

**Ohio** | Industrial Commission

# FY 2015 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



I am pleased to present the Ohio Industrial Commission's Annual Report for Fiscal Year (FY) 2015.

As chairman of the Ohio Industrial Commission (IC), I am proud that our agency has greatly increased customer service without placing a greater financial strain on Ohio's workers' compensation ratepayers.

The previous fiscal year has demonstrated our agency's dedication to executing innovative solutions while remaining a fiscally responsible government entity. Throughout FY 2015, the IC has strived to deliver timely and fair workers' compensation rulings while utilizing advanced technologies, reforming procedures, simplifying hearing processes, enhancing customer service, and eradicating unnecessary bureaucracy.

A few of our fiscal and customer service highlights include:

- Reduced our portion of administrative rates charged to Ohio employers from \$63.6 million in 2008 to \$48.9 million in 2014, a reduction of 23 percent. Last year, the IC proposed new, lower administrative rates for three of four Ohio employer groups. The fourth employer group, while not realizing a reduction, remained stable with no rate increase.
- Renovated the Cleveland Regional Office to greatly increase the quality of the customer experience. The benefits of the new public space include: bigger hearing rooms and lobby space with a larger seating area, additional workspace in the lobby for workers' compensation attorneys, direct access to the emergency exits, improved lobby and hearing room security with greater guard visibility, and ADA-compliant restrooms on the same floor.
- Enhanced the quality of our hearing orders through excellent training and order review. Our 88 hearing officers, all of which are licensed attorneys, adjudicated more than 131,000 claims last year, of which only 88 were advanced through a writ of mandamus to the Tenth District Court of Appeals.
- Remodeled the Columbus Hearing Room Lobby and Customer Service area for better traffic flow.
- Implemented technological changes to allow representatives to enter temporary concurrent hearing values via ICON (Industrial Commission Online Network) to accommodate their staff vacation schedules.
- Created a program to allow workers' compensation representatives to view their hearing schedules on their smartphones.
- Conducted office security checks in each regional and district office to increase the safety of our customers.

These successes demonstrate the IC has created a culture of fiscal accountability and resourceful innovation. I am delighted to say we have been able to cut costs and improve services while remaining compliant with statutory mandates.

Our agency is dedicated to instituting cost-effective solutions that have proven to enhance the workers' compensation appeals process while decreasing costs to Ohioans. Under Governor John Kasich's guidance, the IC plans to continue our momentum by upgrading our technological systems while focusing on the assurance of quality decisions rendered in a timely manner, while building on our legacy of fiscal prudence and exceptional customer service.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bainbridge". The signature is fluid and cursive, written over a light blue horizontal line.

Thomas H. Bainbridge, Chairman  
Ohio Industrial Commission



# ABOUT THE IC

The IC conducts more than 130,000 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 Ohio Industrial Commission.

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, and served as the Chairman of the Workers' Compensation Section of the Ohio Association for Justice. 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. In addition, he has served on the Unemployment Compensation Review Commission and as a Commissioner on the Court of Claims.

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 1970 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. He and his late wife, Deidre, have three grown sons who also reside in Columbus.



**Jodie M. Taylor**

**Employer Member**

**Dates of Service: July 2015 - June 2021**

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

In July 2009, Jodie was appointed as the employer member of the Commission. On January 14, 2011, Governor John Kasich appointed Commissioner Taylor as Chairperson of the Commission. Jodie served in this capacity until July 2011.

On February 13, 2013, Governor Kasich again appointed Jodie as Chairperson of the Commission. Jodie served

in this position until July 2013. In June 2015, Governor Kasich reappointed Jodie to a second term which will end in June 2021.

Her first day on the job was a homecoming for Jodie. 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 Commission, 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 Ohio Industrial Commission.

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 Ohio Industrial Commission. 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 Ohio Industrial Commission'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 88 hearing officers — all attorneys — in five regional and seven district offices throughout the state.

In FY 2015, the IC heard 130,417 claims. District hearing officers (DHO) heard 91,747 claims. Staff hearing officers (SHO) heard 38,344 claims and the Commission heard 326 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 35 days. Staff level (second level) hearing appeals averaged 34 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 39 days on average. For the staff level, it averaged 37 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 58,340 first-level motions and appeals filed on ICON this fiscal year. There were also 57,005 second-level (or above) appeals filed on ICON during the fiscal year.

