



## WORKPLACE SAFETY PROGRAM FAQs

### **What is the Workplace Safety Program?**

A program implemented by the Department of Insurance (DOI), which gives employers the opportunity to earn discounts on workers' compensation premiums by passing safety inspections of the worksites and continuing to provide a safe workplace.

### **Who is eligible to participate?**

The Delaware Compensation Rating Bureau (DCRB) determines eligibility and the percentage of the discount. An employer is eligible for the WPS program if they qualify for the uniform Experience Rating Plan as mathematically determined by the DCRB and approved by the Commissioner. As of December 1, 2024, employers with a minimum of 3 consecutive years of workers compensation insurance coverage, paying a cumulative minimum of \$5,000.00 in premium, are eligible to apply.

### **How am I made aware of eligibility?**

Eligible employers are notified each year 7 months prior to their renewal date with directions on how to begin the inspection process.

### **Is there a cost involved?**

The cost of the inspections is borne by the employers based on number of locations and worksites. Size and complexity of operations and number of buildings are also a consideration. [See our fee schedule](#) for basic inspection fee guidelines. DOI inspection fees do not apply if insurance companies offer insureds an inspection option. The application process remains the same. See D&F Bulletin No. 64 for more information.

### **What are the benefits and are there any penalties?**

An employer, upon passing a safety inspection can earn up to 19% discount on workers compensation premiums each year. The employers receive materials and suggestions from the inspectors that are helpful in maintaining safe and healthy worksites. There is no downside for participating in the program as failure to qualify does not result in penalties, premium increases, or sanctions imposed by other safety enforcement authorities.

### **Is this a one-time discount or can I re-apply each year?**

Employers may re-apply for the discount annually. The DOI always notifies employers every year 7 months prior to the renewal date.

### **When will the percentage discount become effective?**

The insurance carriers apply earned discounts at the renewal date of the workers compensation policies of the current year.

## Who does the inspections?

Independent qualified safety inspectors, under contract to the DOI conduct actual physical inspections of worksites under the direction of the DOI or may be provided by the insurance company.

## What is the process for the Workplace Safety Program?

1. DCRB notifies the DOI of eligible employers 7 months prior to the workers compensation policy renewal date.
2. On a monthly basis, the DOI then mails eligibility letters to those employers requesting employers respond to the DOI if they are interested in proceeding with the requirements of the program.
3. Interested employers should respond within 15 days of receiving the letter with a point of contact (POC) name and email address. Fax, email, or mail is acceptable.
4. Once an employer's interest is received, the DOI emails or mails (depending upon preference) the program application to the designated POC.
  - \*Check spam folder for emailed application requests.
  - \*If after 1 week you do not receive the application, please contact us.
5. Employer must complete and submit the application 5-7 months prior to the policy renewal date via mail, email, or fax. DCRB should have discount information 4 months prior to the policy renewal date.
  - \*For mailed applications, payment for the inspection fee must be included.
  - \*For emailed submissions, contact our office if confirmation of the application is not received within 3 business days.
  - \*For fax or emailed submissions, mail inspection fee check with top page of questionnaire to the DOI.
  - \*If additional money is due when the questionnaire is received DOI will invoice for the balance due.
  - \*There is no fee for inspections completed by the workers compensation insurance company.
6. Once DOI receives the application & correct inspection fee payment, the employer is promptly assigned by the DOI to an independent sub-contracted inspection team.
7. Inspection teams set their own schedule and have 30-45 business days to conduct the inspection.
  - \*For first year participants, the inspector will contact the employer's designated POC to coordinate the initial inspection. The second inspection to complete the first-year participation is unannounced and will occur 3-4 months after the initial inspection.
  - \*For consecutive year participants, inspections are unannounced and may occur at any time once the application is processed.
  - \*Refusal to allow unannounced inspections will result in loss of the WPS discount.
  - \*Inspector recommends pass/fail based on physical walk through, hazard identification, previous recommendation abatement (if applicable), and workplace injury data.
8. Inspection team prepares the report with corresponding invoice and mails it to the DOI.
9. Once the DOI reviews and approves the inspection report, the DOI produces a certification letter and emails it to the DCRB which notifies the insurance company of the discount 4 months prior to the policy renewal date. The DOI mails the original certification letter and a copy of the inspection report to the employer.
  - \*If the employer is not recommended to receive the discount, the DOI mails a letter with a copy of the inspection report to the employer to address recommendations listed on the report. Once the employer adequately addresses the recommendations, a subsequent inspection can be arranged. An additional inspection fee may apply. Once the DOI approves abatements the WPS discount may be applied.
10. This process is repeated annually for eligible employers. See the [DOI WPS website](#) for more information.