

# ➤ June/July 2019 BWC News from CareWorks Comp

*“Courage is resistance to fear, mastery of fear -- not absence of fear.” ~Mark Twain*

## **BWC Proposing 88% Rebate of 2017 Policy Year Premiums Back to Ohio Employers**

Ohio Governor DeWine and BWC Administrator McCloud have proposed rebating \$1.5 billion dollars back to Ohio employers on their 2017 Policy Year premiums following strong returns on the agency’s investments. This will be the sixth premium rebate from the BWC since 2013. Administrator McCloud will present the proposal to the Ohio BWC’s Board of Directors and a vote will be determined on June 28th.

## **Do you have an IC Hearing coming up? Navigating the Industrial Commission Process**

The Workers’ Compensation system can feel frustrating at times, especially when a claim is contested and going through the Industrial Commission adjudication process. Many employers wonder how they fit into the hearing role and what they can do to facilitate a successful hearing outcome. As your third party administrator, we can help! Did you know that CareWorks Comp has sixteen Hearing Reps on staff who attend hearings at the twelve Industrial Commission offices located throughout the State? On average, our team assists Ohio employers with over 12,000 hearings annually.

When a hearing is scheduled by the Industrial Commission, it is important to understand the issue that is being addressed. Most hearings are no more than fifteen (15) minutes in length and Hearing Officers are scheduled for four hearings each hour of their docket. The docket is set approximately 21 days prior to the hearing date. This gives all parties time to submit their information to the claim file so that the Hearing Officer can review the documents prior to the hearing date.

One of the most common questions we receive from our clients is “do I need to attend this hearing?” The answer is, unfortunately, not a simple yes or no decision. It really comes down to the issue being heard on that particular date and what information and/or testimony you feel you can offer. The most common hearing, where we find employer attendance beneficial, is an initial allowance hearing. The reason for this is because the information considered for an initial allowance hearing can and should include any red flags that an employer discovered during the injury investigation, the employer’s knowledge of the job duties performed by the injured worker and any other pertinent details.

Once claim allowance has been determined, the majority of hearings that take place are related to medical facts and therefore do not require employer attendance. We always welcome an employer to any hearing they wish to attend and if you do plan on attending a scheduled hearing, please be sure to let your Claims Examiner know so that the assigned Hearing Rep can meet with you before the hearing starts. The CareWorks Comp Hearing Services team looks forward to assisting you with all of your hearing and Industrial Commission needs.

## 2-Hour Safety Training Requirement for 2018 Policy Year Deadline is 6/30/2019

### **2018 Rating Year—BWC Rule—ORC 4123-17-68**

Group Rated and Group Retro Rated employers who have had a claim from July 1, 2016 through September 30, 2017, have to complete a required two hours of safety training by June 30, 2019. BWC's requirement applies to any allowed claim an employer had from 7/1/16-9/30/17, regardless of size or severity. Two hours is the minimum amount of safety training mandated by the BWC. Only one person from the employer needs to take this safety training. If an employer experienced more than one claim within this period, they are still only obligated to attend two hours of safety training. If an employer has multiple policy numbers, they must attend two hours of safety training per policy.

The following are in-person classes and on-line courses that would count towards this requirement:

A.) **Division of Safety and Hygiene Training Center:** ½ and full day courses at a local branch office of the Ohio BWC.

B.) **BWC On-Line Courses that are geared toward safety:** The website is [www.bwc.ohio.gov](http://www.bwc.ohio.gov). Your on-line training MUST total 2 HOURS. The following are on-line courses that are available:

- Accident Analysis Online (30 minutes)
- Avoiding Back Trauma (2 hours)
- Five-Step Process for Preventing Work-Related Musculoskeletal Disorders (WMSDs) in your Workplace (1 hour)
- Bloodborne Pathogens (90 minutes)
- Construction Work in Confined Spaces (90 minutes)
- Developing a Safety Culture Online (2 hours)
- Food Service Safety Online (2 hours)
- Hazard Communication 2012 Basics: Labeling, Safety Data Sheets and Pictograms Online (30 minutes)
- Health Hazards in Construction (1 hour)
- Industrial Hygiene Overview: Recognizing Occupational Health Hazard (1 hour)
- Introduction to OSHA Online (2 hours)
- Ladder/Stairway Safety (1 hour)
- Office Ergonomics: Computer Workstation and Mobile Computing Online (90 minutes)
- OSHA Recordkeeping 101 Online (2 hours)
- Preventing Slips/Trips/Falls (1 hour)
- Safety and Health Management (90 minutes)
- Young Worker Safety (6 modules) (90 minutes)
- Summer Hazards Online (90 minutes)

All pages of the online course must be completed and the test passed before a Certificate can be printed from the student transcript in the BWC Learning Center.

BWC online courses can be accessed through the following path: [www.bwc.ohio.gov](http://www.bwc.ohio.gov). Sign in with your Username and Password. Scroll down and click on “SAFETY & TRAINING.” Then, click on “REGISTER FOR CLASSES.” Then, click on “BWC LEARNING CENTER.” Then, login to the BWC Learning Center. (NOTE: your BWC Learning Center Username and Password are different than your [www.bwc.ohio.gov](http://www.bwc.ohio.gov) Username and Password!) For first time visitors, click on “NEED AN ACCOUNT?” Once you login, type “ONLINE” in the “Search Catalog” box at the top. There you will see a list of online courses. Scroll through the list and make sure your training totals at least 2 hours. Certificates of Completion should either be emailed to [twohourtraining@careworkscomp.com](mailto:twohourtraining@careworkscomp.com) or faxed to (614) 495-5200 so that CareWorks Comp may track your completion of this requirement.

## New Policy Year Starts July 1, 2019

By now you should have received your Ohio BWC Premium Estimation Notice explaining what your estimated payroll and premium will be for the Policy Year 7/1/2019 to 6/30/2020. CareWorks Comp highly suggests that you review this notice in detail and confirm if the estimated payroll numbers the BWC is projecting match what you are projecting for your company. If you are expecting your payroll to change significantly for the 2019 Policy Year (either up or down) we suggest you contact the Ohio BWC to adjust those numbers accordingly. This will ensure a more manageable True Up in the summer of 2020.

## Important Deadlines:

- **June 21, 2019:** First premium installment due for the July 1, 2019 - June 30, 2020 Policy Year.
- **June, 28, 2019:** Deadline for 2018 Safety Council participation requirements (attend 10 meetings throughout the 2018 Policy Year.)
- **June 28, 2019:** Deadline for ISSP loss-prevention activities for the 2018 Policy Year, and ISSP on-site consultation survey (SH-29) due.
- **July 1, 2019:** Early Payment Discount-- Pay your 2019 Policy Year Premium in full by 7/1/2019 in order to receive a 2% credit (more than 50,000 employers took advantage of the Early Payment Discount in 2018!)

## Employee Termination - Concerns Beyond an Unemployment Claim

In sticky situations, one of an employer’s biggest fears when letting an employee go is whether the employee will file (and win) a lawsuit against them. Our unemployment experts are very sensitive to this fear and we do our best to protect our clients’ interests. Many times, a former employee will “test the waters” by filing an unemployment insurance claim. Successfully fighting and winning such a claim can put your company or organization in a better position to negotiate or to squash a lawsuit. Take advantage of our knowledge and experience in handling a wide range of unemployment issues. To learn more about ways CareWorks Comp can assist you please contact our Unemployment Manager, Kammy Staton at 614.526.716 or [kammy.staton@careworkscomp.com](mailto:kammy.staton@careworkscomp.com).