

4167-1-01

Definitions.

As used in this chapter:

- (A) "Employment risk reduction standard," "Ohio employment risk reduction standard," "public employee," "public employee representative," "public employer." and "undue hardship" have the same meaning as defined in section 4167.01 of the Revised Code.
- (B) "Act" means the public employment risk reduction act codified in Chapter 4167. of the Revised Code.
- (C) "Administrator" means administrator of ~~the bureau of workers' compensation~~ or their designee, as permitted by law.
- (D) "Amputation" means the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, ~~that has been~~ which was severed, cut off, or amputated, (either whether completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts ~~that have since been~~ which were reattached. Amputations do not include avulsions, enucleations, degloving, scalping, severed ears, or broken or chipped teeth.
- (E) "Business day" means any calendar day that is not a Saturday, Sunday, or a legal holiday as defined in section 1.14 of the Revised Code. "Catastrophic injury" means:
- ~~(1) An amputation or near amputation;~~
 - ~~(2) Loss of, or serious injury to, an eye.~~
- (F) "Compliance safety and health officer" or "compliance officer" means a representative of the division of safety and hygiene designated by the superintendent to conduct inspections under this chapter.
- (G) "Compliance assistance" means activities and services that include, but are not limited to the following:
- (1) Assistance on occupational safety and health issues by such means as telephone and correspondence;
 - (2) Assistance on an employer's occupational safety and health program and policies;
 - (3) An on-site employment risk reduction inspection that includes a written report to the employer on the findings and recommendations resulting from the visit; or

- (4) Training and education needed to address hazards or potential hazards.
- (H) "Days away, restricted, and/or transfer (DART) case incidence rate" means the number of recordable injuries and illness cases per one hundred full-time employees resulting in days away from work, restricted work activity, ~~and/or~~ job transfer that an applicant/participant has experienced in a given time frame.
- (I) "Division" means the division of safety and hygiene.
- (J) "Employment risk reduction inspection" means voluntary compliance assistance on an employer's occupational safety and health program and on specific workplace hazards through an on-site visit to an employer's worksite.
- (K) "Establishment" means a single physical location where business is conducted or where services or industrial operations are performed.
- (L) "Expected aggregate incidence rate" means the estimated average incidence rate that is within the limits of a ninety-five per cent confidence interval range as published by the public employment risk reduction program.
- (M) "Hospitalization" means the ~~hospitalization—admission to the inpatient service of a hospital or clinic for care or treatment~~ of a public employee as the result of a work-related incident. ~~Such hospitalization must be~~ Hospitalization does not include:
- (1) ~~An admission to a hospital or equivalent facility. (An employee that is treated then released is not considered hospitalized for purposes of this rule)~~ Treatment in an emergency room or urgent care facility that does not result in admission to the inpatient service of a hospital or clinic ; or;
 - (2) ~~Occuring within thirty days of an incident~~ Admission to the inpatient service of a hospital or clinic that occurs more than twenty-four hours after the work-related incident.
- (N) "Imminent danger" means a condition or practice in any place of employment, where such a danger exists, which reasonably can be expected to cause death or serious physical harm, immediately or before the danger's imminence can be eliminated through the inspection procedures provided by section 4167.10 of the Revised Code.
- (O) "Loss of an eye" means physical loss of an eye, including enucleation and evisceration.
- (O) ~~"Public employee" or "employee" has the same meaning as public employee in section 4167.01 of the Revised Code.~~

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~~(Q)~~(P) "Minor violation" means a de ~~minus~~ minimis violation where an employer has implemented a measure different from one specified in an adopted standard, ~~that~~ which has no direct or immediate relationship to safety or health.

(Q) "Public employment risk reduction program enforcement investigation" means an inspection or investigation based upon the report of a public employee of a work-related fatality, refusal to work or imminent danger notification, or complaint of unsafe working conditions. Such visits may also include a public sector high-hazard emphasis inspection or investigations following the report of any incident resulting in an amputation, loss of an eye, or inpatient hospitalization of a public employee. "Public employment risk reduction program enforcement investigation" does not mean a voluntary compliance assistance inspection.

(R) "Safety partnership agreement" means a compliance assistance service that promotes voluntary compliance with this chapter as referenced in rule 4167-15-01 of the Administrative Code.

(S) "Scheduled inspection" means a high-hazard emphasis public employment risk reduction program ~~(PERRP)~~ worksite inspection ~~which is based upon objective or neutral criteria~~ of a randomly selected public employer based on high-hazard activities. These inspections do not include refusal to work, fatality, hospitalization, complaint, amputation, and loss of an eye investigations.

(T) "~~Superintendent~~" means ~~superintendent of the division, or the superintendent's designee~~ "Signature" means a handwritten signature or an electronic signature as defined in division (H) of section 1306.01 of the Revised Code.

(U) "Superintendent" means superintendent of the division, or the superintendent's designee.

~~(U)~~(V) "Total recordable case (TRC) incidence rate" means the total number of recordable injuries and illness cases per one hundred full-time employees that an applicant/participant has experienced in a given time frame.

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Certification

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