



Financial Statements  
June 30, 2019 and 2018

## Workforce Safety & Insurance

# WORKFORCE SAFETY & INSURANCE

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## Independent Auditor's Report

To the Governor of North Dakota,  
Legislative Assembly and the  
Board of Directors of Workforce Safety & Insurance  
Bismarck, North Dakota

### Report on the Financial Statements

We have audited the accompanying financial statements of the business-type activities of Workforce Safety & Insurance (WSI), an agency of the State of North Dakota, as of and for the years ended June 30, 2019 and 2018, and the related notes to the financial statements, which collectively comprise Workforce Safety & Insurance's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to WSI's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of WSI's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities of Workforce Safety & Insurance, as of June 30, 2019 and 2018, and the changes in financial position and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### **Emphasis of Matters**

#### *Relationship with the State of North Dakota*

As discussed in Note 1, the financial statements of Workforce Safety & Insurance, an agency of the State of North Dakota are intended to present the financial position, the changes in financial position and cash flows of only that portion of the business-type activities of the State of North Dakota that is attributable to the transactions of Workforce Safety & Insurance. They do not purport to, and do not, present fairly the financial position of the State of North Dakota as of June 30, 2019 and 2018, the changes in its financial position, or its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

### **Other Matters**

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, schedule of employer's share of net pension liability and schedule of employer's contributions, and schedule of employer's postemployment liability and schedule of employer's contributions, and loss development information as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### *Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise Workforce Safety & Insurance's financial statements. The schedule of attorney fees and costs are presented for purposes of additional analysis and are not a required part of the financial statements.

The Schedule of attorney fees and costs are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated October 10, 2019 on our consideration of Workforce Safety & Insurance’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Workforce Safety & Insurance’s internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Workforce Safety & Insurance’s internal control over financial reporting and compliance.

The image shows a handwritten signature in cursive script that reads "Eide Bailly LLP".

Fargo, North Dakota  
October 10, 2019

# **WORKFORCE SAFETY & INSURANCE**

## **MANAGEMENT'S DISCUSSION AND ANALYSIS**

### **YEARS ENDED JUNE 30, 2019 AND 2018**

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Workforce Safety & Insurance (WSI) was established in 1919 with the purpose of providing workers compensation insurance for employers, state agencies and other governmental units working in North Dakota. WSI operates in a manner similar to any other insurance company, but is also an agency of the State of North Dakota. As management of WSI, we offer readers of these financial statements a narrative overview and analysis of WSI's financial activities for the fiscal years ended June 30, 2019, 2018, and 2017. We encourage readers to consider the information presented here in conjunction with the entire financial statement package and the notes to those statements, which follow this section.

WSI is a proprietary fund and uses the accrual basis of accounting. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. WSI, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. WSI is a special government reporting unit for the State of North Dakota and is combined with other similar funds to comprise the enterprise funds of the State of North Dakota.

#### ***Overview of Financial Statements***

WSI's basic financial statements include the 1) balance sheet, 2) statement of revenues, expenses and changes in fund net position, 3) statement of cash flows, and 4) statement of appropriations. The balance sheet provides readers the assets, deferred outflows of resources, liabilities and deferred inflows of resources of the fund, with the difference between the two labeled net position. It also provides the basis for determining the overall financial strength and solvency of the workers compensation fund. The statement of revenues, expenses and changes in fund net position shows the operating performance of WSI for the fiscal year. The statement of cash flows identifies cash flows from operating activities, non-capital financing activities, capital and related financing activities, and investing activities. The statement of cash flows answers questions such as where did the cash come from, what was cash used for, and what was the change in the cash balance during the fiscal year. The statement of appropriations shows WSI's expenditures in relationship to the biennial appropriation approved by the 2017 Legislative Assembly.

WSI's notes to the financial statements provide readers additional information that is essential to a full understanding of data provided in the fund financial statements. The notes can be found on pages 16-44 of this report. In addition to the basic financial statements and accompanying notes, this report also presents required supplemental pension and postemployment liability and contribution schedule, and information concerning WSI's loss development on pages 45-47. Other supplementary information concerning WSI's legal costs can be found on pages 48.

In fiscal year 2019, ceded reinsurance premium had a significant adjustment due to a receipt of a third-party recovery settlement. A commutation settlement agreement was received in the amount of \$50.5 million. See Note 15 for more information.

#### ***Financial Highlights***

Fiscal year 2019 shows increases in earned premiums, incurred losses, number of policyholders and number of filed claims.

## MANAGEMENT'S DISCUSSION AND ANALYSIS

At June 30, 2019, June 30, 2018, and June 30, 2017 coverage extended to the following employers:

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Annual premium \$250 - \$5,000	19,350	18,979	18,315
Annual premium \$5,001 - \$50,000	4,312	4,377	4,997
Annual premium \$50,001 - \$100,000	424	421	480
Annual premium over \$100,000	381	371	432
Total policyholders	<u>24,467</u>	<u>24,148</u>	<u>24,224</u>

North Dakota's active policyholder count increased by 319 policies in fiscal year 2019, ending with a total of 24,467 policies.

### *Condensed Statements of Revenues, Expenses and Changes in Fund Net Position*

REVENUE	<u>2019</u>	<u>2018</u>	<u>2017</u>
<b>OPERATING REVENUE</b>			
Premium -net of discount and reinsurance premium	\$ 237,788,871	\$ 232,018,988	\$ 233,060,185
Subrogation, penalties and finance charges	9,907,894	6,460,687	10,196,692
Building rental revenue	1,530,450	808,630	1,126,446
Other revenue	560,527	254,579	336,995
	<u>249,787,742</u>	<u>239,542,884</u>	<u>244,720,318</u>
<b>NONOPERATING REVENUE</b>			
Earnings on investments - others	137,014,666	103,962,686	152,093,334
Total revenues	<u>386,802,408</u>	<u>343,505,570</u>	<u>396,813,652</u>
<b>EXPENSES</b>			
<b>OPERATING EXPENSES</b>			
Incurred loss	147,666,582	123,838,673	146,856,183
Payroll and employee benefits	23,514,239	23,925,593	23,849,051
Other administrative expense (income)	(417,645)	(1,505,553)	376,370
Pension/OPEB expenses	4,649,184	4,222,053	2,494,363
Bad debt expenses	1,308,987	3,253,872	4,316,928
Depreciation expenses	1,459,046	1,017,092	639,129
	<u>178,180,393</u>	<u>154,751,730</u>	<u>178,532,024</u>
<b>NONOPERATING EXPENSE</b>			
Investment and other expenses	4,047,780	4,049,258	4,385,117
Dividend expense	115,189,458	111,369,772	71,230,308
	<u>119,237,238</u>	<u>115,419,030</u>	<u>75,615,425</u>
Total expenses	<u>297,417,631</u>	<u>270,170,760</u>	<u>254,147,449</u>
Change in net position	<u>\$ 89,384,777</u>	<u>\$ 73,334,810</u>	<u>\$ 142,666,203</u>

## MANAGEMENT'S DISCUSSION AND ANALYSIS

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WSI's financial position remains stable. Earned premium net of discounts and reinsurance totaled \$238 million, \$232 million, and \$233 million for fiscal years 2019, 2018, and 2017, respectively.

Written premium for fiscal year 2019 totals \$262.2 million, an increase of 2.62% from the fiscal year 2018 total of \$255.5 million. The fiscal year 2018 total of \$255.5 million was a 3.23% increase from 2017's total of \$247.3 million.

In fiscal year 2019, WSI's investment portfolio yielded a year to date return of 6.87% (net of fees), with a gain of \$137.0 million before expenses. The year-to-date return for fiscal years 2018 and 2017 was 5.34% and 8.29%, respectively. WSI's average investment return for the five year period ending June 30, 2019 is 5.45% and the average ten year rate of return is 7.82%. WSI's estimated reserve liabilities are currently discounted at 4.5%. Effective for fiscal year 2019, WSI reduced the discount rate for reserve liabilities from 5% to 4.5% which resulted in an increase in liabilities of \$44.3 million.

WSI re-entered the Securities Lending arena in fiscal year 2016. Total income for fiscal year 2019 was \$145 thousand with related expense \$29 thousand, compared to fiscal year 2018 which had earnings of \$200 thousand with related expense of \$40 thousand, and fiscal year 2017 which had earnings of \$185 thousand with related expense of \$37 thousand.

In fiscal year 2019, the WSI Board of Directors recommended issuing a 50% dividend credit in accordance with North Dakota Century Code (NDCC) 65-04-02. The Governor of North Dakota approved this recommendation. This dividend credit is estimated to be \$110 million and will be applied to renewing policyholders in good standing in accordance with NDCC 65-04-02. This is comparable to the 50% dividend credit declared in fiscal year 2018 and fiscal year 2017. The dividend credits for fiscal year 2018 and 2017 were estimated at \$105 million each. WSI issued dividend credits in fourteen of the past fifteen years, totaling approximately \$1.4 billion.

WSI's premium billings are estimated annually based upon the employer's prior year's estimated payroll. At the end of each year, payroll reports are submitted and reviewed for accuracy. The billing is then adjusted to reconcile with actual prior year payroll reports. As estimates are reconciled to actual amounts and premiums are adjusted, dividend estimates that were derived from estimated premium are also adjusted.

The estimated dividend credit declared in June of 2018 was estimated to be \$105 million. This estimate was increased by \$9 million in fiscal year 2019, as there were fewer cancelled policies and reported decreases in payroll than anticipated. The total adjustments for policies and premium audit adjustments for fiscal year 2018 policies recorded in fiscal year 2019 was \$14.6 million, compared to the adjustments from the prior year of \$3.5 million.

The estimated dividend credit declared in June of 2017 was \$105 million dollars. The fiscal year 2017 dividend credit estimate was increased in fiscal year 2018 by \$13 million, as there were fewer cancelled policies and reported decreases in payroll than anticipated.

Incurred loss and LAE increased from the prior year. The total for fiscal year 2019 was \$147.6 million, an increase of \$24 million or 19% compared to the \$123.8 million recorded in fiscal year 2018. The fiscal year total of \$123.8 million was a decrease of \$23 million or 16% less than the \$146.8 million reported in fiscal year 2017. The current increase is attributed to the reduction in the discount rate from 5% to 4.5%.

Incurred loss includes both reported loss as identified by in-house claim adjusters, and unreported loss estimated by independent actuaries. Actuarial estimates are based on historical trends of ultimate losses and various methodologies, dependent upon benefit type. The actuarial loss report is reviewed annually as part of the financial audit.



## MANAGEMENT'S DISCUSSION AND ANALYSIS

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The number of total claims filed in fiscal year 2019 is 19,913. This is an increase of 45 from the previous fiscal year 2018 total of 19,830. The fiscal year 2018 total decreased by 215 claims, about 1% less than the total claims filed in fiscal year 2017 of 20,045.

As the State's economy has slowed overall, debt collection has improved. WSI continues to contract with Access Receivables, a third-party collection agency. Actual premium bad debt expense was \$980 thousand for fiscal year 2019, \$1.8 million for fiscal year 2018, and \$3.3 million for fiscal year 2017.

The ratio of total delinquent premiums to in-force premium ranges from 2.51% to 3.69% over the past three fiscal years, with the current year ratio at 2.51%.

Delinquent premium in active collections for fiscal year 2019 of \$6.2 million is a 20% reduction, or \$1.6 million less than the \$7.9 million reported in fiscal year 2018. The 2018 total was 23% or \$2.4 million less than the \$10.3 million reported in fiscal year 2017. The allocation for premium bad debt expense was \$6 million in fiscal year 2019. The collection department continues to find innovative resources and tools to streamline the delinquent premium recovery process.

The allocation for other bad debt expense remained at \$2 million, based on an analysis of the total amount outstanding. Actual other bad debt expense for fiscal year 2019 was \$329 thousand, compared to the fiscal year 2018 total of \$916 thousand, and the fiscal year 2017 total of \$1 million.

The net position as of June 30, 2019, equaled \$770 million compared to \$681 million on June 30, 2018 and \$609 million on June 30, 2017. The net position as of June 30, 2017 of \$608,815,221 was reduced by \$1,003,871 to \$607,811,350 with a prior period adjustment in fiscal year 2018 to implement GASB 75. See note below.

### Condensed Statements of Change in Net Position

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Beginning net position	\$ 681,146,160	\$ 607,811,350	\$ 466,149,018
Change in net position	<u>89,384,777</u>	<u>73,334,810</u>	<u>142,666,203</u>
Ending net position	<u>\$ 770,530,937</u>	<u>\$ 681,146,160</u>	<u>** \$ 608,815,221</u>

*\*\* The ending net position in fiscal year 2017 of \$608,815,221 is \$1,003,871 more than the beginning net position in fiscal year 2018. This restatement is due to the implementation of GASB 75.*

## MANAGEMENT'S DISCUSSION AND ANALYSIS

	Condensed Balance Sheets		
	2019	2018	2017
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	\$ 2,871,189	\$ 3,726,994	\$ 3,190,656
Investments	2,054,781,942	1,913,603,074	1,885,205,871
Invested securities lending collateral	6,100,164	5,229,084	13,348,052
Premium receivables, net	23,220,267	23,419,012	25,765,982
Other accounts receivable, net	3,346,729	5,139,998	6,745,888
Investment interest receivable	10,666,901	9,603,360	9,477,938
Prepaid expenses	395,608	385,442	571,475
Total current assets	<u>2,101,382,800</u>	<u>1,961,106,964</u>	<u>1,944,305,862</u>
<b>NON-CURRENT ASSETS</b>			
Premises, furniture and equipment	17,786,728	15,786,875	13,944,444
Total assets	<u>2,119,169,528</u>	<u>1,976,893,839</u>	<u>1,958,250,306</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>			
Deferred outflow pension	12,296,330	14,372,125	7,981,691
Deferred outflow OPEB	313,963	300,842	-
Total deferred outflows	<u>12,610,293</u>	<u>14,672,967</u>	<u>7,981,691</u>
<b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>	<u><u>\$ 2,131,779,821</u></u>	<u><u>\$ 1,991,566,806</u></u>	<u><u>\$ 1,966,231,997</u></u>
<b>LIABILITIES</b>			
<b>CURRENT LIABILITIES</b>			
Accounts payable	5,491,787	5,548,278	6,061,096
Compensated absences, net	1,399,626	1,331,007	1,383,207
Unearned premium	115,278,892	114,585,609	124,773,938
Dividend payable	113,235,072	107,247,030	109,936,602
Securities lending collateral	6,100,164	5,229,084	13,348,052
Unpaid loss and LAE	130,913,280	125,926,320	130,292,160
Total current liabilities	<u>372,418,822</u>	<u>359,867,328</u>	<u>385,795,054</u>
<b>NONCURRENT LIABILITIES</b>			
Compensated absences, net	227,846	216,676	225,173
Pension liability	25,710,589	24,862,684	14,957,537
OPEB liability	1,158,959	1,189,880	-
Unpaid Loss & LAE	960,030,720	923,459,680	955,475,840
Total non current liabilities	<u>987,128,114</u>	<u>949,728,920</u>	<u>970,658,550</u>
Total liabilities	<u>1,359,546,936</u>	<u>1,309,596,248</u>	<u>1,356,453,604</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred inflow pension	1,622,059	744,015	963,172
Deferred inflow OPEB	79,889	80,383	-
Total deferred inflows	<u>1,701,948</u>	<u>824,398</u>	<u>963,172</u>
<b>NET POSITION</b>			
Invested in capital assets	17,786,728	15,786,875	13,944,444
Designated/Unrestricted	752,744,209	665,359,285	594,870,776
Total net position	<u>770,530,937</u>	<u>681,146,160</u> *	<u>608,815,220</u>
<b>TOTAL LIABILITIES, DEFERRED INFLOWS AND NET POSITION</b>	<u><u>\$ 2,131,779,821</u></u>	<u><u>\$ 1,991,566,806</u></u>	<u><u>\$ 1,966,231,997</u></u>

\*Reader should note the beginning net position for fiscal year 2018 was reduced by approximately \$1.004 million from the \$608.8 million state as fiscal 2017's ending net position to implement GASB 75.

