

SOGGDA NEWS

Southwestern Ohio Garage & Gasoline Dealers Association, Inc.

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237 South Dixie Drive
Vandalia, OH 45377
937/890-9670
Fax 937/890-9673

Volume 40, No. 5

Nov Dec 2011

Are you prepared for a BWC hearing if you have an accident?

Most companies adopt safety practices as a matter of policy to protect their workers. Unfortunately, accidents do happen. When an accident does happen and a claim gets filed against your business, here are some helpful suggestions to help you prepare for your hearing(s).

I. HOW TO PREPARE FOR HEARINGS:

A. Before an Accident: *An Ounce of Prevention*

1. Employee Handbook

Have a good handbook in place, which includes the following:

- a. Drug-Free Workplace Program;
- b. A list of prohibited conduct that can result in termination, such as:
 - i. attendance
 - ii. no-call, no-show
 - iii. positive drug/alcohol test, use on the job or solicitation thereof
 - iv. insubordination
 - v. theft
 - vi. sleeping on the job
 - vii. improper use of computers or phone, etc.

2. Accident Report Packet

Have an accident report packet in place, which includes:

- a. A reasonable suspicion checklist

continued on page 4

Earn a free annual membership by referring new members.. Easy as A-B-C

Our membership keeps growing and you, the members can participate in SOGGDA's growth and success simply by referring a friend. Follow the steps outlined and a \$25 membership gift certificate will be sent out to you for each new member that joins SOGGDA. *continued on page 2*

THE SOGGDA NEWS

Official publication of Southwestern Ohio Garage Gasoline Dealers Association is published 6 times yearly and dedicated to the betterment of the position of independents in the automotive and petroleum industry.

Jerry Arndts Executive Director
David Shawhan, CPA Accountant

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Vandalia, Ohio 45377
(937) 890-9670

Jerry Arndts Editor

Views expressed in editorials and text are not always the opinion of SOGGDA. Furthermore, SOGGDA is not liable for any claims or promises made by advertisers.

FYI...

Dozens of training courses are available through BWC's Division of Safety & Hygiene. These courses are offered through the training center in Pickerington at the Ohio Center for Occupational Safety and Health (OCOSH) and at branch sites and BWC service offices across the state, including Dayton, Toledo, Cincinnati, Canton, Cambridge, Portsmouth, Youngstown and Cleveland. Employers may enroll any number of employees at no additional cost.

To enroll or learn more about the courses available July 2011 - July 2012, visit the BWC Learning Center at bwclearningcenter.com. See Page 9 to sign up now.

REFER A FRIEND... EASY AS A-B-C

A-Forward a SOGGDA Application to your friend

The application is found at www.soggda.com

B-Ask your friend to enter your name on the application

C-Forward the completed application to the association office by fax to 937-890-9673

If 12 friends join SOGGDA, your membership is FREE

We can do better - growing forward

Are you online?

SOGGDA is able to send you this newsletter via e-mail for those who wish to receive it electronically rather than US Mail. The newsletter can be downloaded at www.soggda.com

If you would like to be added to the list, call today at 937/890-9670 or send an email request to soggda@aol.com

SOGGDA News Growing Forward

**Happy
Holidays
and a
prosperous
New Year**



WADE Insurance, Inc.

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Vice Pres., Life & Health Div.

