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Submitted values are:

Name: [redacted]
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Input:
I would like you to consider two issues from the employer perspective.

1. Shared responsibility of accident costs by a third party contractor hired to work at an employer's location.

2. The detrimental effects of the bell curve approach to costs associated with an accident to a company's ability to work towards increasing employment.

I read somewhere this should be in generalities, and not specifics about any particular incident. I have kept my example as general as possible.

My small business had a sewer pipe break in the basement. The insurance company hired a restoration company to remediate the situation. In order to accomplish the clean up, they had to run suction lines, water hoses and electrical cords from the basement access point to the a location outside of the building where their equipment was. My employee was carrying some equipment and tripped on one of their hoses, fell on the corner of a pallet, and severely damaged her shoulder. Although she tried, she was never able to return to work.

I was repeatedly told over the years, that because it was my employee, and in my building, that I was solely responsible for the costs. I have always thought this was an unjust conclusion. As well, because this employee did not return to work, the costs were significant. I have always contended that this at a minimum, costs should have been shared with the remediation company whose equipment was the cause of the accident. They were hired by the insurance company, (I had no involvement in the hiring process of this company.) If their equipment had not been there, or been more safely located, the accident would not have ever occurred.

An accident given these circumstances seems to allow a third party company to be able to not work to some level of a safe standard regarding the people where they may be contracted to work. So long as their employee's do not get hurt, there is no retribution to causing an accident or creating a safe situation.

My second point is regarding the bell curve approach of collecting premiums and the detrimental effect on hiring more employees by a business. In my case, before the accident my premiums were about $2.50/100. After the fourth year of increases, my premiums peaked at $8.13/100. This year, 2017, my premiums have finally declined to less than the premiums at the 2008 levels of $2.50/100. My point is that I understand the need for the increase to pay for the accident. I think the increases should be based on the gross wages at the time of the accident. What occurs is that if a business is fortunate enough to create growth opportunities by hiring more employees, they are penalized by having to pay substantial increasing premiums on all their new hires. It is a huge disadvantage to a small business.

As an example with the previously mentioned costs, If your gross wages beforehand were $100,000.00 your WCB contribution would be $2500.00. Even as a bare bones example: If by the fourth year given a 2% wage increase and your gross wages would be about 110,000.00 and you hired 2 more people during that time at minimum wage (2x22,000) your total is about $154,000. Multiply that by the $8.13/$100 premium your costs are $12520.00. This can cripple a small business and potentially bankrupt it. I can understand the need for the increased premiums to cover the costs, but I think the increased costs should not be applied to any new hires above your levels at the time of the accident nor to wage increases for employees either through contract or even minimum wage rate increases. New hires should be at the base level of the business class you are pegged into as well as any wage increases.

In my example from above I would calculate it out at ($100,000.00 x $8.13/100 = $8130.00) + ($54,000.00 x $2.50/100 = $1350.00) = $9480.00. It is a difference of about $3000.00.

In conclusion, I just think there needs to be a more just way of treating businesses that are growing. We are an economy that needs to keep expanding its workforce and these policies certainly do not foster that. My example for the non business owner is: Your home is damaged in a hail storm, the insurance company hires a roofing company to reroof your home. If in the process of repairing the roof, the roofers because of not keeping the worksite "safe", has someone enter the work area, becomes injured and can not work again because of this injury for whatever the reason. The roofers finish the job they were hired to do and move on. The insurance company needs someone to pay for the injured person's injuries and using a bell curve approach to your premiums increase your premiums by over 300% at its peak. You have no choice but to pay because that is the law.

That generalization is about what happened to my business. I just don't think it should happen to anyone else.

Thank you for the opportunity to add my thoughts to your challenge and for your consideration of my suggestions.

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