

**Ohio** | Industrial Commission

# FY 2014 ANNUAL REPORT



**John R. Kasich**  
Governor

**Mary Taylor**  
Lt. Governor

**Thomas H. Bainbridge**  
Chairman

**Jodie M. Taylor**  
Member

**Karen L. Gillmor**  
Member



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# LETTER FROM THE CHAIRMAN



As chairman of the Industrial Commission of Ohio (IC), I am proud to present the IC Annual Report for Fiscal Year (FY) 2014.

Under Governor John Kasich's guidance, Ohio's state agencies have demonstrated that the quality of customer service can be greatly increased throughout state government without an additional burden being placed on Ohio's taxpayers.

Throughout FY 2014, the IC has shared Governor Kasich's vision by delivering timely and fair workers' compensation hearings while decreasing costs, restructuring procedures, streamlining hearing processes, improving customer service and eliminating unneeded bureaucracy. The pages in this report demonstrate our agency's dedication to implementing creative ideas while remaining fiscally responsible to the residents of Ohio.

A few of the fiscal and customer service highlights from the fiscal year:

- Cut administrative rates for three of four Ohio employer groups for a fourth straight year, resulting in an estimated combined \$7.8 million savings for these groups. Our agency's annual revenue needs are now 30.3 percent lower than 2008.
- Improved on the previous fiscal year's record low total expenditures by another \$700,000 to \$45.2 million for FY 2014.
- Employment levels continued to be reduced in FY 2014, resulting in a 22 percent decrease through attrition since January 2008, representing an estimated cumulative savings of \$27.7 million.
- Achieved a 19.8 percent set-aside rate for Minority Business Enterprise (MBE) Set-Aside directed expenditures, while the statutory mandate is 15 percent. This is the fourth straight year of reaching this goal. The IC also met its Encouraging Diversity, Growth and Equity (EDGE) goal of 5 percent for the third straight year.
- Installed state-of-the-art, 54-inch digital signage monitors in each IC office lobby to display the agency's signs, notices and postings.
- Launched an Emergency Text Alert program to better communicate weather-related office closures to representatives and employers.
- Conducted office security checks in each regional and district office to increase the safety of our customers.

In addition to our fiscal responsibility, our agency has remained compliant with statutory mandates despite reducing costs and implementing innovative initiatives to our daily activities.

In the next fiscal year, the IC will continue to implement cost-effective procedures that will cut costs while increasing our customer's satisfaction. The agency will remain a place where creative ideas will be met with enthusiasm and quick implementation if it is demonstrated that the improvement will better serve the stakeholders of Ohio's workers' compensation system.

Under Governor Kasich's leadership, the IC will continue to provide injured workers and employers with timely, impartial resolution of their workers' compensation appeals while remaining on a fiscally-sound path into the next fiscal year.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bainbridge". The signature is stylized and written over a light blue background.

Thomas H. Bainbridge, Chairman  
Industrial Commission of Ohio



# ABOUT THE IC

The IC conducts more than 136,000 hearings each fiscal year, and most of these hearings take place within 45 days of the original claim appeal. That means you may expect first-class customer service as the IC provides a forum for appealing BWC and self-insured employer decisions. Since 1912, the IC has resolved issues between parties who have a dispute in a workers' compensation claim. With each claim, the agency is dedicated to offering information and resources to help customers navigate through the appeals process.

The IC conducts hearings on disputed claims at three levels: the District level, the Staff level, and the Commission level. The Governor appoints the three-member Commission, and the Ohio Senate confirms these appointments. By previous vocation, employment or affiliation, one member must represent employees, one must represent employers and one must represent the public.

During this fiscal year, Chairman Thomas H. Bainbridge represented the employees; Jodie M. Taylor represented employers; and Karen L. Gillmor represented the public.

# IC COMMISSIONERS



**Thomas H. Bainbridge, Chairman**

**Employee Member**

**Dates of Service: July 2013 - June 2019**

Thomas (Tim) Bainbridge brings over four decades of workers' compensation experience to his role as Chairman of the Industrial Commission of Ohio.

As an attorney, Tim has spent a tremendous amount of time protecting the rights of Ohio's workers through his involvement with numerous organizations, which are dedicated to improving Ohio's workers' compensation system.

Tim displayed his knowledge and expertise as the Chairman of the Columbus Bar Association Workers' Compensation Committee from 1982 to 1983, and served as the Chairman of the Workers' Compensation Section of the Ohio Association for Justice from 1991 to 1993. He also served as President of the Ohio Association for Justice. Later, he served Ohio's injured workers and employers as the Commissioner for the Bureau of Workers' Compensation Oversight Commission from 1995 to 2006.

Tim's passion for workers' compensation has been evident throughout his career. Before arriving at the IC, Tim served as an attorney and managing partner at Ward, Kaps, Bainbridge, Maurer & Melvin from 1968 until 2009. He later served as a partner at the Bainbridge Firm from 2009 until 2013.

Tim is a member of the Ohio State Bar Association, Columbus Bar Association, Ohio Association for Justice and the American Association for Justice.

Originally from Steubenville, Ohio, Tim earned his bachelor's degree from Washington & Jefferson College in Washington, Pennsylvania, and then received his law degree from The Ohio State University.

Tim was admitted to the Ohio Bar in 1967 and has also been admitted to practice before the US District Court in the Southern District of Ohio.

He resides in Columbus with his wife, Deidre. The couple has three grown sons.



**Jodie M. Taylor**

**Employer Member**

**Dates of Service: July 2009 - June 2015**

Jodie brings years of workers' compensation experience to her role as Commissioner of the Industrial Commission of Ohio.

Her first day on the job was a homecoming for this Industrial Commissioner. From 1997 to 2000, Jodie served as an assistant to an IC Commissioner. In this role, she performed legal and legislative research, assisted during hearings, and gained an extensive understanding of the agency.

