

## Fast Facts

-Indirect costs to an employer with an injured worker is four times the amount of direct costs.

-Employers save, on average, \$1,108 per claim when utilizing a transitional work program for their injured workers.

-Only 50% of injured workers that are off of work for six months or more return to their pre injury jobs and only 10% return if they are off for a year or more.

-Employers that utilize a transitional work program report a 35% reduction in workers compensation claims.



**V&A RISK SERVICES**  
Workers' Compensation Services

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## *Safety Council Discount Application Deadline Extended*

Employers that wish to participate in the Ohio BWC Safety Council discount program now have a little more time to apply because the BWC has extended the application deadline for the current premium year to August 31<sup>st</sup>.

The Safety Council Rebate allows participating employers to receive a 2% rebate on their workers compensation premium by completing the following requirements:

- Join your local safety council by August 31, 2011.  
\*\*To locate the safety council nearest you, please visit the [Ohio BWC website](#).
- Attend 10 safety council meetings, at least eight of which must be at your local safety council. You may receive credit for the remaining two required meetings through BWC related training courses, industry specific training or by attending your local safety council meetings.  
\*\*(Employers should check with their local safety council to find out how to receive credit for BWC or industry specific training)
- Send a qualified senior level manager to at least one safety council sponsored meeting.  
\*\*(Employers should check with their local safety council to find out if there are meetings specifically for senior level management)
- Submit semiannual workplace accident reports for the 2011 calendar year.

Employers that reduce their severity or frequency of injuries by 10 percent or maintain both at zero are eligible for an additional 2% performance bonus. Beginning this year, group rated employers are also eligible for the performance bonus rebate if they meet the program requirements.

Employers that receive the rebate receive a check from their Safety Council after the completion of the premium period. For more information on this discount, please visit the [V&A Risk Services website](#).

## *Ohio BWC Reduces Rates for Marine Industry Employers*

The Ohio Bureau of Workers' Compensation (BWC) has reduced its rates for marine industry employers by 20 percent, effective July 1. The change, approved by the BWC Board of Directors in June, lowers the rates for employers conducting business on Ohio waterways that subscribe to the Marine Industry Fund.

Ohio ranks 7<sup>th</sup> among the 50 states in longshore and harbor worker activity based on total tons of waterborne domestic cargo handled through a state's ports, according to the bureau. The Marine Industry Fund provides coverage for injuries, disease and death resulting from longshore and harbor worker duties for Ohio employers with employees who work on or about navigable waters, as required by the Federal Longshoremen and Harbor Workers' Act.

## *Ohio Supreme Court Expands The Right to File Retaliatory Discharge Claims.*

On June 9, 2011, the Ohio Supreme Court expanded the scope of workers' compensation retaliation claims to include employees injured on the job who have yet to file a workers' compensation claim.

### *Dates to Remember*

- Aug 31** **Deadline for Safety Council Application**
- Aug 31** **Premium payment due**
- Aug 31** **Unemployment Tax Contributions due (Second Quarter)**
- Sept 30** **EM Cap application due**
- Oct 31** **Drug Free Safety Program application due**

In *Sutton v Tomco Machining, Inc.*, 2011-Ohio-2723, the employee injured his back while working for his employer. The employee allegedly reported the injury to the company president and, within one hour of reporting the injury and before the employee filed the claim, the company fired the employee. The employee filed a retaliatory discharge action and a tort action for violation of public policy.

The Ohio Supreme Court concluded that R.C. 4123.90 does express a clear public policy prohibiting retaliatory employment action against injured employees before they file a workers' compensation claim and the General Assembly did not intend to leave a gap in protection during which time employers are permitted to retaliate against employees who might pursue workers' compensation benefits.

## *Illinois Lawmakers Approve Workers Comp Reform Bill*

In an effort to reform a troubled workers comp system in Illinois, the Illinois House passed the previously rejected H.B. 1698 in late May on a 62-43 vote. The bill imposes the use of the American Medical Association Guide to the Evaluation of Permanent Impairment, caps carpal tunnel awards, reducing the benefit period for carpal tunnel syndrome injuries from 40 to 28 weeks. It also allows health care networks for workers comp that will help employers direct workers medical care.

Illinois has the third most expensive workers comp system in the United States and proponents of the bill claim that it will produce a cost savings of nearly \$700 million in reduced expenses but that has not yet been independently verified through credible actuarial analysis.

### *Does Your Injured Worker Have Other Related Claims? We Can Check On That!*

Introducing a new service available from V & A Risk Services: ISO ClaimSearch. V & A Risk is a subscriber to the ISO Database whereby we are able to enter claim data and discover if the injured worker has filed claims in the past. The information available includes the type of claim (i.e. workers' comp, auto accident, liability claim) and body parts involved. The reported claims are limited to those that are entered by insurance companies and third party administrators (like V & A). Further investigation into a claim requires authorization from the injured worker.

We are able to perform ISO ClaimSearches for you for a fee of \$12.50 per claim search. Contact your V & A Claims Manager to order one on your suspicious claim.



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