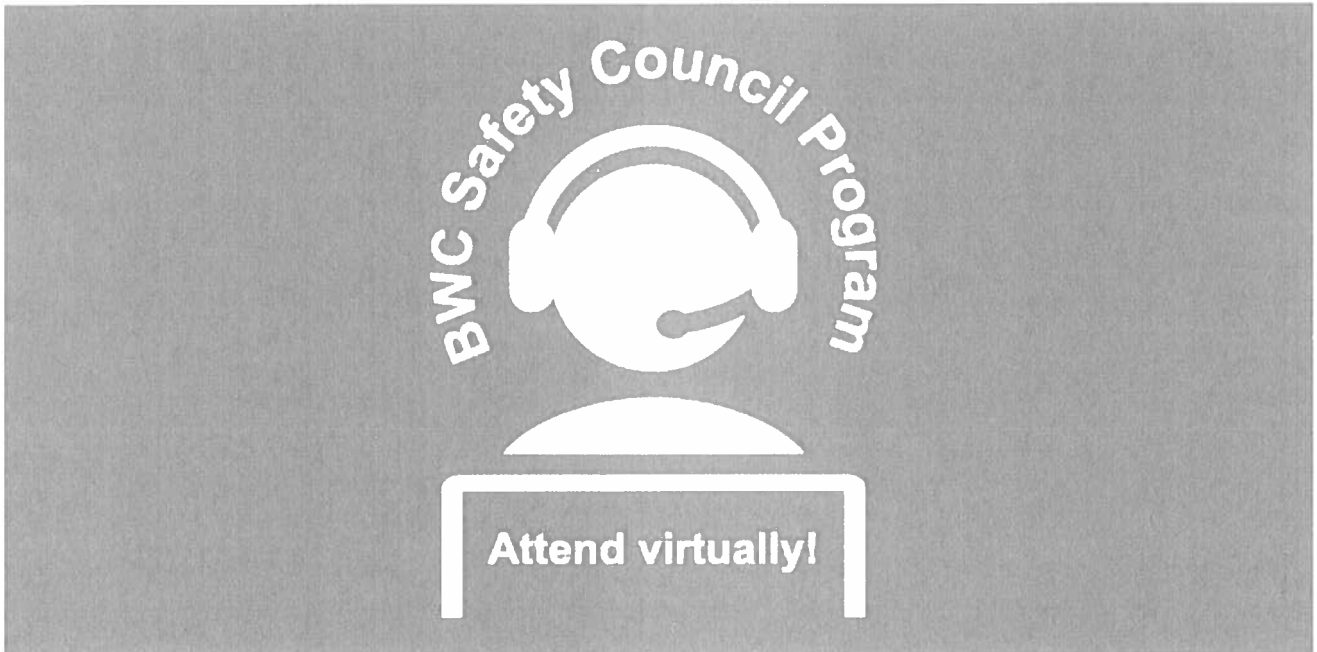




Bureau of Workers'  
Compensation



# Ohio Safety Council Policies and Guidelines FY22

July 1, 2021 – June 30, 2022

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# General information

## Purpose and administration

The Ohio Bureau of Workers' Compensation (BWC) Division of Safety & Hygiene (DSH) administers the Ohio safety council program to provide a forum for occupational safety and health education, resources, and networking in local communities.

Due to the ongoing COVID-19 pandemic, several modifications remain in place for the FY22 program.

- All BWC safety council meetings will be conducted virtually (online only) this fiscal year.
- The safety council rebate program remains suspended.
- There will be no collection of semi-annual reports and subsequently, no recognition awards presented in FY22.
- Safety councils that opt not to host virtual meetings will be eligible to resume operation when in-person meetings return.
- If a safety council chooses to host in-person safety meetings, such activity would be independent from BWC's Ohio safety council program, should not be funded with BWC subsidy dollars and would not qualify as credit toward BWC program requirements.

## Sponsoring organizations

DSH contracts with entities such as chambers of commerce, independent consulting firms, associations, educational institutions, or other community-based organizations, who have employer relationships to manage and administer safety councils.

Safety council sponsors must maintain active workers' compensation coverage and have no outstanding account balance with BWC.

## Programs and activities

In this modified FY22 program year, safety council sponsors opting to participate are required to host at least 8 virtual monthly meetings between July 2021 to June 2022 and promote two additional BWC-hosted meetings for safety council members tentatively planned for October 2021 and April 2022.

## BWC administration

The BWC program manager ensures sponsors adhere to the policies and guidelines outlined in this manual and provides statewide instructions, updates, and guidance.

Local BWC service office representatives are assigned to each safety council to monitor program activities, provide guidance and leadership in the form of resources, information, clarification, or direction in applicable situations and to serve as BWC spokespersons.

## Steering committee

Safety councils are required to have a steering committee made up of at least three employer representatives, a sponsor representative (known as the safety council manager), and the assigned BWC representative.

BWC recommends steering committee meetings occur routinely to assist in the selection of meeting topics and speakers and the budgeting and expenditure of safety council funds.

Sponsors are required to submit a steering committee member list with their annual contract.

