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Having An *Attitude* of *Gratitude*

By: Susan Bloch, Editor of Building
Blocks & MCHBA Member since 1991

First off, I apologize for the late publishing and distribution of Building Blocks. Unfortunately, the recent storms that charged through Northeast Ohio affected us as we were without power for 3 days and I was unable to work. Got a lot of reading done. When the power came back on, it was a flurry of catch up and I'm still behind.

The gratitude part comes in here ... there was a tremendous amount of wind damage all around us and throughout the state. We lost several trees (one 60+' maple we just had professionally pruned) but it could have been much worse. All around us were downed trees, downed power lines and destruction. But everyone was safe. Everyone is okay. New trees can be planted and damage can be fixed.

Do you know we lost a builder member earlier this year that had been an enthusiastic participant in our Parade of Homes? I don't know the details, but his beloved wife passed away earlier in the year and then he did as well this past summer ... both of them pretty young. None of us know how long we have in this life or how quickly we can lose those close to us.

Technology, although necessary and helpful to our businesses, has made it possible for us to do many things – all at once. We're plugged in, available and just too busy sometimes to even see what is truly going on around us.

It is my sincere hope that everyone can take time this holiday season to sincerely appreciate what they have instead of bemoaning what they don't or being too busy with success to enjoy that success with family and friends and experience what the holidays are really about. Happy Thanksgiving to all! ■



In This Issue ...

*A Successful Fall Parade of Homes
& Thank You to our Sponsors*

**Legislative News – Including
Beginning the Fight for Small
Businesses**

**BWC Update on the new OSHA
Silica Law**

**CareWorksComp – What you need
to know & 2-Hour Safety Training**



| | |
|-------------------------|----------|
| Kenneth Cleveland | 1,062.5* |
| Calvin Smith, Life Dir. | 594.5 |
| John Sumodi | 197.5 |
| Andy Leach | 122 |
| Bob Knight | 94 |
| Russ Sturgess | 29 |
| Doug Leohr | 26 |
| Mark Zollinger | 24 |
| Ed Belair | 7 |
| Greg Thomas | 4.5 |
| Mike Hudak | 3.5 |
| Todd Scott | 3.5 |
| Dave LeHotan | 3 |
| Ted Curran | 2.5 |
| Todd Folden | 1.5 |
| Rex Gasser | 1 |
| Jeremy Krahe | 1 |
| Sean Smith | 1 |

Above list has been updated via the most current NAHB Spike Club Roster Report

*Current Life Spike status



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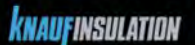
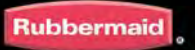
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NOTE: FAX LINE

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disconnected our fax line. Please
call or email the HBA.

From the Executive Director

Members and Friends:

By all accounts so far, our Fall Parade of Homes was very successful for the participating builders. We featured 11 homes built by 9 of our builder members in various locations throughout the county (and one in an adjacent county). Builders ... if you haven't been part of this event, you should consider participating in the Spring Parade if you are able to. More info to come.

I want to again thank our Associate members who continue to step up in a big way to sponsor this event. The additional funds their support generates allows us to increase our marketing ... thus a more successful event. Major event sponsors: **Carter Lumber** and **Westfield Bank**. Higher level sponsors: **84 Lumber** and **All Construction Services**. Parade partners: **Clement Construction Inc.**, **Columbia Gas, a Division of NiSource Corp.**, **Graves Lumber**, **Paramount Plumbing Inc.**, **Sundance LTD**, **Third Federal Savings & Loan**, and **Wolff Bros. Supply**. Thank you again for your support.

There is new legislation from OSHA regarding silica. We have reprint the article again (page 9) and also have an article from BWC (page 14) on this as well. Be aware and be prepared. OSHA is now enforcing this new legislation so all of you need to be aware.

I wish all of you a great Thanksgiving holiday!

