



A FAIRFAX Company

VIA EMAIL RSBCovid19PR@insurance.ca.gov

July 27, 2021

Insurance Commissioner Ricardo Lara
California Department of Insurance
Rate Specialist Bureau
300 South Spring Street, 11th Floor
Los Angeles, CA 90013

RE: COVID-19 Premium Relief Report for April – June 2021
Zenith Insurance Company (NAIC #13269)
ZNAT Insurance Company (NAIC #30120)

Dear Commissioner Lara:

Zenith Insurance Company (“ZIC”) and ZNAT Insurance Company (“ZNAT” and together with ZIC, collectively “Zenith”) submit the following information in response to Insurance Commissioner Ricardo Lara’s Bulletins issued on April 13, 2020 (“Bulletin No. 2020-3”), June 25, 2020 (“Bulletin No. 2020-8”), December 3, 2020 (“Amended Bulletin No. 2020-8”) and March 11, 2021 (“Bulletin No. 2021-03”).

Bulletin No. 2020-3 ordered certain insurers to provide premium relief to policyholders who may be overpaying premium due to reduced exposures caused by Governor Gavin Newsom’s shelter-in-place order, and to provide a written report within 60 days describing “all actions taken and contemplated future actions” that were consistent with the Bulletin. Zenith complied with the requirements of Bulletin No. 2020-3 on June 9, 2020.

Bulletin No. 2020-8 extended the directives and reporting requirements of Bulletin No. 2020-3 to include premium relief for the month of June and any subsequent months as conditions warrant. Amended Bulletin No. 2020-8 provided that premium relief provided for the months of September, October, November and December should be submitted no later than February 1, 2021. Zenith complied with Bulletin No. 2020-08, as amended, on January 11, 2021.

Bulletin No. 2021-03 reminded insurers of the continuing obligation to submit reports on a quarterly basis within 30 days following the end of each quarter. In addition, Bulletin 2021-03 requested insurers re-review their premium relief actions from March through December 2020 and return additional premium for policyholders that have been overcharged, particularly in the area of personal auto insurance. Zenith complied with the requirements of Bulletin 2021-03 by submitting both a COVID premium relief report for January – March 2021 and a Supplemental Report for March – December 2020.

Bulletin No. 2021-03 imposes a continuing obligation to report, on a quarterly basis, any COVID-related premium relief.

For the months of April through June 2021, we continued to provide our customers with various policy accommodations on a case-by-case basis. We continue to have a dedicated COVID resource page on our website (www.thezenith.com/zenith/zeniths/covid-19-response) which includes information on the various ways in which we provide assistance. The website explains how to request cancellation relief, policy adjustments and changes in billing arrangements. These accommodations are provided in the ordinary course of business, regardless of reason, and may have been provided to our customers during the reporting period. However, as COVID impacts to payroll have already been reflected in current payroll estimates and the level of business activity has mostly returned to normal levels the number of accommodations requested due to COVID impacts are immaterial, negating the need for separate tracking.

Similar to workers' compensation, we also consider requests for any mid-term adjustments of exposures insured under our commercial auto insurance or commercial liability policies regardless of reason. During this reporting period, we did not receive any requests to readjust exposures under our commercial auto or commercial liability policies.

With the reopening of the state and the fact that many of our customers never shut down in the first place, we do not anticipate, based on current conditions, any future requests for premium relief or mid-term adjustments due to COVID disruption.

About Us

ZIC, and its wholly-owned subsidiary ZNAT, are California-domiciled insurers. Both companies have been serving the insurance needs of California businesses for decades. ZIC and ZNAT both write workers' compensation and employer's liability insurance, our primary line of business in California. In addition to workers' compensation and employer's liability insurance, ZIC also writes the following lines of insurance for risks in the farm and agriculture industries: commercial auto, commercial general liability, commercial multi-peril and commercial property.

About Our Customers

In California, ZIC primarily insures larger individually underwritten customers. ZNAT primarily insures small business customers as part of a safety group program or our general small business template-rating plan. While our workers' compensation insurance policyholders operate in different industries, we are a prominent insurer of agricultural risks in California. In addition, when it comes to commercial property

Commissioner Lara

July 27, 2021

Page 3

and casualty insurance, all of our customers are in the agricultural industry. Because of California's important role in feeding the nation, farm and agricultural risks continued to operate during the pandemic. California Governor Newsom's March 19, 2020 Executive Order No. 33-20 for residents to stay at home during the COVID-19 pandemic exempted food and agriculture workers, as they are members of the federal essential critical infrastructure workforce.¹

Support for All Zenith Customers

Since state governors began to issue shut-down orders over a year ago, Zenith has provided uninterrupted, exceptional care of our policyholders, their business, and their employees.