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## MANAGEMENT'S DISCUSSION AND ANALYSIS

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WSI's total assets and deferred outflows of resources as of June 30, 2019 totaled \$2.13 billion. This is an increase of 7% or \$140 million over the June 30, 2018 total. Total assets on June 30, 2018 of \$1.99 billion increased \$25 million or 1.3% over total assets on June 30, 2017 of \$1.97 billion. Variances in total assets year over year are due to investment market fluctuations, premium rate modifications, changes in incurred losses, and the issuance of premium dividend credits. The difference between assets and liabilities is reported on the balance sheet as net position, which is commonly referred to as fund surplus.

Changes in net position are the result of two separate activities or major program revenues: underwriting and investing. Underwriting activities measure annual premium revenues against claims costs and administrative expenses; while investing activities measure interest, dividends, and changes in the fair value of WSI's investments. WSI's investing activities are designed to support its underwriting results and so, to the extent that investments appreciate in value, WSI can operate with an underwriting loss and still maintain its financial strength.

Fiscal year 2019 activities resulted in underwriting revenue of \$63 million, a decrease of approximately \$19 million or 23% over fiscal year 2018. The fiscal year 2018 underwriting activity gain of \$82 million was approximately \$21 million more than the underwriting gain of \$60 million stated in fiscal year 2017.

The change in net position in fiscal year 2019 of \$89 million is an increase of \$16 million or 21.8% from the fiscal year change in net position of \$73 million recorded in fiscal year 2018. The fiscal year 2018 total is a decrease of \$69 million over the \$143 million gain in fiscal year 2017. A dividend credit of 50% was declared in fiscal year 2019, 2018 and 2017. Net earned premium from fiscal year 2019 of \$238 million is slightly up from the fiscal year 2018 total of \$232 million. The strong investment returns in the past three years contributed to the positive change in net position.

### *Condensed Underwriting and Investment Analysis*

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Net premium earned	\$ 237,788,871	\$ 232,018,988	\$ 233,060,185
Incurred losses	131,554,825	106,670,135	129,341,935
Allocated loss adjustment expenses	4,928,756	5,920,952	5,974,776
Unallocated loss adjustment expenses	11,183,000	11,247,586	11,539,472
General and administrative expenses	22,464,628	22,373,922	23,398,300
Pension/OPEB Expense	4,649,184	4,222,053	2,494,363
Total losses and expenses	<u>174,780,394</u>	<u>150,434,648</u>	<u>172,748,846</u>
Underwriting income	63,008,477	81,584,340	60,311,339
Investment and other income	141,565,758	103,120,242	153,585,172
Dividend expenses	<u>(115,189,458)</u>	<u>(111,369,772)</u>	<u>(71,230,308)</u>
Change in net position	<u>\$ 89,384,777</u>	<u>\$ 73,334,810</u>	<u>\$ 142,666,203</u>

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## MANAGEMENT'S DISCUSSION AND ANALYSIS

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### *Capital Assets*

WSI's non-current assets include land, the Century Center office building, furniture, and equipment. A statement of changes in capital assets for fiscal year 2019, 2018, and 2017 can be found under Note 5 – Capital Assets.

### *Economic Factors and Next Year's Budget and Rates*

WSI is a proprietary enterprise fund and does not receive any general fund dollars. Workers compensation premium and investment returns are the main sources of revenue. To ensure solvency of the fund, premium rates are established on an annual basis by external actuarial consultants. For policies incepting and renewing in fiscal year 2019, WSI anticipates average statewide premium levels to decrease by approximately 7.1%. This compares a 2018 decrease of 6.8% and a 2017 decrease of 7.9%.

### *Available Fund Surplus*

The 2009 Legislative Assembly revised the language regarding fund surplus requirements outlined in NDCC 65-04-02, adding clarifying parameters for determining the amount of net position, or surplus, to be considered available for dividend declaration. This language allows the net position to be reduced by special project funding which has been legislatively approved, to arrive at available surplus. Following these guidelines, the available surplus as of June 30, 2019 was \$741.9 million or 68% of the actuarial discounted reserve liability of \$1.09 billion. As of June 30, 2018, and June 30, 2017, the available surplus was 61.9% and 52.9%, respectively.

From fiscal year 2017 through fiscal year 2019, the organization's net position is increasing, and the estimated discounted financial reserves are increasing, pushing the ratio higher.

### *Requests for information*

This financial report is designed to provide a general overview of WSI's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Director of Finance, Workforce Safety & Insurance, 1600 East Century Avenue, Suite 1, Bismarck, ND 58503

**WORKFORCE SAFETY & INSURANCE**  
**BALANCE SHEETS**  
**YEARS ENDED JUNE 30, 2019 AND 2018**

	<u>2019</u>	<u>2018</u>
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$ 2,871,189	\$ 3,726,994
Investments	2,054,781,942	1,913,603,074
Invested securities lending collateral	6,100,164	5,229,084
Premium receivables, net	23,220,267	23,419,012
Other accounts receivable, net	3,346,729	5,139,998
Investment interest receivable	10,666,901	9,603,360
Prepaid expenses	395,608	385,442
Total current assets	<u>2,101,382,800</u>	<u>1,961,106,964</u>
<b>NON-CURRENT ASSETS</b>		
Premises, furniture and equipment	17,786,728	15,786,875
Total assets	<u>2,119,169,528</u>	<u>1,976,893,839</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred outflow pension	12,296,330	14,372,125
Deferred outflow OPEB	313,963	300,842
Total deferred outflows	<u>12,610,293</u>	<u>14,672,967</u>
<b>TOTAL ASSETS AND DEFERRED OUTFLOWS</b>	<u>\$ 2,131,779,821</u>	<u>\$ 1,991,566,806</u>
<b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable	5,491,787	5,548,278
Compensated absences, net	1,399,626	1,331,007
Unearned premium	115,278,892	114,585,609
Dividend payable	113,235,072	107,247,030
Securities lending collateral	6,100,164	5,229,084
Unpaid loss and LAE	130,913,280	125,926,320
Total current liabilities	<u>372,418,822</u>	<u>359,867,328</u>
<b>NONCURRENT LIABILITIES</b>		
Compensated absences, net	227,846	216,676
Pension liability	25,710,589	24,862,684
OPEB liability	1,158,959	1,189,880
Unpaid Loss & LAE	960,030,720	923,459,680
Total non current liabilities	<u>987,128,114</u>	<u>949,728,920</u>
Total liabilities	<u>1,359,546,936</u>	<u>1,309,596,248</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred inflow pension	1,622,059	744,015
Deferred inflow OPEB	79,889	80,383
Total deferred inflows	<u>1,701,948</u>	<u>824,398</u>
<b>NET POSITION</b>		
Invested in capital assets	17,786,728	15,786,875
Designated/Unrestricted	752,744,209	665,359,285
Total net position	<u>770,530,937</u>	<u>681,146,160</u>
<b>TOTAL LIABILITIES, DEFERRED INFLOWS AND NET POSITION</b>	<u>\$ 2,131,779,821</u>	<u>\$ 1,991,566,806</u>

**WORKFORCE SAFETY & INSURANCE**  
**STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN FUND NET**  
**POSITION YEARS ENDED JUNE 30, 2019 AND 2018**

	<u>2019</u>	<u>2018</u>
<b>OPERATING REVENUES</b>		
Net premiums earned	\$ 237,788,871	\$ 232,018,988
Penalties and finance charges	1,359,709	2,314,017
Third party subrogation recoveries	8,548,184	4,146,670
Rental operations	1,530,450	808,630
Other revenue	560,527	254,579
	<u>249,787,742</u>	<u>239,542,884</u>
<b>OPERATING EXPENSES</b>		
Incurred losses	147,666,582	123,838,673
Payroll and benefits	23,514,239	23,925,593
Pension Expenses	4,509,549	4,070,494
OPEB Expenses	139,635	151,559
Other administrative expenses (income)	(417,645)	(1,505,553)
Bad debt expense	1,308,987	3,253,872
Depreciation expense	1,459,046	1,017,092
	<u>178,180,393</u>	<u>154,751,730</u>
	<u>71,607,349</u>	<u>84,791,154</u>
<b>OPERATING INCOME</b>		
<b>NON-OPERATING REVENUES (EXPENSES)</b>		
Interest and investment revenue	116,578,864	94,151,857
Investment expenses	(4,018,848)	(4,009,141)
Securities lending investment revenue	144,933	200,862
Securities lending expenses	(28,932)	(40,117)
Net increase in fair value of investments	20,290,869	9,609,967
Dividend credit expense	(115,189,458)	(111,369,772)
	<u>17,777,428</u>	<u>(11,456,344)</u>
Net non-operating revenues (expenses)	17,777,428	(11,456,344)
CHANGE IN NET POSITION	89,384,777	73,334,810
TOTAL NET POSITION, BEGINNING OF YEAR	<u>681,146,160</u>	<u>607,811,350</u> *
TOTAL NET POSITION, END OF YEAR	<u>\$ 770,530,937</u>	<u>\$ 681,146,160</u>

*\*The ending net position in fiscal year 2017 of \$608,815,221 is \$1,003,871 more than the beginning net position in fiscal year 2018. This restatement is due to the implementation of GASB 75.*

**WORKFORCE SAFETY & INSURANCE**  
**STATEMENTS OF CASH FLOWS**  
**YEARS ENDED JUNE 30, 2019 AND 2018**

	<u>2019</u>	<u>2018</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Receipts from employers	\$ 138,922,793	\$ 127,315,793
Receipts from other funds	461,644	2,066,194
Receipts from others	64,398,472	10,410,106
Payments to medical providers	(89,922,166)	(90,873,040)
Payments to injured workers	(61,538,610)	(67,571,521)
Payments to employers	(8,368,862)	(11,973,697)
Payments to employees	(23,598,115)	(24,000,129)
Payments to other funds	(4,376,386)	(3,605,617)
Payments to others	(4,365,989)	(9,377,365)
	<u>11,612,781</u>	<u>(67,609,276)</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>		
Acquisition and construction of capital assets	(3,458,899)	(2,859,523)
Net cash (used in) financing activities	<u>(3,458,899)</u>	<u>(2,859,523)</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Contributions to pooled investments	(53,509,687)	(3,494,863)
Withdrawals from pooled investments	44,500,000	74,500,000
Net cash (used in) provided by investing activities	<u>(9,009,687)</u>	<u>71,005,137</u>
<b>NET (DECREASE) INCREASE IN CASH AND CASH EQUIVALENTS</b>	<b>(855,805)</b>	<b>536,338</b>
<b>CASH AND CASH EQUIVALENTS, BEGINNING OF YEAR</b>	<u>3,726,994</u>	<u>3,190,656</u>
<b>CASH AND CASH EQUIVALENTS, END OF YEAR</b>	<u>\$ 2,871,189</u>	<u>\$ 3,726,994</u>
<b>SCHEDULE OF OTHER NONCASH ACTIVITIES</b>		
Net increase in fair value of investments	\$ 20,290,869	\$ 9,609,969
Change in securities lending collateral	871,080	(8,118,968)
Investment revenue	(116,580,928)	(94,174,312)
Dividends credited to premium billings	109,201,416	114,059,344
Account receivable premium reductions	(109,201,416)	(114,059,344)

**STATEMENTS OF CASH FLOWS (continued)**

	<u>2019</u>	<u>2018</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES		
Operating income (loss)	\$ 71,607,349	\$ 84,791,154
Adjustments to reconcile operating revenue to net cash provided (used) by operating activities		
Deferred outflows Retirement & Investment office (RIO)	(13,067)	53,164
Deferred inflows Retirement & Investment office (RIO)	6,968	855
Decrease in due to other state agencies (RIO)	-	(3)
Depreciation/amortization expense	1,459,046	1,017,092
Dividend credits applied to receivables	(115,189,458)	(111,369,772)
Other adjustment to net cash provided	(249,236)	
Change in assets and liabilities		
Decrease (increase) in premium receivable	198,745	2,346,970
Decrease (increase) in other accounts receivable	1,793,270	1,605,890
Decrease (increase) in prepaid expenses	(10,166)	186,033
Increase (decrease) in accounts payable	(56,491)	(69,969)
Increase (decrease) in due to other funds	(10,500)	(111,199)
Increase (decrease) in pension liability	847,905	9,905,147
Increase (decrease) in OPEB liability	(30,921)	(219)
Increase (decrease) in dividend payable	5,988,042	(2,689,572)
Increase (decrease) in unearned premium	693,283	(10,188,329)
Increase (decrease) in compensated absences payable	79,788	(60,696)
Increase (decrease) in unpaid loss and loss adjustment expense	41,558,000	(36,382,000)
(Increase) decrease in deferred outflows	2,062,674	(6,691,276)
Increase (decrease) in deferred inflows	877,550	47,454
Net cash (used in) provided by operating activities	<u>\$ 11,612,781</u>	<u>\$ (67,609,276)</u>



**WORKFORCE SAFETY & INSURANCE**  
**STATEMENTS OF APPROPRIATIONS**  
**YEAR ENDED JUNE 30, 2019**

	<b>Approved 2017-2019 Biennial Appropriation</b>	<b>Expenditures 2018</b>	<b>Expenditures 2019</b>	<b>Unexpended Appropriation</b>
<b>APPROPRIATED EXPENDITURES</b>	<b>\$ 72,481,659</b>	<b>\$ 32,779,582</b>	<b>\$ 33,750,654</b>	<b>\$ 5,951,423</b>
<b>CONTINUING APPROPRIATIONS</b>				
Performance evaluation		82,161	9,129	
Building operations		771,891	829,037	
Reinsurance		3,156,398	746,447	
Other states coverage		450,000	600,000	
Litigation collection costs		339,067	371,265	
Collection agency fees		74,487	15,668	
Safety programs		2,691,674	2,817,964	
Vocational rehabilitation grant		98,830	99,952	
Medical provider litigation		940	-	
Employer fraud		26,348	13,046	
Provider fraud		6,955	236	
<b>Total*</b>	<b>\$ 72,481,659</b>	<b>\$ 40,478,333</b>	<b>\$ 39,253,398</b>	<b>\$ 5,951,423</b>

\*This total represents WSI's expenditures through the State Treasurer's Office using the State's PeopleSoft system. WSI has received an authorization from the State Treasurer's Office to also issue payments directly from the Bank of North Dakota; these payments include policyholder refunds, indemnity benefits, medical benefits, allocated loss adjustment expenses, and the educational revolving loan fund transactions.