After leaving the IC, Jodie served as an attorney for two Columbus law firms, where she represented state-fund and self-insured employers at all levels of IC hearings and in court actions throughout Ohio. She is also a frequent lecturer on workers' compensation issues with extensive legal knowledge in both the private and public sectors.

Jodie earned her bachelor's degree in diplomacy and foreign affairs from Miami University in 1991. While at Miami, Jodie studied overseas in Luxembourg. In 1995, she received her law degree from the University of Akron School of Law. She is an Ohio State Bar Association member and is a board-certified specialist in workers' compensation.

Jodie lives in Dublin with her husband, Michael. In October 2009, they welcomed twins, a boy and a girl, Evan and Elizabeth.



**Karen L. Gillmor, Ph.D.**

**Public Member**

**Dates of Service: July 2011 - June 2017**

With over three decades of dedicated public service, Karen brings a tremendous knowledge of workers' compensation issues to the Industrial Commission of Ohio.

A native of Ohio, she earned her diploma from Rocky River High School before earning a bachelor's degree with honors from Michigan State University and a master's degree and Ph.D. from The Ohio State University.

Her career shows a passionate interest in the fields of health care, labor relations and workers' compensation. From 1983 to 1986, Karen served as Chief of Management Planning and Research at the Industrial Commission of Ohio. In this position, she authored a study of self-insurance, which was incorporated into Ohio's omnibus workers' compensation reform law. She also served as the employee representative to the Industrial Commission of Ohio's Regional Board of Review and the Ohio Bureau of Workers' Compensation Oversight Commission.

Before coming to the IC, Karen was elected to Ohio's 26th Senate District seat in 1992, 1996 and 2008. She chaired the Senate Insurance, Commerce and Labor Committee, was a member of the Unemployment Compensation Advisory Committee, and the Labor-Management-Government Committee. She served as vice chairman of the State Employment Relations Board from 1997 to 2007, and was a consultant to the United States Secretary of Labor.

Nationally, Karen served on the Health Committee of the American Legislative Exchange Council, as well as on the Health and Human Services Committee of the Council of State Governments' Midwestern Region.

Karen was married to United States Congressman Paul Gillmor, who tragically passed away in 2007. They have five children, Linda, Julie, Paul Michael and twins Connor and Adam.

# FISCAL YEAR HIGHLIGHTS

In addition to the Commissioners, there are 89 hearing officers — all attorneys — in five regional and seven district offices throughout the state.

In FY 2014, the IC heard 136,204 claims. District hearing officers heard 95,167 claims. Staff hearing officers heard 40,675 claims and the Commission heard 362 claims.

The IC consistently achieved a high success rate in adjudicating claims well within the periods mandated by law throughout this fiscal year. From filing date to hearing date, district level (first level) hearings averaged 29 days. Staff level (second level) hearing appeals averaged 33 days. Both averages are well below the 45 days mandated by law.

The statistics of filing date to mailing date were just as positive. For the district level, filing date to mailing date was 33 days on average. For the staff level, it averaged 36 days.

The Industrial Commission Online Network (ICON) is the primary reason for our continued success because it has made it easy to file appeals online. There were 60,169 first-level motions and appeals filed on ICON this fiscal year. There were also 59,435 second-level (or above) appeals filed on ICON during the fiscal year.

AskIC is another tool that has helped accelerate our response to customer inquiries. AskIC is an email feature of our website, [www.ic.ohio.gov](http://www.ic.ohio.gov). The feature gives injured workers, employers, and their representatives the opportunity to submit questions to our Customer Service Department.

Customer Service received and responded to 1,024 Ask IC submissions during this fiscal year. The department also scheduled 1,081 interpreters for injured worker hearings. In addition, our toll-free customer service line received 7,415 calls this fiscal year. Staff personally assisted 7,749 people at our Columbus office.

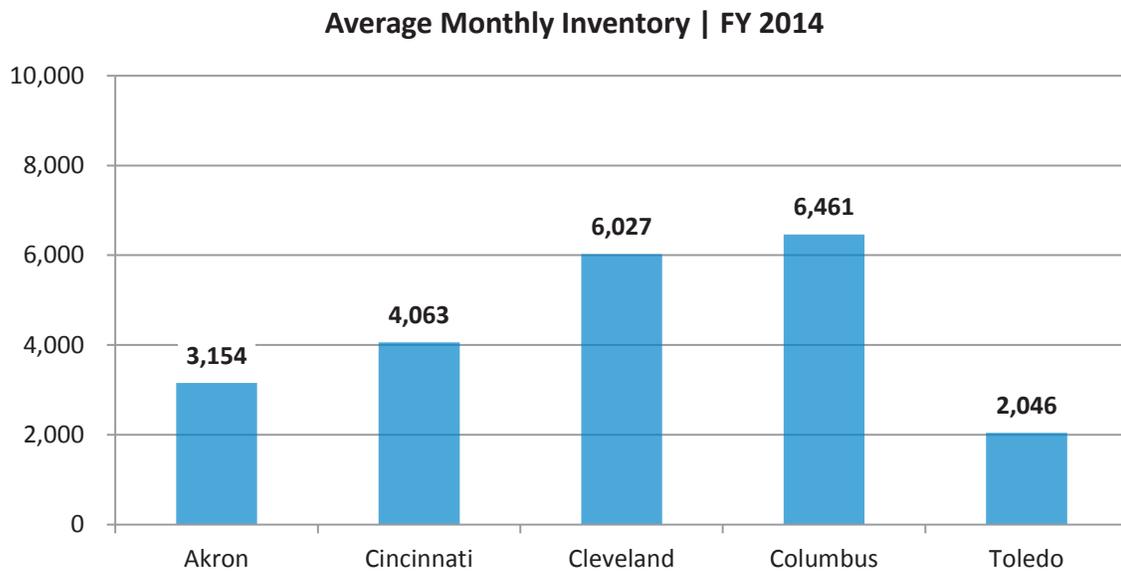
## Motion/Appeal Filings

Industrial Commission workloads and performance are initiated by and heavily dependent upon the volume of new claims filed with the Bureau of Workers' Compensation along with new motion and appeal filings. IC inventory volume is subject to volatile daily swings dependent on appeal filings, claim flows from the BWC, docketing loads, and other factors.

