PO Box 12050 | Austin, TX 78711 | 800-252-7031 | tdi.texas.gov/wc

# Program review report for rejected risk employers

# **Section 1: Contact information**

## **Part 1: Notification information**

1. Date of notification letter	2. Texas Mutual Insurance Company (TMIC) policy number
3. Federal Employer Identification Number (FEIN)	4. North American Industry Classification System (NAICS) code

**Part 2: Employer information** 

5. Employer's name	6. Contact name and title	
7. Mailing address (street or PO box, city, state, ZIP code)		

#### Part 3: Texas business information

10. Texas business name (if different from above)	11. Texas contact name and title
<b>12. Physical address for Texas location</b> (street, city, state, ZIP code - no PO box)	13. Texas contact email
14. Phone number	15. Fax number

### **Part 4: Consultant's information**

16. Consultant's name	17. DWC file number
18. Mailing address (street or PO box, city, state, ZIP code)	19. Phone number

DWC101 Rev. 11/21 Page 1 of 12

# **Section 2: Operational safety analysis**

Part 5: Management

Tart 3. Management	Yes	No
20. Has management adopted and published a safety policy statement?		
21. Has management signed the safety policy statement?		
22. Does management support the safety policy?		
23. Has management set clear goals for the safety programs?		
24. Has management informed the employees of these goals?		
25. Did management involve all levels of employees in making the safety programs?		
26. Has management effectively communicated the safety programs to their supervisors and employees?		
27. Does management require accident prevention plan training for supervisors and employees?		
28. Has management assigned people responsible for carrying out the accident prevention plan?		
29. Does management enforce its safety rules?		
30. Has management made all employees responsible for safety?		
31. Has safety become a daily part of all employees' jobs and actions?		
32. Does management follow all of its own safety rules?		
<b>33. List the components and responsibilities not assigned.</b> ( <b>①</b> Attach more pages if needed.)		N/A

**Part 6: Analysis** 

rait o. Allaiysis		
	Yes	No
34. Does your safety plan contain an analysis component?		
35. Is data centrally collected?		
36. Is the data analyzed?		

DWC101 Rev. 11/21 Page 2 of 12

DWC101

37. How often is the analysis done? (Monthly, quarterly, etc.)		
	Yes	No
38. Are trends communicated with all employees?		
39. Does management follow up on adverse trends?		
<b>40. Are trends used to adjust the elements of the programs?</b> (Inspection, training, accident investigation, etc.)		
41. Is an operation safety analysis used to decide if possible component changes are needed?		
<b>42. What information is analyzed?</b> ( <b>①</b> Attach more pages if needed.)		N/A
Documentation		
Operations		
43. What additional information should be analyzed?		N/A
Part 7: Recordkeeping	Yes	No
44. Has management set up requirements for its recordkeeping system?		
45. Is there a documented program?		
46. Has management trained supervisors and employees on the recordkeeping system?		
47. Does the recordkeeping system support the components?		
48. Is data used in trend and operation analysis?		
49. What documentation did you review? ( @ Attach more pages if needed.)		N/A
<b>50. What additional documentation is required?</b> ( <b>()</b> Attach more pages if needed.)		N/A
Part 8: Training and education		
	Yes	No
51. Is there a training component?		

DWC101 Rev. 11/21 Page 3 of 12

	Yes	No
52. Is there a documented training program?		
If yes, list the programs and how often training is done.		
Program How often?		
53. Does new-hire orientation include safety training?		
54. Does training cover all operations and meet analyzed needs?		
If no, list the operations that should be added to the training.		
55. Has management trained its supervisors on the requirements of the accident		
prevention plan?		
56. Are the employees trained on the requirements of the accident prevention plan?		
Part 9: Inspection and audit		
Part 9: Inspection and audit	Yes	No
Part 9: Inspection and audit  57. Is there an inspection component in place?	Yes	No
	Yes	No 🗆
57. Is there an inspection component in place?	Yes	No
57. Is there an inspection component in place? 58. Is there a documented inspection program in place that meets the needs of the	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?  60. Are responsibilities assigned to follow up on corrective actions?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?  60. Are responsibilities assigned to follow up on corrective actions?  61. Are corrective actions confirmed promptly?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?  60. Are responsibilities assigned to follow up on corrective actions?  61. Are corrective actions confirmed promptly?  62. Are inspection reports used in trend analyses?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?  60. Are responsibilities assigned to follow up on corrective actions?  61. Are corrective actions confirmed promptly?  62. Are inspection reports used in trend analyses?  63. Are all operations covered in the inspection report?	Yes	No
57. Is there an inspection component in place?  58. Is there a documented inspection program in place that meets the needs of the company?  59. Are time periods assigned for the inspections?  60. Are responsibilities assigned to follow up on corrective actions?  61. Are corrective actions confirmed promptly?  62. Are inspection reports used in trend analyses?  63. Are all operations covered in the inspection report?	Yes	No

