

January 2012

WORKERS' COMPENSATION NEWS

BWC 2011 Review

In January 2011, John Kasich was sworn in replacing Ted Strickland as Ohio's Governor. Shortly after being sworn in as Governor of Ohio, Kasich recruited Steve Buehrer from Ohio's Senate to become the BWC Administrator.

The January Board of Directors meeting was cancelled due to four vacant seats on the board, but candidates were quickly appointed by Governor Kasich and the new BWC Board of Directors convened in February for their first meeting.

The Safety Council Rebate Incentive Program announced its continuation and expansion in March. The program allows participating employers to receive a 2 percent rebate for attending the required number of safety council programs and an additional 2 percent rebate for reducing their frequency and/or severity of claims by a certain percentage. Administrator Buehrer expanded the program by allowing group-rated employers the opportunity to earn the 2 percent rebate for reducing their frequency and/or severity of claims.

In April, BWC announced a Safety Grant Program for Wholesale, Retail employers or employers that perform delivery operations of large items in Ohio. The grant was developed with the BWC's partner, the National Institute for Occupational Safety and Health (NIOSH). The industry specific employers participating in the program will receive 2-to-1 matching funds, up to \$40,000, to purchase equipment that can reduce workplace injuries and illnesses, particularly musculoskeletal disorders (MSDs) and traumatic slips/trip/fall injuries, which are common in the industry.

Administrator Buehrer recapped his first six months at the July Board meeting adding the \$65 million in projected premium savings to private employers due to the 4% reduction to average base rates and the established one-time forgiveness program that waives penalties and interests for first-time offenders of lapsed premiums.

The Administrator went on to explain the three primary areas identified for workers' compensation improvement: reducing medical and indemnity costs that are outpacing national averages, reducing recent increases in the time it takes workers to return to work, and reducing the total length of time spent paying claims. Buehrer created five workgroups to address these primary areas: Triaging Claims, Medical Management, Drug Utilization, Vocational Rehabilitation and Settlements.

In September, the Board of Directors approved the Grow Ohio Incentive Program that discounts premiums 25 percent to employers new to Ohio for two years or allows immediate access to participation in the group-rating program. Top tier participants who are enjoying a 51% premium discount for the 2011 rating year, could benefit from a 53% discount beginning July 2012 due to the BWC's approval to remove the break-even factor and increase the group-rating discount. This program is targeted toward job creation in Ohio by reducing the workers' compensation costs for new Ohio employers.

Public employer taxing districts (PEC) rates are an overall five percent lower in 2012 due to the Board of Directors' approval in October 2011. PECs are estimated to pay \$22 million less in workers' compensation premiums for the 2012 rating year.

The final month of 2011 brought two additional workers' compensation programs unanimously approved by BWC's Board of Directors.

BWC introduced Destination: Excellence, a program that allows employers more choice in building a risk management plan that focuses on safety, prevention, and return-to-work. The program allows employers to select from seven new and existing program options to customize their specific needs.

The Workplace Wellness Program was introduced in December; participating employers will be awarded up to \$15,000 over four years to implement wellness programs in their workplaces. The grants are "first come, first serve" basis and are expected to benefit 600 Ohio employers. The application process for this program is expected to begin the first quarter of 2012.

Each year Ohio employers are faced with multiple changes to their workers' compensation system. Let Sheakley be your one stop resource for all your workers' compensation needs.

SAFETY NEWS

Monthly Safety Webinar

January 2012 – Topic: PERRP Recordkeeping (Public Employer)

Did you know?

- The Occupational Safety & Health Administration (OSHA) allows for Public Employers to maintain exemption from workplace injury/illness recordkeeping standards?
- The Ohio Bureau of Workers' Compensation (BWC) has adopted the OSHA Recordkeeping standards as part of the Public Employment Risk Reduction Program (PERRP)?
- Non-compliance for meeting recordkeeping standards as well as delay in report submission may cost your company money?
- You must hold the current 2011 calendar year of PERRP Recordkeeping forms in addition to a 5-year history on file?
- Each physical location must have its own individual PERRP Recordkeeping log?

PERRP uses records of injuries and illnesses to determine the effectiveness of existing safety and health standards. This webinar will help you understand the requirements of PERRP Recordkeeping, industries that are exempt from recordkeeping logs and the fines associated with non-compliance.

During this session we will...

- Discuss why injury and illness records are important.
- Differentiate between recordable and non-recordable cases.
- Review PERRP Recordkeeping requirements and forms.
- Complete exercises to increase skill in using forms.

When: January 10th
1:00pm-2:00pm (EST)
\$50 per person

REGISTER TODAY!

