



Private Employers 2019 Experience Rating Changes

As mentioned in our last edition of CompNotes, the Bureau of Workers' Compensation (BWC) and their actuarial consultants had been reviewing how rates are calculated for private employers in an effort to better match premium with costs. Based on the actuarial consultants' analysis, the BWC Board approved the following changes in regards to how BWC premium is calculated.

1. Maximum claim limit reductions for smaller employers

Employers with expected losses below \$15,000 will see a reduction in their maximum claim limit. This is in an effort to reduce the impact of one "large" claim to a small employer's premium rates.

Expected Losses	Prior Year Claim Max	2019 Per Claim Max
\$2,000	\$12,500	\$2,000
\$4,000	\$12,500	\$4,000
\$6,000	\$12,500	\$6,000
\$8,000	\$12,500	\$8,000
\$15,000	\$12,500	\$12,500

2. EM adjustment factor

A factor applied to an individual employer's EMR. Employers with a better than average EMR will see a 5% reduction, while employers with the worst EMR's in the state will see a 5% increase.

- a. If the calculated EMR is 0.90 or below, the EMR will be multiplied by 0.95
- b. If the calculated EMR is between 0.91 and 1.99, the EMR will not be adjusted
- c. If the calculated EMR is 2.00 or above, the EMR will be multiplied by 1.05

Initial EMR	EM Adjustment Factor	Final EMR
.85	.95	.81
.90	.95	.86
.95	1.00	.95
1.10	1.00	1.10
2.00	1.05	2.10

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CHANGES TO EXPERIENCE RATING

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3. Premium size factor

A factor applied to an employer's premium based on the amount of premium. Individual merit-rated employers with premium in excess of \$5,000 will most likely see a reduction in premium.

- a. First \$5,000 in premium will have a factor of 1.00 = no adjustment
- b. Premium between \$5,001 and \$100,000 will have a factor of 0.85 = 15% reduction
- c. Premium between \$100,001 and \$500,000 will have a factor of 0.80 = 20% reduction
- d. Premium over \$500,000 will have a factor of 0.75 = 25% reduction

Initial Premium	Portion From \$1 to \$5,000	Portion from \$5,000 to \$100,000	Portion from \$100,000 to \$500,000	Portion above \$500,000	Total Adjusted Premium
Factor	1.00	0.85	0.80	0.75	
5,000	\$5,000	n/a	n/a	n/a	\$5,000
95,000	\$5,000	\$76,500	n/a	n/a	\$81,500
400,000	\$5,000	\$80,750	\$240,000	n/a	\$325,750
500,000	\$5,000	\$80,750	\$320,000	n/a	\$405,750
1,000,000	\$5,000	\$80,750	\$320,000	\$375,000	\$780,750

Some important notes regarding these changes

- Only applies to private employers; public employers will not see any change at this time.
- The changes will be effective with the July 1, 2019 rating year.
- It will not impact employers enrolled in a group rating program or Professional Employer Organizations (PEOs); group and PEO rates will not see any changes to how premium is calculated.

In light of these changes, we recommend reviewing your 2019 program options closely as now is the time to enroll in these programs. Updates to the BWC premium calculations may impact which BWC program is most advantageous for your organization.

If you would like to learn more about these BWC changes or how it may impact your rates, contact your CompManagement Rate Analyst at (800) 825-6755.

ONLINE WEBINAR EDUCATIONAL SESSIONS

Upcoming Webinar Sessions

Workers' Compensation

Session	Date	Session Start Time
Understanding Your Rate Calculation and the Factors That Drive Your Premium	Oct 16	10:00 am (est/edt) - all employers
	Oct 25	2:00 pm (est/edt) - all employers

For a full description of the course, please [click here](#). The client education program listed above is offered at no charge to current clients of CompManagement. The session is approximately 60 minutes in length and is certified by the Ohio Bureau of Workers' Compensation (BWC) for 1-hour of the 2-hour safety training requirement for group and group retrospective-rated employers.