DWC101 Rev. 11/21 Page 4 of 12

**Part 10: Accident investigation** 

	Yes	No
66. Is there an accident investigation component?		
67. Is there a documented accident investigation program in place meeting the needs of the company?		
68. Are accident investigations used to identify causes?		
69. Are accident investigations used to establish accountability?		
70. Are corrective actions confirmed promptly?		
71. Is a near-miss reporting system in place?		
72. Is there evidence of trends from the review of the last 12 months of accidents?		
If yes, describe:		N/A
73. Was corrective action taken for the noted trend?		
74. Are supervisors trained on accident investigation procedures?		
Part 11: Review and revision		
Ture 11. Review and revision	Voc	No.
Ture 11. Review and revision	Yes	No
75. Is there a specified frequency for the periodic review?	Yes	No
	Yes	No
75. Is there a specified frequency for the periodic review?	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?  78. Is a near-miss reporting system in place?	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?  78. Is a near-miss reporting system in place?  Yes No	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?  78. Is a near-miss reporting system in place?  Yes No  a. Inspection component	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?  78. Is a near-miss reporting system in place?  Yes No  a. Inspection component	Yes	No
75. Is there a specified frequency for the periodic review?  76. Are changes in the established industry practices included in the review?  77. Has management assigned a person to complete the periodic review?  78. Is a near-miss reporting system in place?  Yes No  a. Inspection component  b. Training component  c. Accident investigation component	Yes	No

DWC101 Rev. 11/21 Page 5 of 12

Yes No 79. Do planned changes in operations, equipment, or the workplace environment trigger a special review? 80. Has management assigned a person to complete the trigger review? 81. Is the triggered review used to adjust the following accident prevention plan components? No Yes a. Inspection component b. Training component c. Accident investigation component d. Management component e. Recordkeeping component f. Analysis component **Section 3: Hazardous workplace conditions** Part 12: Workplace exposures Yes No 82. Were hazardous conditions identified? Below, include a detailed description of each condition found, the possible result or occurrence resulting from the conditions, and suggested changes to the accident prevention plan components. ( ) Attach more pages if needed.) Location: Item # **Condition** Operation **Potential effects** Affected components of the plan □ 1  $\square$  2  $\square$  3  $\square$  5 □ 6 □ 7 Recommended changes to the accident plan components Item # Location Condition Operation

**DWC101** 

DWC101 Rev. 11/21 Page 6 of 12

**DWC101** 

Potential effects								
Affected components of the plan	□ 1 □ 2	□ 3	□ 4	□ 5	□ 6	<b>□ 7</b>		
Recommended changes to the acci	ident plan cor	nponen	ts:					
Item #	Location							
Operation	Conditio	n						
Potential effects								
Affected components of the plan	□ 1 □ 2	□ 3	□ 4	□ 5	□ 6	<b>□ 7</b>		
Recommended changes to the acci	ident plan cor	mponen	ts:					
Section 4: Summary of operat 13: Management	erations, fi	nding	s, an	d rec	omme	endatio	ons	
<b>J</b>							Yes	No
83. Is a management component v assigns safety responsibilities a		-	_		ent in p	lace that		
If yes, is it effective?								
List the names and titles of the people	e responsible fo	or correc	tive act	tion.				
84. Review of the management co	mponent reve	eals:						
85. Recommendations								

DWC101 Rev. 11/21 Page 7 of 12

Par	t 14: Analysis				
	-		Yes	No	
86. Is there an analysis component in place that includes a review of safety program documentation and employer operations?					
Is it used to gauge the success of existing programs, detect existing or potential trends, and create the frequency of analyses?					
			Yes	No	
	If yes, is it effective?				
	List the names and titles of people responsible	for corrective action.			
	Name Title				
87.	Review of the analysis component reveals:				
88.	Recommendations				
Par	t 15: Recordkeeping		·		
			Yes	No	

rai	t 15: Kecorakeeping					
			Yes	No		
89.	<ul> <li>Is a recordkeeping component in place th</li> <li>which records are maintained;</li> <li>how long they are kept;</li> <li>where they are held; and</li> <li>who takes care of them?</li> </ul>	at states:				
	If yes, is it effective?					
	List the names and titles of people responsible	e for corrective action.				
	Name	Title				
90.	90. Review of the recordkeeping component reveals					
91.	Recommendations					

DWC101 Rev. 11/21 Page 8 of 12

Par	t 16: Educatio	on and training		
			Yes	No
92. Is an education and training component in place that lists the health and safety training topics, the schedule, and the time between training sessions?				
		the trainer's position or title, the names of those who received ne people responsible for training supervisors and employees in nation?		
	If yes, is it effec	tive?		
	List the names an	nd titles of the people responsible for corrective action.		
	Name	Title		
93.	What does revi	ew of the education and training component reveal?		I
94.	Recommendati	ions		
Par	t 17: Audits a	nd inspections		
		-	Yes	No