January 2012 – Topic: OSHA Recordkeeping Deadline (Private Employer)

Did you know?

- Every workers' compensation claim is not an OSHA recordable?
- Every visit to the hospital does not result in an OSHA recordable?

OSHA uses records of injuries and illnesses to determine the effectiveness of existing safety and health standards. This webinar will help you understand the requirements of OSHA Recordkeeping, industries that are exempt from recordkeeping logs and the fines associated with non-compliance.

During this session we will...

- Discuss why injury and illness records are important.
- Differentiate between recordable and non-recordable cases.
- Review OSHA Recordkeeping requirements and forms.
- Complete exercises to increase skill in using forms.

When: January 25th
1:00pm-2:00pm (EST)
\$50 per person

REGISTER TODAY!

Drug-Free Safety Program – January 1st Participants

Employer's beginning participation in the DFSP effective January 1st must comply with the BWC requirements listed below:

- **Online Safety Review:** The safety review is a tool for employers to assess key aspects of their current safety process. This review includes questions associated with accident analysis, management commitment, accountability, hazard control, safety education, employee participation and safety culture. **Please note that this is an annual requirement for both the Basic and Advanced Levels.**

Please [CLICK HERE](#) to access the Online Safety Review (DFSP-2) – **DEADLINE January 31, 2012**

- **Accident Analysis Training (All Supervisors):** Employer must provide training for all supervisors and other personnel involved in the accident analysis process within 30 days of the start of the program year. All new supervisors must complete this training within 60 days of becoming a supervisor. **Please note that this is a one-time only training requirement for both the Basic and Advanced Levels, not an annual requirement.**

You may access the online Accident Analysis Training at www.bwclearningcenter.com - **DEADLINE January 31, 2012.**

- **Accident Reporting:** All injuries/accidents that result in an allowed claim need reported on the online accident report section on the BWC website within 30 days of the accident or becoming aware of the accident. **Please note that this is a requirement for both the Basic and Advanced Levels.**

Please [CLICK HERE](#) to access the Accident Report (DFSP-1)

- **Safety Action Plan:** Employers that participate in the **Advanced Level** must develop an action plan that demonstrates how they will focus on the gaps identified in the safety review during the program year. **Please note that this is a requirement for the Advanced Level only.**

Please [CLICK HERE](#) to access the Online Safety Action Plan (DFSP-5) – **DEADLINE February 29, 2012**

- **Supervisor Training and Employer Education:** Employers that participate in either the Basic or Advanced Levels of the DFSP are required to perform initial/refresher supervisor training and employee education on an annual basis. Initial year training/education must be completed by **April 30, 2012** and a refresher training/education must be completed by **September 28, 2012.**

Sheakley drug-free training is available onsite, regionally around the state of Ohio and online via webinar. Please [CLICK HERE](#) to register for our regional and webinar sessions.

Sheakley Safety Consultants will assist you with the implementation and development of your **Drug-Free Safety Program**. Please contact our Safety Department at 800-877-5055 x2014 or via email at safety@sheakley.com.

Safety Intervention Grant Program – Wholesale/Retail Trade Delivery

BWC and the National Institute for Occupational Safety and Health (NIOSH) have partnered up to research strategies that will create a safer work environment for employees working in the wholesale/retail trade and transportation industries. The program will study the effects of adding equipment (stair-climbing powered hand trucks, truck-lift gates, etc.) to the delivery process, determining if the addition reduces workplace accidents.

Ohio private and public employers within the specified industry or similar companies performing delivery operations of large items are eligible for the grant, which provides a 2-to-1 matching amount up to the maximum of \$40,000 for a total of \$60,000 (\$20,000 from the employer and \$40,000 from BWC).

Quarterly data reports are required by the participants and would be submitted through the BWC website. A case study report on the intervention item is also required one year after implementation.

Since September, BWC has awarded 33 businesses a total of more than \$697,000 for their safety intervention efforts.

UNEMPLOYMENT NEWS

Ohio Unemployment Rate

Ohio unemployment rate for November 2011 was 8.5%, down from 9.6% in November 2010.

The U.S. rate for November was down to 8.6% from 9.8% in November 2010.

LEGISLATIVE NEWS

Senate Bill 277 – Health Exchange

The bill (introduced January 2012) would establish the Ohio Health Benefit Exchange Agency and establish the Ohio Health Benefit Exchange Program consisting of an exchange for individual coverage and a Small Business Health Options Program.

To learn more about these changes and how they will impact your business, please contact our office at 513-326-4675 x2044 or visit our website at www.sheakley.com.