



SAFETY RESOURCES



In
this
issue:

Virtual Safety Seminars Are Coming..... Page 1

Unemployment Hearing Process: What to Expect..... Page 1

Coming Soon: 2024 Ohio Safety Congress & Expo..... Page 2

BWC's Recreational Waiver..... Page 3

Difference Between an Employee & Independent Contractor Page 3



Virtual Safety Seminars are Coming

Virtual seminar registration forms will be sent out throughout the Winter months!

The NFIB sponsored workers' compensation programs will be offering educational virtual safety seminars this Spring. This safety training satisfies the Ohio Bureau of Workers' Compensation's group and group retrospective rating programs two-hour safety training requirement for policy year 2023. In addition to the safety training, our virtual seminars will also include a workers' compensation and unemployment compensation update.

Based on NFIB member feedback, via the seminar evaluation form, members have consistently found the safety seminars to be very informative and useful in making workplaces safer.

For more information, contact Sedgewick's Zack Stewart at (614) 932-1565 or Zachary.Stewart@sedgewick.com.

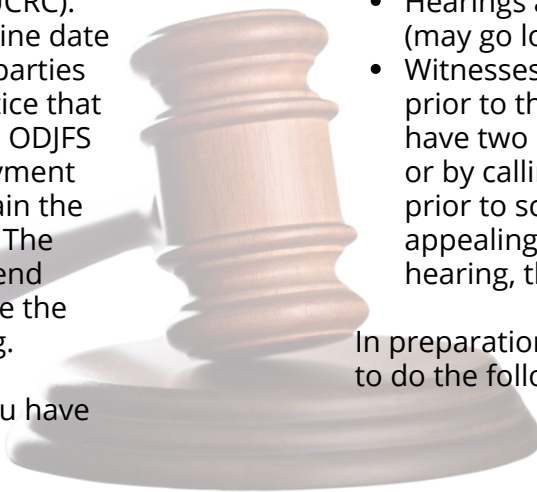
Unemployment Hearing Process: What to Expect

The Ohio Department of Job and Family Services (ODJFS) allows employers and claimants to file an appeal to a claim determination or redetermination and request it be reviewed by the Unemployment Compensation Review Commission (UCRC). The appeal must be filed by the deadline date indicated on the claim document. All parties involved in the claim will receive a notice that the appeal has been transferred from ODJFS to the UCRC to schedule an unemployment hearing. This document will also explain the issues to be discussed at the hearing. The UCRC will schedule the hearing and send notices to all parties, which will include the date, time, and location of the hearing.

Some things to keep in mind when you have an unemployment issue that will be scheduled for a hearing include:

- All hearings will be scheduled as daytime telephone hearings, unless a request was made for an in-person hearing or an evening telephone hearing within 10 days of the mailing of the transfer notice;
- Hearings are scheduled for 45 minutes (may go longer if time permits); and,
- Witnesses must register with the UCRC prior to the scheduled hearing. Witnesses have two options to register, either [online](#) or by calling the UCRC at least 15 minutes prior to scheduled hearing time. If the appealing party fails to register for the hearing, the hearing will be dismissed.

In preparation for the hearing, it's a good idea to do the following: *(continued on page 2)*



Coming Soon! 2024 Ohio Safety Congress and Expo

Beginning in November, the Ohio Department of Job and Family Services (ODJFS) The annual Ohio Safety Congress & Expo will be back in-person, and will take place March 27-29, 2024, at the Greater Columbus Convention Center. According to the Ohio Bureau of Workers' Compensation (BWC), the Ohio Safety Congress & Expo, which originated in 1927, is the largest and longest-running workplace safety and health conference in the Midwest.

