

**Ohio** | Industrial Commission  
**ANNUAL REPORT**

**FY 2011**



**John R. Kasich**  
Governor

**Mary Taylor**  
Lt. Governor

**Karen L. Gillmor**  
Chairperson

**Gary M. DiCeglio**  
Member

**Jodie M. Taylor**  
Member



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## LETTER FROM THE CHAIRPERSON



These are tough times for state government.

With difficult budget deficits in states throughout the country, state agencies have been forced to do more with less.

When I arrived as chairperson of the Industrial Commission of Ohio (IC) in mid-July, I knew that I would have to make tough choices to confront these economic realities.

Fortunately, over the course of the last decade, the IC has taken an aggressive, proactive approach to cutting costs without cutting services. Our mission has been accomplished because we have taken full advantage of sophisticated technology to accompany our high standard of financial accountability. Because of our actions, injured workers and employers are receiving enhanced and expedient service at a lower cost.

Not only has the IC been utilizing funds sensibly over the course of our history, but the agency has been streamlining processes, improving customer service and eradicating superfluous bureaucracy throughout fiscal year 2011.

Some of our most noteworthy accomplishments:

- Submitted a budget to the Office of Budget and Management for FY-2013 that was \$58.7 million. This is less than our FY-2003 budget, which was \$59.7 million. Thus, our budget has decreased over the last ten years.
- Slashed employment levels by 16 percent during the last three and a half years and saved over \$5 million per year
- Sliced monthly telephone expenses by \$100,000 over the last two years
- Reduced our administrative rates charged to employers between 2008 and 2011 by \$15.6 million, which equals a 24.6 percent decrease over two years
- Cut our total number of offices by four and saved \$1.46 million per year
- Condensed our space needs at several locations and saved \$874,000 per year
- Reduce overtime costs to an amount of \$31,251, which is a 68 percent decrease since 2006
- Cut temporary employment expenses from \$220,000 to zero over the last six years
- Upgraded the access points for wireless Internet connections in all our offices to provide a faster speed for our customers

In addition, because of our allegiance to a culture of fiscal accountability, I am proud to say we have been able to cut costs and improve services while remaining compliant with statutory mandates.

In the next fiscal year, the IC will continue to seek innovative ways to improve agency operations while using fewer resources. Each expenditure will be examined completely and if an innovative, cost-effective process is identified, then new methods will be implemented swiftly and decisively.

Each fiscal year brings new challenges, but the IC will remain dedicated to a simple mission: Provide excellent service in an atmosphere of empathy and understanding while firmly remaining on a fiscally prudent path into our future.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Gillmor".

Karen L. Gillmor, Ph.D., Chairperson  
Industrial Commission of Ohio



## ABOUT THE IC

The IC conducts more than 150,000 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 been resolving 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, Kevin Abrams represented the public; Jodie M. Taylor represented employers; and Gary M. DiCeglio represented the interests of injured workers. DiCeglio and Taylor led the Commission at separate times in fiscal year 2011.

## IC COMMISSIONERS



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

**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 chair 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.



**Gary M. DiCeglio**

**Employee Member**

**Dates of Service: July 2007 - June 2013**

Through a lifelong dedication to worker safety issues, Gary brings a wealth of workers' compensation experience to his role as Employee Member of the IC.

Originally from Akron, Ohio, Gary earned a Bachelor of Science degree in economics from the University of Akron in 1988. In 1992, he received his law degree after graduating cum laude from the University of Akron School of Law.

After law school, Gary began a private law practice, focusing on workers' compensation matters.

As an employee of the Goodyear Tire and Rubber Company, Gary became a Division Chairman with the United Rubber Workers, a labor union for workers employed by rubber manufacturers. When the United Rubber Workers merged with the United Steelworkers in the 1990s, Gary worked to improve its members' wages and benefits as a lobbyist in Washington D.C.

In 1998, Gary joined the Ohio AFL-CIO, the largest federation of unions in the United States, as the Director of Compensation and Safety. In this position, Gary focused on worker safety issues, establishing Ohio's prescription drug discount card program and raising the state minimum wage. Gary also played an important role in crafting Senate Bill 7, which made numerous changes to the Workers' Compensation law in Ohio.

Gary is a member of the Ohio State Bar Association and resides in Blacklick, Ohio.



**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.

## FISCAL YEAR HIGHLIGHTS

In addition to the Commissioners, there are 91 hearing officers — all attorneys — in five regional and seven district offices throughout the state.

In FY 2011, the IC heard 151,493 claims. District hearing officers heard 105,191 claims. Staff hearing officers heard 45,843 claims. 459 claims were heard at the Commission level.

The Industrial Commission 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 31 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 37 days on average. For the staff level, it averaged 34 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 63,479 first-level motions and appeals filed on ICON this fiscal year. There were also 64,989 second-level (or above) appeals filed on ICON during the fiscal year.

Ask IC is another tool that has helped accelerate our response to customer inquiries. Ask IC is an email feature of our website, [www.ohioic.com](http://www.ohioic.com). 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 507 Ask IC submissions during this fiscal year. The department also scheduled 1,129 interpreters for hearings. In addition, our toll-free customer service line received 5,542 calls this fiscal year. Staff personally assisted 1,953 people at our Columbus office.

