

## **4123-17-68      Group experience and group retrospective safety program requirements.**

- (A) The purpose of this rule is to establish minimum safety requirements for group experience and group retrospective rating as provided by section 4123.29 of the Revised Code.
- (B) The bureau safety and hygiene division, upon the request of the sponsoring organization, shall provide assistance with implementing all of the provisions of this rule.
- (C) The primary or affiliated sponsoring organization of a group experience or group retrospective plan shall document its program to improve accident prevention and claims handling for the members in the group with the group application, and, for an existing group reapplying for group coverage annually, shall document the effectiveness of prior programs and any proposed improvements to these programs. This analysis shall include identification of the most common injuries among group members and strategies aimed at increasing awareness and prevention of these injuries.
- (1) A bureau division of safety and hygiene loss prevention representative shall review the sponsor's safety requirements annual report within sixty days of receipt. The safety and hygiene representative shall contact the primary or affiliated group sponsor or its authorized representative to assist in further developing appropriate safety strategies if there are deficiencies in the report. All primary and affiliated sponsoring organizations shall be required to sponsor a minimum of eight hours of safety training during the rating year for members of their group. Training shall be hosted by the sponsor or the sponsor's third party administrator. Training should be designed in increments of at least two hours. Training should be industry specific where possible. Webinars and online training hosted by the sponsor will qualify to fulfill this requirement. The sponsor must document the number of employees in attendance at safety training with a goal of at least fifty per cent membership attendance. If the same agenda is offered repeatedly in different regional sites, hour to hour credit will be granted. A bureau representative may attend training to ensure the requirement is being met.
- (2) If an employer that participates in group rating or group retrospective rating plan sustains a claim within the "green period", the employer shall complete either of the following:
- (a) The bureau's online accident analysis form and the bureau's associated online safety class, or
- (b) Two hours of safety training approved by the bureau. Such training can be offered by the sponsoring organization, the sponsoring organization's third party administrator, or the bureau.
- The sponsor will notify members of this requirement and maintain recordkeeping to track completion of this requirement. The sponsor will submit to the bureau a list of members completing the training required by this rule. The bureau shall reserve the right to request additional information from the sponsor to ensure compliance.
- (3) The bureau safety and hygiene division shall make a recommendation to the bureau employer programs unit on whether the group's safety requirements annual report is acceptable for the following policy year. A copy of the recommendations and findings of the safety and hygiene division shall be communicated to the sponsoring organization or its authorized representative at the same time. The employer programs unit shall consider this recommendation in making its decision whether to approve the group rating application and at the time of sponsor recertification.
- (4) The bureau safety and hygiene division shall evaluate the sponsor's safety requirements annual report at the sponsoring organization level and not at the individual member level. The bureau safety and hygiene safety representative may conduct member visits to confirm the sponsoring organization requirements

are met.

- (5) If the bureau's employer programs unit does not approve a group for group rating based upon the sponsor's safety activities, the sponsoring organization may request a hearing before the adjudicating committee pursuant to rule 4123-14-06 of the Administrative Code.
  - (6) Primary and affiliated sponsoring organizations shall publish in the first quarter of the rating year, for the knowledge of the members in their group, a safety accountability letter outlining the group rating safety requirements and responsibilities of all associated parties.
- (D) The sponsoring organization shall provide information regarding safety resources to members in their group. Communication and education strategies of the sponsoring organization may include use of the following strategies: web sites, webinars, claims review and analysis, newsletters, seminars, professional consultants, videos, personal contact, brochures, booklets, manuals, identifying key personnel and training in safety management for the sponsoring organization staff and/or its members. The bureau safety and hygiene division representative will be added to all member distribution lists to monitor safety education activity.
- (E) Linkage of the group-sponsoring organization with the division of safety and hygiene may include the following strategies:
- (1) The bureau shall link each sponsoring organization with a service representative from safety and hygiene.
  - (2) Safety and hygiene shall assist the group with its development of safety strategies.
  - (3) Safety and hygiene and the sponsoring organization may sponsor joint seminars.
  - (4) The safety and hygiene representative shall provide a list of resources and expertise within each region upon request.
  - (5) The sponsoring organization shall promote bureau safety and hygiene services to its members.
  - (6) Safety and hygiene may provide training sessions and written safety and health materials.
  - (7) Bureau safety and hygiene division consultation services may be utilized by member companies for customized safety management assistance.
  - (8) Safety and hygiene and the sponsoring organization may develop joint programs in response to member needs.
- (F) The division of safety and hygiene shall schedule annual regional training seminars for sponsoring organizations. Each sponsoring organization must send at least one representative to the seminar. Additionally, the division of safety and hygiene shall develop a list of publications and support materials that assist the sponsoring organization in reinforcing the safety guidelines of this rule.

Effective: 7/1/15

Prior Effective Dates: 7/1/96, 7/1/01, 3/9/09, 7/1/10, 7/1/12, 1/1/13