Approximately 139,172 new first level motions and appeals were filed during FY 2014 for 90,864 separate claims. Additional appeals are filed at upper level commission venues.

## Hearing Inventory\*

Statewide average monthly DHO/SHO inventory was 21,750 claims for FY 2014. Regional breakdown of average inventories for FY 2014 is as follows: Columbus – 30%; Cleveland – 28%; Cincinnati – 19%; Akron – 14%; Toledo – 9%.



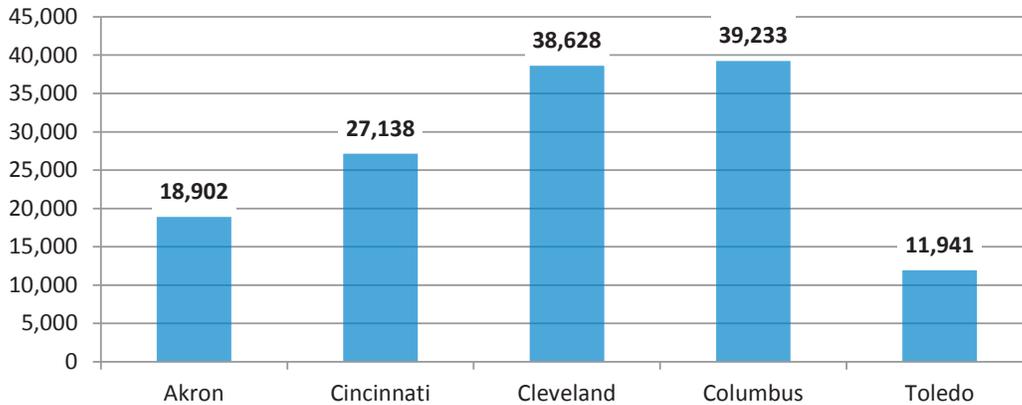
\*Hearing inventory inclusive of medical inventory

# HEARING ACTIVITY

## Claims Heard

The Industrial Commission heard approximately 136,204 claims during FY 2014 at all adjudicatory levels. The total DHO volume accounts for 70 percent of overall hearings at 95,167 claims heard. Total SHO claims heard are recorded at 40,675 claims. Deputy venue claims heard totaled 117 in FY 2014 while the Commission venue recorded 245 claims heard.

**Claims Heard By Region | FY 2014**



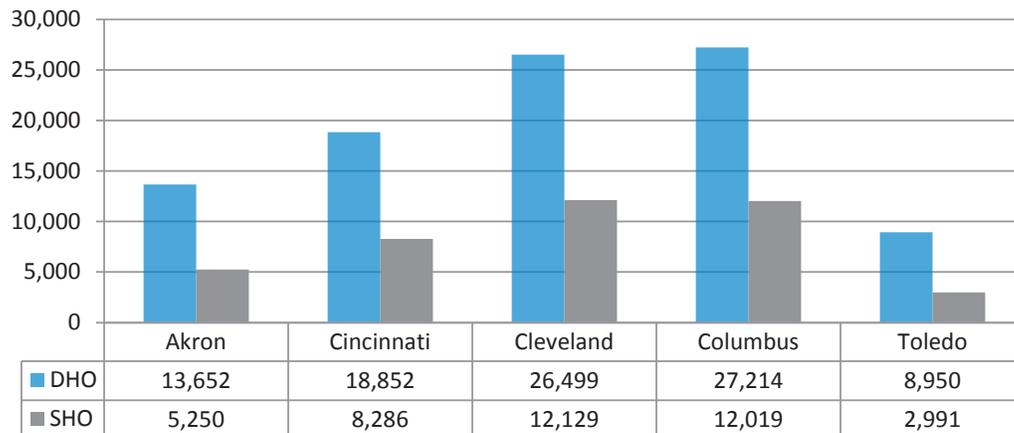
\*DHO/SHO only

Regionally, the distribution of FY 2014 claims heard at DHO and SHO hearing levels is as follows: Cleveland – 28%; Columbus – 29%; Cincinnati – 20%; Akron – 14%; Toledo – 9%.

The total claims heard figure is inclusive of continuances, referrals, dismissals, and other final determinations made as a result of a hearing.