# CUSTOMER SERVICE INITIATIVES

## **New Filing Guidelines Will Make Customers More Efficient and Save Money**

In an effort to increase efficiency and streamline its filing practices throughout the state, the Industrial Commission released new filing guidelines for submitting documents in June 2011.

The new filing tips can be found on the "Appeals Process" page of the IC's website, [www.ohioic.com](http://www.ohioic.com). Representatives can also request to be trained on the filing procedures.

Every night, the Bureau of Workers' Compensation and the IC exchange imaged documents when there is a contested issue. Therefore, if a document has been filed at one agency, it is not necessary to file it with the other. Filing with both agencies clutters the electronic file with duplicate documents.

By following the new guidelines, ICON users will help ensure documents are placed into the correct electronic file on a timely basis and are available within 24 to 48 hours after submission.

## **Public Can Now View IC Member Orders Online**

As part of our dedication to open government, the Industrial Commission launched a new application in November 2010 that publishes IC Commissioners' orders online.

Now, our customers are able to quickly search for and view IC Commissioner rulings from their computer. This user-friendly program increases transparency and enhances access to workers' compensation information with just the click of a mouse.

This program allows Ohioans to visit [www.ohioic.com](http://www.ohioic.com) and read the orders handed down by IC Commissioners. After logging on to IC homepage, users may click on the Quick Links tab that reads "Commission Member Orders" to look through the Commission orders archive. The new application allows users to search by hearing date, injured worker name, claim number, or by a word or phrase in the order.

Although there are three levels that a contested claim may be heard within the IC, only orders from the Commission level of the agency are published online. Orders from the district and staff hearing officers are not posted on the site.

In order to ensure compliance with the State of Ohio's Public Records Act, the IC's Legal Department reviews orders and redacts confidential information. The hearing orders do not contain the following:

- Injured worker or employer addresses
- Employer risk numbers
- Names, addresses of the parties that receive the information
- Dates of birth and the names of minors in workplace death claims

## CUSTOMER SERVICE INITIATIVES

### **New Customer Comment Tracking System Allows IC to Hear From You**

As part of the IC's Marketing Plan, the IC revamped the customer comment cards.

Subsequent marketing initiatives quickly led to an overwhelming number of cards being completed, yet the agency decided to go a step further in our quest for customer feedback.

As part of this initiative, the IC developed a comment card tracking system. Now, when a customer fills out a comment card at any IC office, they can place it into a new locked comment card box.

Once the IC receives the cards, staff members enter information into a database. Then, a manager is assigned to find a resolution to the issue within 30 days of the date that the comment card was entered into the database. Resolution can mean implementation, denial or partial implementation.

After a resolution is achieved, if the customer left their contact information, a staff member will contact the customer and let them know the results of their submission.

### **New Security Cameras in IC Offices Keep Customers Safe**

Customer safety is a top priority for the IC.

In order to provide maximum security for our staff and customers, the agency began installing new security cameras at all IC offices statewide in December 2010.

With the successful installation of the state-of-the-art security cameras, a customer in a small office in Logan will experience the same safety measures as a big office in Cleveland.

By the end of January 2011, 32 cameras were installed in 11 IC district offices. The cameras were installed only in the public areas of each IC office. The cameras have motion detection software that is engaged after each office closes for the day.

The goal of the project was to eliminate any security "blind spots" that may be in an office. In addition, security cameras enhance public safety and deter burglary and theft.

Currently, IC security personnel are able to see every public area of each office at all times.

From the Columbus headquarters, the IC Director of Security Services is able to monitor the video feeds of all cameras throughout the state.

