

Disabled Workers' Relief Fund

The Disabled Workers' Relief Fund (DWRF) is a special fund that supplements the benefits received by permanently and totally disabled injured workers whose benefits fall below the current cost of living. Prior to its establishment in 1953, benefits of permanently and totally disabled injured workers were fixed. Thus, these injured workers were adversely affected by continued inflation.

BWC adjusts the current cost of living annually based on the U.S. Department of Labor's Consumer Price Index. This adjusted cost of living amount is referred to as the DWRF entry level. The adjusted DWRF qualifying figure is effective Jan. 1 of each year. DWRF provides a subsidy payment to permanently and totally disabled injured workers receiving less than the DWRF entry level.

Important information

Injured workers awarded permanent total disability (PTD) may be entitled to receive DWRF benefits. However, they do not need to apply for the benefits. We automatically review PTD claims. We then notify the injured workers and all parties to the claim by BWC order of the findings.

DWRF eligibility

We base eligibility to receive DWRF benefits on the declared rate of PTD prior to any lump sum advancements, and any disability benefits received from Social Security. The Social Security amount used is prior to Medicare deductions.

In determining who is eligible, we combine the PTD and Social Security rates. If the two rates are less than the DWRF qualifying figure for the year, the injured worker is entitled to receive DWRF benefits. If the combined rates are more than the DWRF qualifying figure, the injured worker is not entitled to receive DWRF benefits.

If injured workers do not receive any disability Social Security or the Social Security benefit they receive is retirement, then we base the calculation on the difference between the DWRF qualifying figure and the declared rate of PTD prior to any lump sum advancements.

State-fund and self-insured claims are reviewed using the same criteria. All PTD claims are reviewed annually.

Determining benefits

Injured workers who are eligible to receive DWRF benefits will receive from DWRF an amount equal to either:

1. The difference between the DWRF qualifying figure and the amount they receive as disability benefits from the Social Security Act;
2. The difference between the DWRF qualifying figure and the amount they receive under the workers' compensation laws for PTD.

The amount payable is the lesser of the two calculations.

Filing an appeal

According to the law, injured workers and their employers have the right to appeal any BWC order notifying them of any adjustments or findings in their DWRF benefits. If the injured workers or their employers disagree with the BWC order, either may file a written appeal with the Industrial Commission of Ohio within 14 days of receiving the order. If the appeal is not filed within 14 days, the decision is final.

Assessments to employers

We handle assessments to employers for DWRF according to Section 4123.411 (A) (B) and (C) of the Ohio Revised Code. Assessments are handled differently for state-fund employers vs. self-insured employers. Please refer to these sections for more detailed information specific to your employer type.

BWC pays benefits to injured workers with claims where the employer is self-insured and assesses the employer for the DWRF.