Respectfully,

Dave LeHotan
Volunteer Executive Director



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LOTS AND ACREAGE

BATH TOWNSHIP – Revere Schools

45 Ira Rd: Build your dream home. Large 2.28 acre heavily wooded lot w/matured trees. Located near the Cuyahoga Valley National Park. Reverse LSD. **\$125,000.**

4875 Stonehedge: 3+ acres. Lake front property. Well & septic. **\$250,000. Mike Stoerkel 330-701-4426.**

BRUNSWICK

1499 S. Carpenter Rd.: 6+ acres. Proposed commercial. Prime acreage at 303 & I-71 intersection. **\$1,200,000. Mike Stoerkel 330-701-4426.**

CHAGRIN FALLS – Kenston LSD

S/L 30 Hawksmoor Way: 2.7 acres, 329x429, dead-end street. Wooded, waterview, private sewer & well. **\$103,900. Gary Stouffer 330-835-4900.**

COPLEY

V/L Raleigh Blvd: 90x431 (.98 acre lot). **\$59,000.**
N. Plainview Dr: 6.8 acres. Public water, septic. **\$79,000. Mike Stoerkel 330-701-4426.**

V/L S. Medina Line Rd: Highland Schools. 2.77 acres, well & septic. **Mike Stoerkel 330-701-4426.**

4520 Medina Rd: 2.21 acres across from AGMC Wellness Center - Office/Professional. **\$322,000.**

V/L Medina Road – COMMERCIAL – 95x288 - Corner of N. Hametown & Rt. 18. **\$150,000.**

CUYAHOGA FALLS

520 W. Steels Corners Rd: 10 acres zoned residential w/public water/septic. Beautiful setting, rolling topography, trees, creek & small house on property w/income-producing gas well. Woodridge School District. **\$250,000. Gary Stouffer 330-835-4900.**

1301 Sacket Ave: Commercial 154x172 (.61 acre lot). Public utilities. **\$99,000.**

FAIRLAWN – Copley/Fairlawn Schools

693 Hampshire Rd: Build single or multi-family home. 1500 sq.ft. min. for single family/1800 sq.ft. min. for multi-family. Located near shopping, restaurants & highways. Perfect investment or single family property. **\$85,000.**

V/L 93 & 94 Ghent Rd: 9.8 acres. Open, rolling, lake, public water, sewer. **\$499,000. Gary Stouffer 330-835-4900.**

GRANGER – Highland Schools

Western Reserve Homestead: Restrictions – 2200 sq.ft. min. Ranch / 2500 sq.ft. 2-story.

S/L 7 Windfall Rd. 2 acres, flat lot. Well/septic. South of Granger Rd. Minutes from 71/271. **\$69,900.**

S/L 9 Granger Rd. 2.85 acres, flat lot. Highland LSD. Well/septic. South of Granger Rd. Minutes from 71/271. **\$39,900. Gary Stouffer 330-835-4900.**

KENT

482 Marigold Lane & 486 Marigold Lane: 2 lots remain on road w/cul-de-sac. Public water/sewer, walking distance to Kent State. Bring your own builder. No HOA. **\$42,500 each. Ryan Shaffer 330-329-6904.**

LAKE MILTON

V/L Ellsworth Rd: 5 acres. Level, wooded, septic, well. **\$46,500. Ryan Shaffer 330-329-6904.**

MEDINA

V/L 222 Maidstone Lane - Fox Meadow Country Club: .5 acres. **\$59,900.**

V/L 226 Maidstone Lane - Fox Meadow Country Club: .5 acres. **\$59,900. Mike Stoerkel 330-701-4426.**

PALMYRA TWP

V/L Jones Rd: 5 acres. Level, wooded, septic, well. **\$39,500. Ryan Shaffer 330-329-6904.**

RICHFIELD – Revere Schools

Glencairn Forest: Lots ranging from **\$75,000 to \$255,000.** Breathtaking views. Scenic waterfalls, babbling brooks, lakes, stunning homes. Water/sewer, tennis courts, playground. Easy access to 77 & 271. **Laura Horning Duryea 330-606-7131 and Gary Stouffer 330-835-4900.**

SHARON TWP – Highland Schools

1508 Medina Rd.: 3.25 acres. Commercial land. Zoned C2. **\$262,500. Gary Stouffer 330-835-4900.**

Sharon Twp Beach Rd: Highland School District. Approx. 35 acres available, split up in many variations. Owner financing available. **Gary Stouffer 330-835-4900.**

Sharon Hts Development: 2+ acre private lots in Highland LSD featuring lake, wooded lots & rolling hills. Minutes from 71/76. Bring your own builder. Walkout potential. Well/septic. **Ryan Shaffer 330-329-6904.**