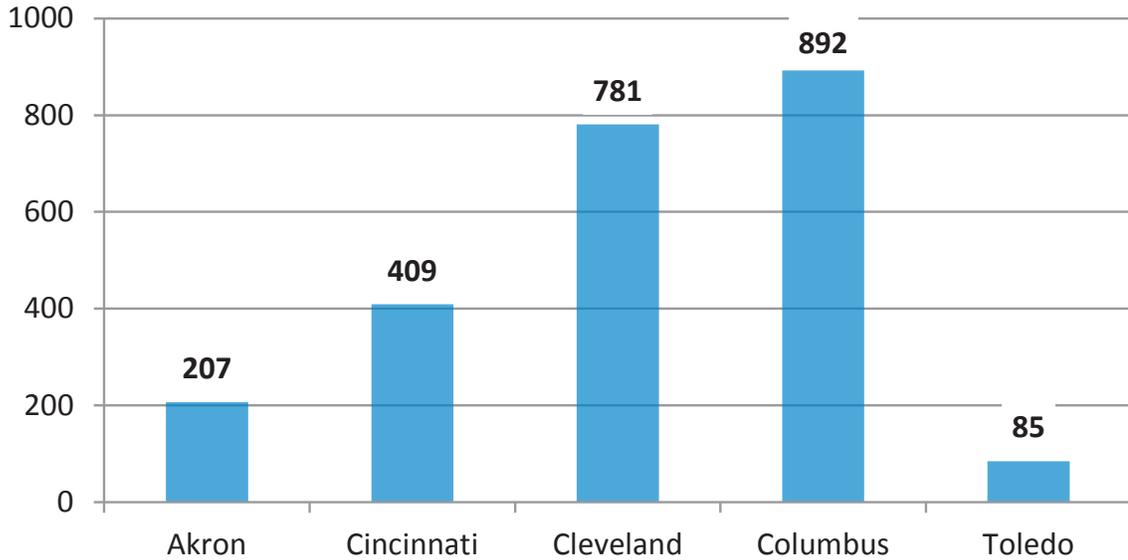
DHO and SHO hearings were conducted on 245 days during FY 2014. An average of 554 claims were heard per day at the DHO and SHO hearing levels. District Hearing Officers averaged 388 claims heard per day while Staff Hearing Officers averaged 166 claims heard per day.

**DHO/SHO Claims Heard | FY 2014**



A total of 2,374 hearing records were flagged as requiring interpreter services during FY 2014 accounting for about two percent of hearings held.

### Hearings Held Requiring Interpreters | FY 2014



Note: An interpreter may not have been present at each hearing.

### Hearings Held by Employer Group

Hearings were conducted for approximately 35,513 different employers in FY 2014. Hearings for claims of private state funded employers accounted for 56% of all hearings while self-insuring employers accounted for 27%; public county employers accounted for 13%; and public state employers' claims accounted for 4%.

The volume of claims heard reflects actual employee workload production as each claim must be reviewed and processed at multiple levels to perfect the adjudication process. Given that multiple claims may be scheduled for presentation at one hearing, the hearings held figure can be slightly lower. For example, one PTD hearing may consist of three claims filed by an Injured Worker. Reporting would reflect these totals accordingly. Rates are assessed based on the lower hearings held figure.

Employer Type	State Fund	Self-Insured	Pol. Sub (County)	State	Total
Hearings Held	75,557	36,397	17,457	6,080	135,491
Claims Heard*	75,986	36,484	17,457	6,274	136,201

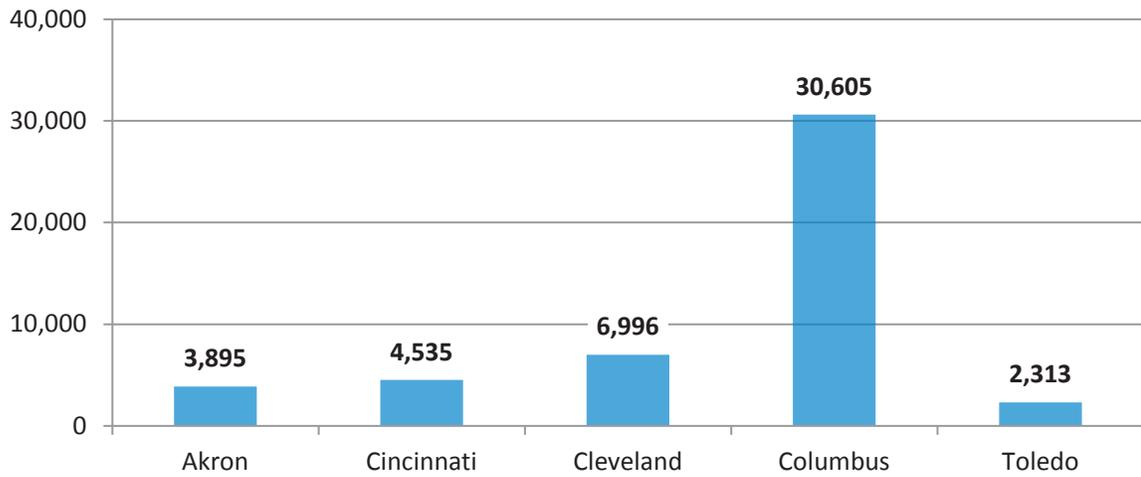
\* Claims heard inclusive of PT Heard-With claims

# HEARING ACTIVITY

## Non-Hearing Issue Decisions

Approximately 21,899 issues were captured that do not initially require formal adjudication via hearing (lump sum settlements, lump sum advancements, Hearing Administrator issues, PT adjustments, etc.). These issues receive administrative review and processing at the clerical, claims examining, word processing, and hearing officer levels but are not typically reflected in routine production reports under DHO or SHO dockets. These issues may subsequently result in a hearing under the normal adjudicatory process and are reflected accordingly under respective hearing venues.