REGISTRATION

Registration for our Client Education Program webinar session is easy! Simply send an email to: seminarrsvp@sedgwickcms.com. Be sure to indicate the following: company name, BWC policy number, session name, session date, name(s) of those wishing to attend and an email address for each person attending.

Unemployment Compensation

Session	Date	Session Start Time
Unemployment Hearing Process	Sept 13	10:00 - 11:00 am (est/edt)
Employer Law Update	Oct 18	1:30 - 3:00 pm (est/edt)
Unemployment Taxes and Rates	Nov 8	10:00 - 11:00 am (est/edt)

For a full description of these courses, please [click here](#). The client education program listed above is offered at no charge to current clients of CompManagement. **All sessions are approximately 60 minutes in length.**

The sessions are approved for recertification credit hours (RCHs) by the American Payroll Association (APA). To be eligible for RCHs per APA, the attendee must remain in the session for at least 75% of the total session time. If the qualification is met, we will send a certificate of attendance via email within 3 business days of the session date. Our organization is only responsible to communicate the RCH's earned per APA. We do not submit documentation on your behalf.

REGISTRATION

Registration for our Client Education Program webinar sessions is easy! Simply send an email to: ucwebinars@sedgwickcms.com. Be sure to indicate the following: company name, session name, session date, name(s) of those wishing to attend and an email address for each person attending.

SAFETY TIP

How a new data tool can make your workplace safer

BWC/NIOSH partnership makes injury data easier to understand

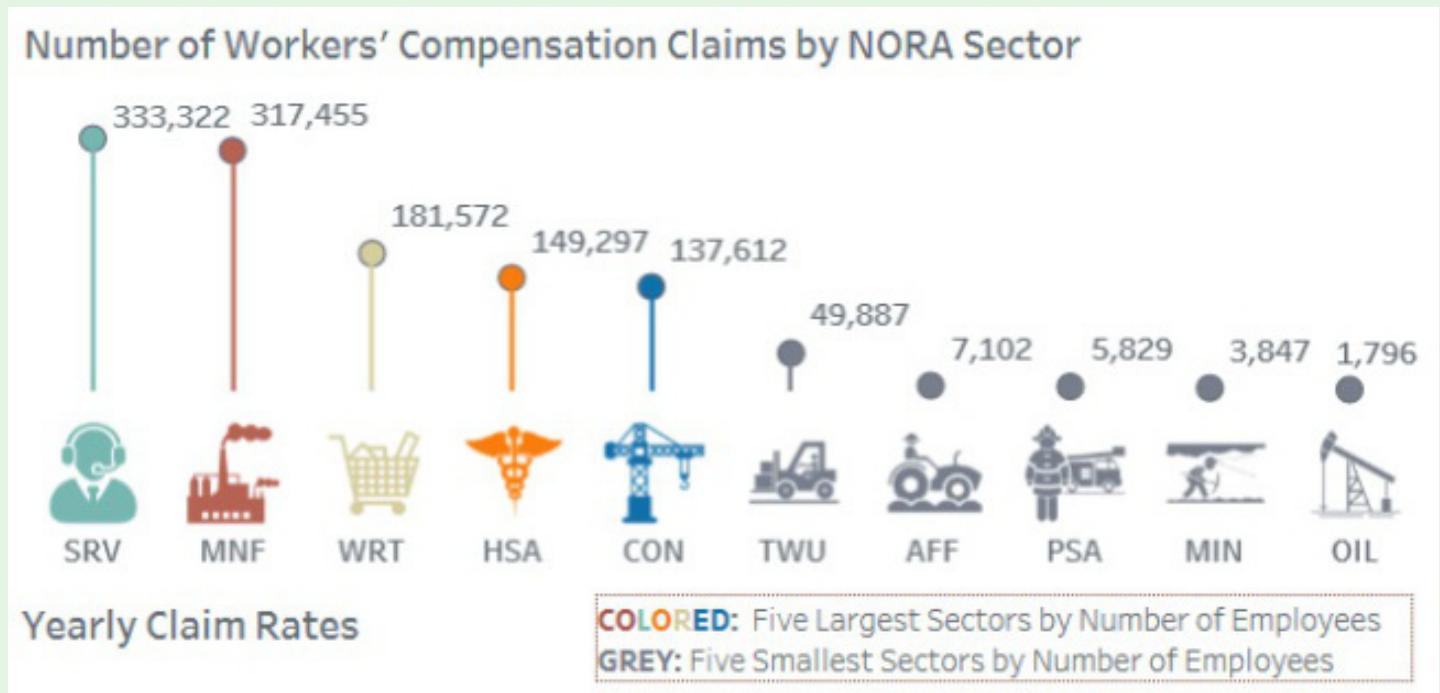
By Mike Lampl, BWC Division of Safety & Hygiene Research Director

