



**AMENDED HOUSE BILL 447 – WORK-FROM-HOME WORKERS’ COMPENSATION CLAIMS**

**WRITTEN PROPONENT TESTIMONY**

**OHIO SENATE INSURANCE COMMITTEE**

**MARCH 30, 2022**

Chairman Hackett, Vice-Chair Romanchuk, Ranking Member Craig, and members of the Ohio Senate Insurance Committee, I am writing on behalf of the nearly 22,000 governing members of the National Federation of Independent Business in Ohio (NFIB) to lend our support for Amended House Bill 447 (HB 447).

HB 447 is a proactive measure ensuring Ohio’s workers’ compensation system continues to provide adequate and fair treatment for injured employees while also granting certainty to Ohio businesses with work-from-home employees. The COVID-19 pandemic has altered the face of work for most companies. As a result, many employees across all varieties of industries now perform their work remotely on either a permanent or hybrid basis. It is extremely likely the percentage of workers who perform their job remotely will only continue to increase in the future.

HB 447 seeks to address this trend by establishing a simple three-prong test to more accurately determine the rationality of work-from-home injury claims. When an employee is no longer spending their workday in the controlled confines of their place of employment but rather at home, the employer loses control over the vast majority of risks involved. Thus, the potential of frivolous, non-work-related claims is dramatically increased. This puts employers at risk of facing expensive claims, even though they had little to no control over the contributing factors of the injury.

Current Ohio law allows work-from-home injuries to be compensable just the same as those in the workplace. HB 447 creates a separate and distinct framework for delineating between the two types of “workplaces” and thus enables a more thorough examination of at-home injury claims. Each claim, and possible appeals, will continue to be heard and adjudicated by the Ohio Bureau of Workers’ Compensation and the Ohio Industrial Commission. Employers will, however, experience better peace of mind knowing that injury

claims made by work-from-home employees will undergo assessment utilizing an alternate standard that better aligns with the nature of a home workplace environment.

NFIB members come from all industry sectors in all 88 counties across Ohio. Our average member employs 15 or fewer and has less than \$2 million in gross receipts. If allowed, one frivolous claim against their workers' compensation experience can result in immense costs to the business through increased premium rates, loss of group rating participation, and the loss of other savings programs. It is paramount all injury claims filed by employees are a result of their employment and the cause of the sustained injury was directly related to their job duties.

HB 447 will provide a clearer standard of certainty and accuracy to the adjudication process of work-from-home claims, and we strongly urge the Senate's swift passage of the bill. We were glad to see this legislation pass out of both the House Insurance Committee and the full House of Representatives with unanimous, bipartisan support.

Thank you for the opportunity to provide written proponent testimony. Please feel free to contact me with any questions the committee may have.

Sincerely,

A handwritten signature in black ink, reading "Cameron J. Garczyk". The signature is written in a cursive, flowing style.

Cameron J. Garczyk  
Member Benefits Program Manager