

Retro Advisory Committee

9:30 AM, Thursday, February 20, 2020
L&I HQ Auditorium, Tumwater, WA

AGENDA*

- Welcome (*All*).
 - ◊ General announcements (*Mark Matthies*).
 - ◊ Safety topic.
- Call to order (*Jessica Nau, chair*).
- Introductions (*All*).
- Legislative update (*Vickie Kennedy/Mike Ratko*).
- Review/approve agenda (*All*).
- Retro program updates (*Jessica*):
 - ◊ Staffing update.
 - ◊ January enrollment update.
 - ◊ Upcoming July enrollment.
 - ◊ Retro Advisory Committee.
- API project update (*Shannon Steketee*).
- Overview of START program (*Walt Kulpa*).
- Overview of recent occupational disease rules change (*Annie Peebles*).
- Good of the order (*All*).
- Adjourn (*All*).

*Topics and order of presentation subject to change.

Retro Advisory Committee

Purpose

The purpose of the Retro Advisory Committee (RAC) is to provide input to the Department of Labor and Industries (L&I) in the policy rules applicable to retrospective rating administration and procedures for effectively operating the Retrospective Rating Program (Retro). Suggestions or actions of this committee are intended to keep the director of L&I informed as to the possible affects retro policies will have on business. The RAC operates in an advisory capacity only.

Composition and terms of service

The RAC is comprised of 11 members:

- 4 owners or employees of firms enrolled individually (2 year term).*
- 6 employees of trade associations (5 year term).
- 1 employee of L&I serving as chairman in an ex officio and non-voting capacity.

* An employee of an employer who participates in a group plan may be appointed as an individual member if an employer enrolled in an individual plan has not been found. Such appointment is for one year.

Expectations

The expectations of members are to:

- Attend/participate in at least 75% of the committee meetings/conference calls annually.
- Perform advisory functions such as, but not limited to:
 - Prioritize program rules, policies, administrative and/or operational concerns within the Retro community.
 - Inform L&I of how the above can be modified in a fashion most beneficial to business.
 - Establish a framework between the retro community and retro program to collaboratively address priorities. (E.g. workgroups, sub-committee, etc).
- Perform general administration functions such as, but not limited to:
 - Approve meeting minutes.
 - Actively participate in established collaborative framework as a lead or co-lead.
 - Inform meeting agendas.

Qualifications

Motivation for participating in the committee stems from the desire to shape the Retrospective Rating program in a fashion most beneficial to business.

Annual time requirements

- RAC meetings: approximately 12 hours (meetings are held quarterly and generally last for three hours)
- Retro coalition meetings: approximately 4 hours (meetings are held before each RAC meeting and generally last an hour). Additional meetings may also be called.

Retro Advisory Committee **Applicant Questionnaire**

Applicant Name:	Organization:
Applicant Email:	Applicant Phone:

(If completing online, boxes will expand to fit responses as needed; otherwise attached additional sheets.)

1. Have you served on a board or committee previously? Describe your experience(s) and influence to improve collaboration and reach planned goals.

2. What do you understand the role of the Retro Advisory Committee (RAC) to be, and what would you personally bring to the committee to enhance its role?

3. What interests you most about serving on the RAC?

Washington State Department of
Labor & Industries

*Division of Occupational
Safety and Health*

START Program

START: Safety through Achieving Recognition Together

Learn how your small business can achieve START status through a new program that recognizes occupational safety and health excellence and leads to a safer workplace, lower costs, improved morale, and community recognition.

Program Requirements:

The START program is open to employers operating work sites in Washington State and is administered by the Department of Labor & Industries. The program requirements are:

- Employ fewer than 100 workers at a specific work site, (We are flexible on this) and not more than 250 at all work sites within Washington State.
- Operate for at least one year at the particular work site.
- Demonstrate an injury/illness rate below the industry average for that industry.
- Receive full-service safety and health consultation visits for a comprehensive review of their safety and health management systems; and agree to correct all hazards.
- Receive a free Risk consultation.
- Agree to notify us when changes in working conditions or processes introduce new hazards into the workplace.

START Approval

Small businesses that achieve START status will be approved for a period of one year with three renewals possible. The START status under the renewal periods will be effective for up to 18 months.

Employers who do not initially meet the START requirements, but exhibit a reasonable promise of achieving agreed-upon Milestones, and timeframes for START participation, may be granted Pre-Start status.

START is nationally recognized under OSHA's SHARP Recognition program.

Benefits for START companies:

- Employers lower their costs.
- Employees come home safe after work.
- Employers and employees work together cooperatively.
- Employers receive a comprehensive, no-charge safety and health consultation from the Department of Labor & Industries (L&I).

And there's more! Being a START worksite:

- Let's you establish a positive working relationship with L&I's Division of Occupational Safety and Health (**DOSH**).
- Helps you avoid surprise inspections.
- Helps establish a competitive advantage by being recognized as a safety conscious company.
- Leads to enhanced public recognition.

Learn more online at:
Lni.wa.gov/StartProgram

Contact:

Walt Kulpa:
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The standard of excellence for workplace safety and health

Experience rating and retro rating:

Chapter 296-17B WAC Retrospective Rating For Workers' Compensation Insurance uses the term "Date of Injury" in WAC 296-17B-510 Assigning claims to coverage periods.

In this section the date of injury is used to explain which coverage period an injury claim will be assigned to. The section then goes on to explain that for occupational disease claims the claim will be assigned to a coverage period based on the date of last injurious exposure.

