

State of Alaska Mike Dunleavy, Governor	Alaska Workers' Compensation Division PO Box 115512 Juneau, Alaska 99811-5512		
Department of Labor and Workforce Development	BULLETIN	Number 20-04 (Amended)	Date May 12, 2020
Dr. Tamika L. Ledbetter, Commissioner	SUBJECT REFERENCE	Fines and Civil Penalties AS 23.30.075, 23.30.080, 23.30.255, 23.30.155, 8 AAC 45.176, 8 AAC 45.177	

Notice of Enforcement Suspensions from March 31, 2020 through June 30, 2020 – Emergency Declaration

Following the Governor’s [COVID-19 Disaster Order of Suspension No. 2, Appendix A – Amendment 6](#) as amended May 11, 2020, the Workers’ Compensation Division has made several enforcement adjustments to provide temporary relief for businesses who are struggling due to severe economic impacts related to the public health disaster emergency declaration. **This does not eliminate an employer’s responsibility to provide workers’ compensation coverage under the Alaska Workers’ Compensation Act (AS 23.30).**

The Division of Workers’ Compensation Benefits Guaranty Fund is temporarily suspending collection of penalties for failure to insure and collection of compensation benefits paid by the Benefits Guaranty Fund on behalf of uninsured employees. In addition, the Alaska Division of Workers’ Compensation Special Investigations Unit will temporarily suspend the pursuit of criminal charges for failure to insure for workers’ compensation liability.

The division will also suspend civil fines and late fees for violations of compensation and annual report filings.

This Notice:

1. DOES NOT suspend or waive the requirement for all employers to purchase and maintain workers’ compensation insurance as required under the Alaska Workers’ Compensation Act (AS 23.30);
2. Considers the interests of public safety and the immediate need for emergency relief;
3. Creates no individual rights of action and establishes no precedent for future determinations;
4. Is inapplicable to employers, insurers, and adjusters who are in default.

To provide relief to employers, insurers, and adjusters affected by COVID-19, the agency will suspend actions related to the following through June 30, 2020:

Civil Penalties:

- AS 23.30.155(c) and (m) – civil penalty for late filed annual report and late filed compensation report
- AS 23.30.080(f), AS 23.30.255 and Regulation 8 AAC 45.176 – civil penalty assessed for employer’s violation of AS 23.30.075
- Regulation 8 AAC 45.177 (f) – collection of employer default in the payment of compensation

Criminal Penalties:

- AS 23.30.255 – criminal penalty collection for failure to secure payment of compensation to an injured worker

For additional questions, please contact Velma Thomas about pending collections matters (907-465-2790 or velma.thomas@alaska.gov) or Rhonda Gerharz about pending petitions for failure to insure (907-269-2012 or Rhonda.gerharz@alaska.gov).