



News & Views *from* OWWA

January 2009

WE LOOK FORWARD TO WORKING WITH YOU

As your new Association staff, we want to thank the OWWA Board of Directors for giving us this opportunity.

We are coming in with enthusiasm and ideas, but we also know that we need to better understand the industry.

Our plans are to stop by and meet with several of you at your place of business. In this way, we can get a grasp of your business and the daily issues that you face.

We hope that you will take the opportunity to stop in and see us if you are in the area. Also, if you are in need of a meeting room, we have them available to members. At the Dayton Office we have an Education Room that will seat up to 25 classroom style; a Board Room that will seat 12; and a Reference Library that will seat 5. Audio Visual equipment and copy services are also available. All rooms include WiFi Access and Boston Stoker Coffee.

The Association staff members are listed along with their primary responsibilities. However, we have good communication between staff so that everyone has a general understanding of Association functions and service. So, if you are unable to get in touch with the primary person you want to speak to, never hesitate to ask your question of any of us and we will do our best to help.

We hope that you will always be ready to give us feedback. We want to know if we are not doing something that we should be; or something as well as we should. The only way we can really improve is to hear from you.

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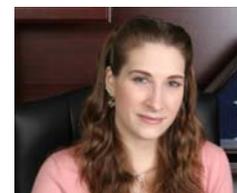
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OHIO COURTS DECISION ENDS GROUP RATING OHIO LEGISLATURE TAKES ACTION TO ALLOW GROUP RATING TO CONTINUE

This past November a Cuyahoga County Court issued a preliminary injunction ending the Ohio Bureau of Workers' Compensation Group Rating Program beginning with the next rating year on July 1, 2009. The Ohio Legislature changed the language regarding group rating within the Ohio Revised Code and eliminated the obstacle to group rating that was raised in the court decision through the passage of HB 79. HB 79 was signed by the Governor on January 6, 2009. The result is that Ohio's Group Rating Program will maintain its traditional structure for 2009.

The Court decision was a result of several small businesses who sought this ruling alleging that the existing program of group rating violated Ohio law. The businesses that brought this suit argued that group rates should be set at the end of the policy year, that is retrospectively, based on the actual claim costs among group members for that year. That way, high claim costs incurred by some members could be spread across the entire group.

The Bureau has set group rates for the next policy year prospectively, based on group members' experience ratings at the moment the Bureau takes its "snapshot" of employers' claim experiences, each year on December 31st. To ensure the lowest possible rates, groups routinely have expelled members with higher than desired claim costs prior to the annual snapshot. That way, when the Bureau set rates, all group members would have relatively low claim costs, resulting in the lowest possible premiums for the remaining group members.

This approach left many employers, like those who brought suit in Cuyahoga County, without a group and paying dramatically higher premiums.

The Court found the statute at issue, and concluded that the statute require that the Bureau only recognize groups for the purposes of retrospective rating, resulting in the preliminary injunction.

The judge's decision did not refer to the perceived inequities in the rating system. The decision rested upon the statutory language which creates "The Group".

The Ohio Legislature undertook the task of amending the statute to remove the language on which the Court relied and on January 6, 2009, Governor Strickland signed into law HB 79 which removed the word "retrospective" from the statute, which resulted in the Group Rating Program being allowed to continue for the rating year beginning July 1, 2009.

The Bureau of Workers' Compensation continues to modify the Group Rating Program in order to address the inequities described by the plaintiffs in the lawsuit.

Dan Schlosser Receives Service Award

On behalf of the Schlosser Management Company, Dan Schlosser (pictured below, right), receives a plaque for their years of service and dedication to the OWWA from 1990 to 2008.



Safety Over All Factors

The drilling industry has just experienced a tragedy as our good friend Dan Grieves became entangled in the augers of a CME 55 drill rig. Dan was a professional, safety-conscious driller, who simply had a bad day at work. The bottom line is no matter how good of a driller you are, accidents can happen. Take a moment -- employers and employees--no matter what your profession, to take a step back and assess your daily activities. Isolate any potential hazards in your workplace, & brainstorm ways to safeguard against them. Communication within your industry is a key factor to the improvement of health & safety as everyone has different practices & protocols. Even talking about an incident or near miss may lead to a method of prevention which others can apply. We at Determination Drilling are free for discussion at any time. Please don't hesitate to contact us.

After this incident, we were faced with the task of guarding our drill string to the specifications of the CSA Standards Act Z432 – Safeguarding of Machinery. This device had to be effective, functional with all applications of the drill, fixed to the rig, user friendly, and durable. Not an easy undertaking by any means, but through brainstorming, trial and error, constructive criticism, teamwork, & determination, we have designed what we call the Grieves Guard. With this in place not only is the hazard of a rotating drill string completely eliminated, but the drilling technicians are also protected from any potential projectiles. This ensures that no matter how bad a day you have at work, you at least get to go home. This guard does not introduce any pinch points, and is functional with all drilling techniques. It is compatible with any type of soils drill which uses an automatic hammer regardless of carrier vehicle whether it be a truck, track, buggy, or trailer.

I look at this guard as the most important piece of equipment on my drilling rigs, & look back at the way we were operating as primitive. Such an “old school” mentality that it is acceptable to stand at the control panel, no less than 2 feet away from a rotating drill string, and the safety procedure to safeguard the worker is “don't go near it”. The Grieves Guard will be made available through Determination Drilling & proceeds will go towards the Dan Grieves Safety Award/Bursary for the Drilling & Blasting Program at Sir Sandford Fleming College. Please visit our website www.determinationdrilling.com for more details.

Drilling safety is very important in maintaining the integrity of our industry. A list of safety devices & paperwork requirements for all drilling equipment in Ontario has been compiled with input from all different facets of the industry. These items can be adapted to all drilling methods/rigs, and other than the certain paperwork requirements, should be standardized

around the world. The only way to make this standard is if everyone takes part and ensures your drills are outfitted with these items for the protection of your drilling technicians & your equipment. I encourage everyone to take a proactive approach to safety, and look forward to how the drilling industry responds to this challenge.

SAFETY STANDARDS ON ALL DRILLING EQUIPMENT

- 2 strategically located push button style kill switches
- 2 strategically located multi-directional wobble switches
- Physical auger guard in accordance with CSA standard Z-432 Safeguarding of Machinery
- Back up Alarm
- Cathead guard/detection system
- Engine guards where possible
- Lockout box off negative terminal of battery
- Guarding of any/all rotating equipment
- Whip checks on pressurized hoses
- Kevlar hose wrap around all exposed hydraulic hoses
- Clutch lock or hold to rotate device
- Long handled shovels
- Steps up to deck surface to eliminate jumping on & off
- Grounding device where required
- Safety hooks for winch lines
- Seatbelt in all vehicles on-road or off-road
- Manual device for cuttings removal (wheel barrow/drum dolly)
- Amber light
- Pylons or equivalent to section off work environment
- Reflective stickers on equipment
- Spare PPE
- All controls properly labelled
- Strategically located fire extinguisher/first aid kit/eyewash station
- Spill Kit
- Respirators
- Cell phone w/ emergency contact info.
- OHS Green Book
- Form 1000 –Registration of Constructors and Employers Engaged in Construction
- Operators Manual
- Drivers License/Drivers Log
- M.O.E. Water Well Technician/Assistant Technician Licenses

