

OCTOBER 2010 DISABILITY INSURANCE (DI) FUND FORECAST

INTRODUCTION

This report provides the status of the DI Fund and includes information on the current and projected fund balance, receipts, disbursements, and contribution rates for the State Disability Insurance (SDI) program.

The DI program is a component of SDI and provides benefits to workers who are unable to work due to pregnancy or a non-work related illness or injury. California, Rhode Island, New Jersey, New York, Hawaii, plus the Commonwealth of Puerto Rico, are the only states and territories that provide DI for their workforce.

The SDI program includes the Paid Family Leave (PFL) program, which allows California workers to take up to six weeks of paid leave each year to care for a seriously ill child, spouse, parent or domestic partner, or to bond with a new child.

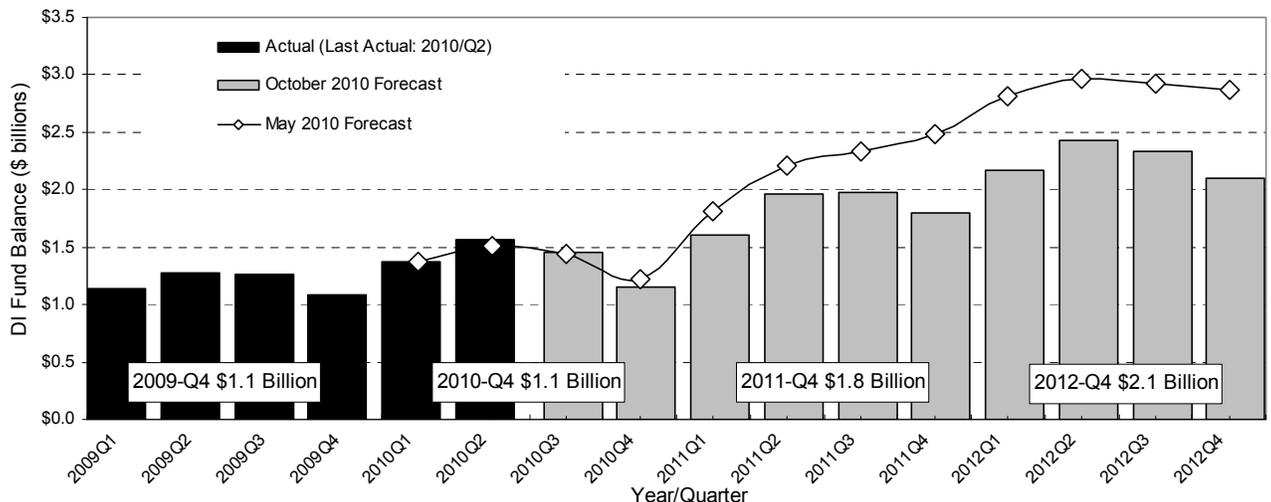
A DI Fund balance ranging from 25 percent to 50 percent of the prior 12 months of disbursements is generally considered adequate to maintain solvency through typical fluctuations in contributions and disbursements. The projected DI Fund adequacy rate is 34 percent for 2011 and 38 percent for 2012.

FUND BALANCE

The DI Fund balance was \$1.1 billion at the end of December 2009. The DI Fund balance is projected to be \$1.1 billion at the end of 2010, \$1.8 billion at the end of

2011, and \$2.1 billion at the end of 2012. The following chart shows the actual and projected quarterly DI Fund balance from 2009 through 2012.

DI Fund Balance 2009 - 2012



The DI Fund balance is projected to be \$1.1 billion at the end of 2010.

NET BENEFITS

Total SDI net benefits, including PFL, were \$4.8 billion for 2009 and are projected to increase to \$4.9 billion in 2010, \$5.0 billion in 2011, and \$5.2 billion in 2012. Net benefits for PFL were \$462.7 million in 2009 and are projected to be \$493.7 million in 2010, \$501.0 million in 2011, and \$520.0 million in 2012.