Individual Health
Employee Benefits
Section 125

Life Insurance
401(K)
Pensions

620 N. Main Street, Springboro, OH 45066
1-800-860-2651
April Poppel, Service Rep.

Support Your SOGGDA Vendor Partners

AAAMiami Valley	Josh KMarks	937-224-2893
AFLAC	Barry L. Glass	937-369-9669
Area Wide Door & Window Systems	Don Reynolds/Bill Armacost	937-433-0552
Cartridge World of Huber Heights	Gary E. Goodwin	937-233-4655
Clean City Janitor Service	Gary Peck	937-223-3663
Enterprise Oil	Charles Alexander	800-875-3860
Genuine Auto Parts	Bruce Charles	937-223-5296
Ham Signs	Larry Miller	937-890-6770
Health Management Solutions	Tod Phillips	888-202-3515
Diversified Computers	Debbie Chaney	937-454-1984
NWZ Worx	George Zabrecky	800-743-0202
Planned Equity	Ernie Franz	800-871-0670
ProComp	John Daney/Matt Ulrich	866-302-2667
Ralph E. Wade Insurance Agency	John Wade	800-860-2651
Ralph E. Wade Insurance Agency	Jim Hough	800-860-2651
RJN Solutions	Bob Nonte	866-511-4756
Royal Buying Group	Angela Angelilli	888-728-3724
Secure Check	Prissy Hamilton	937-853-2710
David Shawhan, CPA	Annette Sweigart	937-426-4530
Englewood Insurance Agency	Walt Harrison	937-836-9681
West Milton Optical	Terry Hassell/ John Stuckey	937-698-4456
Wright-Patt Credit Union	Terry Miller	937-912-7311

General Counsel Corner
Martin, Browne, Hull & Harper, P.L.L., Springfield, Ohio
Randall M. Comer and Samuel E. Dowse
P.O. Box 1488
Springfield, OH 45501
937-324-5541



continued from page 1

B. After an Accident: The Pound of Cure

1. **Internal Investigation & Documentation (Who, What, When, Where, How)**

- a. Obtain claimant's statement.
- b. Require post-accident drug/alcohol test.
- c. Obtain witness statements.
- d. Obtain supervisor statements concerning his/her knowledge of incident.
- e. Take pictures or videos of accident site which might prove helpful if you question how incident could have occurred as described.
- f. Review any surveillance footage.

2. **Analyze the Claim: A checklist of items to consider**

- a. Is the claim within the two year statute of limitations?
- b. Did the employee timely report the accident or injury to appropriate company representatives (supervisor, safety coordinator, HR, etc.)?
- c. What is the timing of the report of accident/injury? Following a holiday or weekend? After being disciplined?
- d. Was the employee working at the time of the injury?
- e. Has the employee described a compensable injury or occupational disease?
- f. Is the alleged injury idiopathic in nature? For example, did the employee fall at work due to low blood sugar?
- g. Has the employee indicated the body part or parts injured?
- h. Has the employee ever complained about this part of body previously?
- i. Could the condition be the result of natural deterioration?
- j. Does the claimant have prior claims?
- k. Has the employee filled out all the information accurately?
 - l. Were there any witnesses?
- m. Were any statements made by the employee to other co-workers?
- n. Did the employee report to a physician immediately?

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ENTERPRISE WASTE OIL

Keith Anderson

Mobile: 937/321-8271 Pager: 877/831-9326

5201 Middlebrook Pike, P.O. Box 52044
Knoxville, TN 37950-2044

Main Office: 800/875-3860

East Coast Timing Association coming to Wilmington, OH

The ECTA will start conducting time trials at the Wilmington, OH airport using their 9700 ft. runway. Time trials will start in the spring of 2012. How fast can you go in a vehicle from a standing STOP in one mile?

Many speeds are over 240 MPH. There are many car classes. Thanks to Dr. Steve (Doc) Martinkovic, DDS of Hamilton, OH for the information. Doc is quite an engine and transmission builder. He works for many drag, sprint, road and dirt track car teams. Feel free to contact Doc for more information at 513-896-1286. Teams usually spend \$2 Mil. a year.

2011 Safety Meeting best yet!

The 2011 SOGGDA annual safety meeting was the best we have ever had. A wonderful dinner was followed by two hours of guest speakers who were outstanding. Many safety topics were discussed.

President Jan Murphy introduced guest speakers:

Mike Pulsfort of Health Management Solutions

John Daney of ProComp Risk Advisors

James Lopez of U.S office of OSHA

SOGGDA greatly appreciates the support from the vendor / partners that have supported SOGGDA for well over 20 years:

Health Management Solutions

ProComp Risk Advisors

Wright Patt Credit Union

Genuine Auto Parts

Wade Insurance Agency

Upon completion of the meeting, the vendors gave away almost \$2500 worth of door prizes. Many members won multiple prizes due to the overwhelming support from our vendor / partners. Some of the prizes were:

32" LED flat TV - SOGGDA

28" LED flat TV - SOGGDA

Apple iPad2 - SOGGDA

Kindle eReader -SOGGDA

\$50 Applebee's gift Card-Wade Ins.