**Administrative Reviews | FY 2014**



Total reviews in fy 2014 – 48,344

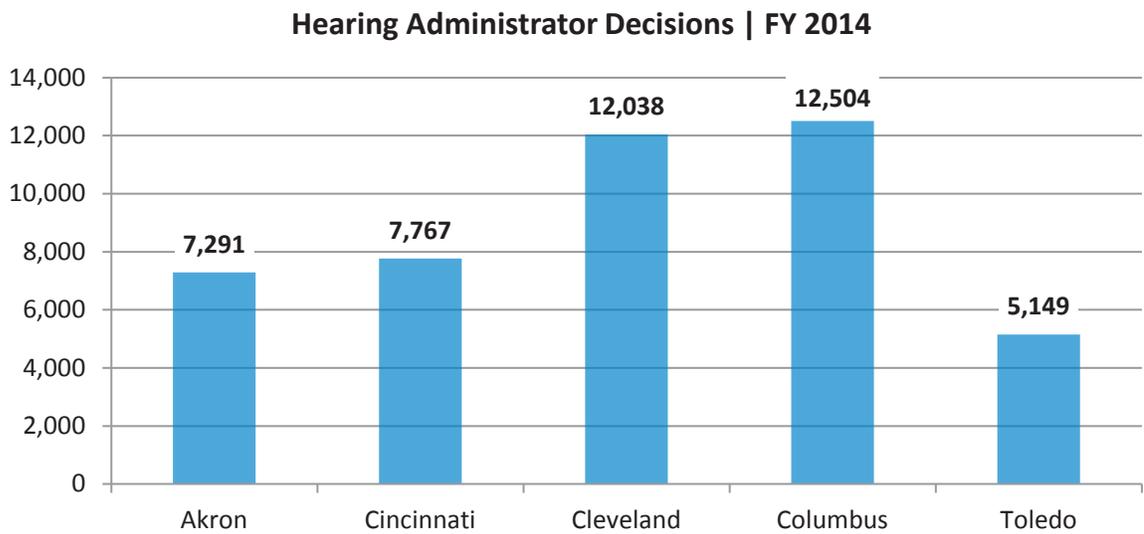
Admin. reviews inclusive of hearing admin., commission screening, and other non-hearing issues.

# HEARING ACTIVITY

## Hearing Administrator

Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 24,374 continuance requests during FY 2014, they also processed 15,168 requests to withdraw motions or appeals and cancel scheduled hearings. Additionally, Hearing Administrators processed requests for extensions related to PTD filings and requests regarding other miscellaneous issues.

Statewide, Hearing Administrators made decisions on, or referred to hearing, approximately 44,749 issues during FY 2014. Regional volumes of Hearing Administrator activity are presented in the graph below.



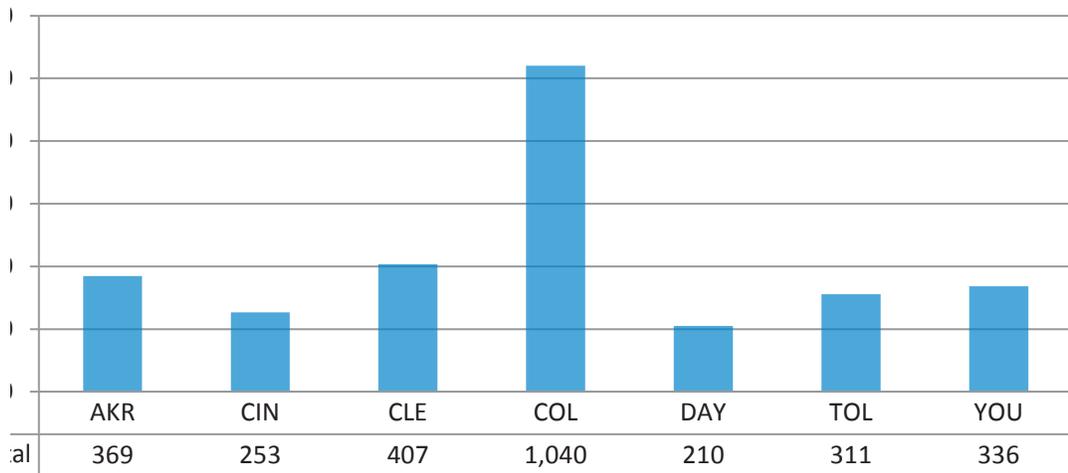
# HEARING ACTIVITY

## Medical Activity

The Industrial Commission schedules medical exams for injured workers that have filed for permanent total disability benefits related to work injuries. Most of these claims will result in a subsequent hearing. The volume of claims within the IC medical section as of June 30, 2014, was 597 claims.

A total of 2,926 specialist exams and medical reviews were performed on behalf of the Industrial Commission during FY 2014.

Medical Specialist Exams/Reviews | FY 2014



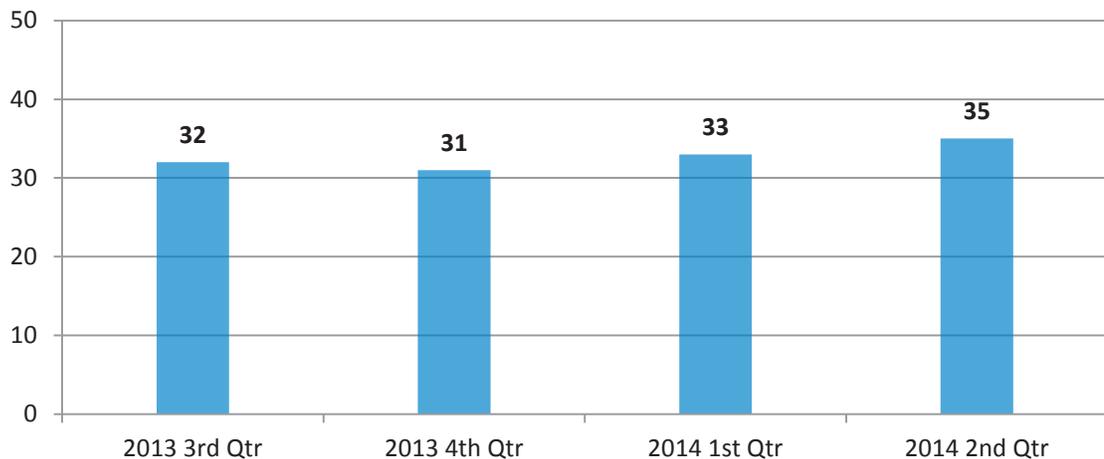
# COMMISSION PERFORMANCE

Hearing timeframe performance mandates and benchmarks have been set forth in HB 107 and HB 413 for the DHO, SHO, and Commission hearing venues. On average, all IC offices and venues performed within the statutory limits set forth that require a claim to be heard within 45 days of a motion or appeal filing. The overall IC performance benchmarks for Filing to Mailing are set at 52 days for each hearing venue. This performance measure is based on the combination of the two statutory periods Filing to Hearing and Hearing to Mailing (45 + 7).