**WORKFORCE SAFETY & INSURANCE**  
**NOTES TO FINANCIAL STATEMENTS**  
**YEARS ENDED JUNE 30, 2019 AND 2018**

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**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

*Financial Statements and Reporting Entity*

Workforce Safety & Insurance (WSI) is an agency of the State of North Dakota, operating through the legislative authority of Title 65 of the North Dakota Century Code (NDCC).

WSI was established in 1919 for the administration of the Workers Compensation Act and other designated acts. As a state agency, WSI is a department of the State of North Dakota and is included in the State's Comprehensive Annual Financial Report as an enterprise fund. The director of WSI is appointed by the Governor. Workforce Safety & Insurance provides no-fault medical and disability insurance to North Dakota employers. The state of North Dakota is a "monopolistic" state where WSI is the sole provider of workers compensation insurance. WSI is financed by premiums charged to employers doing business in North Dakota. The premiums are available primarily for the payment of claims to employees injured in the course of employment.

The accompanying financial statements of Workforce Safety & Insurance follow the pronouncements of the Governmental Accounting Standards Board (GASB), which is the nationally accepted standard-setting body for establishing accounting principles generally accepted in the United States of America for governmental entities.

For financial reporting purposes, WSI has included all funds and has considered all potential component units for which WSI is financially accountable, and other organizations for which the nature and significance of their relationship with WSI are such that exclusion would cause WSI's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. Based upon these criteria, there are no component units to be included within WSI as a reporting entity and WSI is an agency within the State of North Dakota as a reporting entity.

*Fund Financial Statements*

WSI uses a fund to report financial position and operational results. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities. A fund is a separate accounting entity with a self-balancing set of accounts.

The financial activities of WSI reported in the accompanying statements are classified into one fund category, the proprietary fund. The proprietary fund includes the Enterprise Fund, which is used to account for the operations of the workers compensation insurance program for North Dakota employers and employees.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of WSI are premiums charged to policyholders for workers compensation insurance. WSI also recognizes as operating revenues, penalties and interest billed for delinquent premium, third party liability subrogation recoveries, student loan interest and rental revenue from building tenants.

## NOTES TO FINANCIAL STATEMENTS

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### *Measurement Focus, Basis of Accounting and Financial Statement Presentation*

Operating expenses for the enterprise fund include the incurred losses, payroll and benefits, other administrative expenses, bad debt expense, depreciation on capital assets and building expense. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. Proprietary funds are accounted for on a flow of economic resources measurement focus. This measurement focus includes all assets and liabilities associated with the operations of these funds on the balance sheet.

Proprietary funds are accounted for using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when they are earned, and expenses are recognized when the related liability is incurred.

### *Budgetary Policies and Procedures*

WSI operates through a biennial appropriation provided by the State Legislature. WSI prepares a biennial budget for administrative expenses which is included in the Governor's budget and is presented to the General Assembly at the beginning of each legislative session. The General Assembly enacts the budgets of the various state departments through passage of specific appropriation bills. Before signing the appropriation bills, the Governor may veto any specific appropriation, subject to legislative override. Once passed and signed, the appropriation becomes WSI's administrative budget for the next two years. Any changes to the budget appropriation require Emergency Commission authorization. The Legislative Assembly approved a single-line appropriation for WSI beginning with the 2001-2003 biennium.

The Emergency Commission can authorize receipt of federal or other moneys not appropriated by the Assembly if the Assembly did not indicate any intent to reject the money. The Emergency Commission may authorize pass-through federal funds from one state agency to another. Unexpended appropriations lapse at the end of each biennium.

The State of North Dakota does not formally budget revenues, thus, a Statement of Revenues, Expenditures, and Changes in Fund Net Position - Budget and Actual cannot be prepared as required by accounting principles generally accepted in the United States of America. In its place a Statement of Appropriations has been presented. The Statement of Appropriations has been prepared using the modified accrual basis.

### *Cash and Investments*

Cash and cash equivalents for reporting purposes, includes cash and short-term, highly liquid investments that are readily convertible to known amounts of cash and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. This includes investments with original maturity of three months or less. Investments are stated at fair value. GASB Statement 72 defines fair value as, "*the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.*" Fair value was determined by reference to published market data for publicly traded securities or through the use of independent valuation services and appraisers for other investments.

Net appreciation (depreciation) is determined by calculating the change in the fair value of investments between the end of the year and the beginning of the year, less any purchases of investments at cost, plus sales of investments at fair value. Investment expense consists of those administrative expenses directly related to the Retirement and Investment Office investment operations.

## NOTES TO FINANCIAL STATEMENTS

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WSI's investment policy allows investment managers to use derivative securities. Managers are specifically permitted to use Treasury futures and options, S & P 500 index futures and options, and currency forwards and futures to hedge portfolio risk, but not to speculate or to leverage the portfolio. Managers may use their discretion to use other derivatives to enhance returns, reduce risk, or facilitate the management of index funds. WSI's policy with respect to these derivatives is that their use may not increase the credit, market or legal risk level associated with a fully invested portfolio of common stocks or fixed income obligations, depending on the manager's designated role.

As the master custodian for the Retirement and Investment Office, Northern Trust is the Agent of Record for WSI's portfolio.

### *Premium Receivable*

Premium receivables are stated net of allowance for doubtful accounts in the amount of \$6 million at June 30, 2019 and June 30, 2018. Premium receivables also include an estimate of premiums that have yet to be billed at year-end but will be billed in subsequent periods.

### *Other Accounts Receivable*

Other accounts receivable consists of medical assessments, deductibles, reinsurance receivable on loss payments, receivables resulting from overpayments on claims, and other miscellaneous receivables. These receivables are stated net of allowance for doubtful accounts in the amount of \$2 million at June 30, 2019 and June 30, 2018.

### *Prepaid Expenses*

Payments made to vendors which exceed \$12,000 per year, for services that will benefit periods beyond June 30, 2019 and 2018 are recorded as prepaid expenses.

### *Capital Assets and Depreciation*

All capital assets are recorded in the accompanying financial statements at cost. WSI capitalizes equipment and software costing over \$5,000 in accordance with section 54-27-21 of the NDCC.

WSI's capital assets are being depreciated on a straight-line basis over estimated useful lives ranging from 3 to 50 years.

### *Due to/from Other State Agencies*

During the course of operations, numerous transactions occur between other state agencies for goods provided or services rendered. These receivables and payables are classified as "Due from other state agencies" "Due to other state agencies" in accounts payable on the balance sheet in the period for which the receivable or liability applies.

## NOTES TO FINANCIAL STATEMENTS

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### *Compensated Absences Payable*

Annual Leave: WSI employees accrue vested annual leave at a variable rate based on years of service. The amount of annual leave earned ranges between 1 and 2 days per month and is fixed by the employing unit per section 54-06-14 of the NDCC. Accrued annual leave cannot exceed 30 days at April 30 of each year. Employees are paid for unused annual leave upon termination or retirement.

Sick Leave: WSI employees accrue sick leave at the rate of one working day per month of employment without limitation on the amount that can be accumulated. Per NDCC section 54-06-14, employees vest at 10 years of continuous service at which time the State is liable for 10% of the employee's accumulated unused sick leave.

WSI's liability for accumulated unpaid annual leave and sick leave is reported in the enterprise fund and will be funded by WSI's appropriation when the liability is to be liquidated. The net change in the liability is recorded as an adjustment to other administrative expenses within the enterprise fund.

### *Deferred Outflows and Inflows of Resources*

In addition to assets, the statement of financial position reports a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represent an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

### *Unearned Premium*

Premiums are billed to the employer at the beginning of the employer's policy year. The billed premium is recognized as revenue on a straight-line basis over the applicable year. Unearned premiums consist of the unamortized portion of premiums at WSI's fiscal year-end.

### *Unpaid Loss and Loss Adjustment Expenses (LAE)*

The liability for unpaid loss and loss adjustment expense (LAE) is estimated by WSI's actuaries, taking into consideration past experience of WSI in paying claims and the general conditions of the environment in which WSI operates. This liability is based on the estimated ultimate costs to settle both reported and incurred but not reported (IBNR) losses and LAE, and includes the effects of inflation and other societal and economic factors. The actuarial computations also include a 4.5% discount to report this liability at its estimated present value. A 5% discount rate has been used in prior years; however, in 2019, the rate was reduced to a 4.5% discount rate. The result of the discount rate decrease, increased liabilities by \$44.3 million.

Management believes the estimated liability for unpaid loss and LAE is sufficient to cover the ultimate net costs of incurred losses, but such loss reserves are necessarily based on estimates and the ultimate liability may be greater or less than the amounts estimated. Any adjustments to this estimated liability are reflected as part of current operations.

## NOTES TO FINANCIAL STATEMENTS

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### *Pensions*

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the North Dakota Public Employee Retirement System (NDPERS) and additions to/deductions from NDPERS's fiduciary net position have been determined on the same basis as they are reported by the NDPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

GASB Statement No. 68, *Accounting and Financial Reporting for Pensions* and GASB Statement No. 71 *Pension Transition for Contributions Made Subsequent to the Measurement Date* were adopted in fiscal year 2015. The implementation of these standards requires governments to calculate and report the costs and obligations associated with pensions in their basic financial statements. Employers are required to recognize pension amounts for all benefits provided through the plan which include the net pension liability, deferred outflows of resources, deferred inflows of resources, and pension expense.

### *OPEB*

For purposes of measuring the other net postemployment benefit liability (OPEB), deferred outflows of resources and deferred inflows of resources related to postemployment benefits and expense, information about the fiduciary net position of the North Dakota Public Employee Retirement System (NDPERS) and additions to/deductions from NDPERS's fiduciary net position have been determined on the same basis as they are reported by the NDPERS. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

GASB Statement No. 75, *Accounting and Financial Reporting for Other Postemployment Benefits*, was adopted in fiscal year 2018. The implementation of these standards requires governments to calculate and report the costs and obligations associated with postemployment benefits in their basic financial statements. Employers are required to recognize amounts for all benefits provided through the plan which include the postemployment benefit liability, deferred outflows of resources, deferred inflows of resources, and postemployment benefit expense.

### *Reinsurance*

In accordance with NDCC Sections 65-02-13 and 65-02-13.1, WSI obtained reinsurance coverage with Munich Re America, formerly American Re-Insurance Company. The contracts for reinsurance were in effect for all losses incurred on or after December 1, 1999 through November 30, 2002. Under the reinsurance contract, Munich Re America agrees to reimburse WSI on an excess of loss basis. In 2002, global influences such as the 9-11 attacks hardened the reinsurance market and pushed the price of reinsurance to an inefficient level. As a result, WSI withdrew from the reinsurance market. The reinsurance treaties from this time period were commuted in fiscal year 2019. See Note 15 for further discussion on the commutation.

When the reinsurance market softened, WSI again sought reinsurance coverage. Working through a reinsurance intermediary, Guy Carpenter, WSI obtained catastrophic coverage beginning in calendar year 2010 and has continued to purchase excess of loss coverage through calendar year 2019. Terms, limits, and pricing are re-evaluated annually.

## NOTES TO FINANCIAL STATEMENTS

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### *Net Position*

Net position represents the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources in the financial statements. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any long-term debt attributable to the acquisition, construction, or improvement of those assets. Restricted net position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Unrestricted net position is the net amount of assets, liabilities, deferred inflows of resources, and deferred outflow of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

### **NOTE 2 - RECONCILIATION FROM APPROPRIATIONS TO GAAP REPORTING**

Because accounting principles applied for purposes of developing data on an appropriations basis differ from those used to present financial statements in conformity with GAAP, a reconciliation of the expenses on an appropriations basis to the expenses on a GAAP basis for Enterprise Fund administrative expenses for the years ended June 30, 2019 and 2018 are presented below:

	<u>2019</u>	<u>2018</u>
Administrative expenses on an appropriations basis	\$ 39,253,398	\$ 40,478,333
Reconciling adjustments		
Fixed asset additions	(3,458,899)	(2,859,523)
Payroll and benefits	(23,514,239)	(23,925,593)
Unallocated loss adjustment expense	(11,183,000)	(11,247,586)
Increase (decrease) in compensated absences payable	79,789	(60,697)
Increase (decrease) in pension payable	(847,905)	9,905,147
Increase (decrease) in OPEB payable	30,921	(219)
Increase (decrease) in administrative payable	(1,955,017)	(3,784,771)
Decrease (Increase) in prepaid expenses	(10,166)	186,033
Refund of prior biennium expenses	(13)	(15,338)
Increase (decrease) in deferred outflow	2,062,674	(6,691,276)
Increase (decrease) in deferred inflow	(691,322)	47,454
Revolving loan fees and banking fees	995	1,140
Ceded Reinsurance Premium	(184,861)	(3,538,657)
	<u>\$ (417,645)</u>	<u>\$ (1,505,553)</u>
Administrative expenses on a GAAP basis		

### **NOTE 3 - CASH DEPOSITS AND INVESTMENT SECURITIES**

#### *Deposits*

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, WSI will not be able to recover deposits that are in the possession of an outside party. WSI does not have a formal policy that limits custodial credit risk for deposits. All of WSI's cash deposits are uncollateralized. The carrying amount of WSI's cash deposits were \$2,871,189 on June 30, 2019, and \$3,726,994 on June 30, 2018. Bank balances for June 30, 2019 and June 30, 2018 were \$6,601,568 and \$7,338,566, respectively. These monies are deposited in the Bank of North Dakota and are guaranteed by the State of North Dakota under NDCC 6-09-10.