In the table below is a **hypothetical** occupational disease claim scenario to show how these dates would be used for experience rating and for retro rating:

		Employer 1: 85%	Employer 2: 15%
1	Years claim could impact experience rating based on date claim received by department: 7/01/2014	2017, 2018, & 2019	
2	Date of last injurious exposure	1/01/13	1/01/14
3	Years claim could impact	2015, 2016, 2017	2016, 2017, 2018
4	Years claim impacts experience rating (overlap of rows 1 & 3)	2017	2017 & 2018
5	April Retro Plan Year	4/01/2012 – 3/31/2013	4/01/2013 – 3/31/2014
6	Retro Adjustments	Jan. * 2014 , 2015, 2016	Jan. 2015, 2016, 2017
7	July Retro Plan Year	7/01/2012 – 6/30/2013	7/01/2013 -6/30/2014
8	Retro Adjustments	April * 2014 , 2015, 2016	May 2015, 2016, 2017
9	October Retro Plan Year	10/01/2012 – 09/30/2013	10/01/2013 – 9/30/2014
10	Retro Adjustments	July * 2014 , 2015, 2016	July 2015, 2016, 2017
11	January Retro Plan Year	1/01/2013 – 12/31/2013	1/01/2014 – 12/31/2014
12	Retro Adjustments	Oct. 2014, 2015, 2016	Oct 2015, 2016, 2017

*The years that are 'struck through' are adjustments before the date the department received the claim.

Term	Definition	How is it used for rating?	How is it used in Retro?
Date of injury	For an injury claim: Date that the injury occurred For an occupational disease claim: Old – Date of diagnosis New – Claim received date	Determines which rating years a claim can impact classification rating and an employer's experience factor	Determines which coverage year a claim is assigned to
Date of diagnosis	Term of art at L&I used as shorthand for the phrase "date the disability was diagnosed and that gave rise to the filing of a claim for benefits" The "date of diagnosis" is the "date of injury" for occupational disease claims under the current rule.	Determines which rating years an occupational disease claim could impact classification rating and an employer's experience factor.	Retro is interested in the "date of diagnosis" because it has been the subject of employer appeals of liability apportionment for occupational disease claims.
Date of manifestation	Date the disease required medical treatment or became totally or partially disabling, whichever occurred first, without regard to the date of the contraction of the disease or the date of filing the claim. WAC 296-14-350	The date of manifestation isn't used for rating. Determines the compensation schedule and wage base for benefits paid on occupational disease claims	This date is not used in the determination of rating or retro plan years. However Retro is interested in the "date of manifestation" because it impacts the cost of occupational disease claims and therefore is of interest to employers.
Date of last injurious exposure	The last date an injured worker with an occupational disease claim worked for each employer that is determined by an occupational nurse consultant or other medical professional to have contributed to the occupational disease.	Only for occupational disease claims: Based on the three rating years identified by the date of injury (diagnosis or claim received), determines which years an occupational disease claim will impact an individual employer's experience factor.	Determines which coverage year an occupational disease claim is assigned to
Claim received date	Date the department receives the claim for benefits (ROA) The claim received date is the date of injury for occupational disease claims under the new rule.	Under new rule, determines which rating years an occupational disease claim could impact classification rating and an employer's experience factor.	Retro is interested in the claim received date because under the new rule the claim received date will be a factor in determining which retro plan year a claim will be assigned to and each employer's liability apportionment.

Carbon Monoxide Safety



Often called the invisible killer, carbon monoxide is an invisible, odorless, colorless gas created when fuels (such as gasoline, wood, coal, natural gas, propane, oil, and methane) burn incompletely. In the home, heating and cooking equipment that burn fuel can be sources of carbon monoxide.

- CO alarms should be installed in a central location outside each sleeping area and on every level of the home and in other locations where required by applicable laws, codes or standards. For the best protection, interconnect all CO alarms throughout the home. When one sounds, they all sound.
- Follow the manufacturer's instructions for placement and mounting height.
- Choose a CO alarm that is listed by a qualified testing laboratory.
- Call your local fire department's non-emergency number to find out what number to call if the CO alarm sounds.
- Test CO alarms at least once a month; replace them according to the manufacturer's instructions.
- If the audible trouble signal sounds, check for low batteries. If the battery is low, replace it. If it still sounds, call the fire department.
- If the CO alarm sounds, immediately move to a fresh air location outdoors or by an open window or door. Make sure everyone inside the home is accounted for. Call for help from a fresh air location and stay there until emergency personnel declare that it is safe to re-enter the home.
- If you need to warm a vehicle, remove it from the garage immediately after starting it. Do not run a vehicle or other fueled engine or motor indoors, even if garage doors are open. Make sure the exhaust pipe of a running vehicle is not covered with snow.
- During and after a snowstorm, make sure vents for the dryer, furnace, stove, and fireplace are clear of snow build-up.
- A generator should be used in a well-ventilated location outdoors away from windows, doors and vent openings.
- Gas or charcoal grills can produce CO — only use outside.

HOME HEATING EQUIPMENT



Have fuel-burning heating equipment and chimneys inspected by a professional every year before cold weather sets in. When using a fireplace, open the flue for adequate ventilation. Never use your oven to heat your home.

FACTS

- ❗ A person can be poisoned by a small amount of CO over a longer period of time or by a large amount of CO over a shorter amount of time.
- ❗ In 2010, U.S. fire departments responded to an estimated 80,100 non-fire CO incidents in which carbon monoxide was found, or an average of nine calls per hour.



NATIONAL FIRE PROTECTION ASSOCIATION
The leading information and knowledge resource on fire, electrical and related hazards