



## **BULLETIN - CONSUMER ADVISORY**

### **Guidance for Ohio Employers Who May Be Eligible for the 100 Percent EM Cap**

February 4xx, 2010

This bulletin provides guidance to private-sector Ohio employers who may be eligible for BWC's 100-percent experience modifier (EM) cap program for the July 1, 2010, policy year. It also advises eligible employers of their responsibilities should they wish to participate in the program. **Only BWC can officially determine who is eligible. Thus, there is no cost for eligible employers to participate.** A local BWC staff member can assist employers with the program requirements.

#### **Eligibility**

Any state-fund employer may qualify for the 100-percent EM capping program if:

- They have an active policy;
- They do not have lapses greater than 40 days over 12 months;
- Their EM has increased by more than 100 percent;
- Their individual EM is 1.01 or greater.

BWC uses these parameters to determine which employers can participate in the program and will notify participants directly via mail in June.

#### **Impacts**

Eligible employers will have their EM capped at 100 percent of the prior year's published EM. The previous year's EM could either be an individual EM or a group-experience rated EM if the employer participated in group rating. In an instance where multiple employers' policies are combined into one EM, the resulting EM is not subject to the 100-percent cap.

#### **Requirements**

Eligible employers must complete the *Agreement for 100-Percent EM Cap* (the U-18), and return it to BWC by Sept. 30 to participate. In addition, eligible employers must complete five of 10 steps from BWC's 10-Step Business Plan for Safety during the first year they are in the program. There is no cost to employers to participate in this program. Therefore, employers do not have to pay a third party to qualify or be eligible for it.

#### **Certified sponsors**

BWC-certified sponsoring associations are eligible to assist employers with implementing the 10-Step Business Plan for Safety. A list of certified sponsoring associations is [here](#).

These sponsors may charge a fee in exchange for assistance with implementing the 10-Step Business Plan for Safety. However, there is no charge to participate in the 100-percent EM cap program.

#### **Questions**

If you have questions about the 100-percent EM cap program, please call John Lykins at 614-466-6673 or via email at [100-PercentEMCap@bwc.state.oh.us](mailto:100-PercentEMCap@bwc.state.oh.us).