

4167-15-01 Safety partnership agreement requirements.

- (A) The superintendent shall establish a policy and procedures for a safety partnership agreement (SPA) between the public employment risk reduction program (PERRP) and a participating public employer that includes the eligibility criteria for participation.
- (B) The minimum eligibility criteria for a safety partnership agreement (SPA) are:
- (1) The public employer has an active workers' compensation policy and is 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;
 - (2) The public employer has an injury and illness history with both a total recordable case (TRC) and a days away, restricted, and/or transfer (DART) case incidence rate that are less than the respective expected aggregate incidence rate for all Ohio public employment sectors.
 - (a) The calculations shall be based on the most recent three calendar year history of injuries and illnesses experienced by the public employer.
 - (b) The calculated three year TRC and DART rates shall be below the upper limit of the ninety-five percent confidence interval range of the most recent expected aggregate incidence rates for all Ohio public employment sectors published by PERRP.
 - (3) The public employer shall establish and maintain a safety committee with both public employees and representatives of the public employer. A public employer that employs five or fewer public employees is not required to have a safety committee.
 - (4) The public employer shall not have any of the following:
 - (a) Open PERRP enforcement investigations;
 - (b) Pending or open contested citations or notices under appeal at the time of application;
 - (c) Unresolved, outstanding enforcement actions such as long-term abatement.
 - (5) The public employer shall agree to comprehensive employment risk reduction inspections that serve as a baseline safety and industrial hygiene analysis of the establishment and for determining progress toward meeting the objectives of a SPA.
- (C) A public employer in a SPA will be exempted from any scheduled inspections that are initiated by the superintendent under paragraph (A)(1)(d) of rule 4167-8-01 of the Administrative Code.
- (D) Nothing in an agreement shall limit a public employee's rights as provided in Chapter 4167. of the Revised Code.

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