\$25 Best Buy gift cards-Genuine AP

\$75 membership coupons-SOGGDA

Nook color eReader-Wright Patt CU

Portable DVD player-Genuine AP

DieCast Cars- Genuine Auto Parts

Portable drink coolers-Genuine AP

Computer Corner

Did you know more than half of the cell phones in the U.S. are smart phones. How can you drive your customers to your website to view coupons, specials and educational info. Have you ever considered using QR codes? Just download the QR reader app to your cell phone and try it out. QR codes can be made by downloading and using a program called quikqr. Try reading this QR Code on a cell phone QR reader and see what it does.



Next topic: PC Preventive Maintenance



Insurance, Inc. and General Casualty

Insurance Companies Offers Very
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Service Stations

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Call John or Ed Wade

1-800-860-2651

**620 N. Main Street
Springboro, OH 45066**

- * Garage Keepers**
- * Property**
- * Liability**

- o. Are the dates of injury and description of the incident consistent?
- p. Did employer perform a post-accident drug and/or alcohol test within the required time period?
Result: Negative or Positive?
- q. Did employer complete reasonable suspicion form for suspected drug and/or alcohol use?

3. Medical Evidence

- a. Has the claimant signed a medical release and provided names of all physicians he has seen for the alleged injury or condition?
- b. Did the employee report to the company medical department?
- c. Does the employee's physician relate the injury to the incident?
- d. Is there contemporaneous medical evidence?
- e. Does the claimant have a pre-existing condition?
- f. Are there other causes of the occupational disease or injury?
- g. Is the diagnosis accurate and sufficiently narrow to prevent other conditions from being compensable?

4. **Reject or certify claim**

After a thorough investigation, a decision must be made whether to certify the claim and recognize it as a compensable injury or occupational disease, or to reject the claim as outside the scope of employment, or not related to the incident in question.

C. **The Litigation Process**

By rejecting a claim, the BWC will make an initial determination as to whether the claim should be allowed or denied. If the BWC allows the claim despite the employer's rejection of same, the employer should appeal the BWC's order so the matter will be set for a hearing before a District Hearing Officer of the Industrial Commission of Ohio.

When was the last time your insurance agent showed you how to **SAVE** Money

Think about it...then contact

Walter L. Harrison

Englewood Insurance Agency LLC

Ph 937/836-9681 Fax 937/836-5460

Web:<http://englewood.webagent4u.com>

Email: englewoodins@yahoo.com

Either party may appeal the DHO order and have a hearing before a Staff Hearing Officer. There is then a discretionary appeal to the Industrial Commission. Finally, either the claimant or the employer can then appeal to the Court of Common Pleas, where a judge or jury will decide the allowance issue without regard to the administrative decision. R.C. 4123.512.