The projected increases in net benefits are primarily due to projected increases in the average weekly benefit amount (AWBA). The AWBA is projected based on the ratio of net benefits paid to weeks compensated. This trend projects AWBA to increase to \$450 in 2010, \$455 in 2011, and \$462 in 2012. The slight increases are due to the majority of claimants' increases in wages from year to year.

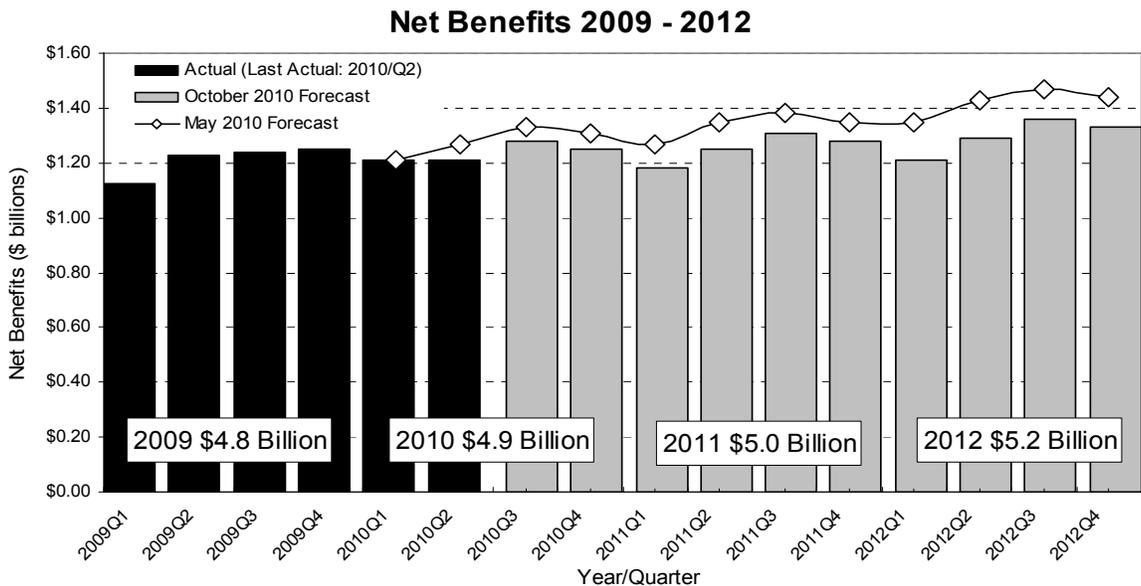
The calculation of the maximum weekly benefit amount (MWBA) is mandated by sections 4453 (a) and 4653 of the California Unemployment Insurance Code. (Refer to page A2 of the Appendix – Weekly Benefit Amount for an explanation of the MWBA.) The MWBA calculation is based on Department of Labor's state average weekly wage data.

The MWBA for 2010 is \$987 and will remain at \$987 in 2011. The MWBA is projected to increase to \$1,002 in 2012.

Net benefits account for a majority of disbursements from the DI Fund. The other disbursements are for administration costs.

The following chart shows actual and projected quarterly SDI benefit payment data, including PFL, from 2009 through 2012.

SDI net benefits are projected to be \$4.9 billion in 2010.



CONTRIBUTIONS

The SDI contributions for 2009 were \$5.2 billion and are projected to remain at \$5.2 billion in 2010, increase to \$5.9 billion in 2011, and decrease to \$5.7 billion in 2012.

The SDI program taxes covered employees up to a ceiling set by Section 985 of the California Unemployment Insurance Code (CUIC). The taxable wage ceiling increased from \$90,669 in 2009 to \$93,316 in 2010 and will remain at \$93,316 in 2011. The taxable wage ceiling is projected to increase to \$94,735 in 2012.