The Expo Marketplace allows attendees to shop for services, industrial supplies, safety equipment and gear. By attending the Ohio Safety Congress & Expo, employers will have the ability to choose from over 150 educational sessions and visit more than 350 exhibitors. This year's program includes:

- A safety innovations competition
- Educational sessions with continuing education units
- Current information about BWC initiative
- Cost-savings programs

Education credits may be earned by employers who participate in a group rating or group retrospective rating program and are required to attend two hours of safety training.

While there, be sure to stop by the Sedgwick booth in the Expo Marketplace!

For more information, contact Zack Stewart, at (614) 932-1565 or email at Zachary.Stewart@sedgwick.com



Join more than 7,000 representatives from businesses, organizations, and government entities to learn how to:

- Prevent workplace injuries and illnesses
- Achieve better outcomes for injured workers
- Reduce workers' compensation claims costs
- Keep Ohio's work force healthy and productive.

Unemployment Hearing Process: What to Expect

(continued)

In preparation for the hearing, it's a good idea to do the following:

- Prepare a timeline of events leading up to the separation of your former employee
- Review your records prior to the hearing
- Submit the appropriate exhibits to the Hearing Officer and interested parties prior to the hearing. Examples include: a termination letter, copies of warnings, company policy and signed acknowledgment form, attendance records, performance reviews
- Make sure to have key witnesses available to testify (and registered prior to the scheduled hearing)
- Prepare a list of questions you may want to ask the former employee
- Have a pen and notepad available to take notes during the hearing



Although the hearing process may vary by Hearing Officer, generally the Hearing Officer does the following to begin a hearing:

- Verify all relevant parties are present and begin recording the hearing
- Summarize the issues and parties
- Provides hearing instructions explaining how the hearing will proceed
- Swear in witnesses and,
- Begin the initial questioning

For more information, contact Sedgwick's Unemployment Team Lead, Staci Schwartz, at (614) 932-1540 or Staci.Schwartz@sedgwick.com.

BWC's Recreational Waiver

The Ohio Bureau of Workers' Compensation offers a recreational waiver called a C-159 form, which allows employees participating in activities to voluntarily waive their ability to file a workers' compensation claim if injured while voluntarily participating in these activities.

The C-159 form allows the employer to describe the activities for which the employees wish to waive workers' compensation coverage. The form needs to be signed by both the employer and the employee, and the employer must provide the employee with a copy of the waiver. The employer would only submit the completed C-159 form after an employee files a workers' compensation claim.

[Access C-159 Form](#)

For more information, contact Sedgwick's Zack Stewart at (614) 932-1565 or by email at Zachary.Stewart@sedgwick.com.

To help boost morale and create stronger bonds for their employees, employers may sometimes sponsor or host recreational and fitness activities for their employees. These activities could include an afternoon playing Top Golf, creating a workplace softball, kickball, or volleyball team, or having an office Holiday party. Employers may feel cautious about sponsoring or hosting these types of activities for fear of an employee getting injured and filing a workers' compensation claim.



Difference Between an Employee & Independent Contractor

Certain types of employment are considered non-covered employment and are excluded from your employee count by the Ohio Department of Jobs and Family Services (ODJFS). Independent contractors could fall within this category. The difference between an employee and an independent contractor is the direction and control over the services being performed by the individual.

If an employer hires an individual as an independent contractor, the employer must establish that the individual has been, and will continue to be, free of direction and control of the employer over the services they're providing.

For more information, contact Sedgwick's Unemployment Team Lead, Staci Schwartz at (614) 932-1540 or Staci.Schwartz.sedgwick.com.

Examples of some factors that demonstrate an individual is not under the direction and control of the employer, thus could be considered an independent contractor include:

- The existence of a contract for a certain piece of work at a fixed price
- The individual has the right to employ assistants;
- The individual supplies all necessary tools, supplies, and materials for the job
- The individual controls the progress of work, except for the final result
- The individual sets their own hours during which the services are performed
- The individual is not paid on a regular basis, such as hourly, daily, or weekly and,
- The individual is not reimbursed for expenses.

Access additional safety resources and information