Wouldn't it be useful to have a way to easily identify what's causing injuries and what types of injuries have been rising in your industry?

We thought it would be. So, we partnered with the National Institute for Occupational Safety and Health (NIOSH) to produce data visualization charts that display summaries of 1.2 million Ohio workers' compensation injury claims.

These [data visualization charts](#) – also called dashboards – are an interactive way to share information and explore large datasets efficiently. This interactive tool, covering claims from 2001 to 2011, displays injury trends by year, industry, and diagnosis or cause of injury. In the coming months, BWC and NIOSH will add data for more calendar years.

With the dashboards, you can create personalized views of charts that display claim counts and rates by general cause of injury.



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You can use this information to target ergonomic and safety prevention activities by understanding injury trends by year, industry, and diagnosis or cause of injury. The dashboards include:

- Dynamic and interactive charts that are user-friendly and easy to read.
- Summaries of workers' compensation claims (both counts and rates) by general cause of injury.
- A detailed look at the largest and smallest industry sectors in the state.

The dashboards are user friendly and straightforward. For example, a user can go to the Detailed Industry Results page and select their industry from 267 options*. In this case, say Warehousing and Storage. From the dashboard, the user can then view claims count, frequency, full-time equivalent employees and prevention index. Prevention index is a method for ranking an industry in terms of frequency of injuries and injury rates.

Additionally, users can filter results to see what the prevention index is for ergonomic-related injuries; slips, trips and falls; and all other injuries. If the prevention index ranking is highest for ergonomic-related injuries, the industry should be focusing on preventing ergonomic injuries.

Our Division of Safety & Hygiene uses information from these dashboards to pinpoint industries and associated employers that could use specific, no-cost safety services we offer.

Thankfully, the overall trend for claims rates is going down in Ohio, which users can see in the General Industry Results page of the dashboard. A report that our research staff prepared shows the total recordable cases incidence rate of 2.7 in Ohio in 2016 was lower than the national rate of 3.2 cases per 100 full-time equivalent workers.

Ohio businesses and employees are already doing an excellent job of improving processes and practices related to occupational safety and health. We're confident these dashboards, born out of our partnership with NIOSH, will be another powerful resource for making Ohio's workplaces even safer.

* Industry options are based on the North American Industry Classification System codes.

EMPLOYER SPOTLIGHT

Portage County, created in 1808 and situated in the northeast part of the state with a population of less than 3,000, today has a population total over 162,000. The county is over 95% rural and named for the portage between the Cuyahoga and Tuscarawas rivers.



On a quarterly basis, colleagues from CompManagement (TPA) and CompManagement Health Systems (MCO) as well as a representative from the BWC make the trip to scenic Portage County for a meeting to strategize on ways to help move claims and the overall workers' compensation program in a positive direction.

While the quarterly meetings are a great vehicle to pull the teams together to collaborate, the day-to-day claims management is done by Michelle Ripley-Crombie MPA ARM-P, Risk Manager, Department of Internal Services for Portage County. Michelle epitomizes the hands on approach by being directly involved with all aspects of the claims for the county. As Risk Manager, she is involved at every level as a claim progresses from inception all the way through successful return to work including hearings and settlements when appropriate. This level of involvement requires a considerable investment of her time and frequent conversations with all of the parties involved including the injured worker.