		Yes	No
<ul> <li>qualified people</li> <li>what inspection</li> <li>who performs the</li> <li>the training the</li> <li>how often inspection</li> <li>documentation</li> <li>the needed corr</li> </ul>	tion component in place that identifies:  (by title or position) to conduct audits and inspections; as are conducted; he inspections; inspectors received; ections are conducted; of all inspections; rective actions; and ble for recommending the corrective actions and follow-up?		
If yes, is it effective?  List the names and titles	of the people responsible for corrective action.		
Name	Title		
96. What does review of	the audit and inspection component reveal?		

DWC101 Rev. 11/21 Page 9 of 12

ח	V	Ν	C	1	n	١

art 18: Accide	nt investigation		
		Yes	No
<ul> <li>the cau</li> <li>the inv</li> <li>the cor</li> <li>the doc</li> <li>the cor</li> </ul>	t investigation component in place that identifies: ses of injuries; estigative procedures used; rective actions needed (with clear guidelines or procedures); sumentation to support the investigation; and rective actions taken?		
If yes, is it eff	and titles of the people responsible for corrective action.		
Name	Title		
9. What does re	eview of the education and training component reveal?		
00. Recommen			
00. Recommen	dations	Yes	No
00. Recommendant 19: Review of the ensure change of the set the	dations  and revision  and revision component in place to: that program requirements will be continued effectively when in operations, equipment, or employee activities occur; a periodic review and revision of the safety program; and frequency of reviews (at least annually)?		No
00. Recommendant 19: Review of the ensure of the liftyes, is it effects	dations  and revision  and revision component in place to: that program requirements will be continued effectively when in operations, equipment, or employee activities occur; a periodic review and revision of the safety program; and frequency of reviews (at least annually)?		N <sub>1</sub>

DWC101 Rev. 11/21 Page 10 of 12

1	U3	Re	com	men	dati	ons
•	<b>UJ.</b>				uau	OHS

# Part 20: Signature

The consultant's signature confirms that they personally audited the above-identified employer's safety programs and completed the program report. The employer's signature confirms that the contracted consultant who signed below performed the review.

Note: Signatures and dates are required.

104. Consultant's signature	105. Title	106. Date
107. Employer's signature	108. Title	109. Date

DWC101 Rev. 11/21 Page 11 of 12

#### **FAQ**

#### Program review report for rejected risk employers

#### What is the notification letter in section one, part one of this form?

TMIC notifies employers that are identified as a rejected risk and requires them to have accident prevention services. This notice and the employer's insurance policy contain the information required for section one, part one. Verify the FEIN and NAICS with the employer's records.

What is the difference between the employer information in part 2 and Texas business information in part 3?

A policyholder whose corporate office is outside of Texas must provide contact information for a senior company official in Texas with authority to implement the accident prevention plan.

#### Are any fields on the DWC Form-101 optional?

You must answer all applicable fields by checking the box or filling in the blank. Provide thorough descriptions of the seven mandatory safety program components. These components form the foundation of the accident prevention plan.

- In section 3, include a detailed description of each condition found, the possible result or occurrence resulting from the conditions, and recommended changes to the accident prevention plan components.
- In section 4, include the name and title of the people responsible for correcting the identified problems.

You may attach additional information or details. Reference comments by item number.

#### Who signs the DWC Form-101?

Signatures are required for the consultant and the employer's representative. The person signing for the employer must be on the employer's payroll and have authorization to sign legal documents.

#### Where do I send this form?

• Email: aps@tdi.texas.gov

• **Mail:** Texas Department of Insurance,

Division of Workers' Compensation

Workplace Safety, MS-27

PO Box 12050

Austin, TX 78711-2050

#### **Questions?**

Call 1-800-252-7031, Monday to Friday, 8 a.m. to 5 p.m., Central time. Go to <a href="https://www.tdi.texas.gov/wc">www.tdi.texas.gov/wc</a> to learn more about workers' compensation.

**Note:** With few exceptions, on your request, you are entitled to:

- be informed about the information DWC collects about you;
- receive and review the information (Government Code Sections 552.021 and 552.023); and
- have DWC correct information that is incorrect (Government Code Section 559.004).

For more information, contact <a href="mailto:DWCLegalServices@tdi.texas.gov">DWCLegalServices@tdi.texas.gov</a> or refer to the Corrections Procedure section at <a href="https://www.tdi.texas.gov/commissioner/legal/lccorprc.html">www.tdi.texas.gov/commissioner/legal/lccorprc.html</a>.

DWC101 Rev. 11/21 Page 12 of 12