Premium Deferral and Suspension of Cancellations

Beginning March 18, 2020, we agreed to defer premium, provide additional time to pay and suspend issuing notices of cancellation for policyholders nationwide experiencing financial hardship due to COVID disruption. As of early October 2020, we resumed normal billing, collections and cancellation activity for our customers in all states. However, in the ordinary course of business, we do provide various accommodations such as premium payment plans to policyholders who can demonstrate ongoing financial hardship due to COVID impact.

Dedicated COVID-19 Resource Page and Proactive Communications

We established a dedicated COVID-19 resource page² on www.thezenith.com, which includes information on the various ways we provide assistance to our customers. The website explains how to request cancellation relief, policy adjustments and changes in billing arrangements. Through our COVID-19 resource page, we also provide our customers with access to Zenith resources to help understand and manage emerging COVID-19 employee health and safety issues. These resources include safety and health best practices guides specific to Agriculture and other industries and a sample COVID-19 Infection Prevention Program. We also have provided our policyholders, agents and brokers with various communications to keep them informed of our activities.

Workers' Compensation and Employers Liability Insurance

Workers' compensation insurance policies are self-adjusting by their nature. In the ordinary course of business, policy payrolls are adjusted at inception, mid-term and at final audit to reflect accurate exposure

¹ California Exec. Order No. 33-20 (March 19, 2020) <https://covid19.ca.gov/img/Executive-Order-N-33-20.pdf>

² <https://thezenith.com/zenith/zeniths-covid-19-response>

and premium for all policies. Since an entire year has passed since the beginning of the pandemic, exposures, payroll and premium have been adjusted as policies were renewed. In addition, over half of our total premium is derived from policies that utilize voluntary payroll reporting. Under this billing plan policyholders report their actual payrolls for the month and premium is billed accordingly. As a result, individual customer payroll and premium impacts from COVID-19 are automatically reflected in their monthly billed premiums.

Commercial Auto Insurance

ZIC writes commercial auto insurance in California for risks in the farm and agribusiness industry. Many of our farm and agribusiness industry customers continued to operate during the pandemic as essential businesses. To respond to the unique needs of our agribusiness customers, our commercial auto product provides a rating structure for commercial vehicles used in agribusiness as well our customer's private passenger vehicles. A standard feature of commercial auto policies is the ability to request a lay-up credit to address down time for commercial vehicles not in use. Upon request, coverage for commercial vehicles not in use can be suspended resulting in a lay-up premium credit. We have proactively communicated to our policyholders that they should contact their agents to assess if any policy adjustments should be requested. During the months of April through June of 2021, we did not receive any requests for lay-up credits.

Our private passenger rating is not based on mileage but rather on where the vehicle is garaged and how it is used. Although our rating structure does not provide for adjustment based on miles driven, we did provide in 2020, as a courtesy to our customers, a one-time premium discount of 15%. The discount was applied towards the premium generated by the private passenger vehicles during the period March 19, 2020 to May 31, 2020. We have not continued the premium discount because our exposures are not overstated based on our rating structure and our agribusiness customers have continued to operate during the pandemic.

Commercial General Liability

ZIC writes commercial general liability insurance in California for risks in the farm and agribusiness industry. These policies are rated based on annual receipts and are subject to audit after policy expiration. A policyholder may request, at any time, an adjustment in the basis for rating due to a decline in revenue. We have proactively communicated to our policyholders that they should contact their agents to assess if any policy adjustments should be requested. During the months of April through June of 2021, we did not receive any requests to adjust estimated annual receipts.

Commissioner Lara

July 27, 2021

Page 5

Commercial Multi-Peril

ZIC writes commercial multi-peril insurance in California for risks in the farm and agribusiness industry. As previously stated, farms and agriculture risks have continued to operate since they are exempt from the shelter-in-place order. In addition, this type of insurance is rated based upon acreage and other factors which would not have been affected by COVID-disruption. For the foregoing reasons, ZIC determined that no premium relief was needed for its commercial multi-peril policyholders.

In summary, Zenith is committed to assisting our policyholders and providing equitable relief where needed. Should you have any questions or need additional information, please feel free to contact me at (818) 594-5565 or chelin@thezenith.com.

Sincerely,



Chad Helin
Executive Vice President and General Counsel
Zenith Insurance Company