WSI is required to have all funds deposited at the Bank of North Dakota in accordance with North Dakota Century Code 6-09-07.

## NOTES TO FINANCIAL STATEMENTS

### *Investments*

WSI is required to use the North Dakota State Investment Board (SIB) for its investing activities. The State Investment Board directs the activities of the North Dakota Retirement and Investment Office (RIO) in order to manage the day to day operations of the fund. The SIB and RIO exercise the prudent investor rules as described in NDCC 21-10-07.

The SIB administers the portfolio according to WSI's investment allocation policy. The WSI Board worked with Callan Associates to review the current asset allocation in fiscal year 2018. The WSI Board recommended adopting a new asset allocation policy in April 2018, reducing the overall portfolio risk. The Governor of North Dakota approved the recommendation. The SIB selects money managers and monitors performance on a continual basis, and will work toward implementing the new investment allocation policy. The current investment allocation policy includes a portfolio with a mix with 14% in domestic equity, 8% in international equity, 60% in fixed income, 12% in diversified real assets, 5% in real estate, and 1% in cash equivalents.

WSI's investment policy does not address credit risk, custodial credit risk, concentration of credit risk, interest rate risk, or foreign currency risk.

### *Segmented Time Distribution table*

	<b>All Values in \$000</b>				
Segmented Time Distribution	<b>Market Value</b>	<b>Less Than 1 Year</b>	<b>1-6 Years</b>	<b>6-10 Years</b>	<b>Over 10 years</b>
Fixed Income	\$ 1,184,317	\$ 19,029	\$ 471,175	\$ 271,745	\$ 422,369
Large Cap Domestic Equity Pool	40,007	226	17,712	99	21,971
Small Cap Domestic Equity Pool	27,863	792	11,543	302	15,226
Diversified Real Assets Pool	129,853	5,285	36,559	54,859	33,150
Total Debt Securities	<u>\$ 1,382,040</u>	<u>\$ 25,332</u>	<u>\$ 536,989</u>	<u>\$ 327,005</u>	<u>\$ 492,716</u>

### *Credit Risk*

WSI is invested in an external investment pool managed by the North Dakota State Investment Board. The pool is not rated.



## NOTES TO FINANCIAL STATEMENTS

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### *Interest Risk*

The SIB has chosen to use the Segmented Time Distribution disclosure method. Readers may refer to the RIO financial statements regarding highly sensitive securities that are disclosed at the SIB level.

### *Securities Lending*

GASB Pronouncements for “*Accounting and Financial Reporting for Securities Lending Transactions*,” establishes accounting and financial reporting standards for securities lending transactions. The standard requires governmental entities to report securities lent as assets in their balance sheets. Cash received as collateral and investments made with that cash must also be reported as assets. The statement also requires the costs of the securities lending transactions to be reported as expenses separately from income received. In addition, the statement requires disclosures about the transactions and collateral related to them.

State statutes permit and the SIB has authorized the use of securities lending – loans of securities to broker-dealers and other entities for collateral with a simultaneous agreement to return the collateral for the same securities in the future. Northern Trust is the securities lending agent for the SIB. Securities are loaned versus collateral that may include cash, U.S. government securities and irrevocable letters of credit. U.S. securities are loaned versus collateral valued at 102% of the market value of the securities plus any accrued interest. Non-U.S. securities are loaned versus collateral valued at 105% of the market value of the securities plus any accrued interest.

Non-cash collateral cannot be pledged or sold unless the borrower defaults. All securities loans can be terminated on demand by either the lender or the borrower. Cash open collateral is invested in a short term investment pool, which had an interest sensitivity of 1 day as of this statement date. There were no violations of legal or contractual provisions, no borrower or lending agent default losses known to the securities lending agent. There are no dividends or coupon payments owing on the securities lent. Securities lending earnings are credited to participating clients on approximately the fifteenth day of the following month.

Indemnification deals with the situation in which a client's securities are not returned due to the insolvency of a borrower and Northern Trust has failed to live up to its contractual responsibilities relating to the lending of those securities. Northern Trust's responsibilities include performing appropriate borrower and collateral investment credit analyses, demanding adequate types and levels of collateral, and complying with applicable Department of Labor and Federal Financial Institutions Examination Council regulations concerning securities lending.

For securities loaned at fiscal year end, the SIB has no credit risk exposure to borrowers because the amount the SIB owes the borrowers exceeds the amounts the borrowers owe the SIB.

As of June 30, 2019, and June 30, 2018, the total amount of cash collateral related to these lent securities was \$6,100,164 and \$5,229,084, respectively.

### *Foreign Currency Risk*

WSI is invested in an external investment pool managed by the SIB. Any applicable risk policies would be included in policy statements issued at the SIB level and not at the individual agency level.

## NOTES TO FINANCIAL STATEMENTS

### NOTE 4 - SIGNIFICANT CONCENTRATIONS OF CREDIT RISK

WSI extends short-term credit to its customers, most of whom are located within the state of North Dakota. With this credit risk, WSI has established an estimate of allowance for doubtful accounts for both premium receivables and possible overpayments to medical providers or injured workers. The allowance for doubtful accounts for premium receivables is \$6 million as of June 30, 2019 and 2018. The allowance for doubtful accounts for overpayments to medical providers or injured workers is \$2 million as of June 30, 2019 and 2018.

### NOTE 5 - CAPITAL ASSETS

A statement of changes in capital assets for the year ended June 30, 2019 is as follows:

	<b>Balance July 1, 2018</b>	<b>Additions</b>	<b>Deletions</b>	<b>Balance June 30, 2019</b>
Capital assets, not being depreciated				
Land	\$ 901,974	\$ -	\$ -	\$ 901,974
Construction in progress	1,572,248	3,401,652	(1,723,538)	3,250,362
Total capital assets, not being depreciated	<u>2,474,222</u>	<u>3,401,652</u>	<u>(1,723,538)</u>	<u>4,152,336</u>
Capital assets, being depreciated				
Building	11,474,168	-	-	11,474,168
Furniture and equipment	426,989	57,247	(54,190)	430,046
Software	8,725,697	1,723,538	-	10,449,234
Total capital assets, being depreciated	<u>20,626,854</u>	<u>1,780,785</u>	<u>(54,190)</u>	<u>22,353,449</u>
Less accumulated depreciation for				
Building	(3,357,058)	(229,483)	-	(3,586,541)
Furniture and equipment	(391,439)	(23,145)	54,190	(360,393)
Software	(3,565,704)	(1,206,419)	-	(4,772,122)
Accumulated Depreciation and Amortization	<u>(7,314,201)</u>	<u>(1,459,046)</u>	<u>54,190</u>	<u>(8,719,057)</u>
Total capital assets, net	<u>\$ 15,786,875</u>	<u>\$ 3,723,390</u>	<u>\$ (1,723,538)</u>	<u>\$ 17,786,728</u>

## NOTES TO FINANCIAL STATEMENTS

A statement of changes in capital assets for the year ended June 30, 2018 is as follows:

	<b>Balance July 1, 2017</b>	<b>Additions</b>	<b>Deletions</b>	<b>Balance June 30, 2018</b>
Capital assets, not being depreciated				
Land	\$ 901,974	\$ -	\$ -	\$ 901,974
Construction in progress	837,813	734,435		1,572,248
Total capital assets, not being depreciated	<u>1,739,787</u>	<u>734,435</u>	<u>-</u>	<u>2,474,222</u>
Capital assets, being depreciated				
Building	11,474,168	-	-	11,474,168
Furniture and equipment	413,369	13,620	-	426,989
Software	6,614,228	2,111,469	-	8,725,697
Total capital assets, being depreciated	<u>18,501,765</u>	<u>2,125,089</u>	<u>-</u>	<u>20,626,854</u>
Less accumulated depreciation for				
Building	(3,127,574)	(229,484)	-	(3,357,058)
Furniture and equipment	(360,586)	(30,853)	-	(391,439)
Software	(2,808,948)	(756,756)	-	(3,565,704)
Accumulated Depreciation and Amortization	<u>(6,297,108)</u>	<u>(1,017,093)</u>	<u>-</u>	<u>(7,314,201)</u>
Total capital assets, net	<u>\$ 13,944,444</u>	<u>\$ 1,842,431</u>	<u>\$ -</u>	<u>\$ 15,786,875</u>

### NOTE 6 - DUE FROM (TO) OTHER STATE AGENCIES

The following is a detail of amounts due to and from other State of North Dakota agencies at June 30, 2019 and June 30, 2018. These balances are included in accounts payable.

<b>DUE TO</b>	<b>2019</b>	<b>2018</b>
Information Technology	\$ (179,125)	\$ (197,351)
Department of Transportation	(11,511)	(10,733)
Office of Administrative Hearing	(14,149)	(4,702)
Central Services/Office Management & Budget	(3,856)	(4,837)
Conference Fund	-	(1,000)
Attorney General Office	(171)	(640)
ND Secretary of State	(36)	-
ND Board of Accountancy	-	(85)
Total	<u>\$ (208,848)</u>	<u>\$ (219,348)</u>

### NOTE 7 - UNPAID LOSS AND LOSS ADJUSTMENT EXPENSES (LAE)

An independent actuarial review of WSI's liability for unpaid loss and loss adjustment expenses was conducted for the years ended June 30, 2019 and 2018. The actuarial computations for unpaid loss and LAE include a 4.5% discount to report this liability at its estimated present value for year ended June 30, 2019 and a 5% discount for year ended June 30, 2018.

For the year ended June 30, 2019 and June 30, 2018, the consulting actuaries presented an estimate in the form of a range to emphasize the uncertainty which is typical for a "long-tailed" liability insurer such as workers' compensation. Amounts stated are net of reinsurance. Ranges are displayed in thousands.

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## NOTES TO FINANCIAL STATEMENTS

FY 2019	(In Thousands)		
	Low	Central Value	High
Full value basis, undiscounted	\$ 1,602,041	\$ 1,726,416	\$ 1,821,531
Present value basis, discounted at 4.5%	1,013,686	1,090,944	1,151,057

WSI management recorded the consulting actuary's central estimate of the ultimate cost for unpaid loss and LAE of \$1,090,944,000.

FY 2018	(In Thousands)		
	Low	Central Value	High
Full value basis, undiscounted	\$ 1,614,019	\$ 1,735,283	\$ 1,847,847
Present value basis, discounted at 5%	977,873	1,049,386	1,115,935

WSI management recorded the consulting actuary's central estimate of the ultimate cost for unpaid loss and LAE of \$1,049,386,000.

WSI establishes a liability for both reported and incurred but not reported (IBNR) losses, which includes estimates of both future payments of losses and the related loss adjustment expenses, both allocated and unallocated. Liability reserves are discounted based upon investment returns. The discount rate was 4.5% and 5% for fiscal year 2019 and 2018, respectively. A reconciliation of the changes in unpaid loss and LAE during the past two years is shown as follows:

	(In Thousands)	
	2019	2018
Unpaid claims and claim adjustment expenses at beginning of fiscal year	\$ 1,049,386	\$ 1,085,768
Discount	685,897	694,008
Undiscounted Reserves	1,735,283	1,779,776
Incurred claims and claim adjustment expenses:		
Provision for insured events of the current year	186,815	193,275
Change in provision for prior fiscal years	(98,002)	(75,368)
Change in LAE and other claim recoveries	8,429	(2,179)
Total incurred losses and loss adjustment expenses	97,242	115,728
Claims and claim adjustment expenses attributable:		
To events of the current year	(42,252)	(42,068)
To insured events of prior years	(103,685)	(118,153)
Total paid	(145,937)	(160,221)
Increase due to commutation	39,828	-
Change in provision for liability discount	(635,472)	(685,897)
Total unpaid claims and claim adjustment expenses at fiscal year end	<u>\$ 1,090,944</u>	<u>\$ 1,049,386</u>

(continued on next page)

**NOTES TO FINANCIAL STATEMENTS**

**NOTE 8 - ALL STATES COVERAGE**

WSI is the sole provider of workers' compensation coverage in North Dakota and insures employers for work related injuries. A North Dakota employer that operates outside of the state may be at risk for claims filed in another jurisdiction. As a solution, in September 2004, WSI contracted with the Accident Fund of America to provide "temporary and incidental" coverage for North Dakota employers who operate outside the state on an incidental basis. Effective July 1, 2010, the program was expanded to include all North Dakota policyholders at no charge to the individual policyholder.

**NOTE 9 - OPERATING LEASES**

WSI has entered into various operating leases for office space and equipment. Leases contain a clause allowing for termination with a 90-120 day notice and a clause stating that renewal is dependent on appropriation funding by the State Legislature. Expenditures for operating leases were \$291,541 for fiscal year 2019 and \$295,315 for fiscal year 2018.

The following is a schedule of future minimum lease payments required under the operating leases. Future renewal or termination options that may be available are not included in the totals below.

<u>Year Ending June 30,</u>	
2020	<b>\$ 308,571</b>
2021	<b>280,124</b>
2022	<b>61,385</b>
2023	<b>27,884</b>
	<u><b>\$ 677,964</b></u>

**NOTE 10 - LONG-TERM LIABILITIES**

*Compensated Absences Payable*

WSI employees can earn annual leave at a variable rate based on years of service. The amount of annual leave earned ranges between 1 and 2 days per month and accrued annual leave cannot exceed 30 days as of April 30th of each year. WSI employees earn sick leave at the rate of one working day per month of employment without limitation on the amount that can be accumulated. At 10 years of continuous service, the State is liable for 10 percent of the employee's accumulated unused sick leave.

The reported liabilities for compensated absences were \$1,627,472 and \$1,547,683 on June 30, 2019, and June 30, 2018 respectively. This balance includes the employer's share of FICA taxes.

