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August 2020

Happy August!

On June 16, 2020, Governor Mike DeWine signed into law House Bill 81. Its impact is significant for employers in the context of workers' compensation that will take effect September 2020.

Under R.C. 4121.471, the time limitation an injured worker has to file a Violation of a specific safety requirement application has been reduced to one year. Currently, an injured worker has two years from the date of injury to file a VSSR application.

Under R.C. 4123.56, the statute addressing temporary total disability (TTD) compensation and wage loss, new subsection (F) codifies the voluntary abandonment doctrine and addresses the situation when an injured worker is not eligible to receive such compensation. The new law states, "If an employee is not working or has suffered a wage loss as the direct result of reasons unrelated to the allowed injury or occupational disease, the employee is not eligible to receive compensation under this section."

As always, AultComp MCO thanks you for allowing us to manage your Workers' Compensation claims.

Sam Randazzo
Employer Liaison
330-324-6132
330-830-4919
sam.r.1@aultcompmco.com

Manager Tips

Reporting a Fatality or Severe Injury

- All employees are required to notify OSHA when an employee is killed on the job or suffers a work-related hospitalization, amputation or loss of an eye.
- A fatality must be reported within 8 hours.
- An in-patient hospitalization, amputation, or eye loss must be reported within 24 hours.

Source: United States Department of Labor

OSHA COVID-19 Q&A

When can employees who have had COVID-19, or may have had COVID-19, return to work?

The Centers of Disease Control and Prevention provides [guidance](#) about the discontinuation of home isolation for people with COVID-19. The

[Medical Information page](#) of OSHA'S

[COVID-19 Safety and Health Topics page](#) also provides information about returning to work after having COVID-19. This guidance applies to workers with COVID-19 symptoms, even if they were not tested for COVID-19.

OSHA encourages America's workplaces to commit to workplace safety and health participating in [Safe + Sound Week](#), August 10-16. This nationwide event recognizes the successes of [workplace safety and health programs](#) and offers information and ideas on how to keep America's workers safe.



BWC Teleworker Classification Q&A

How will employers report wages at true-up for operational employees who are teleworking as a result of Governor Mike DeWine's "stay at home" order while receiving wages from the employer?



To ease the economic impact of the COVID-19 crisis on businesses, private employers may report operational staff currently teleworking to class code **8871 – Clerical Telecommuter** during a declared state of emergency. For public employer taxing districts, we are creating a new class code, **9444 - Public Employee Clerical Telecommuter**, to report operational staff currently teleworking.

- The employer must contact BWC to request the addition of classification code 8871 – Clerical Telecommuter for private policies and 9444 - Public Employee Clerical Telecommuter for public employer taxing districts to their policy. This will allow the employer to report teleworking wages to class code 8871 or 9444 during the true-up period. NOTE: Since we are in the process of creating the new class code for public employers, the class code will not be available to add to your policy until after July 1, 2020. This will be available to add to your policy prior to the true-up period for public employers.
- Sole Proprietors and Partners who have elected to cover themselves will continue to report their wages to the assigned operating class code.
- Private employer staff currently reported under class code 8810-Clerical will continue to be reported under class code 8810, not 8871.
- The employer is responsible for recording, tracking, and documenting the wages associated with the operational employees now teleworking for premium audit purposes.
- If a worker continues to perform the same duties from home while teleworking, the employer will continue reporting that worker's wages to the appropriate operational classification code, not to class code for teleworking. For example: the employer manufactures surgical masks. The employer has sent workers home with the equipment and materials to continue making masks. These workers are not 8871 Clerical Telecommuter employees. They would remain under classification 2501 – Cloth, canvas and related products manufacturing. The exposures for them do not change.
- If the worker performs their regular duties on an intermittent basis, such as working on the employer location Monday, Wednesday and Friday and is paid to stay home Tuesday and Thursday, all wages are to be reported to the operating class code and not to class code 8871.
- This temporary revision to the class code assignment rule only applies during the time of Governor DeWine's "stay at home" order, which he initiated March 15, 2020.

- The employer is to cease reporting operational employees' wages to teleworking class code 8871 or 9444 once the "stay at home" order has ended or if the operational employee(s) return to performing their previous job duties.

To request the addition of class code 8871 - Clerical Telecommuter or 9444 for public employer taxing districts to your policy, please call 1-800-644-6292 or send an email to RTSclass@ohiobwc.com. Remember to include your policy number in your email request.

Source: bwc.ohio.gov/downloads/blankpdf/COVID-19-BWCFAQ



WE MANAGE WHAT MATTERS

For 23 years, AultComp MCO focuses on what matters most: our community and personalized care. We assist with the efficient return to work for your employees, all while delivering exceptional customer service.

ABOUT US

Specializing in workers' compensation medical management, AultComp MCO's mission is to deliver high-quality services to our business partners. As we strive to exceed customer expectations, we will continually manage our resources cost-effectively, and maintain trust and integrity in all our partnerships.

OUR SERVICE



Local Connections



Superior Customer Service



Reliable Claims Management



Discount Opportunities

 **4650 Hills & Dales Rd NW
Suite 360
Canton, Ohio 44718**

Phone: **330-830-4919** or **1-888-738-5800**
 Fax: **330-830-4902**
 Email: aultcompmco@aultcompmco.com
 Web: www.aultcompmco.com



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