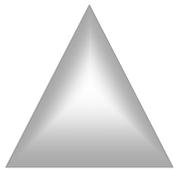
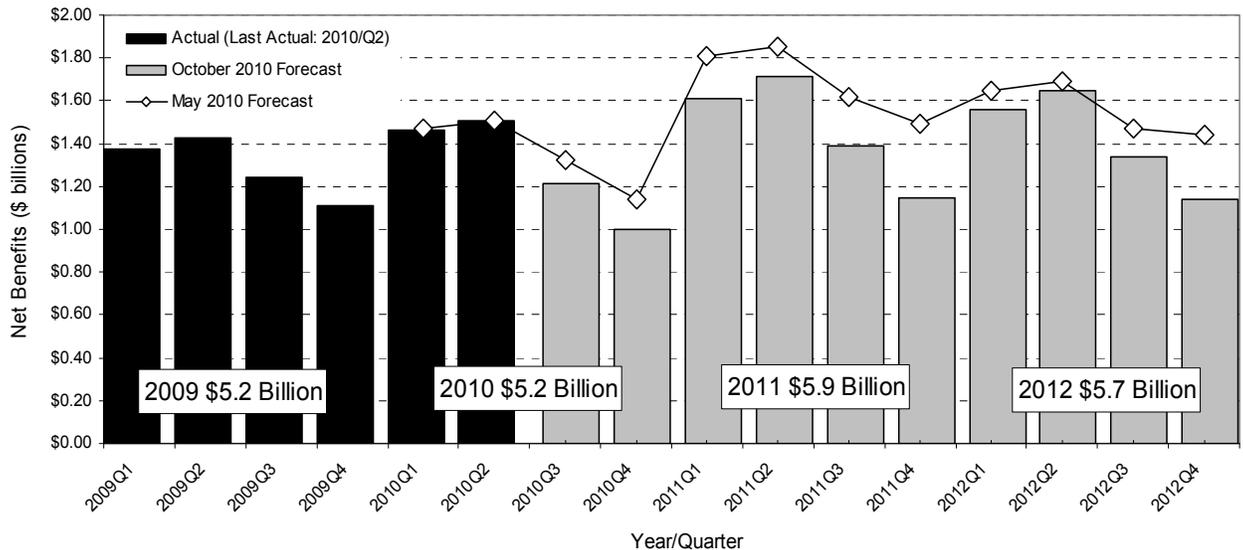
The SDI contribution rate was 1.1 percent in 2009 and remains 1.1 percent in 2010. The SDI contribution rate will be 1.2 percent in 2011 and is projected to decrease to 1.1 percent in 2012.

The statutory formula for calculating the SDI contribution rate helps to maintain an adequate DI Fund balance. (Refer to page A4 of the Appendix - Tax Rate for an explanation of the SDI contribution rate.)

While contributions account for the majority of total receipts to the DI Fund, interest earnings, and other receipts also are included in the DI Fund balance. (Refer to page A1 in the Appendix - Total Receipts for an explanation of all receipts.)

The following chart shows the actual and projected quarterly contributions from 2009 through 2012.

Contributions 2009 - 2012



SDI contributions are projected to be \$5.2 billion in 2010.

DISABILITY INSURANCE FUND
FORECAST FOR CALENDAR YEARS 2010 - 2012

Table 1
(Dollars in millions)

	2009	2010(F)	2011(F)	2012(F)
FUND SUMMARY				
End of Calendar Year Fund Balance	\$1,075.9	\$1,148.8	\$1,797.9	\$2,096.5
FUND EVALUATION				
End of Calendar Year Fund Balance as a percent of Calendar Year Disbursements	21.3%	22.2%	34.0%	38.3%
RECEIPTS AND DISBURSEMENTS				
Receipts Less Disbursements	\$181.5	\$73.0	\$649.1	\$298.7
Total Receipts	\$5,233.1	\$5,251.6	\$5,934.5	\$5,768.7
Net Worker Contributions	\$5,158.8	\$5,178.9	\$5,856.2	\$5,685.4
Interest Income	\$20.3	\$7.5	\$8.2	\$10.8
Other Receipts	\$54.0	\$65.2	\$70.1	\$72.5
Total Disbursements	\$5,051.6	\$5,178.6	\$5,285.4	\$5,470.0
Net Benefits	\$4,843.5	\$4,946.1	\$5,019.8	\$5,204.4
Administration	\$208.3	\$232.5	\$265.6	\$265.6
Miscellaneous Disbursements	(\$0.2)	\$0.0	\$0.0	\$0.0

F) Forecast Last actual data through the second quarter of 2010. Bolded numbers are estimates.