	<b>FY 2019</b>			<b>FY 2019</b>	<b>Amount</b>
	<b>Beginning</b>	<b>Additions</b>	<b>Reductions</b>	<b>Ending</b>	<b>Due Within</b>
	<b>Balance</b>			<b>Balance</b>	<b>One Year</b>
Other long-term liabilities					
Compensated absences	<u>\$ 1,547,683</u>	<u>\$ 1,489,400</u>	<u>\$ 1,409,611</u>	<u>\$ 1,627,472</u>	<u>\$ 1,399,626</u>
	<b>FY 2018</b>			<b>FY 2018</b>	<b>Amount</b>
	<b>Beginning</b>	<b>Additions</b>	<b>Reductions</b>	<b>Ending</b>	<b>Due Within</b>
	<b>Balance</b>			<b>Balance</b>	<b>One Year</b>
Other long-term liabilities					
Compensated absences	<u>\$ 1,608,380</u>	<u>\$ 1,332,429</u>	<u>\$ 1,393,126</u>	<u>\$ 1,547,683</u>	<u>\$ 1,331,007</u>

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## NOTES TO FINANCIAL STATEMENTS

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WSI's employee turnover rate for fiscal year 2019 and 2018 were 5.87% and 6.65%, respectively.

### **NOTE 11 - PENSION PLANS**

WSI participates in the North Dakota Public Employees Retirement System (NDPERS) administered by the State of North Dakota. NDPERS is an agency of the State of North Dakota financial reporting entity and is included in the State of North Dakota's Comprehensive Annual Financial Report. The following is a brief description of the plans, for general information only. Participants should refer to NDCC Chapter 54-52 for more complete information.

#### *Defined Benefit Pension Plan*

NDPERS is a cost-sharing multiple-employer defined benefit pension plan that covers most of the classified employees of WSI. The plan provides for pension, disability and death benefits. The cost to administer the plan is financed through the contributions and investment earnings of the plan.

Responsibility for administration of the NDPERS defined benefit pension plan is assigned to a Board comprised of seven members. The Board consists of a Chairman, who is appointed by the Governor, one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system; and one member elected by the retired public employees. Effective July 1, 2015, the Board was expanded to include two members of the legislative assembly appointed by the Chairman of Legislative Management.

#### *Pension Benefits*

Benefits are set by statute. NDPERS has no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Members of the Main System are entitled to unreduced monthly pension benefits beginning when the sum of age and years of credited service equal or exceed 85 (Rule of 85), or at normal retirement age (65). For members hired on or after January 1, 2016, the Rule of 85 was replaced with the Rule of 90 with a minimum age of 60. The monthly pension benefit is equal to 2.00% of their average monthly salary, using the highest 36 months out of the last 180 months of service, for each year of service. The plan permits early retirement at ages 55-64 with three or more years of service.

Members may elect to receive the pension benefits in the form of a single life, joint and survivor, term-certain annuity, or partial lump sum with ongoing annuity. Members may elect to receive the value of their accumulated contributions, plus interest, as a lump sum distribution upon retirement or termination, or they may elect to receive their benefits in the form of an annuity. For each member electing an annuity, total payment will not be less than the members' accumulated contributions plus interest.

#### *Death and Disability Benefits*

Death and disability benefits are set by statute. If an active member dies with less than three years of service for the Main System, a death benefit equal to the value of the member's accumulated contributions, plus interest, is paid to the member's beneficiary. If the member has earned more than three years of credited service for the Main System, the surviving spouse will be entitled to a single payment refund, life-time monthly payments in an amount equal to 50% of the member's accrued normal retirement benefit, or monthly payments in an amount equal to the member's accrued 100% Joint and Survivor retirement benefit if the member had reached normal retirement age prior to date of death. If the surviving spouse dies before the member's accumulated pension benefits are paid, the balance will be payable to the surviving spouse's designated beneficiary.

## NOTES TO FINANCIAL STATEMENTS

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Eligible members, who become totally disabled after a minimum of 180 days of service, receive monthly disability benefits equal to 25% of their final average salary with a minimum benefit of \$100. To qualify under this section, the member has to become disabled during the period of eligible employment and apply for benefits within one year of termination. The definition for disabled is set by the System in the North Dakota Administrative Code.

### *Refunds of Member Account Balance*

Upon termination, if a member is not vested (is not 65 or does not have three years of service credited for the NDPERS) they will receive the accumulated member contributions and vested employer contributions, plus interest, or may elect to receive this amount at a later date. If the member has vested, they have the option of applying for a refund or can remain as a terminated vested participant. If a member terminated and withdrew their accumulated member contribution and is subsequently reemployed, they have the option of repurchasing their previous service.

### *Member and Employer Contributions*

Member and employer contributions paid to NDPERS are set by statute and are established as a percent of salaries and wages. Member contribution rates are 7% and employer contribution rates are 7.12% of covered compensation.

The member's account balance includes the vested employer contributions equal to the member's contributions to an eligible deferred compensation plan. The minimum member contribution is \$25 and the maximum may not exceed the following:

- 1 to 12 months of service – Greater of one percent of monthly salary or \$25
- 13 to 24 months of service – Greater of two percent of monthly salary or \$25
- 25 to 36 months of service – Greater of three percent of monthly salary or \$25
- Longer than 36 months of service – Greater of four percent of monthly salary or \$25

### *Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pension*

At June 30, 2019, the WSI reported a liability of \$25,710,589 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. This compares to the proportionate liability of \$24,862,684 reported on June 30, 2018, which was measured as of June 30, 2017; and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date.

WSI's proportion of the net pension liability was based on the WSI's share of covered payroll in the Main System pension plan relative to the covered payroll of all participating Main System employers. At June 30, 2018, WSI's proportion was measured as 1.523492 percent, which is a decrease of 0.02 from its proportionate share of 1.546883 percent measured as of June 30, 2017.

## NOTES TO FINANCIAL STATEMENTS

For the year ended June 30, 2019, WSI recognized pension expense of \$4,509,549. At June 30, 2019, WSI reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Difference between expected and actual experiences	\$ 68,058	\$ (874,724)
Change in assumptions	9,280,987	(366,969)
Net differences between projected and actual earnings on pension plan investments	-	(125,085)
Changes in proportion and differences between employer contributions and proportionate share of contributions	2,126,821	(241,689)
Employer contributions subsequent to the measurement date	727,840	-
<b>WSI Total</b>	<b>12,203,706</b>	<b>(1,608,467)</b>
Allocation from Retirement Investment Office	92,624	(13,592)
<b>Total</b>	<b>\$ 12,296,330</b>	<b>\$ (1,622,059)</b>

In the year ended, June 30, 2019, \$727,840 was reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date. This will be recognized as a reduction of the net pension liability in the year ended June 30, 2020.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending June 30,</u>	
2019	\$ (3,319,200)
2020	(2,977,118)
2021	(2,496,680)
2022	(1,026,543)
2023	(47,858)
	<u>\$ (9,867,399)</u>



## NOTES TO FINANCIAL STATEMENTS

For the year ended June 30, 2018, WSI recognized pension expense of \$4,070,494. At June 30, 2018, WSI reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Difference between expected and actual experiences	\$ 147,782	\$ (121,136)
Change in assumptions	10,195,377	(560,768)
Net differences between projected and actual earnings on pension plan investments	334,383	-
Changes in proportion and differences between employer contributions and proportionate share of contributions	2,867,973	(55,487)
Employer contributions subsequent to the measurement date	720,919	-
<b>WSI Total</b>	<b>14,266,434</b>	<b>(737,391)</b>
Allocation from Retirement Investment Office	105,691	(6,624)
<b>Total</b>	<b>\$ 14,372,125</b>	<b>\$ (744,015)</b>

In the year ended, June 30, 2018, \$720,919 was reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date. This will be recognized as a reduction of the net pension liability in the year ended June 30, 2019.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ending June 30,</u>	
2018	\$ (2,894,167)
2019	(3,352,982)
2020	(3,005,652)
2021	(2,519,168)
2022	(1,036,155)
	<u>\$ (12,808,124)</u>

## NOTES TO FINANCIAL STATEMENTS

### *Actuarial assumptions*

The total North Dakota PERS pension liability in the July 1, 2018 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation for Contribution Rates	3.50%
Inflation for Net Pension Liability	2.50%
Service at Beginning of Year:	Increase Rate:
0	15.00%
1	10.00%
2	8.00%
Age* Under 36	8.00%
36 - 40	7.50%
41 - 49	6.00%
50+	5.00%
*Age-based salary increase rates apply for employees with three or more years of service	
Investment Rate of Return	7.75%, net of investment expenses
Cost of Living Adjustment	None

For active members, inactive members and healthy retirees, mortality rates were based on the RP-2000 Combined Healthy Mortality Table set back two years for males and three years for females, projected generationally using the SSA 2014 Intermediate Cost scale from 2014. For disabled retirees, mortality rates were based on the RP-2000 Disabled Mortality Table with ages set back one year for males (not set back for females) multiplied by 125%.

The long -term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the Fund's target asset allocation are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity	30%	6.05%
International Equity	21%	6.71%
Private Equity	7%	10.20%
Domestic Fixed Income	23%	1.45%
Global Real Assets	19%	5.11%
Cash Equivalents	0%	0.00%

### *Discount rate*

For PERS, GASB Statement No. 67 includes a specific requirement for the discount rate that is used for the purpose of the measurement of the Total Pension Liability. This rate considers the ability of the System to meet benefit obligations in the future. To make this determination, employer contributions, employee contributions, benefit payments, expenses and investment returns are projected into the future. The current employer and employee fixed rate contributions are assumed to be made in each future year. The Plan Net Position (assets) in future years can then be determined and compared to its obligation to make benefit payments in those years.

## NOTES TO FINANCIAL STATEMENTS

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In years where assets are not projected to be sufficient to meet benefit payments, which is the case for the PERS plan, the use of a municipal bond rate is required.

The Single Discount Rate (SDR) is equivalent to applying these two rates to the benefits that are projected to be paid during the different time periods. The SDR reflects (1) the long-term expected rate of return on pension plan investments (during the period in which the fiduciary net position is projected to be sufficient to pay benefits) and (2) a tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate of return are not met).

The pension plan's fiduciary net position was projected to be sufficient to make all projected future benefit payments through the year of 2061. Therefore, the long-term expected rate of return on pension plan investments was applied to projected benefit payments through the year 2061, and the municipal bond rate was applied to all benefit payments after that date. For the purpose of this valuation, the expected rate of return on pension plan investments is 7.75%; the municipal bond rate is 3.62%; and the resulting Single Discount Rate is 6.32%.

### *Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate*

The following presents the Employer's proportionate share of the net pension liability calculated using the discount rate of 6.32 percent, as well as what the Employer's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.32 percent) or 1-percentage-point higher (7.32 percent) than the current rate:

	<b>1% Decrease (5.32%)</b>	<b>Current Discount Rate (6.32%)</b>	<b>1% Increase (7.32%)</b>
Employer's proportionate share of the net pension liability	<b>\$ 34,935,911</b>	<b>\$ 25,710,589</b>	<b>\$18,012,355</b>

### *Pension plan fiduciary net position*

Detailed information about the pension plan's fiduciary net position is available in the separately issued NDPERS financial report. This report may be obtained by writing to: North Dakota Public Employees Retirement System; 400 East Broadway, Suite 505; PO Box 1657, Bismarck, ND 58502-1657.

### *Changes of assumptions*

Amounts reported in 2019 reflect actuarial assumption changes effective July 1, 2018 based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

### *Defined Contribution Retirement Plan*

The North Dakota Defined Contribution Retirement Plan (Plan) is administered by the North Dakota Public Employees Retirement System Board. The Plan was established on January 1, 2000 and is administered in accordance with Chapter 54-52.6 of the NDCC. Employees of the judicial branch or the Board of Higher Education and State Institutions under the jurisdiction of the Board of Higher Education are not eligible to participate in the Plan.

Member contributions to the Plan are vested immediately and employer contributions to the Plan made on behalf of the member are 100% vested after four years of service. Contribution rates for the Plan are set by statute. In January 2013, member contributions were established at 6% and employer contribution were established at 6.12%. Employees were contributing 2% and WSI was paying the remaining portion of the member contribution.

## NOTES TO FINANCIAL STATEMENTS

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Member contributions to the Plan are vested immediately and employer contributions to the Plan made on behalf of the member are 100% vested after four years of service. Contribution rates for the Plan are set by statute. In January 2013, member contributions were established at 6% and employer contribution were established at 6.12%. Employees were contributing 2% and WSI was paying the remaining portion of the member contribution.

In January 2014, both the member and employer contributions increased by 1% to 7% and 7.12% respectively. At this time, employees contributed 3% with WSI paying the remainder of the member contribution.

Contributions made to the Plan, by the members and WSI, for fiscal years ended June 30, 2019 and 2018 totaled \$65,074 and \$66,345, respectively.

Detailed information about the pension plan's fiduciary net position is available in the separately issued NDPERS financial report. This report may be obtained by writing to: North Dakota Public Employees Retirement System; 400 East Broadway, Suite 505; PO Box 1657, Bismarck, ND 58502-1657.

### **NOTE 12 - POSTRETIREMENT BENEFITS**

Former WSI employees receiving retirement benefits under the Retirement Plan are eligible to participate in the Retiree Health Benefits Fund, a cost-sharing multiple -employer plan, as administered by the Public Employees Retirement Board. During each month of employment, WSI contributes a percentage based upon each employee's salary into the Retiree Health Benefits Fund.

Total contributions for the fiscal years ended June 30, 2019, and 2018 were \$184,171 and \$186,009, respectively. The 61st Legislative Assembly increased the contribution percentage from 1.00% to 1.14%, effective August 1, 2009.

NDPERS OPEB plan is a cost-sharing multiple-employer defined benefit OPEB plan that covers members receiving retirement benefits from the PERS, the HPRS, and Judges retired under Chapter 27-17 of the North Dakota Century Code a credit toward their monthly health insurance premium under the state health plan based upon the member's years of credited service. Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. The Retiree Health Insurance Credit Fund is advance-funded on an actuarially determined basis.

Responsibility for administration of the NDPERS defined benefit OPEB plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system, one member elected by the retired public employees and two members of the legislative assembly appointed by the chairman of the legislative management.

#### *OPEB Benefits*

The employer contribution for the PERS, the HPRS and the Defined Contribution Plan is set by statute at 1.14% of covered compensation. The employer contribution for employees of the state board of career and technical education is 2.99% of covered compensation for a period of eight years ending October 1, 2015. Employees participating in the retirement plan as part-time/temporary members are required to contribute 1.14% of their covered compensation to the Retiree Health Insurance Credit Fund. Employees purchasing previous service credit are also required to make an employee contribution to the Fund. The benefit amount applied each year is shown as "*prefunded credit applied*" on the Statement of Changes in Plan Net Position for the OPEB trust funds.