continued on page 7

1. Attorney or ProComp Risk Advisors to cover hearing? Decide early on.
 - a. Legal aspect to claim? Need an attorney.
 - Voluntary abandonment
 - Idiopathic Fall
 - Proximate Causation
 - Statute/Case Law
 - b. Does the employee need cross-examined? Need an attorney.
 - c. Are there lots of moving parts? Messy – other legal issues? Need an attorney.
 - d. Permanent Total Disability hearing? Need an attorney.
 - e. Witnesses that will testify? Probably need an attorney.
 - a. Does medical need argued? Probably need an attorney.
 - b. Medical vs. Medical? ProComp can generally handle.
 - c. Permanent Partial? ProComp can generally handle.
 - d. Treatment issue? ProComp can generally handle.
2. Arm ProComp or Attorney with Ammunition to be Successful at Hearing
 - a. Someone from employer should plan on attending hearing.
 - Shows you care
 - Quality Control – You can see ProComp or attorney in action.
 - Testimony may be helpful
 - Keeps employee honest
 - b. Give all documentation to ProComp or attorney covering the hearing well in advance of hearing date.
 - Witness Statements
 - Supervisor Statements
 - Accident Reports
 - Medical Records, if any
 - c. Provide attorney with R-1 form as soon as they get involved so they can review the BWC/IC file prior to the hearing.
 - d. Request that ProComp or attorney order all pertinent medical records pertaining to alleged injury, both prior to and after alleged injury
 - e. Compare names of physicians, especially family physician, to your employee file, to see if you have any names of physicians for which the employee may have treated. Provide these names to ProComp or attorney handling the claim.
 - f. Determine if an IME is necessary to develop contrary medical.
 - Medical issue?
 - What medical does employee have?
 - What are medical odds? 1 to 1; 2 to 1, etc.
 - g. Determine if a private investigator might be a tool to catch the employee in a lie regarding the severity of his condition or working when drawing or seeking TTD.
 - k. If voluntary abandonment issue, you will need to provide the following:
 - Copy of termination letter setting out why employee fired;
 - Positive drug/alcohol test, if any within required period of time;

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No Line Bi-Focals 2-PAIR \$200	Single Vision Glasses 2-PAIR \$60	Lined Bi-Focals 2-PAIR \$100
<i>Eye Care for You!</i> West Milton Optical 104 S. Miami St. (St. Rt. 48) West Milton, OH 45383 937 698-4456		
Terry Hassell Licensed Optician		John Stuckey Licensed Optician

- Proof of reason employee terminated, *i.e.* attendance records, video of employee sleeping on job, witness statement, etc.
- Copy of handbook outlining terminable offense;
- Copy of signature of employee proving he received a copy of the handbook.

II. CASE LAW UPDATE

A. Drug Policy Violations

State ex rel. Bogan v. Industrial Comm'n, 10th Dist. (2008) 07AP-606

Claimant was off work on the day when she stopped by the employer to drop off a copy of her updated restrictions. The employer's handbook prohibited the use of illegal drugs or alcohol on the employer's premises and prohibited an employee from reporting to work under the influence of illegal drugs or alcohol. As the claimant was on FMLA leave and not reporting for work, and there was no evidence that she used the cocaine she tested positive for on the premises, the abandonment was not voluntary.

State ex rel. Clevenger v. Ohio Staff Leasing, 10th Dist. (2009) 08AP-828 Decision rendered 6/25/09

The employer had a drug-free workplace policy in effect. After sustaining an injury to his arm, the claimant failed a post-injury test, coming up positive for marijuana. Within a week, his termination was finalized by the employer who subsequently asserted voluntary abandonment based on the rule that stated that workers' compensation benefits would only be precluded where the employer could prove they were the "direct or root cause of the accident or mishap." Since the employer failed to present any evidence on that front, voluntary abandonment was not found.

State ex. Rel. Paysource v. Industrial Comm'n, 10th Dist. (2009) 08AP-677 Decision rendered 6/30/09

The employer had a drug-free workplace policy that the claimant violated one Friday night by ingesting three lines of cocaine. Then on Monday, he fell off a scaffold, was tested at the hospital per policy, and the drug use was identified. The employer terminated claimant, and the issue of TTD was argued with the claimant prevailing before the commission. On mandamus, the employer's request for a writ was granted and finds that the claimant intended to abandon his job on that Friday night, as he knew of the drug-free policy.