SHARON TWP – 2 NEW DEVELOPMENTS

Bonnie Glen - 33 beautiful lots available in Bonnie Glen Development. Lots range from 2 to over 4 acres in size. Each lot has something special from ravines, woods or open landscape. Prices starting at **\$140's/lot.** Spectacular development to build your dream home. **Gary Stouffer 330-835-4900.**

Hidden Lakes of Sharon - 18 beautiful lots available ranging in size from 2 acres to 3.8 acres in new Hidden Lakes of Sharon development adjacent to Crooked Stick Drive with woods, ponds, and cul-de-sacs. Highland Local Schools and conveniently located to major highways and Montrose shopping. Lots available starting from **\$129,000** and up. **Gary Stouffer 330-835-4900.**

SPRINGFIELD / SUFFIELD

V/L Portage Line Rd: Approx. 183 acres. 6,592' frontage on 3 roads. Summit & Portage County. Mineral rights transfer. **\$2,275,000. Gary Stouffer 330-835-4900.**

STOW

2818-2845 Graham Rd: 4.38 acres, public utilities, zoned R-3 multi-family w/many options. Property currently has 2 income-producing single family houses on property. **\$186,000. Gary Stouffer 330-835-4900.**

WADSWORTH

599 Brentwood Way S/L 17: Highland LSD. 2.84 acres on cul-de-sac, well, septic. **\$185,000. Gary Stouffer 330-835-4900.**





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TAX RELIEF PROPOSED FOR RESIDENTIAL DEVELOPMENT

Rep Derrek Merrin (Maumee) introduced HB 371 this week. The bill is intended to encourage residential lot development in Ohio, help ease the burden of lot shortages and grant a sense of equity for property owners from unfair property valuations. The bill

would limit the revaluation of residential lots to a point when construction of the home begins. This is fair in that until the home is built and occupied there is no increased burden on the political subdivision for services. Hopefully, the bill will encourage land development by granting a benefit where the lots may be absorbed at a slower rate. The bill is very technical in its language as it deals with how property is valued and taxed, but the intent is clear. Property taxes at the fully improved rate will not be assessed until construction begins.

Rep Merrin is to be commended for his interest in helping the industry. He worked closely with our members at the Toledo HBA in its drafting and introduction.

Be sure to thank the following cosponsors who have added their name to the bill in support.

Rep. Schaffer (Lancaster), Rep. Seitz (Cincinnati), Rep. Lang (West Chester Twp), Rep. Kick (Loudonville), Rep. Becker (Union Township), Rep. Vitale (Urbana), Rep. Riedel (Defiance),

Rep. Brinkman (Cincinnati), Rep. Romanchuk (Mansfield), Rep. Keller (Middletown), Rep. Hood (Ashville), Rep. Zeltwanger (Mason), Rep. Dean (Xenia), Rep. Goodman (Cardington)

Otherwise, call your state rep and urge them to sign on as a cosponsor as well. The bill will soon be referred to a committee and OHBA will urge prompt hearings. A copy of the bill and fiscal analysis is included.

Please take special note on page two of the analysis where the depressed state of the industry is laid out in plain terms. In 2003 53,410 residential units were permitted in Ohio. By 2013 that number plummeted to 13,343, a 75% decrease. These are numbers from the legislative research agency. If they would have looked back further, the level of starts in 1972 was just under 90,000 units authorized. Clearly, some relief is in order.

(Legislative News – Continued on page 10)

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OSHA Silica Law

As NAHB has reported recently, the U.S. Occupational Safety and Health Administration (OSHA) has begun enforcement of the silica rule in construction as of September 23rd.

NAHB's Silica in Construction Toolkit, found at nahb.org/silica, provides background on crystalline silica, as well as resources for helping home builders and remodelers comply with the rule.

OSHA has announced that it will consider good-faith efforts by employers to comply with the new silica rule for the first 30 days following the start of enforcement (until October 23rd).

As noted on NAHB's priority issues page on this topic, OSHA has determined that a rule is needed to substantially reduce the risk of serious disease from exposure to airborne concentrations of silica dust. Silica is a component of soil, sand and granite, and occurs in many commonly used building products such as mortar, concrete, bricks, blocks, rocks and stones. It can be disturbed by construction activities ranging from cutting concrete and brick to moving soil around the jobsite.