# INVENTORY

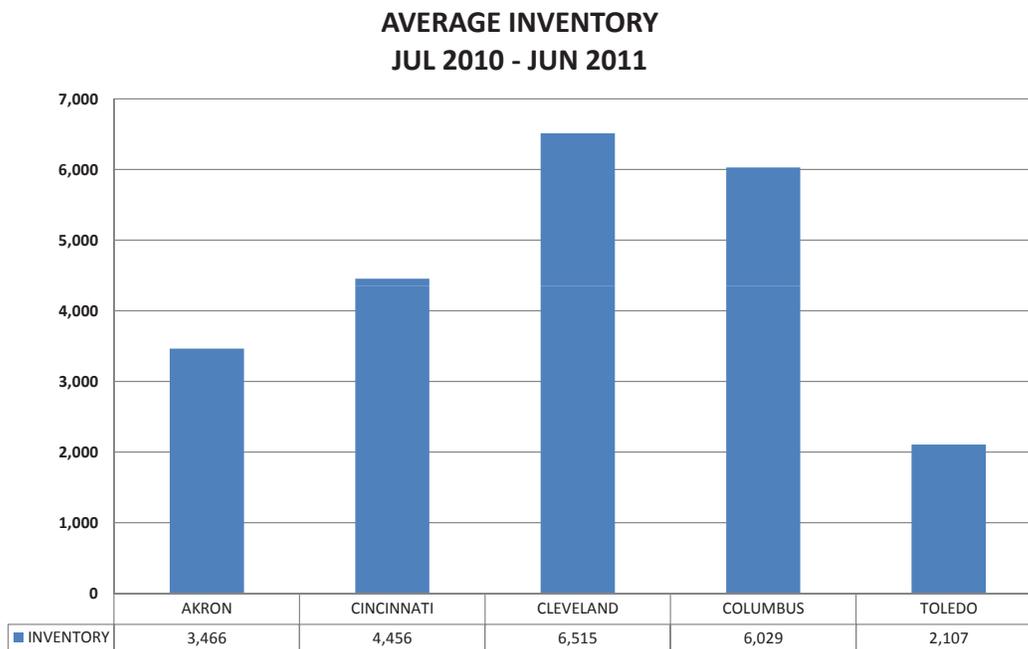
## Motion/Appeal Filings

Industrial Commission (IC) 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 146,458 new first level motions and appeals were filed during FY 2011 for 98,229 separate claims. Additional appeals are filed at upper level commission venues.

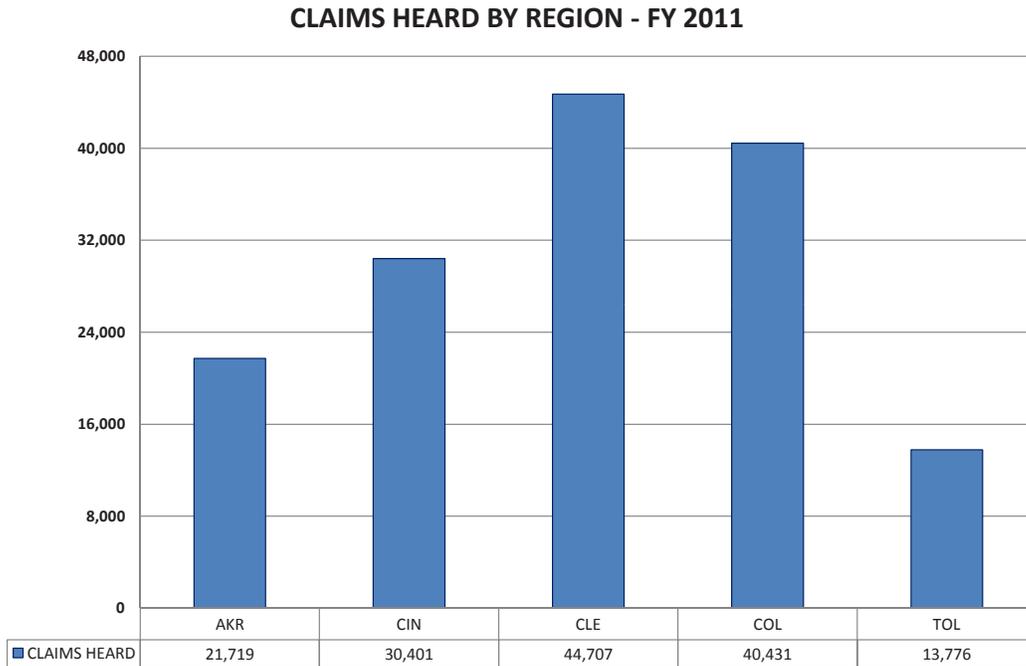
## Hearing Inventory

Statewide average monthly DHO/SHO inventory was 22,573 claims for FY 2011. Regional breakdown of average inventories for FY 2011 is as follows: Cleveland – 29%; Columbus – 27%; Cincinnati – 20%; Akron – 15%; Toledo – 9%.



# HEARING ACTIVITY

The Industrial Commission heard a total of 151,493 claims during FY 2011 at all adjudicatory levels. The total DHO volume accounts for 70 percent of overall hearings at 105,191 claims heard. Total SHO claims heard are recorded at 45,843 claims. The Commission level recorded 459 claims heard.



Hearings were conducted for approximately 38,263 different employers in FY 2011. 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 5%.