Customer Service received and responded to 1,199 Ask IC submissions during this fiscal year. The department also scheduled 1,174 interpreters for injured worker hearings. In addition, our toll-free customer service line received 7,591 calls this fiscal year. Staff personally assisted 11,338 people at our Columbus office.

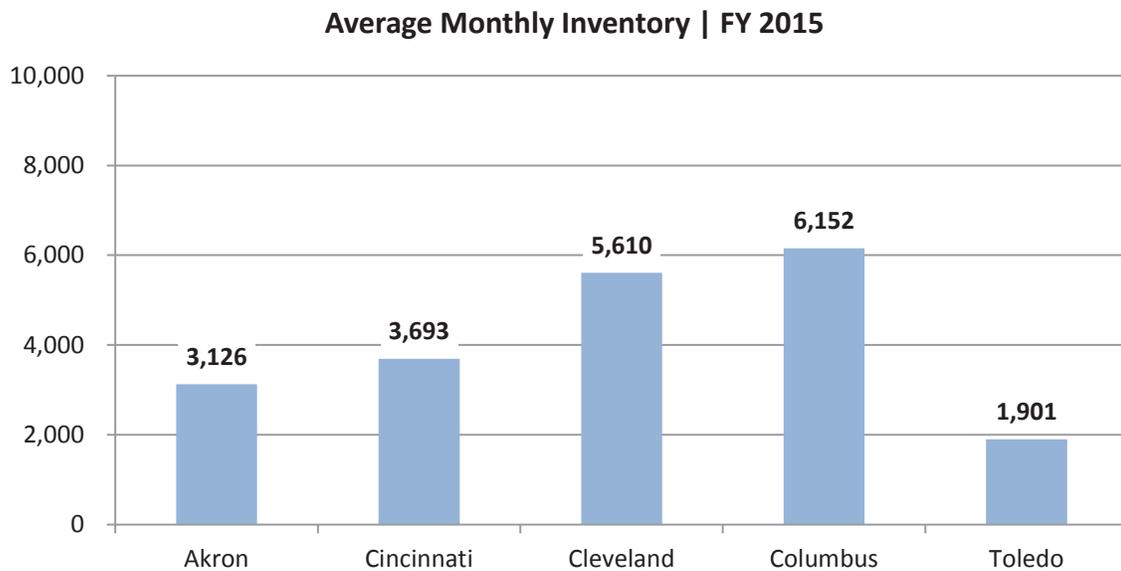
## Motion/Appeal Filings

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 132,946 new first level motions and appeals were filed during FY 2015 for 86,389 separate claims. Additional appeals are filed at upper level commission venues.

## Hearing Inventory\*

Statewide average monthly DHO/SHO inventory was 20,481 claims for FY 2015. Regional breakdown of average inventories for FY 2015 is as follows: Columbus – 30 percent; Cleveland – 28 percent; Cincinnati – 18 percent; Akron – 15 percent; Toledo – 9 percent.



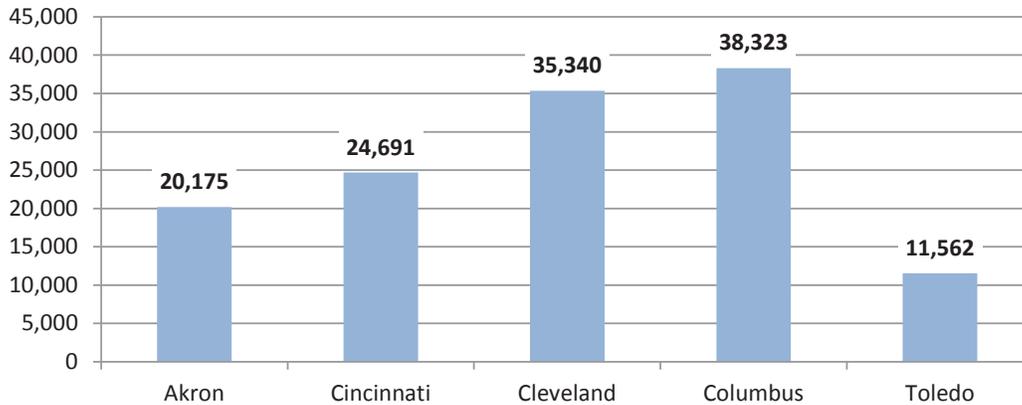
\*Hearing inventory inclusive of medical inventory

# HEARING ACTIVITY

## Claims Heard

The Industrial Commission heard approximately 130,417 claims during FY 2015 at all adjudicatory levels. The total DHO volume accounts for 70 percent of overall hearings at 91,747 claims heard. Total SHO claims heard are recorded at 38,344 claims. Deputy venue claims heard totaled 126 in FY 2015 while the Commission venue recorded 200 claims heard.