The crystalline silica rule issued in March of 2016 is the most far-reaching regulatory initiative ever finalized for construction with an industry-estimated cost of \$5 billion per year – roughly \$4 billion per year more than OSHA estimates. NAHB and the Construction Industry Safety Coalition have requested that OSHA withdraw the rule and talk frankly with the construction industry about a more feasible and economical approach to dealing with the silica hazards.

NAHB's legal challenge on the silica rule is still pending. The case was scheduled to be argued late September (no word yet).

State-run OSHA programs have six months to adopt the federal rule or develop one that is equally effective.

To learn more about the rule and its requirements, see NAHB's silica toolkit. Information is also available on OSHA's website at www.osha.gov/silica. ■

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Don't forget – the HBA has the professional business tools you need for home sales. We have the MCHBA Home Construction & Limited Warranty Agreement packages available at the office for only \$35 each. Be sure to use this tool for your own protection and peace of mind. It's packaged in a handy professional presentation folder for your homebuyers' use and convenience!

Member News

Renewed Associates

Alpha Insulation and Gutters, LLC – Wadsworth

MAS, Inc. – Richfield

Renewed Builders

DiYanni Custom Homes – Reynoldsburg

Mason Builders – Valley City

Dropped Members

Dan Marchetta Construction Co., Inc. – Akron

Know someone interested in joining the Medina County HBA? Doing business with companies that aren't members? They should be! Call Sharon Brock and she will mail a member packet (330.725.2371).

Members ...

Remember, whenever possible, always try to do business with and support our Parade Sponsors and support your Medina County HBA & local community!

2018 Dates To Remember

February, 2018

Annual Financial Forecast Meeting – Williams on the Lake, Medina – starts at noon (date & details TBA)

OHIO JUDICIAL CONFERENCE ISSUES BENCHCARD ON COGNOVITS

Last week, the Ohio Judicial Conference (OJC) posted a new benchcard dealing with cognovits judgments. The benchcard includes a checklist of six items which must be answered in the affirmative before a judge determines the cognovits note is valid and can be enforced against the debtor. The sixth item on the checklist reads, “default consists of nonpayment on note, rather than default of other provisions unrelated to the payment”. Representative Ron Young endorsed the action by the OJC, saying this is a win for businesses, and deals with a subject matter he has been working on for several years. Most recently, Young sponsored HB 67 which had received hearings in house committee earlier in the year. OHBA members, George Davis and Rick Puzziello, testified in support of HB 67, effectively explaining the impact on their businesses with cognovits being exercised by lenders for nonmonetary reasons. A copy of Representative Young’s press release is included - see pages 20 and 21. Please feel free to contact OHBA with any questions.

HOUSE WAYS AND MEANS HEARS HB 371 INCENTIVIZING RESIDENTIAL DEVELOPMENT

The House Ways and Means Committee held its first hearing for sponsor testimony on HB 371 Property Tax (Merrin, D.) to exempt from property taxation the increased value of land subdivided for residential development until construction commences or the land is sold.

Rep. Derek Merrin introduced HB 371 as a result of discussions with home builders in his district and OHBA trying to incentivize new residential

development throughout the State of Ohio. During sponsor testimony this week, the Representative showed statistics illustrating Ohio below the national average in single-family and multifamily residential construction for the last sixteen years. Further, he testified before the committee on the importance of the homebuilding industry and providing incentives to help manage some of risk and cost of creating such new construction. A copy of the sponsor testimony has been attached, and an analysis of HB 371 can be found at the following link.

<https://www.legislature.ohio.gov/download?key=7817&format=pdf>

According to both the sponsor and the committee chair, the committee will hear proponent testimony on HB 371. The sponsor will need OHBA assistance in convincing some members of the committee lot development and homebuilding are deserving of the proposed incentives. If you are interested in helping out by providing testimony, please contact OHBA. Alternatively, you are encouraged to contact any of your representatives on the House Ways and Means Committee regarding the importance of HB 371. The committee is shown below.

| | | |
|--|--|---|
|  Tim Schaffer (R) Chair |  Gary Scherer (R) Vice Chair |  John M. Rogers (D) Ranking Member |
|  John Becker (R) |  Louis W. Blessing III (R) |  Janine R. Boyd (D) |
|  Jack Cera (D) |  Teresa Fedor (D) |  Wesley A. Goodman (R) |
|  Doug Green (R) |  Stephen D. Hambley (R) |  Michael Henne (R) |
|  Larry Householder (R) |  Derek Merrin (R) |  Bill Patmon (D) |