Note: The data in Table 1 includes information related to DI and Paid Family Leave (PFL).
Table 3 provides a display of data related only to PFL.

Components may not add to totals due to independent rounding.

DISABILITY INSURANCE FUND
FORECAST FOR CALENDAR YEARS 2010 – 2012
Table 2

	2009	2010(F)	2011(F)	2012(F)
STATE PLAN CLAIMS DATA ⁽¹⁾				
First Claims Paid (FCP)	655,692	653,100	651,000	664,800
Weeks Paid per FCP	15.7	15.8	15.8	15.8
Weekly Benefit Amount				
Maximum/Minimum	\$959/\$50	\$987/\$50	\$987/\$50	\$1,002/\$50
Average	\$443	\$450	\$455	\$462
COVERED EMPLOYMENT AND WAGES				
Total Average Covered Employment	12,212,350	12,651,768	12,620,339	13,349,328
Average Covered State Plan ⁽²⁾	11,724,158	12,157,527	12,127,325	12,827,836
Average Covered Voluntary Plan	488,192	494,241	493,014	521,491
Total Average Weekly Wage ⁽³⁾	\$1,007	\$957	\$1,014	\$1,016
Average State Plan Wage ⁽³⁾	\$964	\$916	\$971	\$973
Average Voluntary Plan Wage ⁽³⁾	\$2,033	\$1,958	\$2,075	\$2,079
Total Covered Wages	\$641.9 (bil)	\$631.9 (bil)	\$667.9 (bil)	\$707.9 (bil)
Covered State Plan Wages	\$590.1 (bil)	\$581.4 (bil)	\$614.5 (bil)	\$651.3 (bil)
Covered Voluntary Plan Wages	\$51.8 (bil)	\$50.5 (bil)	\$53.4 (bil)	\$56.6 (bil)
State Plan Taxable Wages	\$483.0 (bil)	\$471.3 (bil)	\$495.9 (bil)	\$525.6 (bil)
TAX RATE	1.1%	1.1%	1.2%	1.1% ⁽⁴⁾
TAXABLE WAGE CEILING	\$90,669	\$93,316	\$93,316	\$94,735 ⁽⁵⁾
UNEMPLOYMENT RATE (Civilian)	11.4%	12.2%	11.0% ⁽⁶⁾	10.0% ⁽⁶⁾

(F) Forecast: Last actual data for wages and employment is through the fourth quarter of 2009. Last actual data for other items is through the second quarter of 2010. Bolded numbers are estimates.

- (1) Information in this area does not include PFL. Table 3 provides a display of data related only to PFL.
- (2) Includes state employees covered by DI. Beginning October 2005 state employees in specific bargaining units began paying SDI premiums and became eligible to receive benefits effective April 1, 2006.
- (3) The Average Weekly Wage is calculated using estimated Covered Wages divided by Average Covered Employment divided by 52.2 (weeks per year).
- (4) The projected calculated tax rate of 1.1 percent for 2012 is based on estimated data as of the time this report was prepared. The actual calculation and announcement of the 2012 DI tax rate will be made in October 2011.
- (5) The projected Taxable Wage Ceiling for 2012 is based on estimated data as of the time this report was prepared. The actual Taxable Wage Ceiling for 2012 will be included in the October 2011 DI Fund Forecast.
- (6) Based on the Labor Market Information Division economic outlook of June 2010.

Note: Components may not add to totals due to independent rounding.
(bil) = Amount in billions.

