

## **4123-17-56.2 Safety council rebate incentive program.**

### **(A) Definitions.**

For the purposes of this rule,

- (1) "Local safety council" means an entity contracted with the bureau to provide a safety campaign in accordance with standards set forth by the superintendent of the division of safety and hygiene.
- (2) "Program year" means July first to June thirtieth, inclusive.
- (3) "Superintendent" means the superintendent of the division of safety and hygiene or the superintendent's designee.

### **(B) For each program year, the administrator may establish the following incentives for employer participation in a local safety council:**

#### **(1) Participation rebate.**

- (a) The superintendent shall determine the participation requirements for each program year and publish such program requirements no later than sixty days prior to the start of the program year.
- (b) The participation bonus shall be equal to the amount identified in the appendix to rule 4123-17-75 of the Administrative Code times the employer's pure premium costs during the program year.

#### **(2) Performance rebate.**

- (a) The superintendent shall determine the performance requirements for each program year and publish such program requirements no later than sixty days prior to the start of the program year.
- (b) The performance bonus shall be equal to the amount identified in the appendix to rule 4123-17-75 of the Administrative Code times the employer's pure premium costs during the program year.

### **(C) Eligibility requirements.**

- (1) To receive a rebate as set forth in paragraph (B)(1) or (B)(2) of this rule the employer must meet the following criteria as of the application deadline:
  - (a) The employer must be current with respect to all payments due the bureau, as defined in paragraph (A)(1)(b) of rule 4123-17-14 of the Administrative Code.
  - (b) The employer must not have cumulative lapses in workers' compensation coverage in excess of forty days within the prior twelve months.
  - (c) The employer must report actual payroll for the preceding policy year and pay any premium due upon reconciliation of estimated premium and actual premium for that policy year no later than the date set forth in rule 4123-17-14 of the Administrative Code. An employer will be deemed to have met this requirement if the bureau receives the payroll report and the employer pays premium associated with such report before the expiration of any grace period established by the administrator pursuant to paragraph (B) of rule 4123-17-16 of the Administrative Code.
- (2) An employer shall not be eligible to receive a rebate as set forth in paragraph (B)(1) or (B)(2) of this rule if:

- (a) The employer is a self-insuring employer providing compensation and benefits pursuant to section 4123.35 of the Revised Code.
  - (b) The employer is a state agency.
  - (c) The employer is participating in a program designated as incompatible with the rebate under rule 4123-17-74 of the Administrative Code.
- (3) A PEO shall not be eligible to receive benefits under this rule unless all of the following requirements are met:
- (a) The PEO and each of the PEO's client employers meet all eligibility and program requirements.
  - (b) The PEO electronically submits affirmation that the PEO and each of the PEO's client employers has enrolled in a local safety council as of July thirty-first of the applicable program year.
  - (c) The PEO submits a list of each of the client employers with whom it has an agreement as of May first of the applicable policy year.
    - (i) The list shall be electronically submitted on a form prescribed by the bureau, and shall include each client employer's name, address, federal tax identification number, bureau of workers' compensation risk number; and the amount of payroll, listed by manual class code, reported by the PEO on behalf of each client employer.
    - (ii) If the bureau determines the PEO has manipulated the client list for purposes of obtaining benefits under this rule, the PEO shall not be eligible to receive such benefits.
    - (iii) The bureau shall hold the list required under this paragraph as confidential pursuant to section 4125.05 of the Revised Code.
  - (d) The forms and deadlines for meeting the requirements of paragraphs (C)(3)(b) and (C)(3)(c) of this rule shall be prescribed by the superintendent.

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