

ence provided his account has been chargeable with benefits throughout at least the 12-consecutive-calendar-month period ending on the computation date, and provided further ~~than~~ THAT each of his payrolls, as defined herein, during the two calendar years immediately preceding the computation date for that fiscal year equalled or exceeded \$200.00. Provided, that if an employer has met all the other requirements of the law to qualify for an experience rate, but does not have the required annual payrolls because he failed to pay contributions due and payable, on or before the computation date, his contribution rate for the following fiscal year shall be his earned rate or the standard rate, whichever is the greater, provided further than if an employer has failed to file reports due and/or has failed to pay all contributions due and payable, as required by the provisions of this article and the regulations adopted thereunder, as of the beginning of any fiscal year, his contribution rate shall be 4.2 percent beginning with the first day of that fiscal year and thereafter until the first day of the calendar quarter following the date on which he has filed all reports due and has paid all contributions due, as required by this article and the regulations promulgated pursuant thereto, at which time he shall be granted his earned contribution rate.

(ii) Any nonprofit organization which elects to pay contributions after having been covered under this article on a payment in lieu of contributions basis will, for the purposes of paragraph (i) hereof, be presumed to have had payrolls equalling or exceeding \$200.00 in each prior fiscal year in which the employer actually paid \$200.00 or more to individuals for services; and the employer will be presumed to have been chargeable with benefits during any period when it was subject to this article on a payment in lieu ~~of~~ OF contributions basis. Moneys paid for services will be treated as payrolls and benefits actually paid shall be the basis for experience-rating calculations.

(4) The Executive Director shall for each fiscal year determine the contribution rate of each employer who has met the requirements specified in subsection (c) (3) of this section, on the basis of his experience-rating record, in the following manner:

(i) The Executive Director shall compute a benefit ratio for each such employer which shall be the quotient obtained by dividing the total regular and extended benefits chargeable to his experience-rating record which were paid within the 36-consecutive-calendar-month period ending on the computation date by the total of his annual payrolls for the 3 calendar years immediately preceding that computation date; except that for any employer who has not been subject to the provisions of this article for a period of time sufficient to meet the 36-consecutive-calendar-month requirement, that benefit ratio shall be the quotient obtained by dividing the total benefits chargeable to his experience-rating record which were paid during the entire period, ending on the computation date, that he has been subject to this article by the total amount of wages for employment paid by the employer during the period beginning with the first day of the calendar quarter immediately following the quarter in which he first became subject to the provisions of this article and ending on December 31 of the calendar year immediately preceding that computation date, with respect to which wages contributions have been paid on or before that computation date. That benefit ratio shall be computed to the fourth decimal point.