Under Michelle's direction and the fact that she is so engaged in all aspects of their claims, the quarterly meetings run very efficiently. This collaborative approach and input from everyone has reaped benefits for their workers' compensation program.

Comparing the information from 2012 forward, the number of allowed claims has progressively declined from 62 to 42 for calendar year 2017 and through the first 6 months of 2018 down to an impressive 12 total claims. More importantly, the lost time claim total has followed a similar trend.

Considerable attention to detail, willingness to make changes when necessary along with dedication from everyone on the team is showing up in their premium rates. Since 2013 their policy has consistently been hovering at a penalty rating over 30%. However, the rates for their 2018 policy year have dropped below 15%. The best news is the trend is continuing forward, the county is projected to see their rates move all the way down in 2019 to an impressive credit rating below 15%. Consequentially this translates in lower workers' compensation costs across the board for Portage County.

Michelle credits the collaboration between the MCO, TPA, BWC, Prosecutor, injured worker and Transitional Work Coordinators with the success of the program. "Without the collaboration of all parties the program would not be successful – everyone plays an important role in the success of the program".

CompManagement has been honored to partner with Portage County as their third party administrator, and we hope to continue to help advance their program in its current direction.

UNEMPLOYMENT COST CONTROL

The First Step

Considering that unemployment tax is the only controllable payroll tax there is, why not make every effort to minimize the expense?

As an expert in the unemployment cost management arena for over 40 years, Sedgwick has seen missed savings opportunities that could have been avoided by taking a few simple steps.

First and foremost, if you have an unemployment cost management company handling your claims, give them the opportunity to service your account to the fullest by signing over Authorization (Power of Attorney) and Address of Record for unemployment insurance (UI) claims and tax matters, in all states where this is permissible. Doing so will enable the service company to receive claims and tax information directly. You hired experts, let the experts take responsibility.

Signing over authority to your service company enhances the service company's ability to meet all deadlines imposed by the various state agencies for:

- Requests for separation information
- Claim appeals and protests
- Appeals to hearing
- Benefit charge protests
- Tax rate protests
- Voluntary contributions
- Common rating or joint account applications

Claim appeal deadlines vary from as few as seven (7) days to as many as thirty (30) days, depending upon the state. Tax protests and tax saving options have varying deadlines from state to state as well.

Many employers are reluctant to turn over control to a service company. Keep in mind that the relationship between an employer and their unemployment service company is a cooperative effort. Service companies still rely on employers to enforce their policies, treat all employees fairly, maintain a stable workforce and make sound human resource and business decisions.

An employer should trust their service company to manage deadlines, advocate for a fair system, and optimize employer savings through claims management, benefit charge auditing and tax management strategies. Additionally, the service company has the responsibility to forward to the employer any key documentation that is received in error, that does not pertain to the UI claims and tax management process, or that requires immediate attention on behalf of the employer.

Since most state agencies now require electronic filing of quarterly state unemployment tax and payroll returns, the agencies no longer mail paper returns to employers, which would then have to be forwarded by the service companies.

As a first step to a comprehensive UI cost control process, it just makes sense to let the experts take control from the start.

If you are interested in learning more about Sedgwick's unemployment cost management services, contact Ken Weber at: Kenneth.Weber@sedgwick.com or (513) 774-5866.

UNEMPLOYMENT UPDATE

UNEMPLOYMENT LEGISLATIVE UPDATES

Unemployment – A Hot Topic for 2017-2018

State unemployment insurance (UI) has been a hotbed of legislative activity in 2017 and 2018. There have been 340 state bills that have seen legislative activity during that time period. Many states have enacted legislation to bolster their state UI trust funds by addressing either the benefit side or the tax side, or some combination of the two. The purpose is to ward off borrowing from the federal UI system to pay benefits should their state UI trust funds become depleted during an economic recession.