PAID FAMILY LEAVE
FORECAST FOR CALENDAR YEARS 2010 - 2011
Table 3

	2009	2010(F)	2011(F)	2012(F)
PAID FAMILY LEAVE CLAIMS DATA				
First Claims Paid (FCP)	178,642	189,700	188,400	192,600
Weeks Paid per FCP	5.5	5.4	5.4	5.4
Weekly Benefit Amount				
Maximum/Minimum	\$959/\$50	\$987/\$50	\$987/\$50	\$1,002/\$50
Average	\$482	\$492	\$499	\$506
NET BENEFITS	\$462.7 (mil)	\$493.7 (mil)	\$501.0 (mil)	\$520.0 (mil)

(F) Forecast: Last actual data through the second quarter of 2010. Bolded numbers are estimates.

Note: Components may not add to totals due to independent rounding.

(mil) = Amount in millions

A P P E N D I X

STATE DISABILITY INSURANCE (SDI) DEFINITIONS

The following definitions are informational only and arranged in order of their appearance in Tables 1 and 2. The law is the California Unemployment Insurance Code (CUIC). Interpretations of the law are contained in opinions of the Attorney General, administrative and court decisions, and Title 22 of the California Code of Regulations.

TOTAL RECEIPTS

Net Worker Contributions:

This amount represents total worker contributions, less refunds. For example, in 2009, total worker contributions are the amount collected as a result of employers withholding 1.1 percent of all wages for each employee, up to a maximum of \$997.36 (1.1 percent of \$90,669, the taxable wage ceiling). However, if an employee worked for more than one employer, the total withheld in 2009 may exceed \$997.36. The employee would then be eligible for a refund of the amount exceeding \$997.36. Refunds are claimed as a credit on the California personal income tax return. Individuals not required to file personal income tax returns may file for refunds with the Employment Development Department.

Interest Income:

This is interest earned on the State Treasurer's investment of DI funds. At any given time, about 99 percent of the DI Fund is invested. The total amount earned by such investments constitutes interest income.

Other Receipts:

Receipts from Voluntary Plan assessments constitute the largest portion of "Other Receipts." A Voluntary Plan is an approved private plan. It may be substituted for the State Plan if the Voluntary Plan matches the State Plan's benefits, provides at least one greater benefit, and costs the employee no more than the State Plan. Employers and employee groups may establish Voluntary Plans with mutual consent of the employer and a majority of the employees. The Voluntary Plan assessment rate is 14 percent of the DI State Plan contribution rate. In 2010, with the State Plan tax rate at 1.1 percent, Voluntary Plan employers were assessed 0.00154 (14 percent of 0.011) of taxable wages. These assessments are used to reimburse the Disability Fund for the amounts paid for administrative costs arising out of voluntary plan oversight. "Other Receipts" also includes reverted checks, which are monies that were not cashed by the claimant and are deposited back into the Fund.

TOTAL DISBURSEMENTS

Net Benefits:

This is the amount of benefits paid to claimants, less the amount of cancellations, refunds, or liens. Total benefits may be reduced for various reasons, including: death of claimants; repayment by claimants of benefits erroneously claimed; repayments to the DI Fund by other programs; and benefit checks not cashed.

In late 2010, the EDD will be implementing the use of Electronic Benefit Payment (EBP) for disbursing State Disability Insurance benefit payments. The EBP replaces checks written to claimants and ensures a more secure benefit payment process while saving the cost of printing paper checks.

Administration:

All disbursements from the DI Fund that are not benefit payments fall into the administration category. This includes disbursements for salaries, equipment, supplies, rent, and utilities.

Miscellaneous Disbursements:

All miscellaneous adjustments such as Victims Compensation Board payments, 21st Century costs, surcharge fees from the Board of Control Claims and Generally Accepted Accounting Principles (GAAP) reporting costs.

STATE PLAN CLAIMS DATA

First Claims Paid:

These are the first benefit payments mailed to each claimant who has fulfilled non-monetary, monetary, and medical requirements and who has filed a claim certifying the onset of a disability.

Weeks Paid Per First Claims Paid:

The average number of weeks that benefits are paid for each first claim paid.