## NOTES TO FINANCIAL STATEMENTS

Retiree health insurance credit benefits and death and disability benefits are set by statute. There are no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Employees who are receiving monthly retirement benefits from the PERS, the HPRS, the Defined Contribution Plan, the Chapter 27-17 judges or an employee receiving disability benefits, or the spouse of a deceased annuitant receiving a surviving spouse benefit or if the member selected a joint and survivor option are eligible to receive a credit toward their monthly health insurance premium under the state health plan.

Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. The benefits are equal to \$5.00 for each of the employees, or deceased employee's years of credited service not to exceed the premium in effect for selected coverage. The retiree health insurance credit is also available for early retirement with reduced benefits.

### *OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB*

At June 30, 2019, WSI reported a liability of \$1.16 million, for its proportionate share of the net OPEB liability. The net OPEB liability was measured as of June 30, 2018 and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. WSI's proportion of the net OPEB liability was based on WSI's share of covered payroll in the OPEB plan relative to the covered payroll of all participating OPEB employers. At June 30, 2018, WSI's proportion was 1.471567 percent.

For the year ended June 30, 2019, WSI recognized OPEB expense of \$139,635. At June 30, 2019, WSI reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Difference between expected and actual experiences	\$ 34,698	\$ (23,945)
Change in assumptions	95,094	-
Net differences between projected and actual earnings on pension plan investments	-	(24,932)
Changes in proportion and differences between employer contributions and proportionate share of contributions	-	(31,012)
Employer contributions subsequent to the measurement date	184,171	-
<b>WSI Total</b>	<b>\$ 313,963</b>	<b>\$ (79,889)</b>

\$184,171 reported as deferred outflows of resources related to OPEB resulting from WSI's contributions subsequent to the measurement date, will be recognized as a reduction of the net OPEB liability in the year ended June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEBs will be recognized in OPEB expense as follows:

## NOTES TO FINANCIAL STATEMENTS

<u>Year Ending June 30,</u>	
2019	\$ (4,656)
2020	(4,656)
2021	(4,656)
2022	(15,659)
2023	(13,640)
2024	(6,200)
2025	(436)
	<u>\$ (49,903)</u>

For the year ended June 30, 2018, WSI recognized OPEB expense of \$151,559. At June 30, 2018, WSI reported deferred outflow of resources and deferred inflows of resources related to OPEB from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Difference between expected and actual experiences	\$ -	\$ (28,916)
Change in assumptions	114,833	-
Net differences between projected and actual earnings on pension plan investments	-	(44,827)
Changes in proportion and differences between employer contributions and proportionate share of contributions	-	(6,640)
Employer contributions subsequent to the measurement date	186,009	-
	<u>\$ 300,842</u>	<u>\$ (80,383)</u>

\$186,009 reported as deferred outflows of resources related to OPEB resulting from WSI's contributions subsequent to the measurement date, will be recognized as a reduction of the net OPEB liability in the year ended June 30, 2019. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEBs will be recognized in OPEB expense as follows:

<u>Year Ending June 30,</u>	
2019	\$ (1,203)
2020	(1,203)
2021	(1,203)
2022	(12,410)
2023	(12,410)
	<u>\$ (28,429)</u>

## NOTES TO FINANCIAL STATEMENTS

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### *Actuarial assumptions*

The total OPEB liability in the July 1, 2018 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation for Contribution Rates	2.50%
Inflation for Net OPEB Liability	2.50%
Investment rate of return	7.50%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the RP-2000 Combined Healthy Mortality Table set back two years for males and three years for females, projected generationally using the SSA 2014 Intermediate Cost scale from 2014. For disabled retirees, mortality rates were based on the RP-2000 Disabled Mortality Table set back one year for males (no setback for females) multiplied by 125%.

The long-term expected investment rate of return assumption for the North Dakota Retiree Health Insurance Credit Fund (RHIC) was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of RHIC investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Estimates of arithmetic real rates of return, for each major asset class included in the RHIC's target asset allocation as of July 1, 2018 are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Large Cap Domestic Equities	37%	5.80%
Small Cap Domestic Equities	9%	7.05%
International Equities	14%	6.20%
Core-Plus Fixed Income	40%	1.56%

### *Discount rate*

The discount rate used to measure the total OPEB liability was 7.5%. The projection of cash flows used to determine the discount rate assumed plan member and statutory/Board approved employer contributions will be made at rates equal to those based on the July 1, 2018 actuarial valuation report.

For this purpose, only employer contributions that are intended to fund benefits of current RHIC members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries are not included. Based on those assumptions, the RHIC fiduciary net position was projected to be sufficient to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on RHIC investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

## NOTES TO FINANCIAL STATEMENTS

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### *Sensitivity of the Employer's proportionate share of the net OPEB liability to changes in the discount rate*

The following presents the net OPEB liability of the Plans as of June 30, 2018, calculated using the discount rate of 7.50%, as well as what the RHIC net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5 percent) or 1-percentage-point higher (8.5 percent) than the current rate:

	<b>1% Decrease (6.5%)</b>	<b>Current Discount Rate (7.5%)</b>	<b>1% Increase (8.5%)</b>
Employer's proportionate share of the net OPEB liability	\$1,466,361	\$1,158,959	\$895,436

### *Changes of assumptions*

Amounts reported in 2019 reflect actuarial assumption changes effective July 1, 2018 based on the results of an actuarial experience study completed in 2015. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

### **NOTE 13 - EMPLOYEE DEFERRED COMPENSATION PLAN**

Employees of WSI may participate in an employee deferred compensation plan in accordance with Internal Revenue Service Code Section 457. The plan allows participating employees to defer a portion of their salary until future years. The deferred compensation is not available to the participants until termination, retirement, death, or unforeseeable emergency. The plan is administered by the State of North Dakota Retirement Board. All compensation deferred under the plans, all property and rights purchased with those amounts, and all income attributable to those amounts, property or rights are held in trust for the exclusive use of the employee or their beneficiary. Since the investments are not held by WSI, the investments and the related obligation to employees is not included in WSI's statement of net position.

### **NOTE 14 - RISK MANAGEMENT**

WSI is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The following are funds/pools established by the State for risk management issues.

WSI is insured by the State Fire & Tornado Fund as well as the State Bonding Fund. WSI pays an annual premium to the Fire & Tornado Fund for 90% replacement cost of its personal property. Replacement cost is estimated on the office building and all furniture and equipment in consultation with the Fire & Tornado Fund.

The State Bonding Fund currently provides WSI with blanket fidelity bond coverage in the amount of \$2,000,000 for its employees. The State Bonding Fund does not currently charge any premium for this coverage.

WSI is insured through the OMB Risk Management Division for workers compensation insurance as well as tort liability. WSI pays an annual premium to the OMB Risk Management Division for both of these exposures. The Risk Management Division manages all workers compensation claims for all state agencies.



## NOTES TO FINANCIAL STATEMENTS

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### NOTE 15 - REINSURANCE

WSI currently contracts with reinsurance intermediary, Guy Carpenter, for placement of catastrophic claim insurance. Historically, policy years have had up to four coverage levels, with varying retention limits of \$3 million, \$5 million, \$10 million and \$20 million. WSI's current 2019 calendar year policy has two coverage levels, with retention limits of \$10 million and \$20 million. Retention limits vary from year to year.

WSI also obtained a NBCR Terrorism Excess of Loss contract through the reinsurance intermediary, Guy Carpenter, for the calendar year 2018. WSI deems this protection essential to protect the fund against catastrophic losses. Terms, limits, and pricing are re-evaluated annually. For the year ended June 30, 2019 and 2018 WSI recorded ceded losses of \$1,037,258 and \$16,263,769 and ceded premiums of (\$184,860) and \$3,538,657, respectively. The decrease in ceded losses is due to the receipt of a third-party recovery settlement.

For accident years December 1, 1999 to December 1, 2002, Munich Re provided treaty excess of loss reinsurance to WSI. In fiscal year 2019, Munich Re and WSI agreed to commute the remaining liabilities under these treaties. As a result of this commutation, cash increased by \$50.5 million and approximately \$40 million of ceded liabilities were assumed by WSI.

### NOTE 16 - SIGNIFICANT LEGISLATIVE CHANGES

Significant legislative changes relating to WSI that were enacted by the 2019 Legislative Assembly are listed below:

- HB 1072 required employer payroll reporting to be done electronically.
- HB 1073 requires healthcare providers to submit medical bills and documentation electronically no later than July 1, 2021.
- Several other administrative changes were also contained in HBs 1072 and 1073 that were less significant.

### NOTE 17 - RELATED PARTIES

As stated in Note 1 of these financial statements, WSI is an agency of the state of North Dakota; as such, the other state agencies and political subdivisions are related parties.

## NOTES TO FINANCIAL STATEMENTS

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### NOTE 18 - TENANT LEASES

WSI leases six suites to five tenants in their main office building at 1600 East Century Avenue, Bismarck, ND. The Department of Human Services has two suites, one for Child Support and one for Provider Audit. These tenants, identified below, began leasing space at WSI's Century Center on July 1, 2003. All tenants had an increase in their lease rates on July 1, 2007, July 1, 2011, and again on July 1, 2015; with the lease continuing through June 30, 2017. WSI reduced the lease rates on office space to all tenants effective July 1, 2017.

All tenants have renewed their leases with a term of July 1, 2018 through June 30, 2019 as provided below:

	<u>Monthly Rent</u>	<u>Annual Rent</u>
ND Council on the Arts	\$ 1,659	\$ 19,910
ND Department of Commerce	16,053	192,639
ND Human Services	11,728	140,736
ND OMB Risk Management	1,932	23,180
ND Parks & Recreation	7,099	85,185
	<hr/>	<hr/>
Total	\$ 38,471	\$ 461,650

WSI's lease rates on office space for fiscal year 2018 are provided below:

	<u>Monthly Rent</u>	<u>Annual Rent</u>
ND Council on the Arts	\$ 1,659	\$ 19,908
ND Department of Commerce	19,802	237,624
ND Human Services	11,728	140,736
ND OMB Risk Management	1,932	23,184
ND Parks & Recreation	7,099	85,188
	<hr/>	<hr/>
Total	\$ 42,220	\$ 506,640

The ND Department of Commerce amended their lease agreement to reduce the amount of leased square footage, effective September 1, 2018. The monthly rent for the Department of Commerce for fiscal year 2019 was \$19,802 for July and August 2018; then was reduced to \$15,056 for September 2018 through November 2018; then increased to \$15,409.58 for December 2018 through June 2019 for an annual amount of \$192,639.

### NOTE 19 - FINANCIAL RESERVES AND NET POSITION

NDCC 65-04-02 requires WSI to maintain adequate financial reserves plus net position of at least 120% to a maximum of 140% of the actuarial established discounted reserve. Should WSI's available net position be outside of these levels, statute allows WSI two years to come into compliance. However, statute restricts WSI from granting a dividend credit of greater than 50% of the prior year's premium.

## NOTES TO FINANCIAL STATEMENTS

The 2009 Legislative Assembly modified this statute via 2009 HB1035. The legislation defined “available surplus” as net position excluding funds designated or obligated to specific programs or projects pursuant to a directive or specific approval by the legislative assembly. This legislation also set parameters on when a dividend declaration should and should not be considered.

WSI’s statutorily defined fund surplus of \$741.9 million plus discounted reserves on June 30, 2019 equals 168% of the estimated actuarial discounted reserve liability of \$1.090 billion. This compares to the available total of \$649.6 million plus estimated discounted reserve liabilities on June 30, 2018, which equaled 161.9% of the estimated actuarial discounted reserve liabilities of \$1.049 billion. The available surplus of \$574.5 million plus estimated discounted reserve liabilities on June 30, 2017, equaled 152.9% of the estimated actuarial discounted reserve liabilities of \$1.086 billion. WSI granted a 50% dividend credit in fiscal year 2019, 2018, and 2017, respectively.

	Actual June 2017	Actual June 2018	Actual June 2019
<b>Estimated Discounted Financial Reserves</b>	<b>\$ 1,085,768,000</b>	<b>\$ 1,049,386,000</b>	<b>\$ 1,090,944,000</b>
<b>NET POSITION or "SURPLUS"</b>	<b>\$ 608,815,221</b>	<b>\$ 681,146,160</b>	<b>\$ 770,530,937</b>
<b>2009 HB 1035 Allowable Deductions from Net Assets (Surplus)</b>			
Safety & Education Grants	19,766,593	17,074,919	14,256,955
Revolving School Loan Fund	14,556,728	14,457,898	14,357,945
<b>Total Exclusions from Net Position(Surplus)</b>	<b>34,323,321</b>	<b>31,532,817</b>	<b>28,614,900</b>
<b>Available Net Position / Fund Surplus</b>	<b>\$ 574,491,900</b>	<b>\$ 649,613,343</b>	<b>\$ 741,916,037</b>
	<b>52.9%</b>	<b>61.9%</b>	<b>68.0%</b>

### NOTE 20 - COMMITMENT - CAPS (CLAIMS AND POLICY SYSTEM)

WSI is working with several outside companies and ITD to replace its current Claims and Policy software systems. This program, titled Claims and Policy System (CAPS) Program, replaces core business applications in order to improve customer service, enhance system maintainability, provide enhanced reporting and accessibility to information, and enable WSI to remain current with technology. This program is being completed in phases, with each phase consisting of multiple releases. Each release delivers functionality in a production environment, ready to be used. In total, the program consists of twenty projects/releases spread across the following five phases:

- Phase 1 – Initial Planning phase – completed June 2015.
- Phase 2 – Shared Components, consists of 3 Releases – completed February 2017, cost of \$3.7 million.
- Phase 3 – Policy: consists of 6 Releases – the 3<sup>rd</sup> of 6 Releases completed July 2019, total cost through June 2019 was \$5 million, with a total budget of \$11 million.
- Phase 4 – Claims: consists of 11 Releases with a total budget of \$14.9 million.
- Phase 5 – Program Closeout

Project costs are recorded in Construction in Progress and capitalized as releases are implemented. Project is scheduled for completion in 2026.

## NOTES TO FINANCIAL STATEMENTS

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### NOTE 21 - CONTINUING APPROPRIATIONS

The following information discloses WSI's continuing appropriation authority of funding from the workers' compensation fund. WSI does not receive any general fund dollars.

NDCC 54-06-29 Collection Agency Fees - WSI maintains an internal collections unit to manage its premium receivable. From time to time, after all collection efforts have been exhausted, account balances may be written off as uncollectible. Some of these account balances may be turned over to external collection agencies.

