



## Ohio Administrative Code

### Rule 4123-17-56.2 Safety council rebate program.

Effective: July 1, 2023

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#### (A) Definitions.

For the purposes of this rule,

(1) "Local safety council" means an entity contracted with the bureau of workers' compensation 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 a safety council rebate.

(1) The superintendent shall determine safety council rebate eligibility requirements for each program year and publish such program requirements no later than sixty days prior to the start of the program year.

(2) The safety council rebate 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) 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 safety council rebate eligibility rebate as set forth in paragraph (B) 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.

(d) The employer is a client employer of an alternate employer organization (AEO).

(e) The employer is a client employer of a professional employer organization (PEO), to the extent the employer's payroll is reported to the bureau under the PEO's workers' compensation policy.

(3) An AEO or a PEO shall not be eligible to receive a safety council rebate under this rule unless all of the following requirements are met:

(a) The AEO or the PEO, and each of the client employers of the AEO or the PEO, meet all eligibility and program requirements.



(b) The AEO or the PEO electronically submits affirmation that the AEO or the PEO, and each of the client employers of the AEO or the PEO, has enrolled in a local safety council as of July thirty-first of the applicable program year.

(c) The AEO or 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 AEO or the PEO on behalf of each client employer.

(ii) If the bureau determines the AEO or the PEO has manipulated the client list for purposes of obtaining a safety council rebate under this rule, the AEO or the PEO shall not be eligible to receive such rebate.

(iii) The bureau shall hold the list required under this paragraph as confidential pursuant to rule 4123-17-15.2 of the Administrative Code.

(4) 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.