Claims Heard By Region | FY 2015



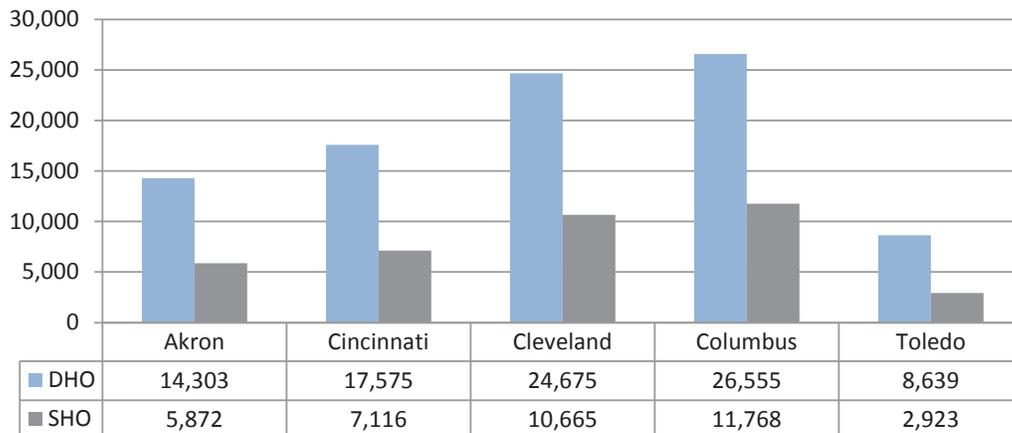
\*DHO/SHO only

Regionally, the distribution of FY 2015 claims heard at DHO and SHO hearing levels is as follows: Columbus – 29 percent; Cleveland – 27 percent; Cincinnati – 19 percent; Akron – 16 percent; Toledo – 9 percent.

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

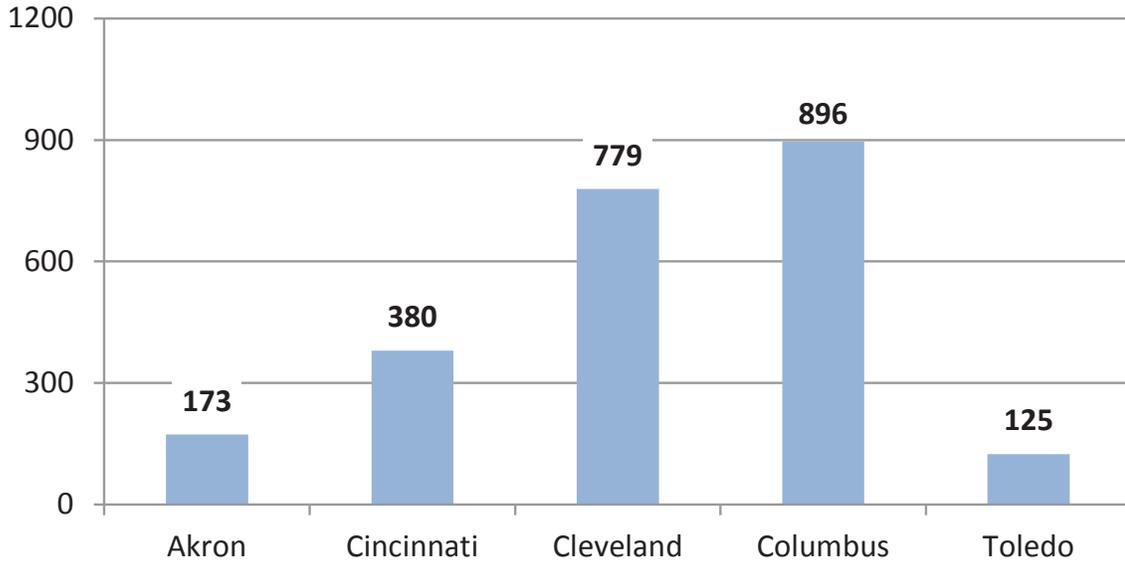
DHO and SHO hearings were conducted on 247 days during FY 2015. An average of 527 claims were heard per day at the DHO and SHO hearing levels. District hearing officers averaged 371 claims heard per day while Staff hearing officers averaged 155 claims heard per day.

