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Establish a Fall Prevention Plan

Falls from heights are a leading cause of workplace fatalities, and those falls that don't result in death are often disabling. Violations of fall protection regulations are among the most frequently cited during OSHA inspections of construction sites.

OSHA requires specific precautions to protect employees who work at heights. A fall prevention system must be installed if the worker is at four feet or more in general industry, five feet or more in maritime work, and six feet or more when working in construction. Fall protection must always be provided, irrespective of the potential fall distance, when work is being

performed above dangerous equipment or machinery.

Guardrails, safety nets and personal fall restraints can be enhanced by specific training in fall avoidance and spot inspections to ensure compliance. Some work situations require extraordinary measures. These might include scaffolding, billboard and tree work.

Employers who fail to install a system or fail to take one of the other OSHA approved steps

to prevent falls from heights are subject to fine and/or penalty—and worse if injury occurs. Take steps now to establish a fall prevention plan. ■



Work Social Events and WC

Workers compensation claims stem from injuries that occur in the course of employment. This has employers wondering, "If a staffer is injured at a work-related social outing, will my insurance pay?"

This question arises out of lawsuits stemming from corporate gatherings, sporting events, team-building exercises and other situations not thought of as "employment" at which workers get hurt. The answer to the question is a resounding "it depends."

The consistent pattern in these cases is that workers who were *not* forced to participate in these social activities were not

entitled to workers compensation benefits. This can be a blurry line, though. If such activities are viewed by employees as the key to promotions or benefits, the employer could be liable for injuries.

The absence of workers compensation insurance does not remove your liability either. If an injured worker incurs medical expenses and lost wages from injuries sustained during the course of employment-related activities, you could still be liable for payment whether or not you have insurance.

If you are planning a work-related social event, give us a call to talk about your coverage and some risk management ideas. ■

Workers at Home



As more American companies participate in the work-from-home revolution (statistics say as many as four in 10 Americans spend at least some time working out of their homes), a threat looms concerning workers compensation insurance. Specifically, many courts agree that illness and injury that occur at home can be considered to be “in the course of employment.”

Employers should be concerned: They have little or no control over a worker’s home environment. If an employee trips and falls moving a cabinet that stores business documents or throws his back out stacking sales samples in the garage, employers could be responsible for medical bills and lost wages—expenses normally covered by workers compensation insurance. Failure to carry coverage on these employees could mean your business pays out of pocket.

With employment activities consistently occurring on the domestic front, understanding your workers compensation insurance becomes even more essential. For more information on insuring your telecommuters, call our service team today. ■

Latent Disease Is a Looming Concern

While the years since 2006 have seen drastic improvement in the reduction of cost and frequency of workers compensation claims, there is growing concern about the issue of latent disease, says the Insurance Information Institute. Latent disease refers to cancers, lung disorders and other chronic conditions that could develop in workers many years after they have completed their employment.

“There’s emerging literature on degenerative neurological diseases associated with occupation,” says Robert Hartwig, president of the Institute. One example he noted is Parkinson’s disease, specifically that it is highly correlated with people who have certain occupations. In another example, the World Health

Organization says there is evidence that some “people who work the graveyard shift are more likely to get cancer.”

The good news for employers is that costs associated with latent diseases are payable by workers compensation insurance provided those benefits were in place when the disease was developing and that there is proof it arose out of employment circumstances.

The Occupational Safety and Health Organization (at www.osha.gov) provides listings of materials known to be hazards for some latent diseases, along with measures employers and workers can take to reduce the dangers associated with these hazards. ■

Compare Part B Coverage

Most workers compensation policies are divided into parts: Part A covers injuries and diseases mandated under state laws. It is a mandatory coverage. Part B, called employer’s liability insurance, covers the employer’s liability that goes beyond what is covered under Part A. This coverage is largely defined by the insurer rather than the state and is subject to exclusions and conditions delineated by the insurer. It is also optional.

Workers comp laws differ by state. Many states will allow employees to file suit against an employer in certain circumstances, such as an employer’s gross negligence or blatant disregard for job safety. Many also allow the injured worker’s family members to make a claim against the employer for consequential damages such as pain and suffering. Injuries to employees and consequential damages are not covered by standard commercial general liability insurance. The absence of



employer’s liability insurance leaves employers with no option but to defend and/or settle such claims out of pocket.

There are many options in employer’s liability coverage, depending on the insurer you choose. It’s best to compare a variety of policies before deciding on your course of action.

To take a closer look at employer’s liability insurance and what it can do for you, call our service team today. ■

Carrying Bulk Can Hurt

Not only does improper lifting cost businesses \$60 billion in injuries and lost productivity annually, but improper carrying leads to injury and loss-costs as well. Often it's not the weight of the item being hauled but the bulk that causes accidents. Proper planning and transport of bulky objects reduces risk.

- **Know where you're going.** Inspecting a route before using it will make you aware of obstacles along the way. Eliminate all debris and obstacles before trying to transport anything. If you run into a barrier or hazard, don't try to kick it out of the way or handle it while holding the item. Set the item down and clear the way or seek help.

- **Don't rush.** Taking short cuts in safety to save time can lead to setbacks and even injuries. Remember that the shortest route is not always the safest.



- **Keep a clear line of sight.** Don't let the object you are carrying block your visibility. Even if you've checked your route, you never

know who might have come right behind you and placed a trip or slip hazard in the way.

- **Hold objects close to your body.** Do not stretch your arms out to lift or carry something.
 - **Never be afraid to ask for help.** If there are younger, stronger backs in your office, take advantage of them. Most would agree: Asking for help is less inconvenient than having to wear a brace for six weeks.

These simple suggestions may save you thousands of dollars in workers compensation costs over time. Make sure your workers know and practice good safety for carrying bulky objects. ■

Opting to Exempt from Workers Comp?

Businesses looking to cut costs on workers compensation insurance often look to exemptions. State law permitting, small businesses with just one or two operators may choose to exempt themselves, but employers should consider the average cost of a workplace injury before opting for an exemption.

OSHA reports that direct and indirect losses resulting from workplace injuries cost employers around \$1 billion each week. According to the Bureau of Labor Statistics, there were 4.1 million workplace injuries reported in 2006. This brings the average cost of a

workplace injury to more than \$12,000.

Alternatives to workers compensation insurance can have embedded costs that drive up

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the price and might eliminate any actual savings. Workers compensation insurance covers medical expenses and a portion of lost wages resulting from work-

related injury. To find comparable coverage outside of workers comp, the injured person must look to medical and disability insurance. These policies are usually sold separately and may include costs not generally associated with workers compensation coverage such as deductibles and co-payments.

Moreover, workers compensation carries with it some legal benefits for employers when it comes to liability claims. Before opting for an exemption, contact our service team. We can help you get the information you need to compare your options. ■

**Thank you for
your referrals.**

If you're pleased with us,
spread the word! We'll be
happy to give the same great
service to all of your friends
and business associates.

Back to Work on Light Duty

Looking for a method to help control workers compensation costs? Maybe your company would benefit from a light-duty return-to-work program.

These programs reduce the amount of benefits payable by providers, thus helping control experience factors that are used to determine credits and debits to your premium. Such programs also have a proven psychological advantage. While it may not be their ideal vision of employment (some people don't like answering phones or doing paperwork, for example), injured employees recover faster by actively participating in work-related activity.

Moreover, light duty might be all an employee returning from an injury can handle at first. Employees who return to employment prematurely or who return in a capacity that is not light-duty may prolong recovery or exacerbate their injuries.

Virtually every industry can participate in some form of a return-to-work program. For information on programs that will help control your workers compensation costs, call our service team today. ■