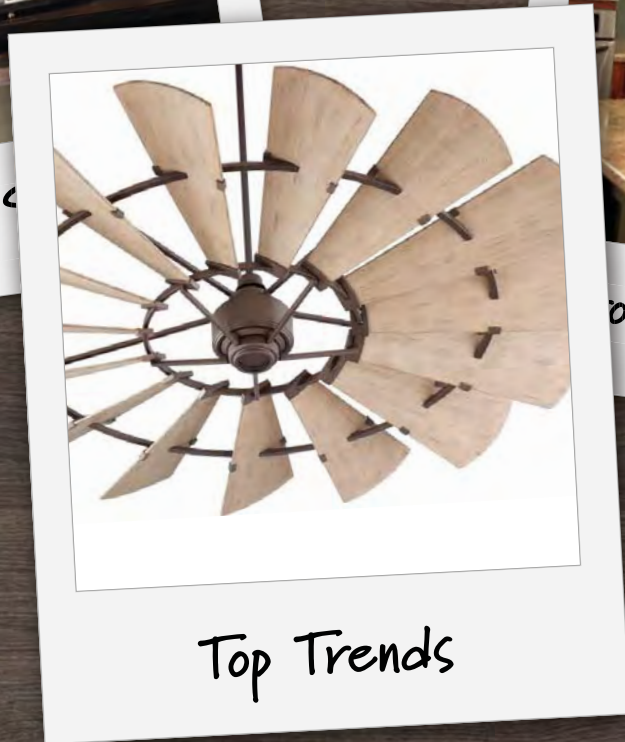
(Legislative News – Continued on page 12)

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(Legislative Review –
Continued from page 10)



Daniel Ramos (D)



Bill Reineke (R)



Wes Retherford (R)



Craig S. Riedel (R)



Scott Ryan (R)



Emilia Strong Sykes (D)

OHBA FALL BOARD MEETING

OHBA Fall Board of Trustees Meeting is scheduled for Tuesday, November 14th at the Hilton Easton in Columbus. At this meeting you will obtain updated information on issues affecting the industry, election of 2018 officers, top awards will be given and find out who the 2017 The Best of Ohio Homes winners are.

Meeting information has been sent out. If you need information, please contact build@ohiohba.com or 614-228-6648. ■

Thank you Ken Cleveland For Continuing to Make a Difference on Behalf of the MCHBA!

Ken Cleveland continues to make generous donations to the Medina County Home Builders Association.

Ken is a charter member of our association and one of the founding fathers which helped create the Medina County HBA back in 1973 - 42 years ago. Ken Cleveland is our top spike member and has shown unending support for our association and all it stands for. Without his support over the years, the organization may not have survived - for which we are grateful!

We congratulate Ken Cleveland for his continued support of our Association and sincerely thank him for his generous donations. This helps to continue the momentum of growth of our organization and helps us make a difference in our community. ■



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BWC Update

Safety news from the Ohio Bureau of Workers' Compensation

Breathe easy: BWC can help tackle respirable silica in the workplace

Did you know the Occupational Safety and Health Administration (OSHA) began enforcing the construction standard for respirable crystalline silica (RCS) in September?



Do you know what the standard includes and how to stay in compliance with it?

The standard establishes a new eight-hour time weighted average permissible exposure limit of 50 $\mu\text{g}/\text{m}^3$ for all covered industries. It also requires other employee protections, such as:

- Performing exposure assessments;
- Using exposure control methods and respiratory protection;
- Offering medical surveillance;
- Developing hazard communication information;
- Keeping silica-related records.

The Ohio Bureau of Workers' Compensation Division of Safety & Hygiene has a variety of resources to help Ohio employers understand and meet the requirements of the new standard.

These resources are available at no charge as part of the loss-prevention services provided through Ohio workers' compensation premiums. Services include:

- On-site industrial hygiene consulting to determine airborne RCS levels and, if needed, assistance in developing a written exposure control plan. Request on-site consultation

- Safety Intervention Grants to help purchase engineered dust-control solutions. [Learn more](#)
- Training focused on awareness-level RCS hazards and respiratory protection. [Learn more](#)

Additional resources such as videos and the latest publications from the Division of Safety & Hygiene Library. [Learn more](#)

BWC's industrial hygienists have years of experience in the field and conduct RCS sampling and analysis using the methods specified in the OSHA standard. Training courses focus on topics related to the standard (e.g., respiratory protection and respirator fit testing).

