



**AGREEMENT TO SELECT THE STATE OF OHIO AS THE STATE OF EXCLUSIVE REMEDY**

**INSTRUCTIONS-READ CAREFULLY**

- This form to be used only where the Workers' Compensation Law of Ohio is to be exclusive remedy.
- One executed copy of this Agreement to be furnished to the Underwriting Section of the Bureau of Workers' Compensation within ten days after it is executed.
- Only employees signing will come within the terms of the agreement; new employees to be included in such agreement must sign a similar agreement, which agreement must likewise be signed by the employer and similarly filed.
- This form is primarily intended to be signed by several employees. However, where circumstances demand, individual agreements may be executed on this form. Additional copies will be furnished on request.
- This agreement can only be used where the employer has current Ohio Workers' Compensation coverage in effect.

Risk No. \_\_\_\_\_

\_\_\_\_\_  
Name of Employer

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

# AGREEMENT

PURSUANT TO R.C. 4123.54.

Revised Code Section 4123.54. "Every employee, who is injured or who contracts an occupational disease, and the dependents of each employee who is killed, or dies as the result of an occupational disease contracted in the course of employment, wherever such injury has occurred or occupational disease has been contracted, provided the same were not:

(A) Purposely self-inflicted; or

(B) Caused by the employee being intoxicated or under the influence of a controlled substance not prescribed by a physician where the intoxication or being under the influence of the controlled substance not prescribed by a physician was the proximate cause of the injury, is entitled to receive, either directly from his employer as provided in section 4123.35 of the Revised Code, or from the state insurance fund, the compensation for loss sustained on account of the injury, occupational disease or death, and the medical, nurse, and hospital services and medicines, and the amount of funeral expenses in case of death, as are provided by this chapter.

Whenever, with respect to an employee of an employer who is subject to and has complied with sections of this chapter, there is possibility of conflict with respect to the application of workers' compensation laws because the contract of employment is entered into and all or some portion of the work is or is to be performed in a state or states other than Ohio, the employer and the employee may agree to be bound by the laws of this state or by the laws of some other state in which all or some portion of the work of the employee is to be performed. The agreement shall be in writing and shall be filed with the Bureau of Workers' Compensation within ten days after it is executed and shall remain in force until terminated or modified by agreement of the parties similarly filed. If the agreement is to be bound by the laws of this state and the employer has complied with this chapter, then the employee is entitled to compensation and benefits regardless of where the injury occurs or the disease is contracted and the rights of the employee and his dependents under the laws of this state shall be the exclusive remedy against the employer on account of injury, disease, or death in the course of and arising out of his employment. If the agreement is to be bound by the laws of another state and the employer has complied with the laws of that state, the rights of the employee and his dependents under the laws of that state shall be the exclusive remedy against the employer on account of injury, disease, or death in the course of and arising out of his employment without regard to the place where the injury was sustained or the disease contracted.

If any employee or his dependents are awarded workers' compensation benefits or recover damages from the employer under the laws of another state, the amount awarded or recovered, whether paid or to be paid in future installments, shall be credited on the amount of any award of compensation or benefits made to the employee or his dependents by the bureau.

If any employee is a resident of a state other than this state and is insured under the workers' compensation law or similar laws of a state other than this state, the employee and his dependents are not entitled to receive compensation or benefits under this chapter, on account of injury, disease or death arising out of or in course of employment while temporarily within this state and the rights of the employee and his dependents under the laws of the other state shall be the exclusive remedy against the employer on account of the injury, disease, or death."

The term "injury" as used in this section and in the workers' compensation act shall include any injury received in the course of, and arising out of, the injured employee's employment.

WITNESS this agreement between \_\_\_\_\_

(Insert name of employer and state whether individual, co-partnership or corporation.)

employer, and the employees of said employer, whose signatures appear on this agreement. Said employer represents to the Bureau of Workers' Compensation that said employer is subject to and has complied with the provisions of the Workers' Compensation Law of Ohio.