States borrowing from federal UI funds, referred to as Title XII loans, leads to federal unemployment tax (FUTA) credit reductions. These credit reductions mean that employers in those states cannot take the full 5.4% credit against the federal unemployment tax rate of 6.0%. Generally, employers who have paid all state UI taxes on time will pay an annual net FUTA tax of 0.6% on the first \$7,000 each employee earns in the previous calendar year (which equates to \$42.00 per employee). However, when a state has an outstanding Title XII loan, that amount can increase if loans are not paid back timely.

Only employers in California and the Virgin Islands had to pay more than the net FUTA tax rate of 0.6% for 2017. California and Virgin Islands employers saw their credit reductions reduced to 2.1%, and thus paid a net FUTA tax of 2.7% (which equates to \$189.00 per employee, \$147.00 more per employee than employers pay in other states). California recently repaid all of its Title XII loans and has a positive UI trust fund balance, which will result in the removal of their FUTA tax credit reduction in the future.

Four states, Colorado, Michigan, Pennsylvania and Texas, have chosen to finance repayment of Title XII funds to the federal UI system through the use of bonds and thus avoid federal UI tax credit reductions for employers in those states.

Seven states need to address concerns of trust fund solvency. California, Connecticut, Illinois, Massachusetts, New York, Ohio and West Virginia are projected to have less than 1 year of benefits available in the state unemployment trust fund.

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Unemployment Activity - Looking Forward

President Trump's 2019 budget proposal would require \$22 Billion in Unemployment Tax and Solvency Increases, and has proposed using the unemployment system to fund a national parental leave program.

Increases in Taxes and Trust Fund Solvency Requirements

State unemployment trust fund balances are now of greater concern to state agencies given President Trump's fiscal year 2019 budget proposal. The 2019 budget proposal calls for increases in trust fund solvency requirements. The proposal would require employers in states with low trust fund balances to pay higher unemployment insurance related taxes. The drawback to this approach is that even employers with few unemployment claims that have employees in a state with a low trust fund balance, would be subject to tax increases regardless of having maintained an excellent unemployment cost management program.

Funding Paid Parental Leave Using the Unemployment System

Another concern to employers is the President's proposal to fund 6 weeks of paid family leave to new mothers, fathers and adopting parents through the state unemployment systems.

Regardless of opinions on the merits of paid parental leave, funding parental leave through the unemployment system flies in the face of the basic tenets of the UI program. The unemployment system was established to provide for fiscal stability during economic downturns. The system was set up to pay benefits to individuals who become unemployed through no fault of their own, and who are otherwise able to work, available to work and actively seeking work. An individual on parental leave meets none of these three requirements.

The proposed 2019 budget anticipates a cost of about \$19 billion over 10 years. The cost of the program is to be offset by increases in unemployment taxes, increased solvency requirements, better UI system integrity and improved reemployment and eligibility assessments.

Some states have already established programs outside the UI trust fund to provide paid family leave, and those efforts have been bolstered by the Tax Cuts and Jobs Act of 2017 which provides tax credits for employers providing paid family leave.

Both budget items will bear watching as they would both have the impact of raising employers' unemployment tax rates.

Policy Activity Rebate

In May of 2018, the Ohio Bureau of Workers' Compensation approved a new program to raise employers' awareness and increase understanding of some of the most important aspects of workers' compensation, including safety, claims and policy management.

The Policy Activity Rebate (PAR) program allows employers to earn credits by completing activities designed to improve workplace safety and management of their workers' compensation policy. Employers can choose from 33 different activities to earn credits. After earning 11 credits during a policy year, an employer can receive a 50% premium rebate up to \$2,000.

For more information on this program including eligibility requirements and how to enroll, [click here](#) to view our fact sheet or contact Lora Brooks, CompManagement Program Specialist at (800) 825-6755, ext. 65436.

Go Green Rebate Update / Electronic Invoices

Since its introduction in 2012, the Go Green rebate has been automatically given to any employer that timely paid their installments and reported their annual true-up on BWC's website (www.bwc.ohio.gov). The rebate is 1% of premium up to a maximum of \$2,000 annually.

As more online resources are made available, the requirements to receive the Go Green rebate also change.