DHO/SHO Claims Heard | FY 2015



A total of 2,353 hearing records were flagged as requiring interpreter services during FY 2015 accounting for about two percent of hearings held.

### Hearings Held Requiring Interpreters | FY 2015



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

### Hearings Held by Employer Group

Hearings were conducted for approximately 34,718 different employers in FY 2015. Hearings for claims of private state funded employers accounted for 56 percent of all hearings while self-insuring employers accounted for 27 percent; public county employers accounted for 13 percent; and public state employers' claims accounted for 4 percent.

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	72,073	34,889	17,202	5,731	129,895
Claims Heard*	72,361	34,944	17,202	5,922	130,429

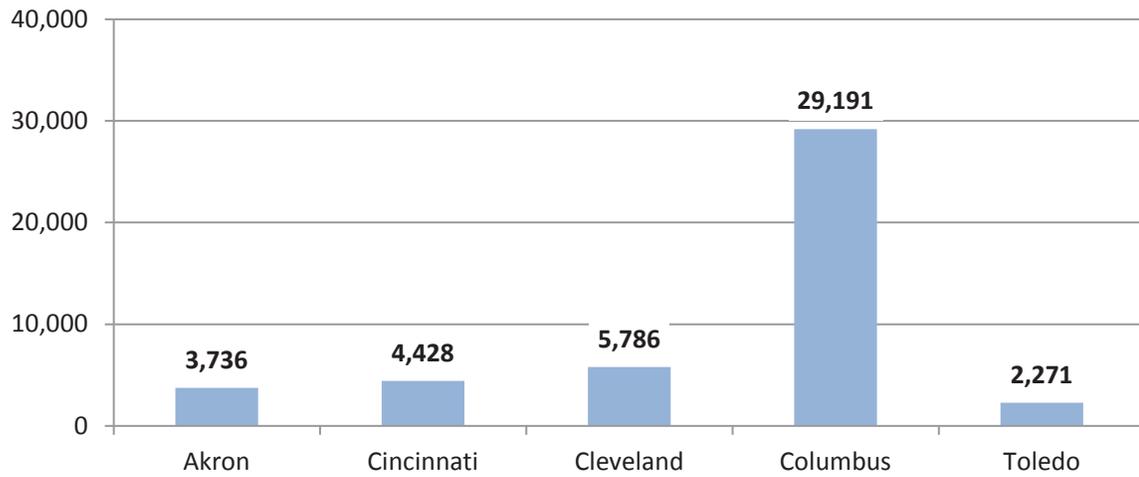
\* Claims heard inclusive of PT Heard-With claims

# HEARING ACTIVITY

## Non-Hearing Issue Decisions

Approximately 20,020 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 2015**



Total reviews in fy 2015 – 45,412

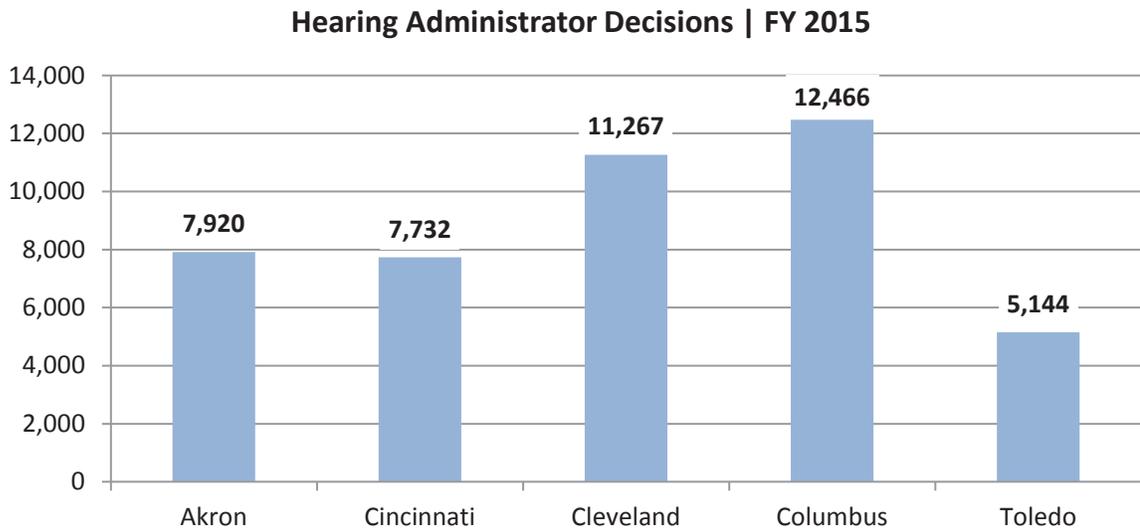
Admin. reviews inclusive of hearing admin., commission screening, and other non-hearing issues.