Weekly Benefit Amount:

This is the amount payable per week for the period of a disability. The maximum weekly benefit amount (MWBA) increases by an amount equal to the percentage increase in the state average weekly wage (SAWW) as compared to the prior year. The MWBA increased from \$959 in 2009 to \$987 in 2010 and since there was no increase in the latest SAWW, the MWBA will remain at \$987 for 2011.

Section 4453 of the Labor Code is amended to read:

4453. (a): ... Commencing on January 1, 2007, ...the limits specified in this paragraph shall be increased by an amount equal to the percentage increase in the state average weekly wage as compared to the prior year. (The) "state average weekly wage" means the average weekly wage paid by employers to employees covered by unemployment insurance as reported by the United States Department of Labor for California for the 12 months ending March 31 of the calendar year preceding the year in which the injury occurred.

The following table compares the MWBA and the average weekly benefit amount (AWBA) for CY 2004 – 2012:

YEAR	MWBA	AWBA
2004	\$728	\$345
2005	\$840	\$373
2006	\$840	\$390
2007	\$882	\$405
2008	\$917	\$421
2009	\$959	\$443
2010	\$987	\$450 (E)
2011	\$987	\$455 (E)
2012	\$1,002 (E)	\$462 (E)

(E) = Estimate

A table in Section 2655 (a) of the CUIC is used for calculating a claimant's weekly benefit amount (WBA) if the base period high quarter wages (HQW) do not exceed \$1,749.20. If the HQW exceeds \$1,749.20, the WBA is equal to 55 percent of the HQW divided by 13; not exceeding the maximum benefit amount, or $((HQW \times .55)/13)$.

COVERED EMPLOYMENT AND WAGES

Total Average Covered Employment:

Employers count the number of employees on their payrolls during the week which includes the 12th day of the month. Quarterly and annual averages are taken from these counts.

Total Average Weekly Wage:

To derive the average weekly wage, total wages are divided by covered employment, and the result is then divided by the number of 5-day work weeks in the period. The number of work weeks varies from 12.8 to 13.2 in a quarter and from 52.0 to 52.4 in a year.

Total Covered Wages:

Covered wages are wages earned by employees subject to the SDI provisions defined in Part 2 of the CUIC. Total covered wages include tips, commissions, bonuses, and the reasonable cash value of all remuneration payable to an employee in any medium other than cash.

State Plan Taxable Wages:

The portion of covered wages from which SDI contributions are taken.

Tax Rate:

The rate at which workers' contributions are determined.

The statutory formula for calculating the SDI Contribution rate considers fund conditions and cost rate with a year-ending date of September 30 as follows:

$$\frac{1.45 \times \text{Disbursements} - \text{Fund Balance}}{\text{State Plan Taxable Wages}}$$

An ad hoc Advisory Committee, comprised of labor and employer representatives, worked with the Department and independent actuaries to develop this experience-based contribution formula to maintain a prudent reserve, reflect benefit costs, and avoid excessive volatility and instability.

The rate of worker contributions shall not exceed 1.5 percent or be less than 0.1 percent. The rate of worker contributions shall not decrease from the rate in the previous year by more than two-tenths of one percent. The Director may, at his or her discretion, increase or decrease, by not to exceed 0.1 percent, the rate of worker contributions determined by the above formula.

Taxable Wage Ceiling:

This is the upper limit of wages in a calendar year subject to SDI contributions. Section 985 of the CUIIC requires the taxable wage ceiling to be four times the MWBA multiplied by 13 and divided by 55 percent: $((4 \times \text{MWBA} \times 13) / .55)$.

From 2000 through 2002, the taxable wage ceiling was \$46,327. The taxable wage ceiling increased to \$56,916 in 2003, to \$68,829 in 2004, to \$79,418 in 2005 and 2006, and to \$83,389 in 2007. The taxable wage ceiling was \$86,698 for 2008 and \$90,669 for 2009. The taxable wage ceiling is \$93,316 for 2010 and will remain at \$93,316 in 2011.

Unemployment Rate (Civilian):

The number of unemployed persons in California expressed as a percentage of the total number of persons in the California civilian labor force.