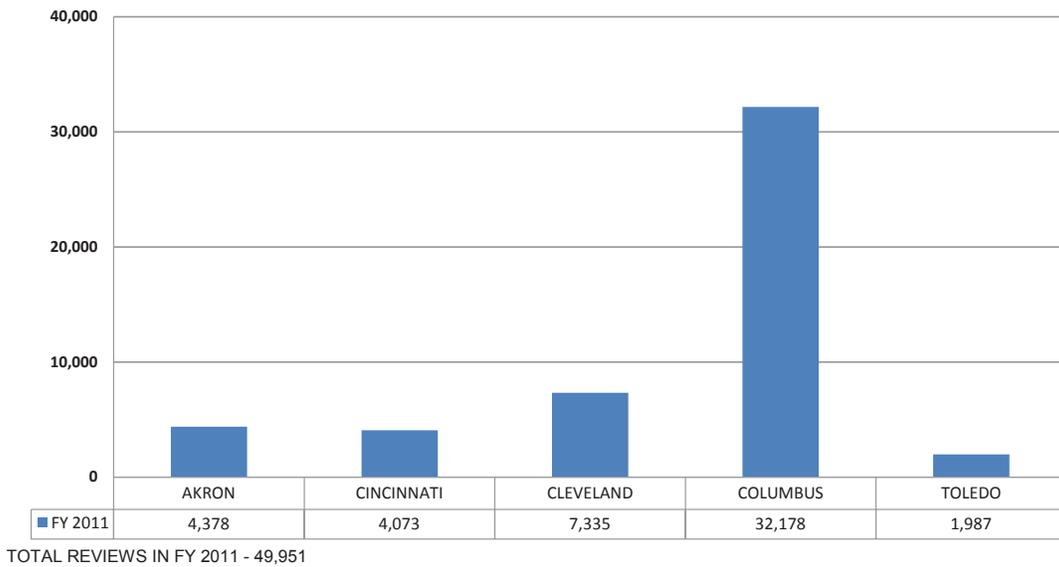
## Hearings Held by Employer Group

Employer Type	State Fund	Self-Insured	Pol. Sub (County)	State	Total
<b>Total</b>	83,775	40,290	19,569	6,977	150,611

# HEARING ACTIVITY

Approximately 21,723 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 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 2011**



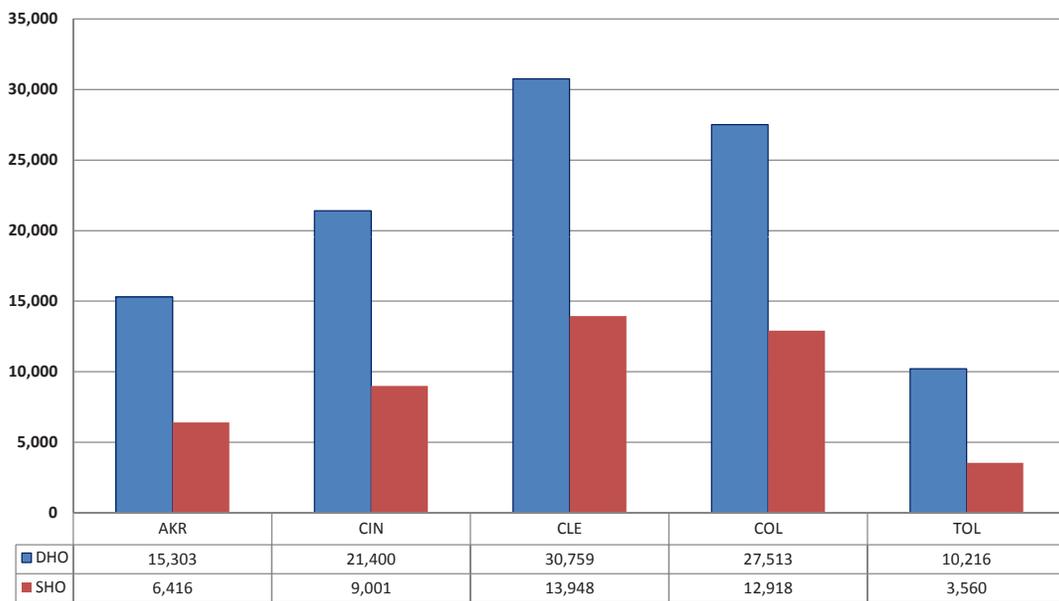
# HEARING ACTIVITY

Regionally, the distribution of FY 2011 claims heard at DHO and SHO hearing levels is as follows: Cleveland – 30%; Columbus – 27%; 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 247 days during FY 2011. An average of 611 claims were heard per day at the DHO/SHO hearing levels. District Hearing Officers averaged 426 claims heard per day while Staff Hearing Officers averaged 186 claims heard per day.