Our latest safety video provides an overview of respirable silica in the workplace, including where silica is found, requirements of the new OSHA standard and elements of a silica exposure control program.

Visit our website to request consulting services.





“Around here, however, we don’t look backwards for very long. We keep moving forward, opening up new doors and doing new things, because we’re curious...and curiosity keeps leading us down new paths.”

~Walter Elias Disney

In keeping with the back-to-school season and doing new things, CareWorksComp has a few educational opportunities to share with you that we hope you will consider: a Risk Reduction Workshop, and Two Hour Group Safety Training classes. Information for these is included here, as well as some updates from our Safety and Unemployment Departments and more thoughts on our strategic implementation of cost containment measures.

One important deadline coming up:

• **November 13, 2017: Group Rating enrollment deadline. Please return your enrollment documents to be filed in the 2018 program.** If you are already in group rating and qualify for the 2018 rate year, you will be automatically renewed into next year’s program.

Two Hour Safety Training Sessions:

We are also pleased to offer Two-Hour Safety Training which meets BWC’s requirement for group rated and group retrospective rated employers. You have two sessions to choose from, 9:00-11:00am or 1:00-3:00pm. We have a session open in Dublin on December 5, 2017. Detailed information is included on page 19.

OSHA Electronic Filing Updates:

As a reminder, the electronic reporting of OSHA300A Log has been moved to December 1, 2017 (the online reporting form went live on August 1, 2017.) If you are not sure what your establishment’s responsibilities are in reference to the electronic reporting standard, please feel free to contact Jim Wirth, at 614.827.0370 or jim.wirth@careworkscomp.com.

More than 5,000 Ohio businesses are missing out on rebates from the Ohio Bureau of Workers’ Compensation:

The Ohio BWC issued more 160,000 checks in July as part of a \$1.1 billion rebate to Ohio businesses. According to the BWC, there were 5,534 checks totaling \$9.8 million that Ohio businesses have yet to cash. Time is running out to cash them. One check is for nearly \$203,000 and 152 are for at least \$10,000.

Uncashed checks will expire 95 days after they were issued. The BWC recently emailed notices to the affected businesses. The bureau can reissue checks that aren’t cashed, but there will be a delay.

For additional information, contact the Ohio BWC at:

www.bwc.ohio.gov or
1.800.644.6292.

2018 Group Programs:

CareWorksComp has sent group rating and group retro offers and renewals to our current clients; your business may be eligible for both programs (we refer to this as “dual eligibility”). We are happy to discuss these options with you, as each year there may be a different mix of cost-saving strategies that work best for your company. Contact Bob Nicoll, Program Manager with any questions: robert.nicoll@careworkscomp.com or 800-837-3200 Ext 58595.

Unemployment Tax Season:

Unemployment tax season is fast approaching, and we offer you the opportunity to reduce this business expense through the CareWorksComp Claims and Tax Management Service. Last year, just one component from this program reduced our customer’s annual unemployment costs by **as a much as 10%!**

- Ohio Department of Job and Family Services (ODJFS) allows commonly owned businesses (common ownership for two or more business entities) to apply for a common/joint tax rate for 2018 to reduce their unemployment tax liability. This strategy can significantly reduce an organization’s unemployment costs.
- CareWorksComp can complete a common/joint rating analysis

(CareWorksComp – Continued on page 17)

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The Winds Always Swirl

It is more the norm that the unexpected becomes the expected. I guess there is no more normal. With government interactions and legislative politics one may as well ask a weatherman just what to expect next. In any event, it keeps things interesting.

Over this current session, which began in January, a spate of construction licensing/registration bills have been considered. From remodelers to roofers, elevator installers, home inspectors, residential plumbers, electricians, HVAC contractors as well as gutter and downspout installers have been drawn into the discussion. In fact, a conservative think tank editorialized as to just what the heck is going on here with a conservative legislature. In my view, many of the affected industries are finding protection with a shield of licensing. Not that all licensing is bad, however, with some curious intentions in mind, some serious scrutiny is warranted. OHBA is doing just that.

