



**RISKCONTROL360<sup>®</sup>**

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## DRUG FREE SAFETY PROGRAM REQUIREMENTS

### PROGRAM STRUCTURE & BENEFITS

DFSP is BWC's new safety/loss prevention program that rewards employers with premium discounts for implementing a program that promotes safety and health for workers. DFSP is designed to reduce the risk of workplace accidents and injuries attributed to use of alcohol and other drugs. There are two levels of participation: Basic or Advanced. There is no limit to the number of years an employer can participate, and discounts for employers participating at the Advanced level can be stacked with group-experience rating. There will continue to be a non-discount option (Level 0) for employers to implement a comparable drug-free program when required for State of Ohio public improvement projects.

### DISCOUNTS

	<u>Group Rating</u>	<u>No Group Rating</u>
Basic	0%	4%
Advanced	3%	7%

### APPLICATION PROCESS & DEADLINES

Employers must complete and submit a Drug-Free Safety Program application (Form U-140). There will be two enrollment periods each year. For a July start, applications must be received by the last business day of April. For a January start, applications must be received by the last business day of October the prior year. For the first program enrollment period, which is July 1, 2010, the enrollment deadline is June 30, 2010, and subsequent July year deadlines will be the last business day of April. Public employer taxing districts, such as cities and counties, can only enroll for a January start, the first of which will be Jan. 1, 2011, and the January deadline will be the last business day of October.

### ELIGIBILITY

Eligibility for program benefits is limited to state-fund employers in good standing with the BWC. Self-insuring employers and state agencies cannot participate. An employer participating in DFSP may not receive a discount if the employer participates in other BWC programs; however, DFSP discounts may be combined with some programs, and drug-free grants may be available even when a DFSP discount may not be stacked.

#### Compatible

Safety Council  
Small Deductible  
Group Rating (and DFSP Advanced)  
Salary Continuation\*

#### Incompatible

100% EM Cap  
Large Deductible  
Group-Experience Rating (and DFSP Basic)  
Group Retro  
Paid Loss Retro  
\$15K Medical Only  
Salary Continuation after Jan. 1, 2011

\*DFSP Employers may choose salary continuation for claims with dates of injury (DOI) before Jan. 1, 2011 but may not choose salary continuation for claims with DOI Jan. 1, 2011 and after



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## **BASIC LEVEL PROGRAM**

<u>Component</u>	<u>Description</u>
Safety	A. Safety Review with completion online at BWC's website, ohioabc.com. B. Accident-analysis training for supervisors (one time) online C. Accident reporting on ohioabc.com
Written DFSP Policy	Full/fair disclosure of company's DFSP "rules" with procedures to administer the program, including rights/responsibilities of employees, consequences of failure to comply, statement that the program applies to all employees and employer's commitment to employee health
Employee Education	1 Hour annually
Supervisor Training	2 hours the first year and a 1-hour refresher in subsequent years
Alcohol and Other Drug Testing	Pre-employment/new-hire, post-accident, reasonable suspicion, return-to-duty & follow up A 6 panel drug screen via urinalysis or Breath Alcohol Test following the federal testing model
Employee Assistance	Employee may be terminated upon a positive test but, at minimum, employer must explain to employees what a substance abuse assessment is and, by way of referral, provide a list containing names and addresses of qualified substance assessment resources

## **ADVANCED LEVEL PROGRAM**

<u>Component</u>	<u>Description</u>
Basic Level	Advanced participants must meet all the Basic level requirements noted above.
Safety	Safety Action Plan must be developed based on the results of the completed online safety review. Plan must outline specific safety process improvements employer intends to implement during the year
Substance Assessments	Facilitate a substance assessment of any employee who tests positive as part of a second-chance agreement, with employer primarily responsible for cost of the assessment
2nd Chance Commitment	Commit to not terminate an employee who tests positive for the first time, comes forward voluntarily, or is referred by a supervisor for an assessment. BWC policy will specify some exceptions to the second-chance requirement.
Random Drug Testing	15-percent or higher random drug testing of the employer's workforce each program year. Participants may also belong to a consortium that tests 15-percent of the total employee pool each program year. Documentation of participation in consortium required.



**REPORTING & RENEWAL**

Year-to-year renewal in the program occurs through completion and timely submission of the annual report to BWC. Report ensures all program elements were met within specified timelines and documentation supports substantive compliance. July participants must file annual report by last business day in March of the following year while January participants must report by last business day in September of the same year. Employers can change their participation level when they submit their annual report. Advanced-level participants will also be required to submit a Safety Action Plan within 60 days of the start of the program year which will be reviewed by a BWC Safety Consultant, who will be available to work with the employer to offer support, as appropriate.

**BWC GRANTS**

DFSP start-up grants may be available to help offset some expenses for the first two years of program operation.

**TIMELINES & IMPORTANT DATES**

July Start

Enrollment Deadline for 2010  
Subsequent Enrollment Deadline and ongoing Program Start  
Safety Review Completion  
Accident-Analysis Training  
Safety Action Plan (Advanced Only)  
Employee Education & Supervisor Training (DFSP year one)  
Policy Development  
Annual Report  
Alcohol and Other Drug Testing  
Supervisor Accident Reporting

Date

June 30  
Last business day of April  
July 1  
July 31  
30 days from start of program year  
60 days from start of program year  
Sept. 30 (must be completed by Oct. 31)  
  
In place no later than Sept. 30  
Last business day in March  
Ongoing from no later than Sept. 30  
30 days from July 1 and ongoing

January Start

Enrollment Deadline for 2011 and ongoing  
Program Start  
Safety Review Completion  
Accident-Analysis Training  
Safety Action Plan (Advanced Only)  
Employee Education & Supervisor Training (DFSP year one)  
Policy Development  
Annual Report  
Alcohol and Other Drug Testing  
Supervisor Accident Reporting

Date

Last business day of October  
Jan. 1  
Jan. 31  
30 days from start of program year  
60 days from start of program year  
March 31 (must be completed by April 30)  
In place no later than March 31  
Last business day in September  
Ongoing from no later than March 31  
30 days from Jan. 1 and ongoing