**DHO/SHO CLAIMS HEARD - FY 2011**

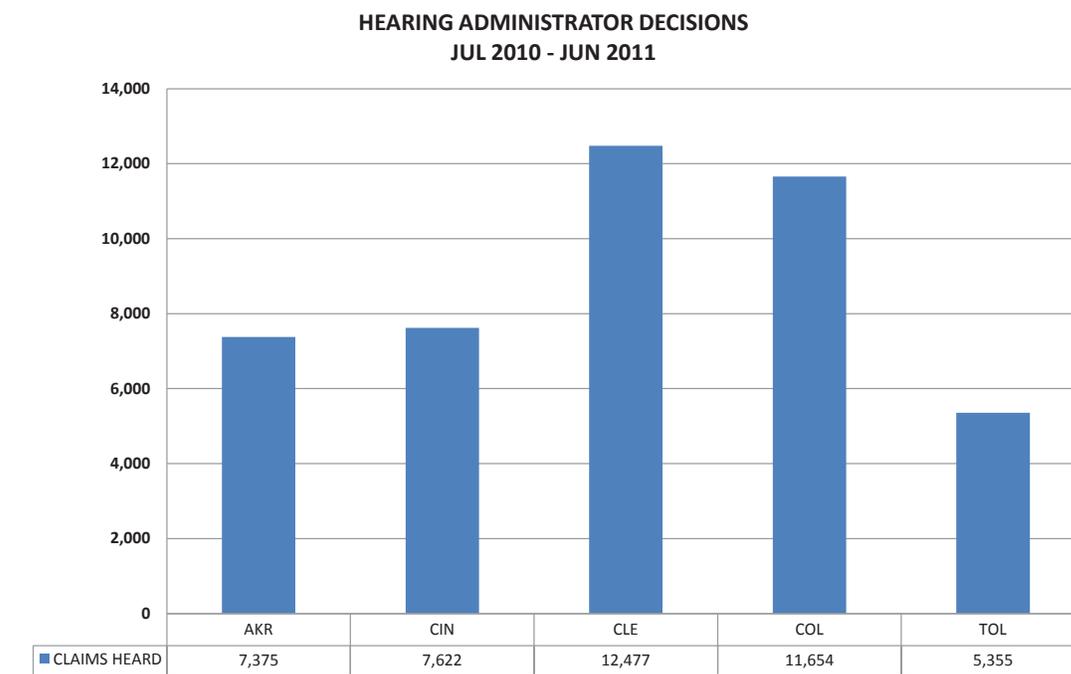


# HEARING ACTIVITY

## Hearing Administrator

Hearing Administrators perform a variety of functions that facilitate the adjudication process. In addition to processing approximately 27,128 continuance requests during FY 2011, they also processed 11,825 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 44,483 issues during FY 2011. Regional volumes of Hearing Administrator activity are presented in the graph below.



TOTAL DECISIONS IN FY 2011 - 44,483

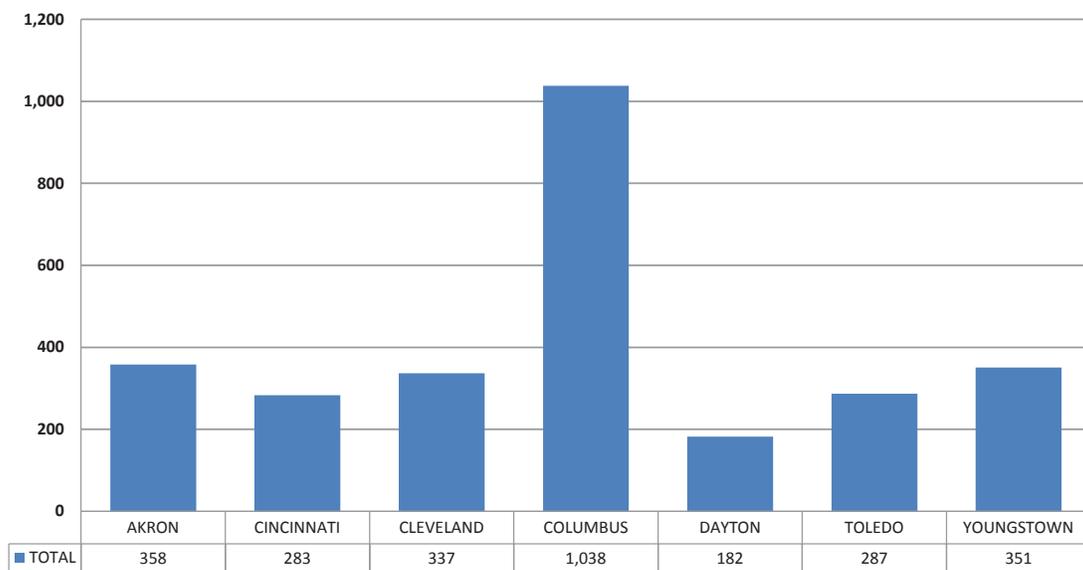
# HEARING ACTIVITY

## 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, 2011, was 551 claims.

A total of 2,836 specialist exams and medical reviews were performed on behalf of the Industrial Commission during FY 2011.

