SCHAFFER & ASSOCIATES LPA

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Schaffer & Associates LPA

Dangers of Roofing Work

Workers injured from falls at alarming rate

Schaffer & Associates' 5th Anniversary

5 years well spent serving the injured and disabled

SSA Changes Past Relevant Work

A resounding win for disabled Americans

Summer 2024 Newsletter

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Representing Clients Throughout Northwest Ohio and Southeast Michigan

The Dangers of Roofing Work

Roofers encounter numerous hazards on a daily basis, including dangers associated with power tool use, electricity, loud noises, hazardous substances, and extreme temperatures. Perhaps most significantly, roofers are at an increased risk of experiencing a fall on the job. Unless employers exercise control over mitigating these risks, roofers face a higher chance of serious injury, illness, and even death.

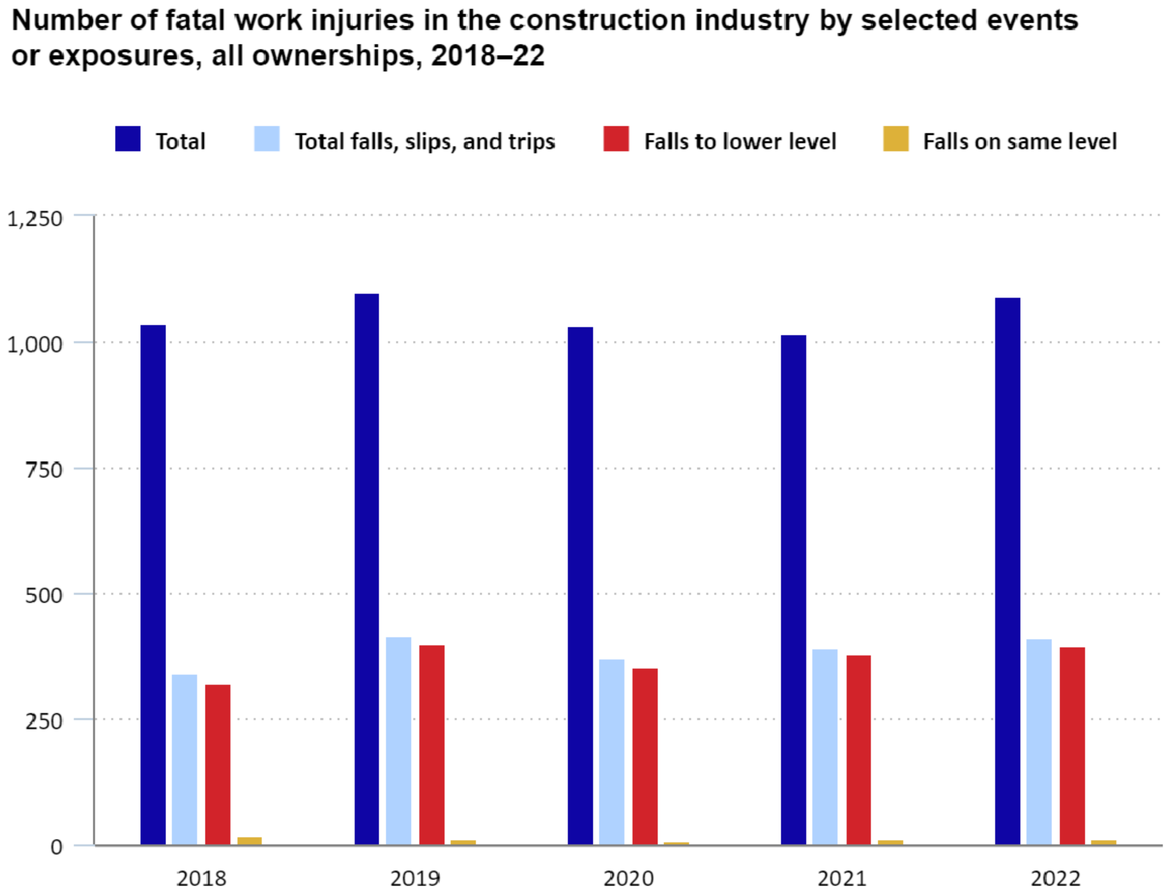
Recently, insurancejournal.com reported a Missouri roofing contractor was found to have failed to meet OSHA's standards after investigations across five Wentzville worksites in October and November 2023. The company did not provide fall protection or personal protective equipment, allowed improper ladder use, lacked a written hazard communication program, and had no provision for an accident prevention program. In total, the company received 13 violations which may cost them up to $267,332 in proposed fines.

OSHA requires employers to identify any work-related hazards present and take action to address them. In fiscal year 2023, OSHA reported lack of appropriate fall protection was the number one most cited standard failure, with 7,188 recorded violations. Violations related to scaffolding, ladders, and fall protection training also made the top ten list racking up another 7,894 violations in total.

According to OSHA, falls are the primary cause of fatality in construction work year over year, accounting for over 3,500 deaths between 2003 and 2013. More specifically, falls from roofs made up nearly 1,200, or 34%, of reported fall deaths that decade. In 2020 alone, out of 1,008 construction work-related deaths, 351 were caused by falls to a lower level.

