

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 447

Short Title: Workers' Comp. Tech. Assist.-Funds/AB.

(Public)

Sponsors: Representatives Carpenter; Sexton and Miller.

Referred to: Commerce, if favorable, Insurance.

March 10, 1997

A BILL TO BE ENTITLED

AN ACT TO PROVIDE TECHNICAL ASSISTANCE TO EMPLOYERS WITH HIGH WORKERS' COMPENSATION RATE MODIFIERS.

Whereas, employers who purchase commercial workers' compensation insurance are assigned a workers' compensation premium experience rate modifier by the Rate Bureau; and

Whereas, employers who experience a high rate of occupational injuries and illnesses are given an experience rate modifier in excess of 1.0; and

Whereas, Article 22 of Chapter 95 of the General Statutes requires employers with experience rate modifiers of 1.5 or greater to establish safety and health programs; and

Whereas, G.S. 95-136.1(b)(4) requires the Department of Labor to implement a special emphasis inspection program to target employers with high experience rate modifiers; and

Whereas, 1800 employers had experience rate modifiers of 1.5 or greater in 1996; and

Whereas, the average number of employees for these employers with high rates is 37; and

1 Whereas, a large number of these high rate employers are in nonmanufacturing
2 trades such as retail trade, finance, insurance, food service, hotels, and temporary help
3 agencies; and

4 Whereas, responding to these high rates with inspections is placing these small
5 employers in jeopardy of fines and penalties for problems they may not recognize or have
6 little experience to fix; and

7 Whereas, providing technical assistance to these small employers with high
8 rates may more efficiently effect changes to reduce injuries and illnesses in their
9 workplaces than an inspection; and

10 Whereas, it is the intention of the General Assembly to provide technical
11 assistance to small employers with high rate modifiers to reduce injuries and illnesses;
12 Now, therefore,

13 The General Assembly of North Carolina enacts:

14 Section 1. Article 22 of Chapter 95 of the General Statutes is amended by
15 adding a new section to read:

16 **"§ 95-255.1. Technical assistance.**

17 Employers notified pursuant to G.S. 95-255(a) shall be offered technical assistance
18 from the Division of Occupational Safety and Health to reduce injuries and illnesses in
19 their workplaces."

20 Section 2. There is appropriated from the General Fund to the Department of
21 Labor the sum of one million three hundred thousand dollars (\$1,300,000) for the 1997-
22 98 fiscal year to provide technical assistance as required by Section 1 of this act.

23 Section 3. This act becomes effective July 1, 1997.