choose for your site is a big part of accessibility. When you add graphics, they should not flash more than three times per second. If the flashing is more frequent than that, you could inadvertently induce a seizure in someone who is browsing the page. Graphics should also have a description and/or caption that can be read aloud to the visually impaired.

Make your Site Keyboard Friendly

You want to be sure that your site can be navigated solely with a keyboard. Not all users are able to grip a mouse or interact with a touchscreen. This also relates to the overall navigation. Visitors of your site should be able to pause content or slow down automatic scrolling/slideshow movements. Eliminate any videos that auto-play and have a time-limit. Be sure that all video interactions and pausing can be completed using keyboard functions.



Add Alt-Text & Readable Fonts

It takes a lot of thoughtful choices to make your site perceivable for all potential users. A variety of items fall under the umbrella of 'perception'. You should be sure to provide alt-text for all images in your code (Alt-text captions allow site readers to describe your images audibly). Another crucial component of accessibility – Fonts. You should use fonts that are easy to read & you should avoid putting a light font color on a light background (Example: a color combo of yellow text on a pale background causes people to strain to read it). A similar issue arises with the use of pale fonts on a stark black background. A good rule of thumb for color – Stick to light backgrounds with dark for most of your content.

Code your Site with Standard HTML Tags

The code on your site must use standard HTML tags. You should also provide documents in a text-based format at all times, even when you also provide the PDF version. Documents with complex images can't be understood by software that reads text aloud for visually impaired website users. Most website platforms are actually designed to operate using modern code format.

Remain Up-to-Date on Compliance Changes

ADA needs are ongoing. As new technologies are made available for people with disabilities, they should be accounted for in your web code. It's a good start to make sure the text is easily readable and the code works with assistive readers, but a truly compliant (and usable) ADA-compliant website will adopt new best practices as they emerge.

Agency News

We have exciting news to share with you! Corcoran & Havlin has been selected as the winner of multiple awards. In a year that's been incredibly unpredictable & uncertain, we're more honored than ever to be the recipient of these awards – that were voted on by people like you!

Readers' Choice

Each year, the publication *Wicked Local*, runs the Readers' Choice Awards. For the 17th consecutive year, Corcoran & Havlin has been selected (by you!), as a top Insurance Agency.

Thank you for awarding us:

• **The Gold Award for the #1 Insurance Agency in the Region!** This includes the towns of Wellesley, Needham, & Newton.

- #1 Insurance Agency in **Wellesley**
- #1 Insurance Agency in **Medfield**
- #1 Insurance Agency in **Duxbury**



Hometown Best

Corcoran & Havlin has also, once again received some accolades from the *Hometown Weekly* newspaper.

Once again, you have voted us as your **Blue Ribbon** winner for Top Insurance Agency for the towns of Wellesley & Medfield.