Recently, BWC added the option to receive monthly invoices electronically. Therefore, to be eligible for the Go Green rebate beginning with the 2018 policy year (July 1, 2018 to June 30, 2019 for private employers and January 1, 2018 - December 31, 2018 for public employers), employers must now also opt to receive invoice email notifications.

Some notes regarding electronic invoices:

- Only the primary e-account holder will be permitted to sign up.
- Upon sign-up, BWC will send an email to confirm the email address and to finalize the set-up.
- Once an employer elects to receive invoices electronically, paper invoices will no longer be mailed.
- Employers will be allowed to opt out if they change their mind (no longer eligible for Go Green).
- Employers will be given the opportunity to sign up for electronic invoices when doing the True-Up to be eligible for the Go Green rebate.

For questions regarding this change, please contact your CompManagement Rate Analyst at (800) 825-6755.

More than a Billion Back Again

At their May meeting, the Bureau of Workers' Compensation Board approved another \$1.5 billion rebate to Ohio employers. This 85% rebate is based on 7/1/2016 to 6/30/2017 premium for private employers and 1/1/2016 to 12/31/2016 for public employers.

As of the end of July, over 150,000 checks had been issued, with all remaining to have been sent by the first week in August. (Note - Group Retrospective Rating participants will be issued their rebate checks in October after the annual evaluation is complete.)

If you have not received your rebate check, please feel free to contact your CompManagement Rate Analyst at (800) 825-6755 to research.

Public Employers

Industry Specific Safety Program Participants

If your organization is currently participating in the Ohio Bureau of Workers' Compensation's (BWC) Industry Specific Safety Program (ISSP) for the 2018 policy year, we would like to remind your organization of the BWC safety requirement for participating in the program. To achieve a 3% refund, you must complete the required number of loss prevention activities based on the total amount of your payroll no later than December 31, 2018.

Payroll of \$100,000 or Less	Payroll Greater Than \$100,000 but Less Than \$300,000	Payroll Greater Than \$300,000
Complete 1 activity listed below	Complete 2 activities listed below	Complete 3 activities listed below (activities 1 & 2 may be completed more than once (with different titled sessions))
1. Attend at least 3 hours of online classes or any industry-specific one-half day or full-day class offered by BWC's Safety & Hygiene division Click here .	1. Attend any industry-specific one-half day or full-day class offered by BWC's Safety & Hygiene division (online classes are not permitted). Click here .	1. Attend any two industry-specific one-half day or one full-day class offered by BWC's Safety & Hygiene division (online classes are not permitted). Click here .
2. Obtain on-site safety consulting via BWC's Safety & Hygiene division and complete an online survey. Click here .	2. Obtain on-site safety consulting via BWC's Safety & Hygiene division and complete an online survey. Click here .	2. Obtain on-site safety consulting via BWC's Safety & Hygiene division and complete an online survey. Click here .
3. Participate in the annual Ohio Safety Congress & Expo (held March 7-9, 2018 at Columbus Convention Center). Proof of attendance at three 1-hour sessions, one half-day workshop or full-day workshop needed.	3. Participate in the annual Ohio Safety Congress & Expo (held March 7-9, 2018 at Columbus Convention Center). Proof of attendance at three 1-hour sessions, one half-day workshop or full-day workshop needed.	3. Participate in the annual Ohio Safety Congress & Expo (held March 7-9, 2018 at Columbus Convention Center). Proof of attendance at three 1-hour sessions, one half-day workshop or full-day workshop needed.

To check your program status online via your e-account on the BWC's website's ISSP progress page, [click here](#). If you have any questions about the ISSP requirements and the necessary training to complete, please contact Lora Brooks, CompManagement Program Specialist at (800) 825-6755, ext. 65436.

BWC UPDATES

REMINDER: PRIVATE EMPLOYERS

BWC True-Up Process for Prospective Billing Was Due August 15th

With prospective billing the Bureau of Workers' Compensation (BWC) requires that all employers true-up their payroll. To true-up, private employers were required to report their actual payroll for the 7/1/2017-6/30/2018 policy year and reconcile any differences in premium paid by August, 15, 2018.