Some rare good news regarding zoning referenda. A federal district court recently ruled in a central Ohio case where the substance of a referendum effort, which passed, wrongfully repealed, retroactively, a development project properly approved by the city council. In the approved referendum, petitioners enacted new zoning regs, effectively repealing the previously approved project. The court found this result to be unconstitutional and voided it. Apparently the courts will hold results of a referendum unconstitutional when acting improperly. The developer settled with the

city for \$1.8 million.

Can't pass up the opportunity to mention the local chatter on the gubernatorial contest. With eight or so declared candidates talk is some may drop to other offices or pair up as running mates. In terms of campaigns, starting to hear the 20 million dollar mark as possible expenditures. And that is not the total to be spent but, just for one candidate. Have to remember also all 99 House seats and 17 in the Senate up for, grabs too. Fundraising continues at a furious pace. All the candidates have one thing in common. That is they want to improve your world. We are still more than a year away from the election. Stay tuned. ■

*(CareWorksComp –
Continued from page 15)*

to determine your amount of savings. In addition, customers taking advantage of the common/joint rating analysis will also benefit from a special reduced service fee.

- To enroll, please contact Kammy Staton, our Unemployment Manager, at 614.526.7165 or kammy.staton@careworkscomp.com

Since applications for common rating must be filed with ODJFS **no later than 12/31/17**, we have a very short time frame to finalize this agreement and complete the savings analysis. If you have any questions please contact Kammy Staton, our Unemployment Manager, at 614.526.7165 or kammy.staton@careworkscomp.com. More on our Cost Containment Strategies: Here is a detailed look at how and why we do what we do with handicap reimbursements and settlements.

With regard to **Handicap Reimbursements**, CareWorksComp

*(CareWorksComp –
Continued on page 18)*



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*(CareWorksComp –
Continued from page 17)*

guarantees our customers that we will review all lost time claims that are eligible for the BWC's Handicap Reimbursement Program. Each claim in which an eligible handicap condition is identified will be filed within the BWC's prescribed filing time limitations.

With regard to **Lump Sum Settlements**, we will only make settlement recommendations that produce a favorable outcome for the employer. When reviewing a claim for settlement potential, we will:

- Review current claims costs as the starting point for all settlement negotiations.
- Estimate and utilize future medical and compensation in the settlement proposal.
- Consider your program enrollment and the impact that a settlement will have on your participation (e.g. Group Retro refund impact.)
- Include the injured worker's current employment status as part of the settlement discussion.

Settlement can bring closure to a frustrating and difficult claim that is a drain on your company's resources and time. Even if a claim is no longer in your experience and impacting your current premiums, settlement can still provide a benefit to you by eliminating the nuisance of ongoing claim activity. The good news is that you have an equal voice when it comes to the terms of the settlement and no settlement can be processed without your consent.

Our dedicated Cost Containment Team is here to assist you at every step of the cost savings process! We are available to discuss your account and offer specialized recommendations based on your company's individual needs. ■



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Enroll in CareWorksComp's Two-Hour Safety Training

CareWorksComp is pleased to offer Two-Hour Safety Training to meet BWC's two-hour safety requirement for group rated and group retrospective rated employers. Companies have two sessions, 9:00 am - 11:00 am or 1:00 pm - 3:00 pm, to choose from on the dates and locations below. **You are receiving this notice because the BWC has indicated you must complete two hours of safety training by June 30, 2018.**

Enrollment

- There is a \$40 fee per person to attend and the enrollment deadline is the Friday before the training. Cancellations or no-shows will not be eligible for a refund.
- Certificates of Attendance will be available after the training.
- Acknowledgement will be sent once your registration is processed.

Locations

October 18, 2017
Robertson Heating Company
2155 W. Main Street
Alliance, OH 44601

December 5, 2017
BMI Federal Credit Union
6165 Emerald Parkway
Dublin, Ohio 43016

Additional training will be available the first half of 2018 (TBD).