State ex. Rel. Welded Blank v. Industrial Comm'n, 2009-Ohio-4946 (10th Dist.) Decision rendered 9/8/09

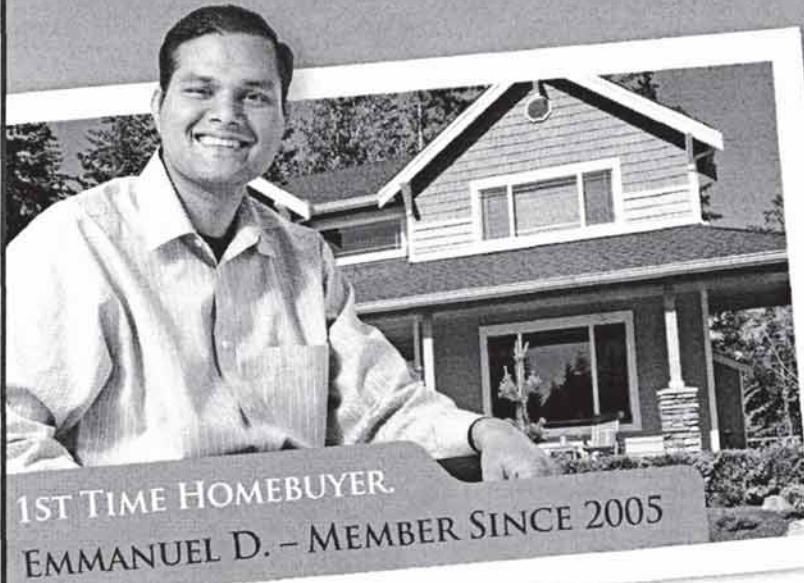
The employer had a substance-free workplace policy in effect, and claimant received a copy of same. The claimant tested positive for marijuana following an industrial injury and his employment was terminated. Claimant sought and was paid TTD by the Commission despite the employer's argument of voluntary abandonment. On mandamus, the issue before the court was whether claimant's pre-injury use of marijuana in violation of the substance-free workplace policy constitutes a voluntary abandonment of employment that precludes his receipt of TTD. The Court of Appeals denied employer's writ of mandamus finding that "even if a termination satisfies all three *Louisiana Pacific* criteria for being a voluntary termination, eligibility for TTD remains if the claimant was still disabled at the time of discharge. Here, due to the serious nature of the injuries claimant received, no doubt exists that he was disabled. Accordingly, under *Reitter Stucco*, claimant is entitled to benefits.

B. Other Voluntary Abandonment cases

State ex rel. Galligan v. Industrial Comm'n, (2010) 124 Ohio St.3d 233

The claimant was fired after a year in which she accumulated approx. two dozen citations, both oral and written for violating work rules including inappropriate sexual remarks, breach of confidentiality, time sheet irregularities, failure to remain at her security post, tardiness/absenteeism, insubordination and sleeping at her post. At least seven of those incidents occurred before the industrial injury, the rest after. She was warned on at least four occasions that further violations would lead to disciplinary action, and she was finally fired after three more warnings, and a final written warning of her pending termination. One month after her termination, she filed for TTD, and the employer asserted its defense.

THE WRIGHT MORTGAGE 4 YOU.



The Wright 4 You Mortgage Pledge.

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- **Online rate tracking tools** – find out when the rate is right for you.
- **Lots more** – refinancing, new construction loans, and more.

*Agent must be selected through Wright-Patt Credit Union or CU Realty. Rebate provided by CU Realty Services, Inc. WPCU is in partnership with CU Realty Services, Inc. and CU Realty of Ohio, LLC. Some restrictions apply.

Wright-Patt
CREDIT UNION, INC.

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Mortgage loans processed and underwritten by Wright-Patt Financial Group, Ltd.–
a wholly-owned subsidiary of Wright-Patt Credit Union. All loans subject to credit approval and property appraisal.



July 2011 to June 2012 **Classes for Ohio Workers**

Dayton training Center 3401 Park Center Drive, Suite 140 Dayton, OH 45414

Attend one of the more than 60 occupational safety, health and ergonomic courses offered by the Ohio Bureau of Workers' Compensation Division of Safety & Hygiene. Classes are held throughout the state as well as online.

The division offers courses at no extra cost to Ohio employers with active workers' compensation policies.

For more information, call 1.800.OHIOBWC.

To register for a class online, follow directions on the next page.