**MEDICAL SPECIALIST EXAMS / REVIEWS  
FY 2011**



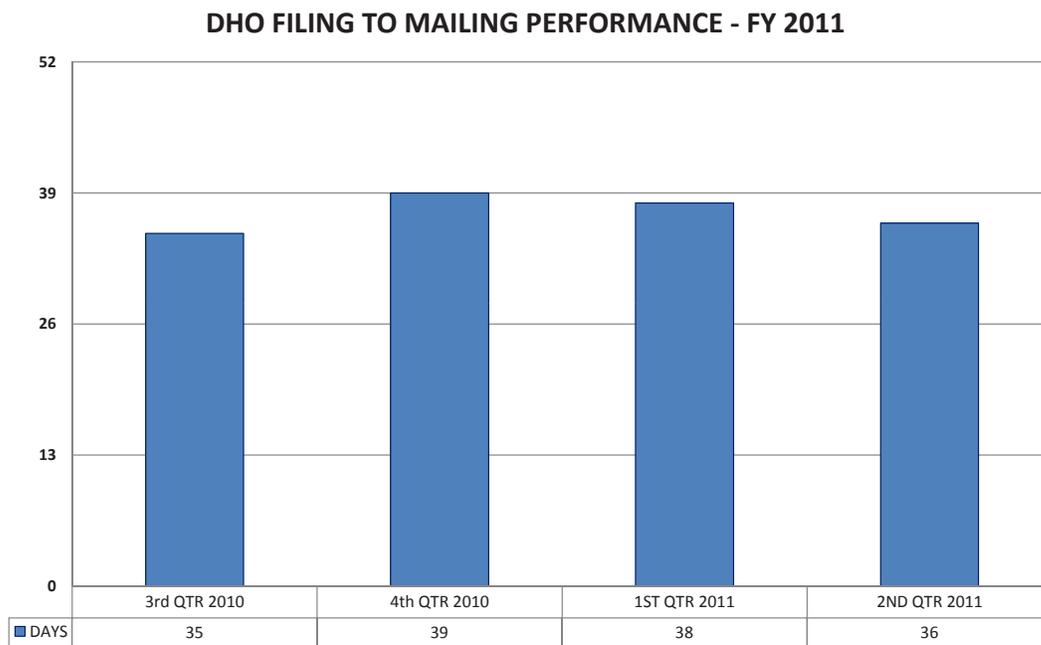
TOTAL EXAMS FOR FY 2011 - 2,836

# 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 heard a total of 79,895 allowance claims during FY 2011. Of those, 65,670 qualified for inclusion in time studies. On average, the DHO process was completed within 37 days during FY 2011.



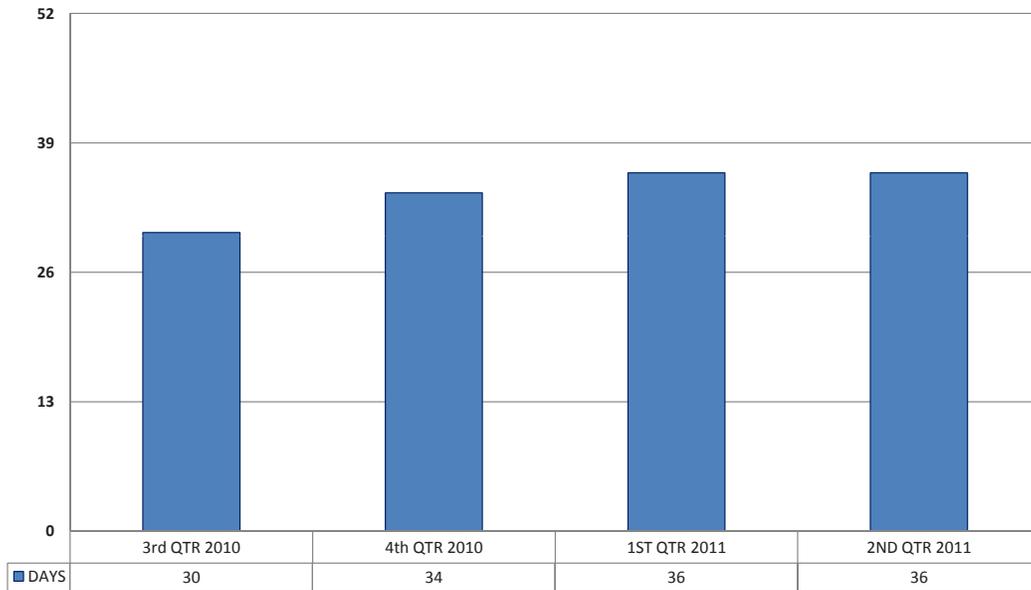
\*BENCHMARK IS 52 DAYS

# COMMISSION PERFORMANCE

## SHO Performance

Staff hearing officers heard a total of 37,111 appeal claims during FY 2011. Of those, 31,767 qualified for inclusion in time studies. On average, the DHO process was completed within 34 days during FY 2011.

**SHO FILING TO MAILING PERFORMANCE - FY 2011**



\*BENCHMARK IS 52 DAYS

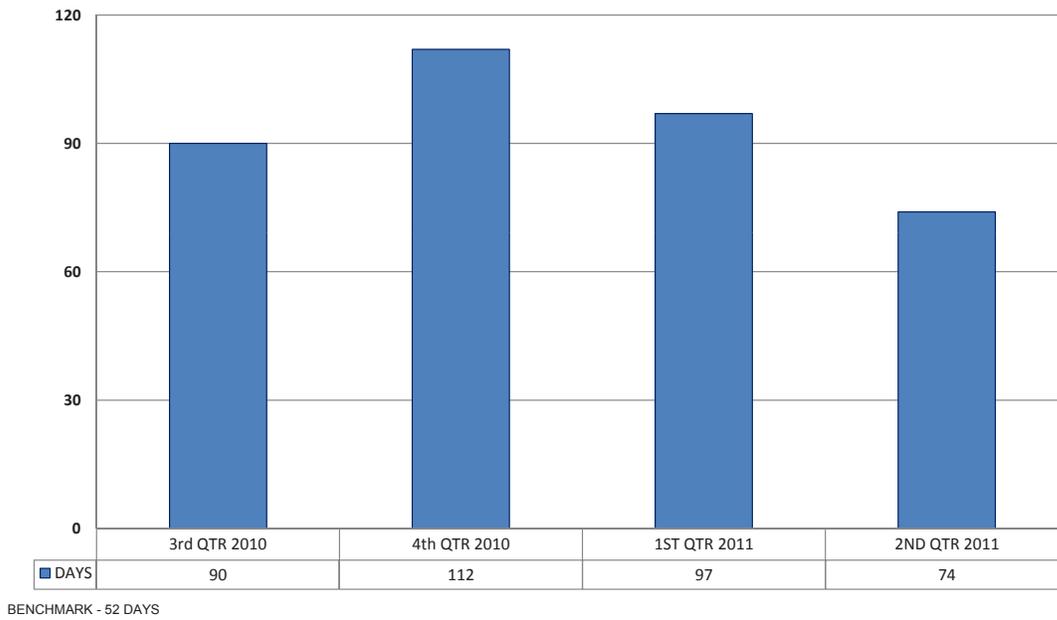
# COMMISSION PERFORMANCE

## Commission Performance

For hearings conducted during FY 2011, the Commission venue average for the period Filing of Appeal to Hearing Date is 43 days.