While it's good to see OSHA cracking down on unscrupulous employers, what happens to the injured workers who were hurt before changes were enforced? In Ohio, roofers injured on the job can file a claim with the Ohio Bureau of Workers' Compensation to receive financial compensation, medical care reimbursement, and more.

Since serious roofing injuries are often related to the violation of specific safety requirements (VSSR), injured roofers may be eligible for a special benefit from the Industrial Commission of Ohio. If the IC finds the employer has violated a specific safety requirement, they can charge the employer a penalty ranging from 15% to 50% of the maximum workers' compensation award as established by law. The percentage is awarded to the injured worker or their dependents.



Source: U.S. Bureau of Labor Statistics.

OSHA sponsors a National Safety Stand-Down event annually with other key groups such as NORA and the CDC. In 2024, the event was promoted between May 6th-10th to, "raise fall hazard awareness across the country in an effort to stop fall fatalities and injuries". For safe roofing work, OSHA recommends wearing a properly fitted harness, inspecting safety equipment before use, covering all holes, openings, and skylights, and using guardrails or lifelines.

If you happen to need roofing work done this summer, remember to make sure the company you select practices reputable business tactics, prioritizes employee safety, and is fully licensed and insured.

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SSA's Change to Past Relevant Work

This Spring, the Social Security Administration (SSA) published its final rule in the Federal Register, reflecting a massive change in the definition of past relevant work (PRW). Effective June 22nd, 2024, the definition of PRW will be reduced from fifteen years to just five years. Additionally, work that started and stopped in less than 30 calendar days will no longer be considered PRW.

An applicant's PRW is one part of the puzzle used by SSA to decide if any applicant's medical impairments prevent them from adjusting to other work and, therefore, their disability eligibility.

A Resounding Win for Disabled Americans

In their publication, SSA reflected that this decision will "better account for the diminishing relevance of work skills over time and reduce the burden on individuals applying for disability." In other words, disabled Americans seeking Social Security Disability benefits will no longer be found capable of work skills they may not have utilized in over a decade.

This decision is an enormous win for those in need of disability benefits and for us at Schaffer & Associates as representatives. Additionally, SSA's staff will benefit from a reduced burden and effort of gathering and analyzing fifteen years worth of work history details for each applicant. We are hopeful this change may result in shorter application and appeal processing times for everyone.

Widespread Agency Changes

This descision marks one of many made by SSA recently. A slew of press releases over the last few months perhaps mark the beginning of a new era for Social Security.



May 9, 2024 - Expand the definition of a public assistance household in order to allow more SSI application approvals, increase payment amounts for some SSI recipients, and reduce reporting burdens for those living in public assistance households. Effective September 30, 2024.

April 17, 2024 - Expand the SSI rental subsidy policy Nationwide in an effort to allow more SSI application approvals and increase payment amounts for some SSI recipients. Effective September 30, 2024.

March 29, 2024 - Decrease the default overpayment withholding rate for Social Security recipients from 100% to just 10% (or $10, whichever is greater) in an attempt to reduce financial hardship on those with overpayments. Effective March 25, 2024.

Additionally, SSA has taken steps to improve its customer service, especially related to calls made to their National 800 Number. Since the implementation of an online performance tracker for agency representatives (SecurityStat), the SSA has successfully reduced the average waiting time from 40.8 minutes to 24.5 minutes. For more information, visit ssa.gov. If you need help filing an initial application for SSDI or appealing a denial, contact our office today for a free consultation.

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or send us a message at **schafferlawyers.com**

Schaffer & Associates' 5th Anniversary

We are ecstatic to celebrate our 5th year of business in July 2024. This summer marks five years of advocating for injured workers and disabled individuals in Northwest Ohio and Southeast Michigan under the name Schaffer & Associates. The privilege of representing our clients alone is enough to say the last five years have been well spent. We are honored that the community has put their trust in us, allowing us to grow our practice and reach more and more deserving clients.

When we opened our doors to the community in 2019, we had a strong plan of action but weren't sure exactly what to expect. We were really just getting the ball rolling when the COVID-19 pandemic began, barely half a year into our practice. Between stay-home orders and widespread death and illness, we were as scared as everyone else while left wondering how all of the change would impact our firm.

Despite what some may consider a rocky start, we've managed to thrive with perseverance, long hours, and tirelessly dedicated staff. We're proud to have opened a secondary office in Findlay, hired additional rockstar staff, and donated thousands of dollars to local organizations, including Lucas County Children's Services and Advocates for Basic Legal Equality. Most importantly, we've had the pleasure of serving thousands of clients desperate for quality legal representation.

We started Schaffer & Associates because we recognized a disparity in the treatment of injured workers and disabled citizens all around us. The mistreatment these people endure on a daily basis is unacceptable. We aim to serve as a first-line point of contact for those struggling to manage the complications that come with workers' compensation claims and Social Security disability insurance.

When you're up against the might of a large company or the government itself, you need someone to protect you and make your voice heard. At Schaffer & Associates, everything we do works toward enforcing the rights of injured and disabled individuals in our local community. There is no shortage of people out there who need our assistance, and we look forward to many more years of helping people receive the benefits they're entitled to with the care and dignity they deserve. Thank you one and all for your enduring friendship, patronage, and support.



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