

## ● WORKERS' COMPENSATION LAW

*STATUTORY CITATION:* Ohio Rev. Code §§ 4123.01 – 4123.932

*GENERAL SUMMARY:* With very few exceptions, the workers' compensation law guarantees that every employee in Ohio who is injured or who contracts an occupational disease in the course of employment, and the dependents of any employee who dies as a result of a work-related accident or occupational disease, are entitled to cash compensation, medical treatment, medicines, and related benefits. The financial responsibility for providing such benefits is on the employer, who may either pay annual premiums to the state workers' compensation fund, or present evidence of ability to pay required compensation directly. Self-insured employers must obtain a surety bond to cover any default in the payment of required benefits.

An otherwise eligible worker who suffers a compensable injury or contracts an occupational disease while working for an employer who has failed to comply with the obligation to secure compensation may file a claim and receive benefits from the state fund; every such claim becomes a lien against the employer's property, payable to the state. Furthermore, non-complying employers are liable to their employees for damages suffered in a work-connected injury, and to the employees' dependents where death results from the injury; in any suit to recover damages the employer is barred from claiming as a defense that the injury was due to the negligence of the worker or that of a co-worker, or that the worker had assumed the risks inherent to the employment. Failure to comply is also punishable as a criminal offense.

*PROVISIONS APPLICABLE TO AGRICULTURE:* To the same extent as employers in virtually all other industries, farm operators and other agricultural establishments with one or more workers in their service are required to provide coverage under the workers' compensation law.

### *ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Ohio Bureau of Workers' Compensation, Columbus, Ohio 43215 (614-644-6292; toll-free 800-644-6292).* The Bureau is responsible for (1) determining the liability of employers for workers' compensation coverage and enforcing the payment of premiums or equivalent compliance by subject employers, and (2) processing workers' compensation claims filed by workers and surviving dependents and paying benefits for valid claims. A worker who is injured on the job or disabled by an occupational disease, or the dependents of a worker whose death is related to such an injury or disease, may file a claim in person, by phone, or online at <https://www.bwc.ohio.gov/bwcccommon/forms/froi/default.asp>.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None.*