# HEARING ACTIVITY

## Hearing Administrator

Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 23,568 continuance requests during FY 2015, they also processed 15,549 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 44,529 issues during FY 2015. Regional volumes of Hearing Administrator activity are presented in the graph below.



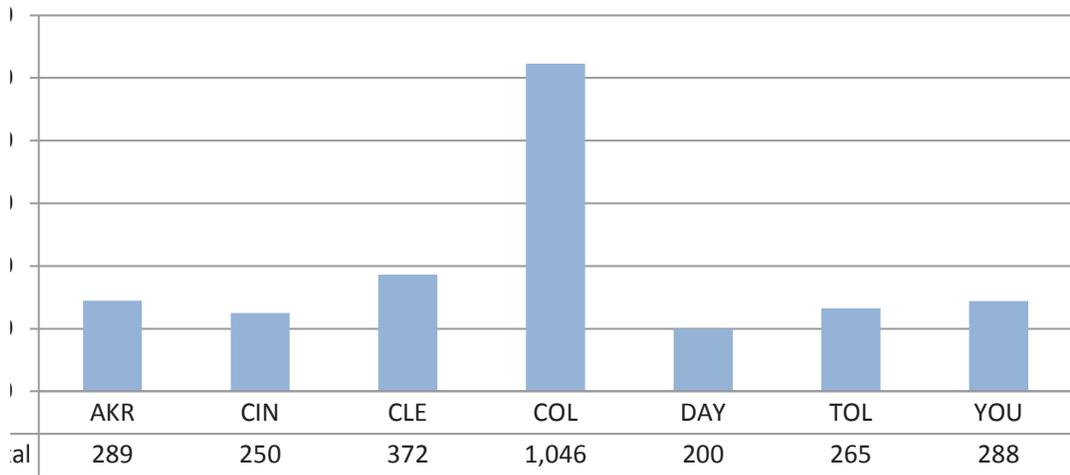
# HEARING ACTIVITY

## 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, 2015, was 537 claims.

A total of 2,710 specialist exams and medical reviews were performed on behalf of the Industrial Commission during FY 2015.

Medical Specialist Exams/Reviews | FY 2015



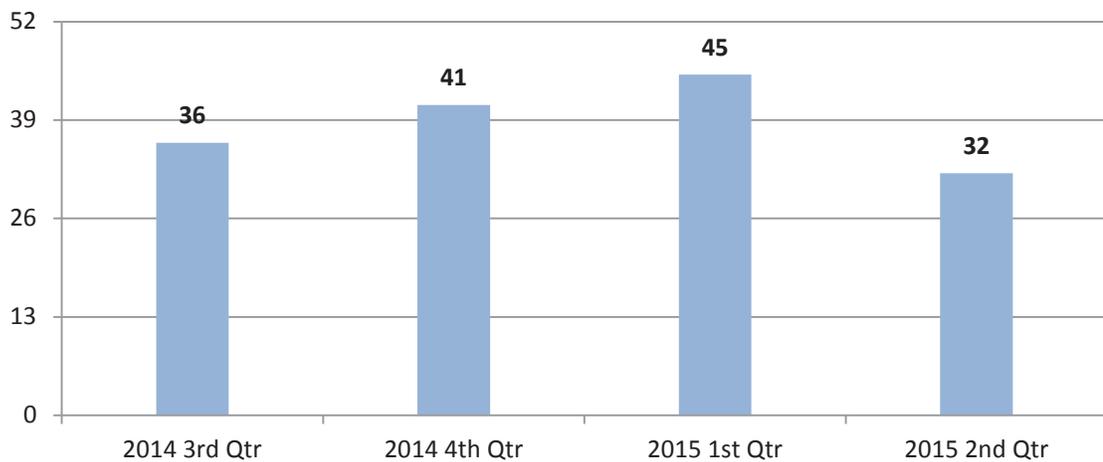
# COMMISSION PERFORMANCE

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 72,312 allowance docket claims during FY 2015. Of those, 56,985 qualified for inclusion in time studies. On average, the DHO process was completed within 39 days during FY 2015.