Online Courses

Accident Analysis Ladder/Stairway Safety
Avoiding Back Trauma Musculoskeletal Disorders in the Workplace
Getting Started with Safety Preventing Cuts and Lacerations
Health Hazards in Construction Preventing Slips/Trips/Falls

2011 Course Day (s)

8/30 Accident Analysis Half-day workshop 0.5 AM
8/30 OSHA Recordkeeping Half-day workshop 0.5 PM
9/21 Powered Industrial Trucks: Developing a Training Program Half-day workshop 0.5 AM
9/21 Temporary Traffic Management 0.5 PM
10/20 First Aid in the Workplace 1.0
10/25 NFPA 70E and You: Insight and Implementation 1.0
11/8-9 Fall Hazards in Construction and Maintenance 2.0
12/13-14 Construction Safety Elements (OSHA 10) 2.0
Dayton Training Center . 3401 Park Center Drive, Suite 140 . Dayton, Oh 45414
2012 Course Day (s)

1/19 Emergency Preparedness Planning Half-day workshop 0.5 AM
1/19 Violence in the Workplace 0.5 PM
2/8-9 Confined space Assessment and Work 1.5
2/21 Respirators - Do we need them? 0.5 PM
2/28 Ergonomics: Basic Principles 1.0
3/7 Hazard Communication Half-day workshop 0.5 AM
3/7 Bloodborne Pathogens 0.5 PM
3/13 Accident Analysis Half-day workshop 0.5 AM
3/13 OSHA Recordkeeping Half-day workshop 0.5 PM
3/22 Train the Trainer One-day workshop 1.0
4/12 First Aid in the Workplace 1.0
4/17 Lockout/Tagout and Safety-related Work Practices 0.5 AM
4/17 Machine Guarding Basics 0.5 PM
4/25 Ergonomics: Developing an Effective Process 1.0
5/15 Personal Protective Equipment Selection Criteria 0.5 AM
5/15 Job Safety Analysis Half-day workshop 0.5 PM
6/5 Wellness in the Workplace Workshop 0.5 AM
6/5 Effective Safety Teams Half-day workshop 0.5 PM
2/21 Restaurant and Food Service Safety Workshop 0.5 AM

Ohio BWC Online Class Registration Details

How to enroll in a class

1. Go to www.bwclearningcenter.com;
2. If this is your first visit, please click on First Visit and complete the requested information. If you do not know your BWC policy number, please ask your company's Human Resource person;
3. On the home page, click on Learning Center;
4. Click on Course Information & Enrollment;
5. Search by keyword, entering a word(s) that is closely related to the desired course. Click Search. The results will appear in the lower left corner of the screen. If it is difficult to see, consider changing the size of your screen display (directions below for "maximum visibility");
6. Locate the desired course and click on the information icon;
7. In the lower right section of the screen, locate the date/location of your choice. Click Enroll;
8. If you have given an e-mail address, you will receive an e-mail confirming your enrollment. If you have no e-mail address, you will receive a fax or letter.
9. Once you are enrolled, you can view your list of selected classes (and cancel, if needed) in the Personal Learning Center, which is located on the left side of the home page;
10. For assistance, please call 1-800-OHIOBWC.

How to update a profile

1. Go to www.bwclearningcenter.com;
2. Click on User Information Center;
3. Click on Student Records;
4. Click on Update Profile;
5. Edit as needed. Click Submit.

To change your screen display size:

1. From the START icon, select Settings;
2. Select Control Panel;
3. Select Display, then the Settings tab;
4. In the Screen Area, move the gauge to 1024 x 768 pixels.

How to cancel a class

1. Go to www.bwclearningcenter.com;
2. On the left side of the home page, select Personal Learning Center;
3. Locate the class;
4. Click on Cancel.

How to find directions

1. Go to www.bwclearningcenter.com;
2. Click on User Information Center;
3. Click on Facilities & Training Locations;
4. Locate the desired facility. Click on the information icon;
5. Directions are displayed in the lower right section of the screen.

How to print certificates

1. Go to www.bwclearningcenter.com;
2. On the left side of the home page, click on Personal Learning Center;
3. Click on the Transcript tab;
4. Locate the course you have completed, click on certificate;
5. Print it.