This continuing appropriation is addressed in OMB Fiscal and Administrative Policy 212. The dollars reported are the fees paid to collection agencies for amounts recovered.

NDCC 65-01-13 Information Fund - This fund was established to recapture costs of providing publications and statistical information to private citizens, businesses, associations, corporations and limited liability companies. Direct costs of operating this fund are expensed as incurred, such as publication printing costs and file storage and retrieval fees. Indirect costs, such as employee wages, are not specifically allocated to this fund. Fees collected for publications and other information requests are deposited into this fund.

NDCC 65-02-05.1 Building Operations – Workforce Safety & Insurance manages the day-to-day operations and maintenance of the building, such as utilities, janitorial service and grounds keeping.

NDCC 65-02-06.1 Allocated Loss Adjustment Expenses – WSI's allocated loss adjustment expenses are charged directly to specific claims and authorized as a continuing appropriation, just like indemnity and medical benefits for injured workers. These expenses include legal fees, and cost containment expenses for return to work case management, fraud investigation services, and the costs of other services required as part of the claims adjudication process.

NDCC 65-02-06.2 Litigation Expense – The 2009 Legislative Assembly authorized a continuing appropriation for expenses associated with litigating employer-related issues and for payment of organization expenses associated with litigating medical provider related issues as identified under sections 65-02-23 and 65-02-20.

NDCC 65-02-13.1 Other States Coverage – An amount necessary to allow the organization to establish a program of reinsurance and a program of extraterritorial coverage and other states' insurance is to be appropriated out of the Workforce Safety & Insurance Fund, as a continuing appropriation. The organization may execute a contract for reinsurance and a contract for extraterritorial coverage and other states' insurance binding on the organization and the contracting party.

NDCC 65-02-13.1 Reinsurance – This statute authorizes the organization to reinsure any risk or any part thereof and may enter into agreements of reinsurance. Costs of reinsurance are to be appropriated from the Workforce Safety and Insurance fund, as a continuing appropriation. The annual financial audit report must report on any contracts executed pursuant to this statute.

NDCC 65-02-23 Insurance Fraud – This statute authorizes a continuing appropriation for "costs associated with identifying, preventing and investigating employer and provider fraud." Injured worker fraud investigative expenses are charged directly to the claim. WSI's special investigations unit (SIU) works to investigate and prevent insurance fraud by employers, medical providers and injured workers.

NDCC 65-02-30 Performance Evaluation – This statute requires a performance evaluation be conducted on WSI operations every other biennium through the coordination of the State Auditor's Office. Funding is provided through a continuing appropriation.

## NOTES TO FINANCIAL STATEMENTS

NDCC 65-03-04 Safety Programs – This statute provides a continuing appropriation for promoting safety through education, training, consultation, grants and other incentives. WSI’s loss control employees and their related administrative expenses are not included as part of this continuing appropriation.

NDCC 65-05.1-08 Educational Revolving Loan Fund – The 2005 Legislative Assembly established a revolving loan fund to provide low interest loans to individuals that have suffered compensable work injuries. The loans must be used to pursue an education at an accredited institution of higher education or an institution of technical education. The loan program is administered by the Bank of North Dakota. In June 2005, WSI’s board of directors earmarked \$15 million for the educational revolving loan fund. WSI began marketing the loan program in August 2005.

NDCC 65-05-36 Preferred Worker Program – WSI established a program for injured workers who, while employable, are unable to return to the employer at the time of their injury. The preferred worker program offers benefits to North Dakota employers for hiring people under this program. This continuing appropriation funds any employment-related expenses such as equipment purchases and work-site modifications for the preferred worker.

NDCC 65-01-18 Alternative Dispute Resolution – Pilot Program – The 2019 Legislative Assembly authorized a continuing appropriation in the amount of no more than fifty thousand dollars per biennium from the workforce safety and insurance fund to be appropriated to the organization on a continuing basis for payment of organization expenses associated with the pilot program.

### NOTE 22 - FAIR VALUE MEASUREMENT

Recurring fair value measurements are those that Governmental Accounting Standards Board (GASB) Statements require or permit in the statement of net position at the end of each reporting period. Fair value measurements are categorized based on the valuation inputs used to measure an asset’s fair value: Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. Investments’ that are measured at fair value using Net Asset Value per share (NAV), are measured as follows as of June 30, 2019 and June 30, 2018:

		Fair Value Measurements Using		
June 30, 2019		Level 1	Level 2	Level 3
Investments	Fair Value	Inputs	Inputs	Inputs
Investments held with RIO	\$ 2,054,781,942	\$ -	\$ -	\$ 2,054,781,942

		Fair Value Measurements Using		
June 30, 2018		Level 1	Level 2	Level 3
Investments	Fair Value	Inputs	Inputs	Inputs
Investments held with RIO	\$ 1,913,603,074	\$ -	\$ -	\$ 1,913,603,074

Investments held with RIO are categorized as level 3 and are reported at NAV by RIO.

## NOTES TO FINANCIAL STATEMENTS

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### NOTE 23 - CONTINGENCY

During fiscal year 2019, the following activity is noted:

#### *Indirect Litigation.*

The State Investment Board has been named as a defendant in two cases, arising out of the Tribune and General Motors bankruptcy proceedings, relating to securities that were purchased by external investment managers in one or more portfolios held by the SIB on behalf of its investment client funds. Outside counsel has been retained for both cases, in addition to assistance received from the ND Office of Attorney General.

SIB became a party to a Settlement Agreement dated April 10, 2019, as a Term Lender in the General Motors bankruptcy proceeding. The liability will be borne by other parties, so no liability was accrued by the SIB as of June 30, 2019.

On July 15, 2019, in the Tribune proceeding, the Litigation Trustee filed a Notice of Appeal to the Second Circuit, appealing the various judgments of the U.S. District Court that dismissed his claims against defendants in the Action and denying leave to amend his complaint to add a constructive fraudulent transfer claim. It is expected that briefing of all the legal issues before the Second Circuit will occur in late 2019 and early 2020. Accordingly, no liability has been recorded for this case.

### NOTE 24 - ISSUED BUT NON-EFFECTIVE ACCOUNTING PRONOUNCEMENTS

The Governmental Accounting Standards Board (GASB) has issued several statements not yet implemented by WSI. The first statement issued but not yet implemented that will affect WSI is statement No. 84, *Fiduciary Activities*. The objective of this Statement is to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported. The requirements of this Statement will enhance consistency and comparability by (1) establishing specific criteria for identifying activities that should be reported as fiduciary activities and (2) clarifying whether and how business-type activities should report their fiduciary activities. Greater consistency and comparability enhances the value provided by the information reported in financial statements for assessing government accountability and stewardship. This statement will be implemented at WSI in the year ending June 30, 2020.

The second statement issued but not yet implemented that will affect WSI is statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement will increase the usefulness of governments' financial statements by requiring reporting of certain lease liabilities that currently are not reported. It will enhance comparability of financial statements among governments by requiring lessees and lessors to report leases under a single model. This Statement also will enhance the decision-usefulness of the information provided to financial statement users by requiring notes to financial statements related to the timing, significance, and purpose of a government's leasing arrangements. This GASB statement is effective for reporting periods that begin subsequent to December 15, 2019. This statement will be implemented at WSI in the year ending June 30, 2021.

Management has not yet determined the effect these pronouncements will have on WSI's financial statements.

**WORKFORCE SAFETY & INSURANCE**  
**REQUIRED SUPPLEMENTARY INFORMATION**  
**SCHEDULE OF EMPLOYER PENSION LIABILITY AND CONTRIBUTIONS**  
**JUNE 30, 2019 – JUNE 30, 2015**

<b>Schedules of Required Supplementary Information</b>					
<b>Schedule of WSI's Share of Net Pension Liability</b>					
<b>Last 10 Fiscal Years*</b>					
	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>	<b>2015</b>
WSI's portion of NDPERS net pension liability (asset)	1.52%	1.55%	1.53%	0.92%	0.94%
WSI's proportionate share of NDPERS net pension liability (asset)	\$ 25,710,589	\$ 24,862,684	\$ 14,957,537	\$ 6,282,403	\$ 5,953,414
WSI's covered employee payroll	15,651,096	15,790,737	15,466,560	8,230,866	8,087,854
WSI's proportionate share of NDPERS net pension liability (asset) as a percentage of its covered employee payroll	164.3%	157.5%	96.7%	76.3%	73.6%
NDPERS Plan fiduciary net position as a percentage of the total pension liability	62.80%	61.98%	70.50%	77.20%	77.70%

\*Amounts presented have a measurement date of the previous fiscal year.

Prior to 2016, the payroll above was based on actual pay received during the year for members active at the end of the fiscal year. Beginning with the 2016 payroll, payroll is based on annualized payroll as of the valuation date.

**Changes of assumptions.** Amounts reported in 2018 reflect actuarial assumption changes effective July 1, 2017 based on the results of an actuarial experience study completed in 2017. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

<b>Schedules of Required Supplementary Information</b>					
<b>Schedule of WSI's Pension Contributions</b>					
<b>Last 10 Fiscal Years **</b>					
	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>	<b>2015</b>
Statutorily required contribution	\$ 1,150,515	\$ 1,161,753	\$ 1,145,021	\$ 1,119,754	\$ 625,201
Contributions in relation to the actuarially determined contribution	(1,150,515)	(1,161,753)	(1,129,272)	(884,731)	(617,554)
Contribution deficiency (excess)	-	-	15,749	235,023	7,647
Covered employee payroll	\$ 16,158,925	\$ 16,316,753	\$ 15,790,737	\$ 15,466,560	\$ 8,230,866
Contributions as a percentage of covered employee payroll	7.12%	7.12%	7.15%	7.24%	7.60%

\*\*Complete data for these schedules is not available prior to 2015.

**WORKFORCE SAFETY & INSURANCE**  
**REQUIRED SUPPLEMENTARY INFORMATION**  
**SCHEDULE OF EMPLOYER POSTEMPLOYMENT LIABILITY AND CONTRIBUTIONS**  
**JUNE 30, 2019 - JUNE 30, 2017**

*Changes of assumptions.* Amounts reported in 2018 reflect actuarial assumption changes effective July 1, 2017 based on the results of an actuarial experience study completed in 2017. This includes changes to the mortality tables, disability incidence rates, retirement rates, administrative expenses, salary scale, and percent married assumption.

**Schedules of Required Supplementary Information**  
**Schedule of WSI's Share of Net Postemployment Benefit Liability**  
**Last 10 Fiscal Years\***

	<u>2019</u>	<u>2018</u>
WSI's portion of NDPERS net postemployment benefit liability (asset)	1.4715670%	1.4988550%
WSI's proportionate share of NDPERS net postemployment liability (asset)	\$ 1,158,959	\$ 1,189,880
WSI's covered employee payroll	16,102,131	15,790,737
WSI's proportionate share of NDPERS net postemployment benefit liability (asset) as a percentage of its covered employee payroll	7.2%	7.5%
NDPERS Plan fiduciary net position as a percentage of the total postemployment benefit liability	61.9%	59.8%

\* Amounts presented have a measurement date of the previous fiscal year end.

**Schedules of Required Supplementary Information**  
**Schedule of WSI's Contributions - Postemployment Benefit**  
**Last 10 Fiscal Years \*\***

	<u>2019</u>	<u>2018</u>	<u>2017</u>
Statutorily required contribution	\$ 180,980	\$ 182,748	\$ 188,490
Contributions in relation to the actuarially determined contribution	<u>(180,980)</u>	<u>(182,748)</u>	<u>(180,810)</u>
Contribution deficiency (excess)	<u>-</u>	<u>-</u>	<u>7,680</u>
Covered employee payroll	\$ 16,158,925	\$ 16,316,753	\$ 15,790,737
Contributions as a percentage of covered employee payroll	1.12%	1.12%	1.14%

\*\* Complete data for these schedules is not available prior to 2017.



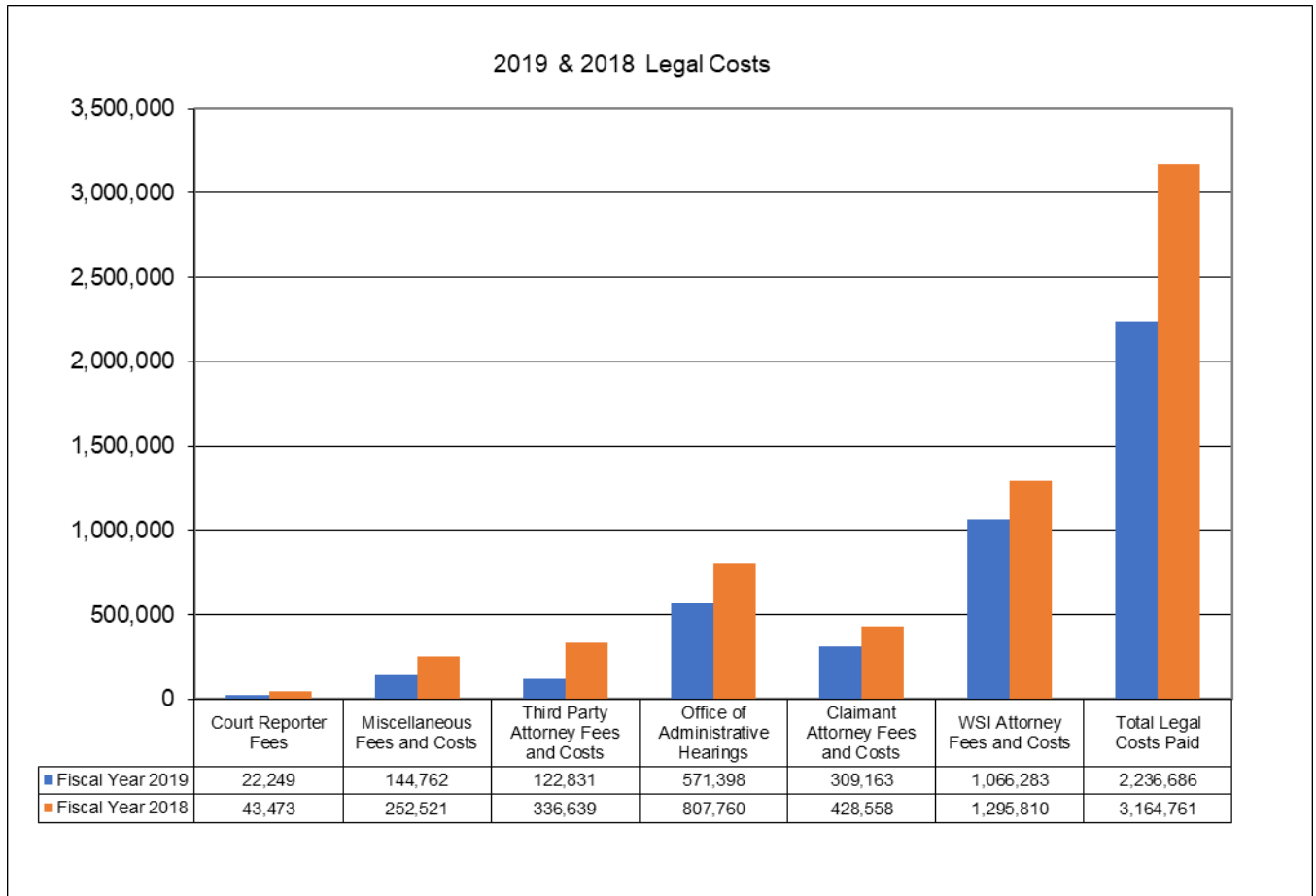
**WORKFORCE SAFETY & INSURANCE**  
**REQUIRED SUPPLEMENTARY INFORMATION**  
**LOSS DEVELOPMENT INFORMATION**  
**JUNE 30, 2019**