Registration for Private Employers

To register, please mail, fax or email the following information to Dana Carmichael. Phone: (614) 956-2304
 Fax: (614) 495-5208 Email: dana.carmichael@careworkscomp.com
 Mail: Attn: Dana Carmichael, 5500 Glendon Court, Dublin, OH 43016
*Checks should be made payable to CareWorksComp. Limited seating available.
 Registration begins 30 minutes before each session.*

Attendee(s): _____

Company Name: _____ Email: _____

Address: _____ City, State Zip: _____

BWC Policy Number: _____ Phone Number: _____

Date of seminar attending: _____

Time: _____ 9:00 am _____ 1:00 pm

Fax: _____

You may pay your CareWorksComp Two-Hour Training fee by check or by completing the credit card portion of this form. We accept most major credit cards.

For additional training options, visit our website at www.careworkscomp.com and click on Training!

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OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

For Immediate Release:

October 11, 2017

Rep. Young Endorses New OJC Benchcard Legislation Marked the Beginning of Fight for Small Businesses

COLUMBUS — State Representative Ron Young (R-Leroy Township) announced today that the Ohio Judicial Conference has posted a new [benchcard](#). The subject matter is one that Rep. Young has been working on for several years, *cognovit notes*.

Right now, many financial institutions in Ohio offering private commercial loans add a clause onto their promissory notes that allow them to immediately call for and collect a debt without informing the debtor or giving the debtor any opportunity to defend themselves in court. Due to the unfair nature of these cognovit notes, confessions of judgment are outlawed in Ohio consumer loans, such as for cars or homes. The same problems that led to banning them in consumer loans exist in commercial contracts. In fact, a number of other states have actually banned or limited the application of cognovit notes such as Indiana, where it is a crime for lenders to use cognovit notes in consumer as well as commercial loans.

When a borrower signs a cognovit note, they are essentially signing away all of their rights. The real effect is that nearly every commercial contractor, doctor, dentist, veterinarian and small mom and pop business in Ohio, potentially signs away their business, their homes, their checking accounts, and their personal property, without notice and without the right to defend themselves even in cases where the lender was at fault.

Representative Young first championed cognovit legislation in June of 2015 after many local business owners from his district laid out their concerns with the predatory practices that some of the local financial institutions had taken during the downturn of the economy in 2008-2010.

The benchcard, which is a guide for courts and was authored by the Ohio Judicial Conference, states "IF YOU DO NOT PAY ON TIME A COURT JUDGMENT MAY BE TAKEN AGAINST YOU WITHOUT YOUR PRIOR KNOWLEDGE AND THE POWERS OF A COURT CAN BE USED TO COLLECT FROM YOU REGARDLESS OF ANY CLAIMS YOU MAY HAVE AGAINST THE CREDITOR WHETHER FOR RETURNED GOODS, FAULTY GOODS, FAILURE ON HIS PART TO COMPLY WITH THE AGREEMENT, OR ANY OTHER CAUSE." Many financial institutions throughout the state were simply ignoring the phrase "If you do not pay on time" and were declaring judgement for reasons beyond a clear reading of the law. The benchcard will help prevent that and will increase uniformity of decision-making across Ohio.

The benchcard declares that six questions must be able to be answered in the affirmative in order to validate a cognovit judgement against a debtor. The major change is that courtrooms across the state will now be advised to only approve a judgement against the debtor where nonpayment has been verified. The questions are as follows:

- Original Note produced and Complaint has copy of note attached as exhibit?
- Complaint includes statement regarding last known address of the defendant either in averment or within caption?
- At least one maker resides in jurisdiction or Note executed in jurisdiction where Complaint is filed?
- Note includes “warrant of attorney” with statutory language above or below signature?
“Warning — By signing this paper you give up your right to notice and court trial. If you do not pay on time a court judgment may be taken against you without your prior knowledge and the powers of a court can be used to collect from you regardless of any claims you may have against the creditor whether for returned goods, faulty goods, failure on his part to comply with the agreement, or any other cause.”
- The Note does not arise from a consumer transaction?
- Default consists of nonpayment on note, rather than default of other provision unrelated to payment?

“As a result of this action from the OJC, my initial offering in the form of a bill, that would support a literal reading of state law, is now unnecessary.” according to Rep. Young. He continued by saying, “I am grateful to the Ohio Judicial Conference and the Ohio Supreme Court for their work on this issue.” It is good to know that small business owners across the state will uniformly be protected and there is a state-wide standard of judicial interpretation of cognovit judgements.”

-30-

For more information, please contact Bob Reed at (614) 644-6074 or Bob.Reed@OhioHouse.gov.