The Commission venue average for the Filing of Appeal to Mailing of Order time frame is 93 days.

**COMMISSION FILING TO MAILING PERFORMANCE - FY 2011**

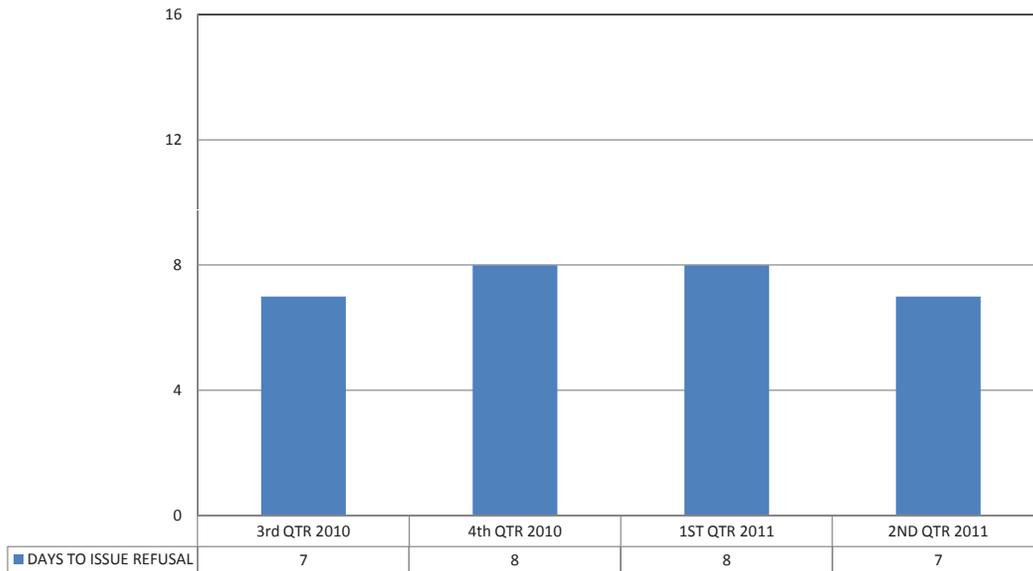


# COMMISSION PERFORMANCE

## 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.

**SHO APPEAL ORDER EXPIRATION DATE TO REFUSAL ORDER MAILING DATE  
FY 2011**



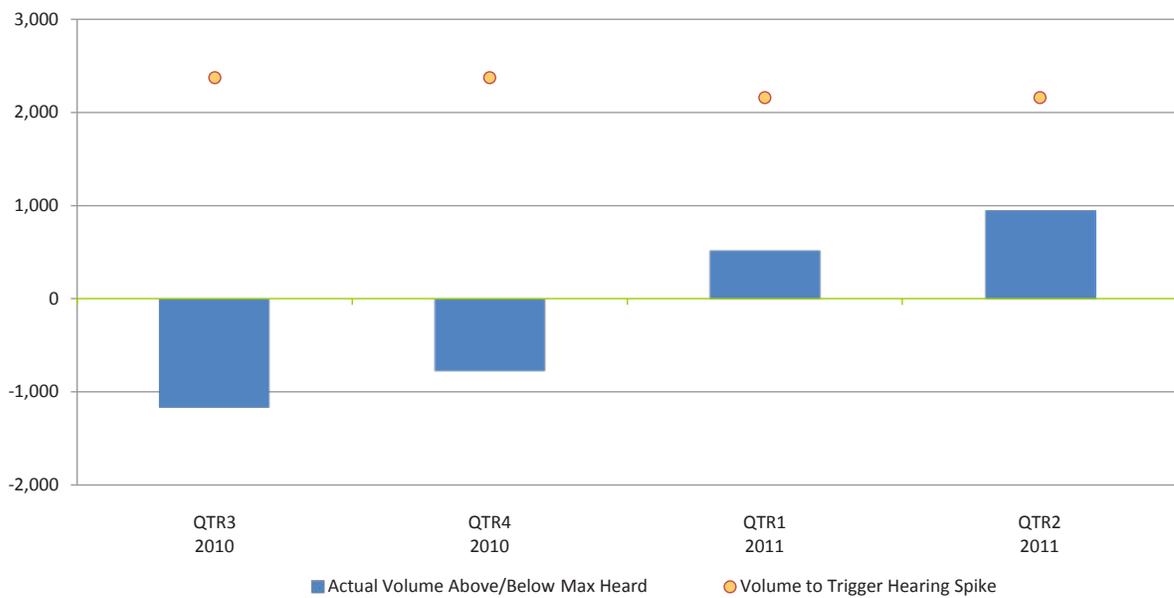
STATUTE - 14 DAYS

# COMMISSION PERFORMANCE

## Hearing Spike Analysis

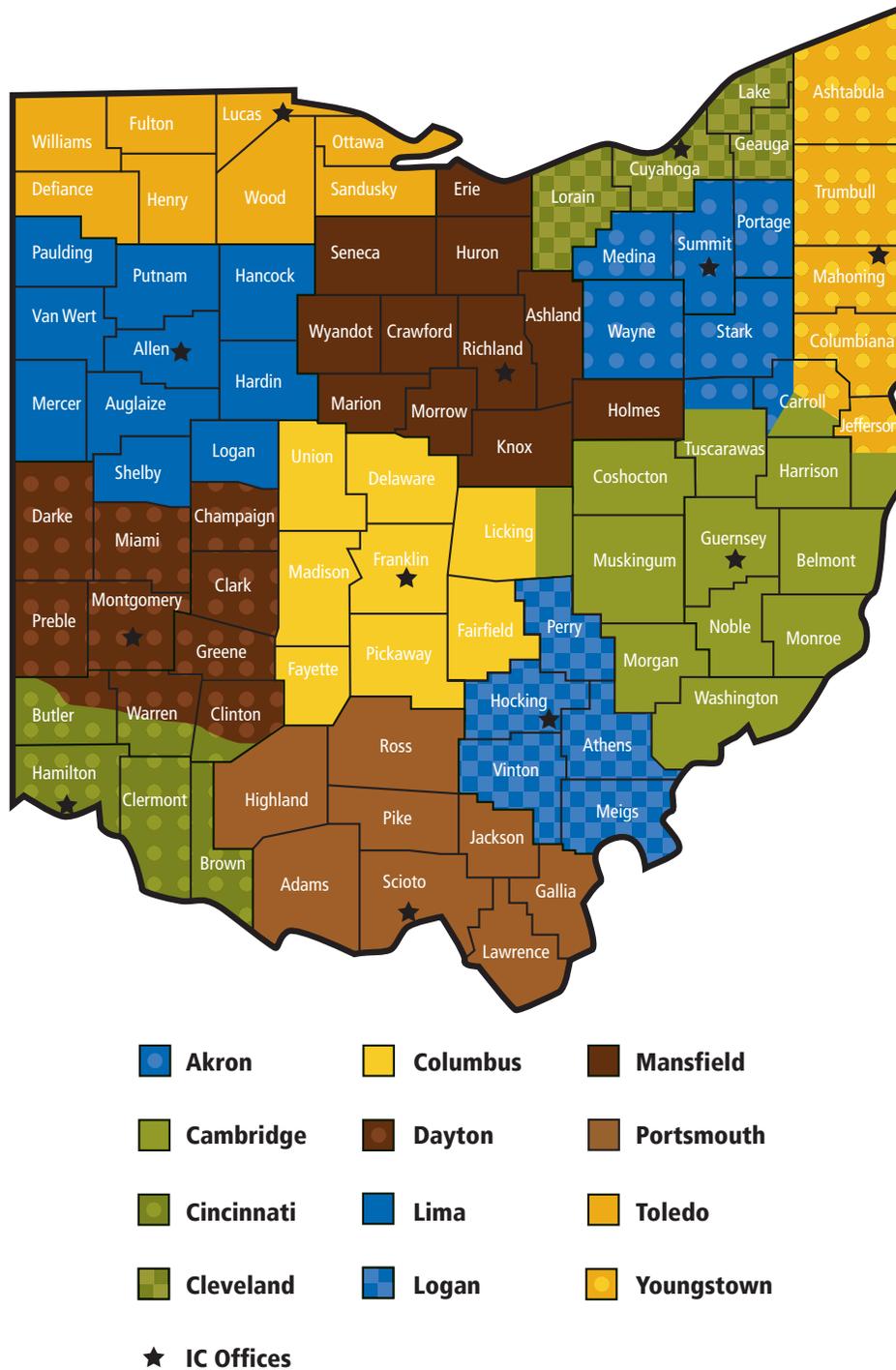
The Hearing Spike Analysis is compiled in conformance with the directives set forth in HB413 and IC Resolution 96-1-05. Per this directive, a hearing spike occurs when the volume of claims ready for hearing at the end of any given month exceeds the maximum number of DHO/SHO claims heard in any of the preceding twelve calendar months by fifteen percent. A hearing spike did not occur during FY 2011.

**HEARING SPIKE QUARTERLY ANALYSIS  
FY 2011**



# DISTRICT OFFICES ASSIGNMENTS 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.



# OFFICE LOCATIONS & CONTACT INFORMATION

## 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.state.oh.us](mailto:askic@ic.state.oh.us)  
Web: [www.ohioic.com](http://www.ohioic.com)

### 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

\*Medical Examination Locations



**Ohio** | **Industrial Commission**

30 West Spring Street  
Columbus, Ohio 43215

[www.OhioIC.com](http://www.OhioIC.com)  
1-800-521-2691