# Financial reporting

## BWC subsidy

An annual contract outlines the agreement between BWC and a sponsor to administer an Ohio safety council. In exchange, BWC provides an annual subsidy.

Sponsors are required to maintain documentation of all expenditures and complete a report at the conclusion of the fiscal year, provided by BWC, on the direct and indirect use of BWC subsidy.

In this modified program year, the FY22 subsidy will equal 50% of the scheduled FY21 funding (based on calendar year 2019 activities) to support the cost of direct and indirect program management costs. BWC will process the subsidy in one installment in September 2021.

CY2019 average attendance	Scheduled FY21 subsidy	Modified FY22 subsidy
1-50	\$5,500	\$2,750
51-100	\$11,000	\$5,500
101-150	\$16,500	\$8,250
151-200	\$22,000	\$11,000
201+	\$26,950	\$13,475

Sponsors are encouraged to apply to receive BWC subsidy payments via electronic funds transfer (EFT). This and other updates regarding the sponsoring organization's name or address can be made at Ohio Shared Services (<https://supplier.ohio.gov/wps/portal/sp/suppliers/login/>).

## Safety council funds

In addition to BWC subsidy, sponsors may generate other income including membership fees, monthly meeting fees, sponsorships, etc. All funds generated in the name of the safety council are considered 'safety council funds'.

The sponsor is required to maintain all safety council funds in a separate and independent banking account. Budgeting and use of safety council funds is the responsibility of the sponsor in coordination with its steering committee. The amount a sponsor reimburses itself for payroll and benefits is to be determined by the sponsor and steering committee in the budget process.

Safety council funds shall be used to cover the direct and indirect costs of safety council sponsorship and/or projects/initiatives to enhance occupational safety in the community.

Unused safety council funds shall be rolled over from one year to the next. No sponsor shall have a zero-budget practice for unused safety council funds to be absorbed by their organization.

Safety council sponsors are restricted from using subsidy dollars for political activity.

If questions arise regarding BWC subsidy, sponsor use is subject to verification/documentation. BWC will conduct a random audit of at least 10 safety council sponsors per year to confirm appropriate use of safety council funds.

## Guidelines for appropriate use of safety council funds

Direct and indirect expenses may be reimbursed with safety council funds.

Direct costs (expenses the sponsor incurs solely due to the fact they are a sponsor) may include:

- Reimbursement for sponsor payroll and benefits of staff members supporting the safety council
- New member and virtual program promotional activities
- Marketing, advertising, branding, signage, billboards
- Virtual platform, website fees, and internet access
- Speaker reimbursement for fees and expenses
- Audio visual equipment
- Laptop or tablet designated for safety council use
- Printing and postage
- Monthly door prizes
- Other incentive items and appreciation gifts
- Community affairs, scholarship funds, donations, and grants

Indirect costs (expenses of sponsor doing business otherwise but allocated to a program, in this case the safety council program) may include:

- Overhead costs, phone/fax lines, office space rental, and building utilities
- Office software upgrades and computer supplies
- Office supplies and copier expenses

## Web application

DSH provides a web application for the sponsor to manage employer membership information.

To securely access the web application, a sponsor creates a BWC partner e-account for each staff member working with the program. The sponsor notifies DSH when new partner e-accounts are created or need to be deactivated. E-accounts are not intended to be transferable.

# Enrollment

## Eligibility

Enrollment in a safety council is open to all state fund, self-insured companies and public employers in Ohio who pay premiums or administrative fees to BWC. To enroll, an employer must have active BWC coverage.

Enrollment in the safety council can occur any day of the year.

Sponsors are prohibited from requiring an employer to be a member of their organization to participate in safety council. BWC's subsidy ensures the program is open and accessible to all Ohio employers and employees.

DSH will monitor safety council member fee structures to ensure employers' costs remain nominal. A membership and participation cost structure based on the employer's status in the sponsoring organization is acceptable.

## New enrollment

Employers must submit a new enrollment form to enroll in the safety council.

Pertinent information is supplied by the employer and an account number is assigned by the local safety council. A new enrollment template is provided by DSH to be personalized for the local safety council use.

Upon receipt from the employer and after assigning an account number, sponsor shall email or fax the new enrollment form to DSH for processing.

## Account numbers

The account number assigned by the local safety council consists of four parts.

- The first is the employer's BWC policy number, provided to the safety council on the new enrollment form.
- The following two digits are referred to as the 'unit number.' This number identifies different operations under the same policy number reporting individually to the safety council (example: 00, 01, 02, etc.). To qualify as a separate operation, an employer must be in a separate location. The default unit number is 00.
- The next portion is the personalized two-digit safety council code assigned by DSH.
- The final two digits are referred to as the 'group code.' The local safety council categorizes employer members based on similar size, work and risk. There is no one statewide template for this group code assignment. Group numbers will be coded 01, 02, 03, etc. Categories for groups may include manufacturing, health care, public utilities, construction, etc.

## Updates and membership housekeeping

Sponsor shall submit recordkeeping information such as a new enrollment, employer deactivation from safety council, or policy number changes to DSH in writing by email or fax.

## Policy numbers

DSH updates BWC policy numbers after being notified of changes in writing by the safety council, the employer, or a BWC representative.