The table below illustrates how the Fund's earned revenues and investment income compare to related costs of loss and other expenses assumed by the Fund as of the end of each of the last ten years. The rows of the table are defined as follows: (1) The total of each fiscal year's earned premium revenues and investment revenues. (2) Total operational costs of fiscal year, including overhead and claims expense not allocable to individual claims, as well as investment expenses. (3) The Fund's incurred losses and allocated loss adjustment expenses, both paid and accrued, as originally reported at the end of the first year in which the event that triggered coverage under the contract occurred (referred to as policy year). (4) This section of 10 rows is the cumulative amounts paid at the end of successive years for each policy year. (5) This section of 10 rows shows how each policy years' estimated incurred losses increased or decreased at the end of each successive year. This annual re-estimation is the result of new information received regarding unknown claims, re-evaluation of existing information on known claims, as well as the emergence of new claims not previously known. (6) This line compares the latest re-estimated incurred losses amount to the amount originally established (line 3) and shows whether this latest estimate of claims cost is greater or less than the original. As data for individual policy years mature, the correlation between original estimates and re-estimated amounts is commonly used to evaluate the accuracy of incurred losses currently recognized in less mature policy years. The columns of the table show data for successive policy years. All data is shown in thousands.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
1. Net earned required contribution and investment revenues	\$ 288,949	\$ 357,172	\$ 340,730	\$ 442,995	\$ 502,371	\$ 407,949	377,414	395,966	343,011	385,561
2. Unallocated expenses	32,709	29,997	33,321	51,881	40,617	41,275	42,938	46,758	44,338	44,587
3. Estimated incurred claims and expense, end of policy year	160,265	191,795	230,158	299,882	337,537	314,612	228,620	198,315	193,275	186,815
4. Paid (cumulative) as of										
End of policy year	30,861	38,596	44,224	52,886	64,846	60,697	40,871	39,799	42,068	42,252
One year later	52,410	65,249	86,783	99,078	111,166	101,990	74,368	65,251	68,077	
Two years later	59,515	76,420	102,133	117,108	127,873	119,937	84,052	72,725		
Three years later	65,216	84,638	110,896	127,508	139,762	131,767	84,238			
Four years later	69,289	90,072	115,555	135,534	147,602	139,767				
Five years later	73,010	93,588	119,697	141,624	153,802					
Six years later	75,495	96,223	122,913	145,898						
Seven years later	76,844	98,469	124,463							
Eight years later	78,144	99,897								
Nine years later	79,339									
5. Reestimated incurred claims and expense										
End of policy year	160,265	191,795	230,158	299,882	337,537	314,612	228,620	198,315	193,275	186,815
One year later	151,411	192,257	257,806	293,069	321,494	283,404	203,973	176,563	179,272	
Two years later	147,853	193,114	243,814	287,797	299,221	270,630	191,051	163,983		
Three years later	146,418	187,355	240,505	272,390	290,667	267,304	174,204			
Four years later	142,001	184,329	227,887	265,404	284,718	264,573				
Five years later	138,874	180,677	220,572	261,133	276,946					
Six years later	136,675	174,024	214,460	252,533						
Seven years later	133,938	170,564	205,715							
Eight years later	131,926	164,095								
Nine years later	126,080									
6. Change in estimated incurred claims and expense from end of policy year	\$ (34,185)	\$ (27,700)	\$ (24,443)	\$ (47,349)	\$ (60,591)	\$ (50,039)	\$ (54,416)	\$ (34,332)	\$ (14,003)	\$ -

**WORKFORCE SAFETY & INSURANCE**  
**SUPPLEMENTARY INFORMATION**  
**SCHEDULE OF ATTORNEY FEES AND COSTS**  
**JUNE 30, 2019 AND JUNE 30, 2018**

Pursuant to Section 65-02-06.1 of the NDCC, the following chart shows the breakdown of allocated loss adjustment expenses (ALAE) for legal fees and costs paid to attorneys representing both the injured workers and WSI, amounts paid for administrative law judges through the Office of Administrative Hearings, court reporter fees, and other miscellaneous legal fees. Legal fees and costs paid in fiscal years 2019 and 2018 were \$2,236,686 and \$3,164,761, respectively. These costs are included as a portion of incurred losses within the “Statements of Revenues, Expenses and Changes in Fund Net Position” of this report.



**Report on Internal Control over Financial Reporting and on Compliance  
and Other Matters Based on an Audit of Financial Statements Performed in Accordance with  
*Government Auditing Standards***

To the Governor of North Dakota,  
Legislative Assembly and the  
Board of Directors of Workforce Safety & Insurance  
Bismarck, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of Workforce Safety & Insurance (WSI) as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise Workforce Safety & Insurance's basic financial statements, and have issued our report thereon dated October 10, 2019.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered WSI's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of WSI's internal control. Accordingly, we do not express an opinion on the effectiveness of WSI's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of WSI's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether WSI’s financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of WSI’s internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering WSI’s internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Fargo, North Dakota  
October 10, 2019

**Workforce Safety & Insurance  
Independent Auditor's Specific Comments Requested by  
the North Dakota Legislative Audit and Fiscal Review Committee  
Year Ended June 30, 2019**

To the Governor of North Dakota,  
Legislative Assembly and the  
Board of Directors of Workforce Safety & Insurance  
Bismarck, North Dakota

The Legislative Audit and Fiscal Review Committee require that certain items be addressed by independent certified public accountants performing audits of State agencies. The items and our responses regarding the June 30, 2019 audit of the Authority are as follows:

**Audit Report Communications:**

**1. What type of opinion was issued on the financial statements?**

Unmodified.

**2. Was there compliance with statutes, laws, rules and regulations under which the Authority was created and is functioning?**

Yes.

**3. Was internal control adequate and functioning effectively?**

In planning and performing our audit of the financial statements, we considered Workforce Safety & Insurance's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Workforce Safety & Insurance's internal control. No identified material weaknesses were noted in the current year.

**4. Were there any indications of lack of efficiency in financial operations and management of the Authority?**

As financial statement auditors our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with governance oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. The professional standards do not contemplate efficiency in financial operations and management of the Authority, however, there were no items noted during our procedures that would indicate a lack of efficiency. Had we been engaged to and performed additional procedures related to efficiency other items may have been noted.

**5. Was action taken on prior audit findings and recommendations?**

No prior audit findings noted.

**6. Was a management letter issued? If so, provide a summary below, including any recommendations and the management responses.**

We did not issue a separate management letter with written recommendations. Our firm considers written recommendations to be at least significant deficiencies communicated in the report on internal control over financial reporting. Certain verbal recommendations were made to management based on insignificant control deficiencies that did not warrant the attention of those charged with governance.

**Audit Committee Communications:**

**1. Identify any significant changes in accounting policies, any management conflicts of interest, any contingent liabilities, or any significant unusual transactions.**

As described in Note 15 – WSI commuted the liabilities associated with the Munich Re reinsurance contract. As a result of the commutation, cash was received totaling \$50.5 million and approximately \$40 million of ceded liabilities were assumed by WSI.

**2. Identify any significant accounting estimates, the process used by management to formulate the accounting estimates, and the basis for the auditor’s conclusions regarding the reasonableness of those estimates.**

One of the most sensitive estimates is the liability for unpaid losses and loss adjustment expenses (LAE). The liability for unpaid losses and LAE is estimated by WSI’s actuary, taking into consideration past experience of WSI in paying claims and the general conditions of the environment in which WSI operates. This liability is based on the estimated ultimate costs to settle both reported and incurred but not reported (IBNR) losses and LAE, and includes the effects of inflation and other societal and economic factors. The actuarial computation also includes a 4.5% discount to report this liability as its estimated present value. We, as auditors of WSI, have an internal actuary review the estimate as provided by WSI’s actuary to ensure the estimate is reasonable.

Another significant estimate to the financial statements is the dividend expense and related liability. The dividend expense and liability are calculated using the policyholder’s prior year premium less any safety discounts awarded. This premium is an estimate based upon the previous year’s actual payroll and is subject to change once the current year’s actual payroll is known. As that becomes known, and the premiums are adjusted, so too will the dividend liability and expense be adjusted. We have reviewed the assumptions and calculation used in determining the estimate to ensure the estimate is reasonable.

Management’s estimate of the net pension liability and other postemployment benefit liabilities are based on an actuary’s calculation in accordance with the employment contracts. We evaluated the key factors and assumptions used to develop the net pension liability in determining that it is reasonable in relation to the financial statements taken as a whole.

**3. Identify any significant audit adjustments.**

None.

- 4. Identify any disagreements with management, whether or not resolved to the auditor's satisfaction, relating to a financial accounting, reporting, or auditing matter that could be significant to the financial statements.**

None.

- 5. Identify any serious difficulties encountered in performing the audit.**

None.

- 6. Identify any major issues discussed with management prior to retention.**

None.

- 7. Identify any management consultations with other accountants about auditing and accounting matters.**

None.

- 8. Identify any high-risk technology systems critical to operations based on the auditor's overall assessment of the importance of the system to the agency and its mission, or whether any exceptions identified in the six report questions to be addressed by auditors are directly related to the operations of an information technology system.**

The Claims Management System (CMS) and Policy Holder Services (PICS) have been identified as the most high-risk systems at Workforce Safety Insurance. There were no exceptions identified that were directly related to these applications.

This report is intended solely for the information and use of the Board of Directors, Legislative Audit and Fiscal Review Committee, and management, and is not intended to be and should not be used by anyone other than these specified parties



Fargo, North Dakota  
October 10, 2019

To the Governor of North Dakota,  
Legislative Assembly and the  
Board of Directors of Workforce Safety & Insurance  
Bismarck, North Dakota

We have audited the financial statements of Workforce Safety & Insurance (WSI) as of and for the year ended June 30, 2019, and have issued our report thereon dated October 10, 2019. Professional standards require that we advise you of the following matters relating to our audit.

**Our Responsibility in Relation to the Financial Statement Audit under Generally Accepted Auditing Standards and *Government Auditing Standards***

As communicated in our letter dated June 11, 2019, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of WSI's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of WSI solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding a significant control deficiency during our audit in our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* dated October 10, 2019.

**Planned Scope and Timing of the Audit**

We conducted our audit consistent with the planned scope and timing we previously communicated to you.



## Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and other firms utilized in the engagement, if applicable, have complied with all relevant ethical requirements regarding independence.

## Qualitative Aspects of WSI's Significant Accounting Practices

### *Significant Accounting Policies*

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by WSI is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during year. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

### *Significant Accounting Estimates*

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements are:

One of the most sensitive estimates is the liability for unpaid losses and loss adjustment expenses (LAE). The liability for unpaid losses and LAE is estimated by WSI's actuary, taking into consideration past experience of WSI in paying claims and the general conditions of the environment in which WSI operates. This liability is based on the estimated ultimate costs to settle both reported and incurred but not reported (IBNR) losses and LAE and includes the effects of inflation and other societal and economic factors. The actuarial computation also includes a 4.5% discount to report this liability at its estimated present value. We evaluated the key factors and actuarial assumptions used to develop these reserves and projections in determining that it is reasonable in relation to the financial statements taken as a whole.

Another significant estimate to the financial statements is the dividend expense and related liability. The dividend expense and liability are calculated using the policyholder's prior year premium less any safety discounts awarded. This premium is an estimate based upon the previous year's actual payroll and is subject to change once the current year's actual payroll is known. As that becomes known, and the premiums are adjusted, so too will the dividend liability and expense be adjusted. We have reviewed the assumptions and calculation used in determining the estimate to ensure the estimate is reasonable.

Also, management's estimate of the net pension liability and other postemployment benefit liabilities are based on an actuary's calculation in accordance with the employment contracts. We evaluated the key factors and assumptions used to develop the net pension liability in determining that it is reasonable in relation to the financial statements taken as a whole.

### *Financial Statement Disclosures*

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting WSI's financial statements relate to: The disclosure of investments, unpaid losses and loss adjustment expenses reserve, net pension liability information, fair value measurement and contingency in Notes 3, 7, 11, 22 and 23 respectively, to the financial statements. Investment disclosures consisted of fair market value, concentration of credit and custodial risk, interest rate risk and foreign currency risk. Unpaid losses and loss adjustment expenses reserves and net pension liability consist of actuarial estimates of future obligations and the development of prior estimates and the effect on the current financial information. Contingency consists of possible lawsuits that WSI was named in.

### **Significant Difficulties Encountered during the Audit**

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

### **Uncorrected and Corrected Misstatements**

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. No corrected or uncorrected financial statement adjustments were noted during the course of the audit.

### **Disagreements with Management**

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to WSI's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

### **Representations Requested from Management**

We have requested certain written representations from management that are included in the management representation letter dated October 10, 2019.

### **Management's Consultations with Other Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

### **Other Significant Matters, Findings, or Issues**

In the normal course of our professional association with WSI, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, business conditions affecting WSI, and business plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as WSI's auditors.

**Modification of the Auditor's Report**

We have made the following modification to our auditor's report.

There is an emphasis of matter paragraph describing the relationship WSI has with the State of North Dakota.

This report is intended solely for the information and use of the board of directors, audit committee, and management of WSI and is not intended to be, and should not be, used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Eide Sallee LLP".

Fargo, North Dakota  
October 10, 2019