**DHO Allowance Filing to Mailing Performance | FY 2015**

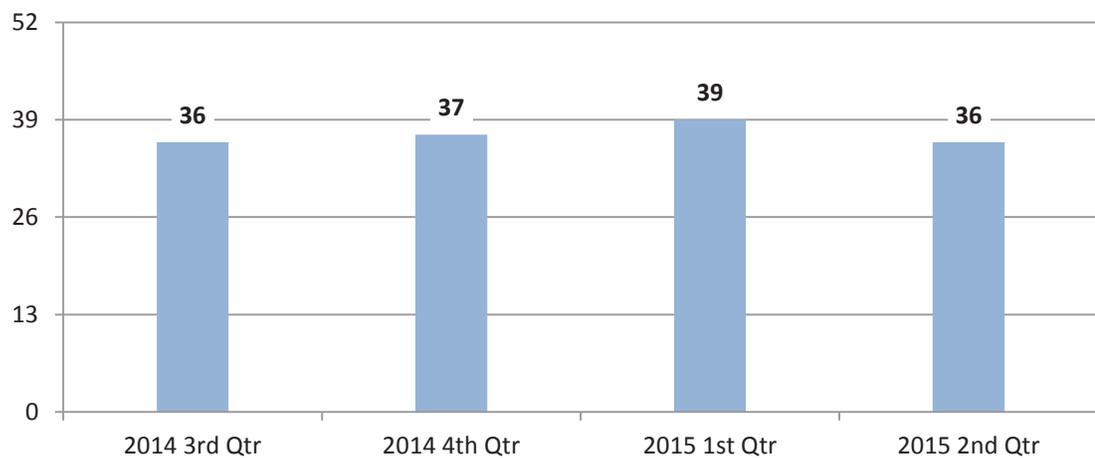


# COMMISSION PERFORMANCE

## 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), and 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 32,028 appeal claims during FY 2015. Of those, 27,873 qualified for inclusion in time studies. On average, the SHO process was completed within 37 days during FY 2015.

**SHO Appeal Filing to Mailing Performance | FY 2015**

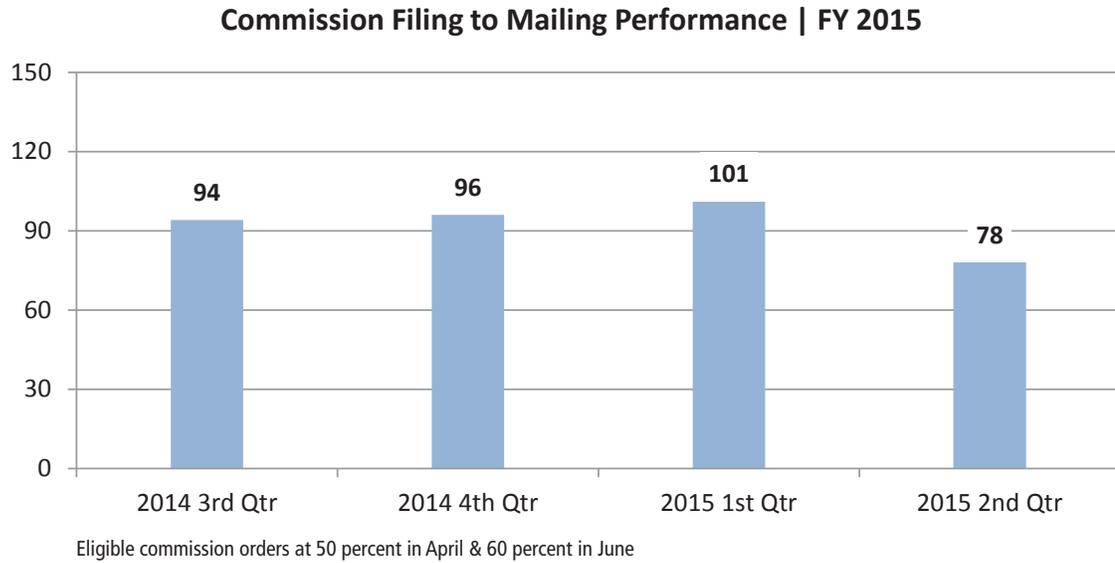


# COMMISSION PERFORMANCE

## Commission Performance

For hearings conducted during FY 2015, the Commission venue average for the period **Filing of Appeal to Hearing Date (F-H)** is 46 days.