If you have not completed your true-up, employers can still submit actual payroll and pay any additional premium online at www.bwc.ohio.gov, by phone at (800) 644-6292, or in person at a BWC customer service office.

Failure to report and pay timely will result in severe penalties. Employers that fail to complete the true-up process will:

1. Lose any rebates due from 2017 program participation.
2. Be removed from all 2018 discount and rebate programs. The employer will be removed from the program for the entire year, the employer will be re-rated removing the discount, and the remainder of the 2018 installments will be adjusted to account for the rate increase.
3. Become ineligible to participate in any 2019 discount and rebate programs (until all outstanding payroll true-ups are completed).

If you have any questions regarding the true-up process, please contact your CompManagement Rate Analyst at (800) 825-6755.

Upcoming BWC Program and Safety Training Deadlines

Private Employers

August 30, 2018	Safety action plan (DFSP-5 form) filing deadline for Drug Free Safety Program 7/1/2018 participants (advanced level only).
September 30, 2018	BWC survey date for the 7/1/2019 experience period.
November 19, 2018	Application deadline for enrolling in the 7/1/2019 Group Rating Program .

Public Employers

September 28, 2018	Drug Free Safety Program annual reporting deadline for the policy year beginning January 1, 2018.
September 28, 2018	EM Cap and One Claim Program safety training requirement deadline.
September 28, 2018	Last day to request a change in installment plan or estimated annual payroll for the 2018 policy period.
November 15, 2018	Deadline for notifying BWC of installment plan changes or to request deferred payment for 2019 premium payments.
November 30, 2018	Application deadline for Drug Free Safety, Industry Specific Safety, and Transitional Work Bonus Programs .

If you have any questions regarding the deadlines or safety requirements, or if you would like to learn more about BWC program options and the potential savings they have to offer to your organization, please contact Lora Brooks, CompManagement Program Specialist at (800) 825-6755, ext. 65436.

BWC net position continues to grow

The Ohio Bureau of Workers' Compensation's (BWC) net position continues to grow. As of July 31, 2018, the BWC's net position was \$10 billion.

BWC continues to discuss a strategy for the net position. This summer a BWC workgroup put forth the following suggestions to address the excess net position:

- Reflect a conservative amount of investment income in the rate making process
- Conduct an annual review and determine if a rebate or full/partial premium holiday is merited
- Establish a rebate plan that mechanizes returns (if net position exceeds a certain threshold, a X% rebate would be issued)
- Use net position to fund Destination Excellence and Safety Council Programs
- Use net position to expand safety programs
- Adjust the discount rate to reflect a true risk-free return
- Use net position to fund a claim free discount
- Modernize the William Green building
- Invest in technology

\$44 million investment includes funding for school and police safety

BWC will make a two-year, \$44 million investment in safety that includes \$8 million for Ohio schools and police departments. "It's easy to forget that classrooms are also workplaces and while policemen are there to protect us, they deserve workplace protections themselves," BWC Administrator/CEO Sarah Morrison said during a recent press conference. "Where better to direct safety resources than to some of our most important employers — those who educate our children and those who swear to protect us." BWC will increase its annual Safety Intervention Grant Program from \$15 million to \$20 million in each of the next two years. As part of that increase, it will set aside \$4 million each for Ohio police departments and schools, in addition to \$2 million for state agencies. Administrator Morrison also announced that part of the grants for law enforcement will help purchase new body armor. BWC will provide up to \$40,000 per applicant, with the requirement that the applicant provide matching dollars.

Public employer rate decrease proposed

BWC staff has recommended and the Board has approved a reduction in next year's rates for Ohio's school districts, cities and other Ohio local government employers. This equates to BWC collecting \$21 million less than this year. The 12 percent reduction effective January 1, 2019, is the second largest decrease for the state's public employer taxing districts since at least 1985. A number of factors make the 2019 reduction possible, including declining claims and relatively low medical inflation costs that are combining for a favorable forecast for future average claim costs.

For more news & information connect with us!

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