

## **4123-18-11 Incentive payments to employers who hire or retain injured workers who have completed a rehabilitation program.**

The bureau, as a means of encouraging employers to retain, rehire, or hire injured workers who have successfully completed a prescribed rehabilitation program, may make payments to employers from the surplus fund established by section 4123.34 of the Revised Code.

- (A) The payments shall be negotiated with the employer and based upon a written agreement signed by the employer, and the injured worker, and approved by the bureau. The basis for negotiation shall be:
  - (1) The nature of the disability of the injured worker as determined by the bureau;
  - (2) The relationship of the disability to the job requirements; and
  - (3) The individual merits of the case.
- (B) The period(s) of such payment shall not exceed six months in the aggregate, unless the bureau determines that the injured worker would benefit from an extension of payments.
- (C) Payments under this rule shall be made directly to the employer on a monthly basis, pursuant to an administrative order of the bureau, provided the employer is a complying employer in the states in which it is subject to workers' compensation coverage requirements or has been accepted by the administrator of workers' compensation as a self-insuring employer under section 4123.35 of the Revised Code. Payments may be made to out-of-state employers who are not subject to the workers' compensation laws of Ohio if a reasonable but unsuccessful effort has been made to secure employment for the injured worker within Ohio. Such payments shall be in amounts stated in the written agreement and shall be charged to the surplus fund established by section 4123.34 of the Revised Code.
- (D) The bureau may make incentive payments from the surplus fund to an employer where the employer offers the injured worker paid transitional work activities at the employer's worksite and the employee has completed required medical rehabilitation services and has successfully satisfied vocational rehabilitation readiness requirements. An employee meets vocational rehabilitation readiness requirements when the employee has been officially referred for vocational rehabilitation, is medically stable, and has a significant impediment to a return to full employment.

Effective: 1/9/15

Prior Effective Dates: 2/3/92, 7/17/00, 11/5/09