# Virtual meetings

## Meetings

All BWC safety council meetings will be conducted virtually (online only) this fiscal year.

Safety councils are required to host at least 8 virtual monthly meetings from July 2021 to June 2022.

- Topics should feature traditional occupational safety and health, risk management, workers' compensation, and health and wellness topics. Business related, safety-focused topics including culture, leadership, motivation, environmental, social and behavioral workplace issues, and Total Worker Health are appropriate as well as local updates on COVID-19 and resources to assist employers in accordance with Responsible RestartOhio and Ohio Department of Health protocols.
- Sponsor should make clear to speakers the safety council forum is an educational one and not intended for company product or service promotion or sales.

As part of their role on the steering committee, the BWC assigned representative to the safety council is responsible for staying informed of scheduled meeting topics to provide guidance related to topic and speaker selection as necessary. DSH provides a list of previous months' safety council topics and speakers as a resource for potential program topics or speakers.

Sponsor questions related to applicability or appropriateness of topics being considered for safety council meetings shall be directed to BWC assigned representative and/or BWC program manager.

BWC speakers/presentations shall be used sparingly in the fiscal year, however, BWC reserves the right to request the opportunity to make a presentation if circumstances require.

Virtual meetings should last 45-60 minutes and be designed to accommodate at least a 25- to 30-minute presentation, Q&A, participant interaction and roundtable comments, and sponsor/BWC talking points.

A safety council presentation can be one that is recorded and replayed to the live virtual meeting audience, allowing for participant interaction and networking prior to and after the recording. A recorded virtual safety council meeting may also be recorded for later, on-demand viewing. However, in FY22, replays of BWC safety webinars will not qualify for meeting credit.

Collaboration and co-hosting a virtual meeting with another safety council is acceptable, especially if there is a particularly meaningful regional topic or a paid speaker where multiple safety councils fund the expense.

Your virtual meeting notices should be descriptive and clearly outline the scheduled content of the presentation and the speaker's qualifications.

If a safety council charges a virtual meeting registration fee, BWC participants will be registered as guests with no cost to participate.

## Evaluation

Immediately following each meeting, the safety council sponsor will complete an evaluation of the meeting (topic, speaker, and official attendance count) for submission to DSH.

## Endorsement policy

Exclusive promotion or endorsement of a service provider or vendor doing business with BWC is strictly prohibited. Service providers or vendors may speak at safety council meetings, serve on steering committees, sponsor safety council activities, or participate in vendor showcases or expos with other service providers, but none will be offered exclusive access to safety council member companies.

## Terms

As outlined in the safety council contract, DSH or the safety council sponsor may terminate its contract upon 30 days written notice prior to the effective date of termination.

Termination is effective only for the following causes: (1) need to conserve funds; (2) deterioration of the safety campaign as determined by the BWC; (3) change in administrative policy by the BWC, and/or (4) failure on the part of either party to comply with the guidelines of the safety council program.

If a contract is terminated or an organization no longer chooses to sponsor a safety council, all unused funds must be returned to BWC or forwarded to a new sponsor. Safety councils opting out of the FY22 virtual program year will freeze all funds until operation resumes in July 2022.



# Financial accountability and rules compliance

## Compliance with Revised Code Sections 9.23 through 9.236

**For any contract in which the payment equals or exceeds \$25,000.00**, the Safety Council agrees to comply with Revised Code Sections 9.23 through 9.236 and the rules of the Attorney General as they may be adopted under Section 9.237, regarding financial accountability of persons that contract with the state for services performed primarily for the benefit of the public, including, but not limited to, the following:

- A. Pursuant to R.C. Section 9.232(A), the Bureau and Safety Council hereby agree that the minimum percentage of money that is to be expended on the Safety Council's Direct Costs to perform the Work will be a minimum of 80%. The Payment Earned shall be a total of Direct Costs and Allocable Non-direct Costs. Allocable non-direct costs are determined by a formula; Allocable Non-direct Costs are not to exceed the amount of Direct Cost divided by the above percentage minus the amount of Direct Cost. The Payment Earned equals the total of the Direct Costs and Allocable Non-direct Costs, which shall not in any event exceed the amount to be disbursed as set forth in Paragraph 2, above.
- B. The records that the Safety Council must maintain to document such direct costs pursuant to R.C. 9.232(B) shall consist of the following: The Safety Council shall keep financial records in a manner consistent with generally accepted accounting procedures. Documentation to support each action shall be filed in a manner allowing it to be readily located.

The Safety Council shall keep a separate account for this contract ("contract account"). All disbursements made from the contract account shall be only for obligations incurred in the performance of this contract and shall be supported by contracts, invoices, vouchers, and other data, as appropriate, to support such disbursements. All disbursements from the contract account shall be for obligations incurred only after the effective date of this contract.

During the period covered by the contract and until the expiration of three years after final payment under the contract, the Safety Council shall provide the State, its duly authorized representatives, or any person, agency, or instrumentality providing financial support to the work performed under the contract, with access to and the right to examine any books, documents, papers and records of the Safety Council involving transactions related to the contract.