Group-Rating Safety Accountability

Dear Employer:

Each year Ohio employers have the opportunity to participate in BWC's Group-Experience-Rating Program or Group-Retrospective-Rating Program. While these programs are not required, they do provide you with an opportunity to significantly reduce your workers' compensation premiums, while increasing your awareness of safety and risk-management strategies.

Workplace safety is an important component of these programs. To succeed in accident prevention, we encourage you to use the many resources available to you. We believe a group-rating program is a partnership that includes you and your employees, your sponsoring organization or third-party administrator (TPA) and BWC. Each has specific roles and responsibilities, all designed to assist in preventing workplace accidents. This letter outlines the safety services expectations you should have as an employer enrolled in a group-rating program.

The employer will:

- Maintain a safe workplace;
- Attend safety training to enhance workplace safety;
- Implement BWC's 10-Step Business Plan for Safety and use available safety services as needed;
- Attend the required two-hour training and provide proof of attendance to sponsor for claim(s) occurring within the last two years.

Southwest Garage and Gasoline Dealers Association will:

- Communicate, educate and verify BWC's 10-Step Business Plan for Safety to group members (See the SOGGDA website, BWC pg)
- Sponsor eight hours of safety training (this may be done at one time or may be provided incrementally as long as the total is at least eight hours) (See the July 2011 thru June 2012 BWC classes in this newsletter pages 10 and 11)
- Provide information regarding safety resources to group members (See SOGGDA website)
- Possibly assist an employer in achieving its safety needs (Call the SOGGDA office to schedule a free BWC safety review)
- Manage employer fulfillment of the two-hour training requirement, where applicable;
- Publish this letter to group members.

ProComp (SOGGDA's TPA) may:

- Assist sponsoring organizations with fulfilling the group-rating safety requirements;
- Assist an employer with its safety needs;
- Work in conjunction with sponsors to develop safety training and deliver safety resources;
- Provide resources for claims handling.

BWC will:

- Monitor all group-rating safety activities to confirm requirements are met;
- Meet at least annually with sponsoring organizations to provide recommendations for fulfilling safety requirements;
- Provide safety training through Ohio's Center for Occupational Safety & Health;
- Offer on-site safety consultation (hazard assessments, air and noise monitoring, ergonomics evaluation, training) by a BWC safety professional;
- Offer publications and videos for safety program support;
- Conduct employer visits to confirm the employer is meeting group-rating requirements, when appropriate.

The goal of this collaborative effort is to make sure all your safety needs are met. Using these resources will assist you in preventing accidents, reducing claims costs and achieving the highest discounts possible. Below you'll find contact information for various resources. BWC: <http://www.ohiobwc.com/employer/services/safetyhygiene.asp>, groupratingsafety@bwc.state.oh.us



Instructions

You can complete this form and:

- 1. Fax it to 614-621-1405; or
2. Mail to: Attention: Employer Programs, Ohio Bureau of Workers' Compensation, 30 W. Spring St., 22nd Floor, Columbus, OH 43215-2256

Employer information form with fields for Name of employer and DBA, Federal Tax ID number, BWC policy number, Address, City, State, ZIP code, FAX number, E-mail address for drug-free contact person, Telephone number, and Employer contact person for Drug-Free Safety Program (DFSP).

Note

Employers may participate in the DFSP and another BWC rate program but are not eligible to receive a DFSP discount if concurrently participating in the following programs: EM cap; \$15,000 medical only; group-retrospective rating; individual/paid-loss/ retrospective rating; large deductible (choosing a deductible amount of \$25,000 or higher); one claim; and group-experience rating in conjunction with DFSP basic level.

Check the program/level for which you are requesting approval.

- Advanced level, Basic level, Comparable program

Number of employees _____

Do you want BWC to place you in the State of Ohio construction contractor/subcontractor database, thereby making you eligible to bid and/or work on state construction projects? (Employer wants to be listed as "approved" in state construction database.) Yes No

I hereby certify my organization is applying to implement a DFSP pursuant to Rule 4123-17-58 of the Ohio Administrative Code. I also certify my organization is willing to meet, at minimum, the requirements associated with the level of program for which I have applied (Advanced, Basic or Comparable).