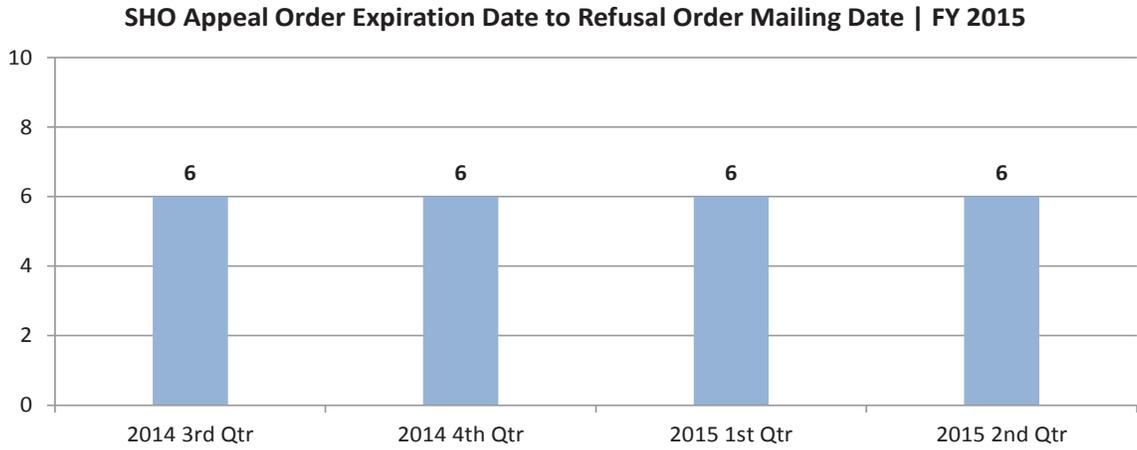
The Commission venue average for the **Filing of Appeal to Mailing of Order (F-M)** time frame is 92 days.



# COMMISSION PERFORMANCE

## SHO Refusal Order Performance

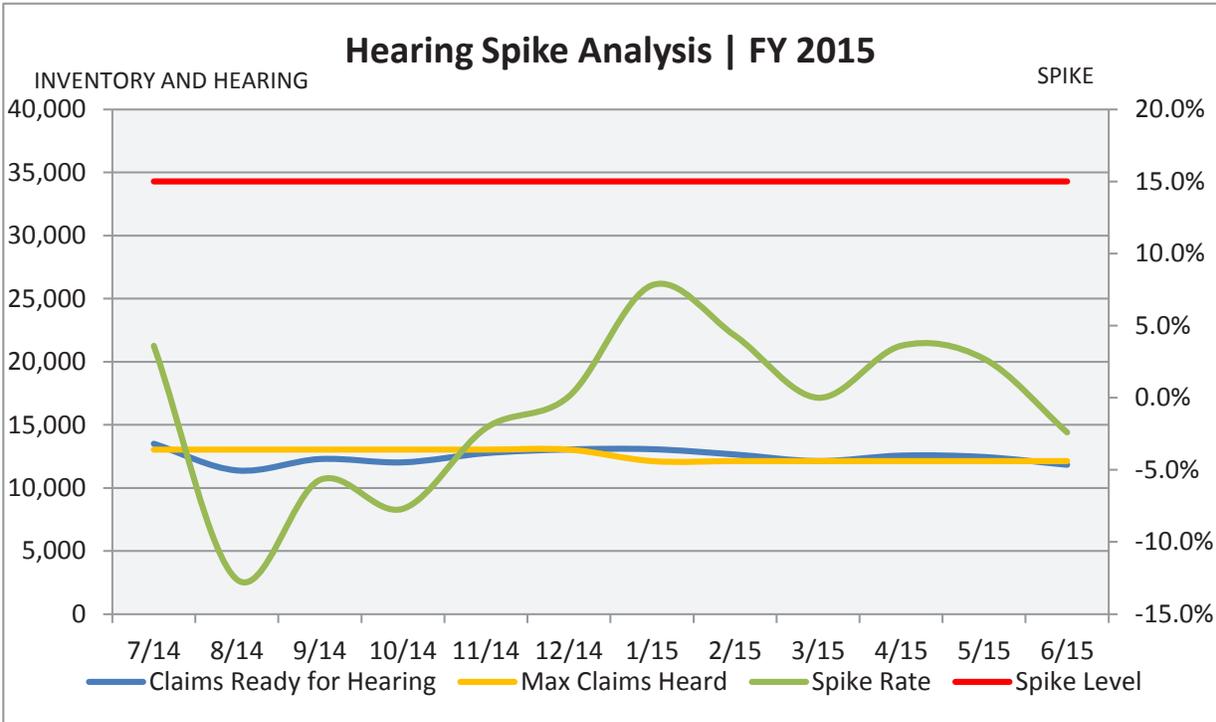
Appeals to SHO orders are discretionary in nature and processed centrally by the Commission Level Hearing Section in Columbus. Per mandate, if an appeal is refused, it is to receive a refusal order within 14 days of the expiration period in which an appeal may be filed to an SHO order.