## DHO Performance

District hearing officers (DHO) conduct hearings on two formal docket types – Allowance (primarily injury allowance, compensation, and treatment issues) and C-92 (permanent partial disability issues). Only allowance dockets fall under time frame requirements outlined in HB107. DHOs heard a total of 75,056 allowance docket claims during FY 2014. Of those, 62,032 qualified for inclusion in time studies. On average, the DHO process was completed within 33 days during FY 2014.

**DHO Allowance Filing to Mailing Performance | FY 2014**

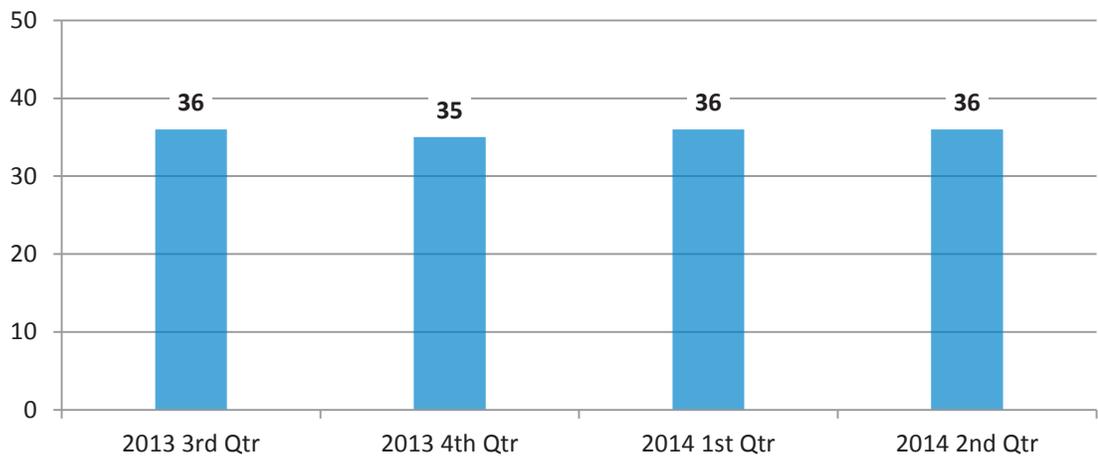


# COMMISSION PERFORMANCE

## SHO Performance

Staff hearing officers (SHO) conduct hearings on five formal docket types – Appeal (primarily injury allowance, compensation, and treatment issues), PTD (permanent total disability), Reconsideration (permanent partial disability issues), VSSR (Violations of Specific Safety Requirements), MISC (other issues not designated to a pre-defined docket type). Only appeal dockets fall under time frame requirements outlined in HB107. SHOs heard a total of 33,841 appeal claims during FY 2014. Of those, 29,548 qualified for inclusion in time studies. On average, the SHO process was completed within 36 days during FY 2014.

**SHO Appeal Filing to Mailing Performance | FY 2014**

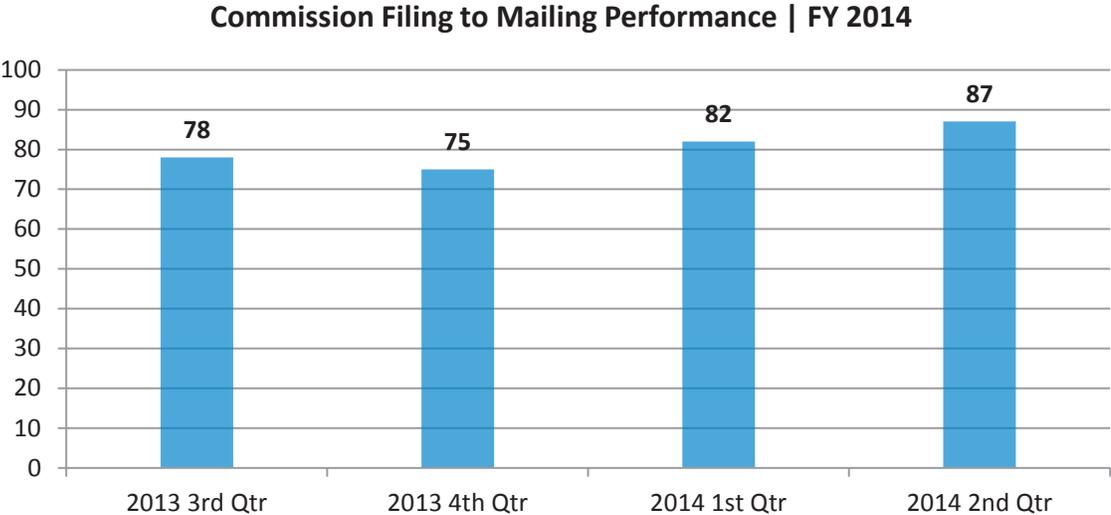


# COMMISSION PERFORMANCE

## Commission Performance

For hearings conducted during FY 2014, the Commission venue average for the period **Filing of Appeal to Hearing Date (F-H)** is 46 days.