Name of designated employer representative certifying intent to comply and willingness to pay back discounts for non-compliance.

X

Signature

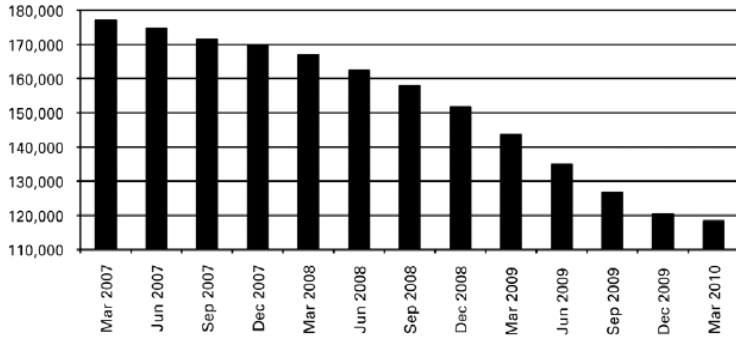
Date signed

BWC-7646 (Rev. 3/25/2010)

U-140

New Claims Filed

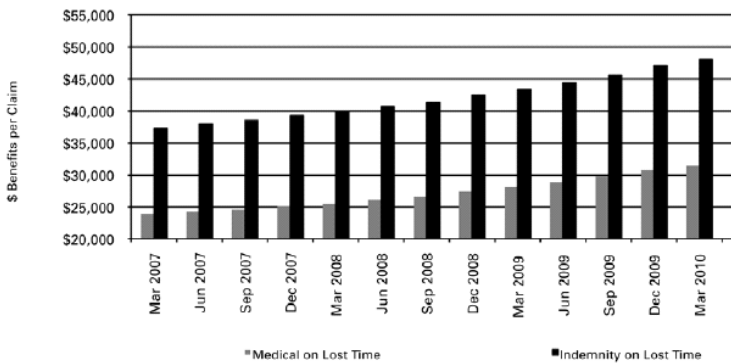
New Claims Filed - Twelve months ended



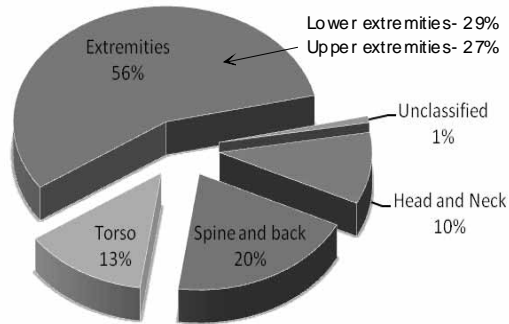
Interesting Ohio BWC stats

Cost of Claims

Severity - Cumulative from date of injury through end of reporting quarter



Top Three Body Parts Inju



	Average cost	Claim count	Total cost	% of claim count
Back	\$ 8,077.6	2867	\$ 23,158,479	17.9%
Shoulder	\$ 16,501.2	1316	\$ 21,715,579	8.2%
Knee	\$ 19,008.8	547	\$ 10,397,814	3.4%

OHo BWC claims data for 2004-2009 period

BMI is your Body Mass Index

Duke Health System Study

Weight category	BMI	Claims	Average lost days of work	Average medical costs
Underweight	<18.5	5.53	40.97	\$7,109
Recommended weight	18.5 – 24.9	5.8	14.19	\$7,503
Overweight	25 – 29.9	7.05	60.17	\$13,338
Obese	30 – 34.9	8.81	75.21	\$19,661
Obese	35 – 39.9	10.80	117.81	\$23,373
Morbidly obese	≥40	11.65	186.63	\$51,091

Source: Osbye, Dement, and Krause. Obesity and Workers' Compensation. *Arch Intern Med.* 2007;167(8):

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