# 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, 5<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

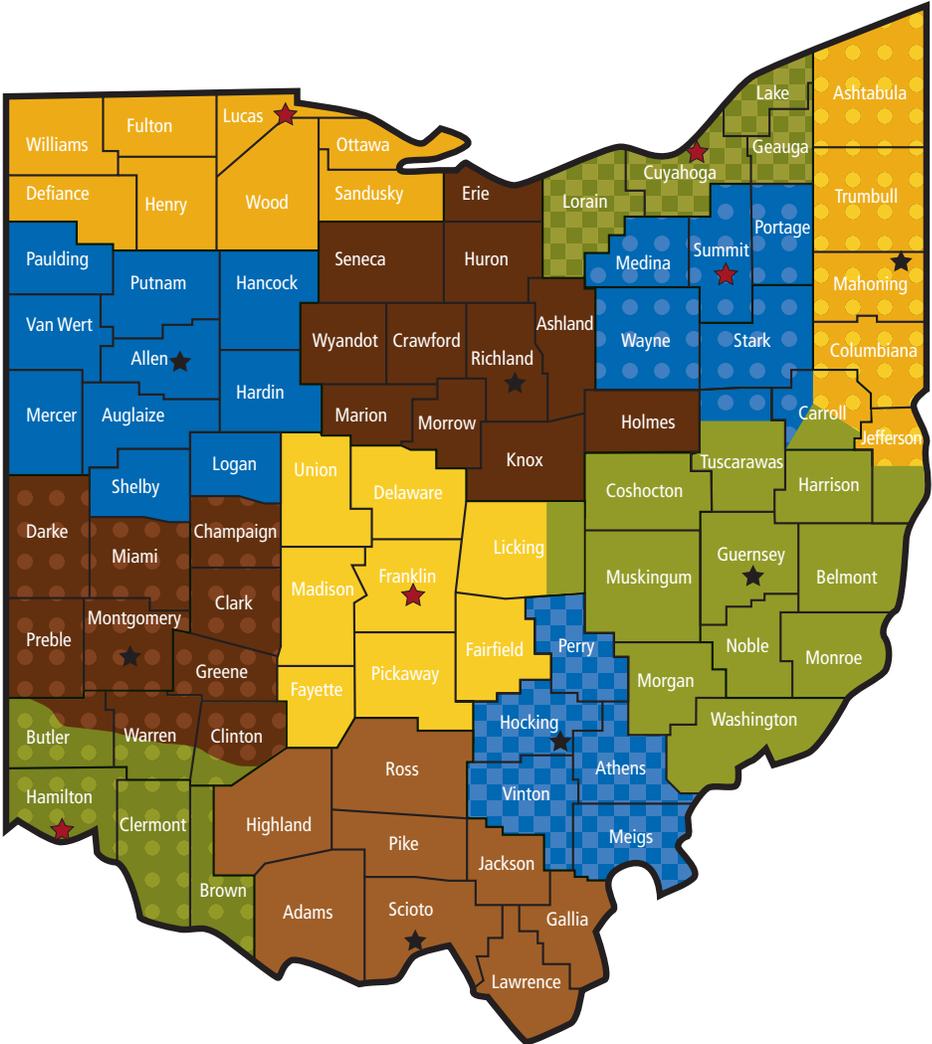
2025 E. Fourth St.  
Lima, Ohio 45804-0780

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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