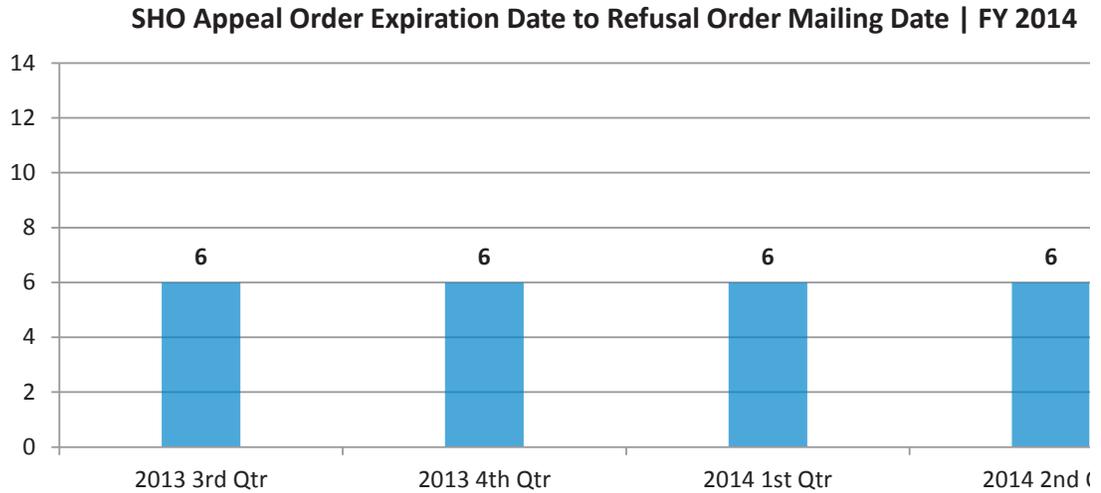
The Commission venue average for the **Filing of Appeal to Mailing of Order** time frame is 81 days.



# COMMISSION PERFORMANCE

## SHO Refusal Order Performance

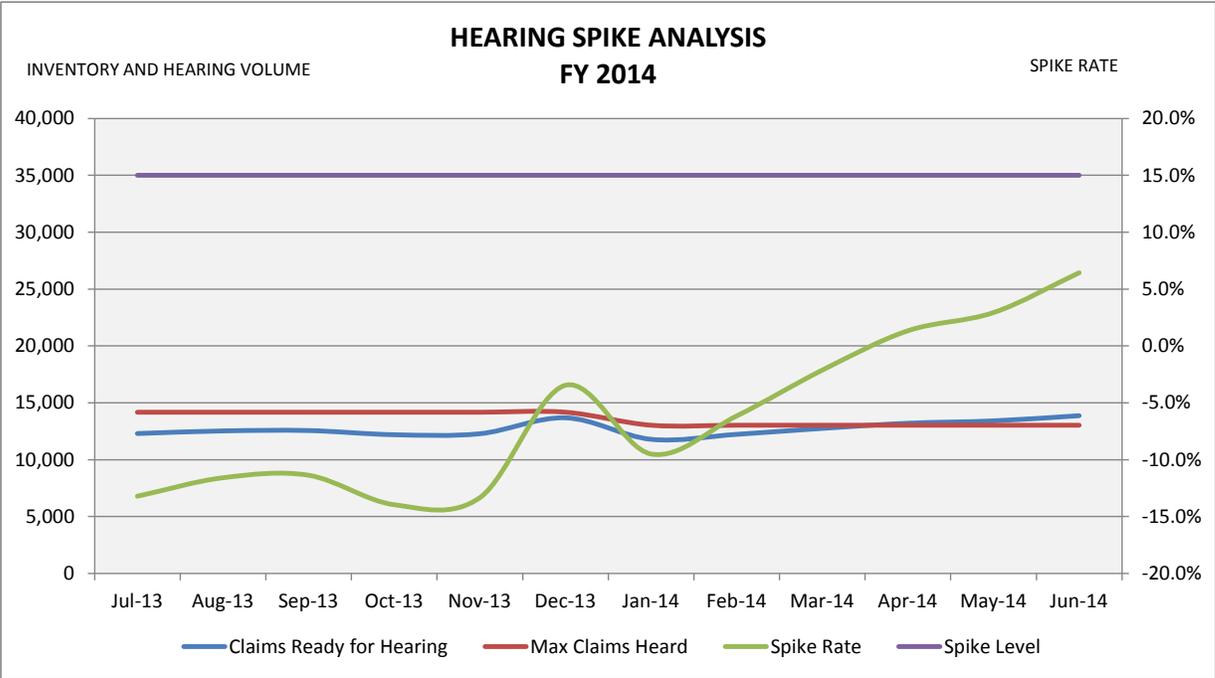
Appeals to SHO orders are discretionary in nature and processed centrally by the Commission Level Hearing Section in Columbus. Per mandate, if an appeal is refused, it is to receive a refusal order within 14 days of the expiration period in which an appeal may be filed to an SHO order.



# COMMISSION PERFORMANCE

## Hearing Spike Analysis

The Hearing Spike Analysis is compiled in conformance with the directives set forth in HB413 and IC Resolution 12-1-03. Per this directive, a hearing spike occurs when the volume of claims ready for hearing at the end of any given month exceeds the maximum number of DHO/SHO claims heard in any of the preceding twelve calendar months by fifteen percent.



# LOCATIONS & CONTACTS

## Customer Service and Interpretive Services

800.521.2691; toll free, nationwide  
614.466.6136; Franklin County  
800.686.1589; toll free, TDD

Email: [askic@ic.ohio.gov](mailto:askic@ic.ohio.gov)  
Web: [www.ic.ohio.gov](http://www.ic.ohio.gov)

### AKRON REGION

#### Akron

161 S. High St., Suite 301  
Akron, Ohio 44308-1602

Tel: 330.643.3550  
Fax: 330.643.1468

#### Mansfield

240 Tappan Drive N., Suite A  
Mansfield, Ohio 44906

Tel: 419.529.1360  
Fax: 419.529.3084

### CINCINNATI REGION

#### Cincinnati\*

125 E. Court St., Suite 600  
Cincinnati, Ohio 45202-1211

Tel: 513.357.9750  
Fax: 513.723.9811

#### Dayton\*

1242 E. Dayton-Yellow Springs Rd.  
Fairborn, OH 45324

Tel: 937.264.5116  
Fax: 937.264.5130

### CLEVELAND REGION

#### Cleveland\*

615 Superior Ave. NW, 7<sup>th</sup> Floor  
Cleveland, Ohio 44113-1898

Tel: 216.787.3001  
Fax: 216.787.3483

#### Youngstown\*

242 Federal Plaza West  
Youngstown, Ohio 44503-1206

Tel: 330.792.1063  
Fax: 330.792.2473

### COLUMBUS REGION

#### Columbus\*

30 W. Spring St., 7<sup>th</sup> Floor  
Columbus, Ohio 43215-2233

Tel: 614.466.4683  
Fax: 614.644.8373

#### Cambridge

2130 E. Wheeling Ave.  
Cambridge, Ohio 43725

Tel: 740.435.4000  
Fax: 740.435.4010

#### Logan

12898 Grey St.  
Logan, Ohio 43138

Tel: 740.380.9685  
Fax: 740.385.2436

#### Portsmouth

1005 Fourth St.  
Portsmouth, Ohio 45662-4315

Tel: 740.354.2334  
Fax: 740.353.6975

### TOLEDO REGION

#### Toledo\*

One Government Center, Suite 1500  
640 Jackson Street  
Toledo, Ohio 43604

Tel: 419.245.2740  
Fax: 419.245.2652

#### Lima

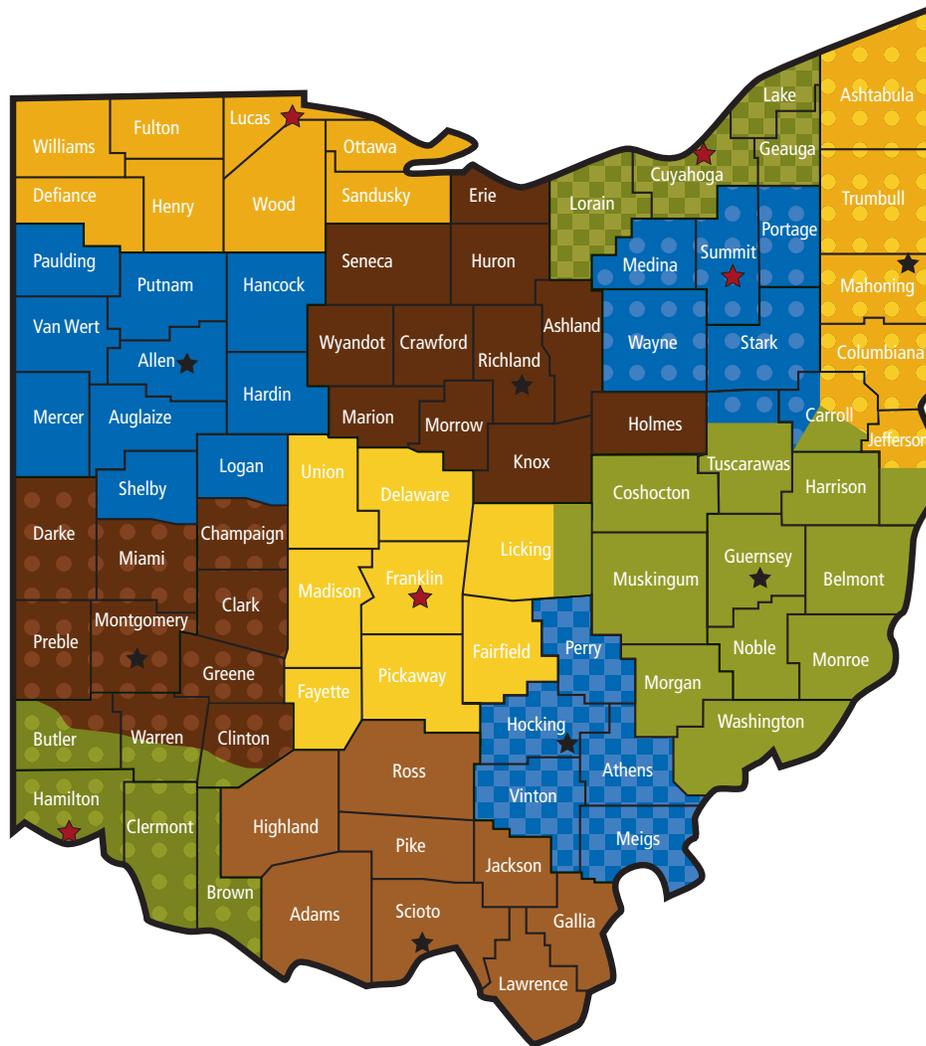
2025 E. Fourth St.  
Lima, Ohio 45804-0780

Tel: 419.227.7193  
Fax: 419.227.7150

\*In-House Medical Examination Locations

# DISTRICT OFFICE ASSIGNMENT MAP

Our 12 offices in 5 regions blanket the state. IC office locations are carefully chosen so that most injured workers do not have to drive more than 45 minutes from their home to get to their hearing.



- |                   |                 |                   |
|-------------------|-----------------|-------------------|
| <b>Akron</b>      | <b>Columbus</b> | <b>Mansfield</b>  |
| <b>Cambridge</b>  | <b>Dayton</b>   | <b>Portsmouth</b> |
| <b>Cincinnati</b> | <b>Lima</b>     | <b>Toledo</b>     |
| <b>Cleveland</b>  | <b>Logan</b>    | <b>Youngstown</b> |

★ IC District Offices      ★ IC Regional Offices





# **Industrial Commission**

Timely, Impartial Resolution of Workers' Compensation Appeals

**30 West Spring Street, Columbus, Ohio 43215**

**[www.OhioIC.com](http://www.OhioIC.com), (800) 521-2691**

**John R. Kasich**, Governor

**Mary Taylor**, Lt. Governor

**Thomas H. Bainbridge**, Chairman

**Jodie M. Taylor**, Member

**Karen L. Gillmor, Ph.D.**, Member



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