

# Workers Compensation



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## Workplace Violence Could Be Your Liability

Assaults and other violent acts cause almost one sixth of workplace fatalities. They range from acts by disgruntled employees to domestic violence cases to random acts of savagery.

The Bureau of Labor Statistics reports that as many as half of these fatalities could be prevented if the employer were to have a functional emergency plan in place. From dealing with events such as robbery or terrorism to identifying and reporting disturbing behavior among workers, a workplace violence prevention plan and an emergency response plan are key to protecting employees.



Implementing such a plan will take training, but employers may be surprised at the appreciation shown by workers who value a safe work environment. The Internet has numerous resources, some for free and some at a price, that can assist your business in designing and implementing a workplace violence prevention and response plan. They cover security preparations, prevent conflict resolution, legal issues, post-event trauma and more. Search on “avoid violence at work” to find many good offerings, and get started on making your workplace a safer one. ■

## Do a Risk Evaluation

If workers compensation costs are driving you crazy, consider this question: When was the last time your operation had a risk evaluation? If you are new to business or have not had a risk evaluation in some time, asking your agent for a risk evaluation can help you identify several areas where you may be able to save on your workers comp costs. Consider the following advantages to a risk evaluation:

- Learn the latest information concerning exemption status in your state
- Learn about a drug-free workplace credit that can save you 5% or more
- Discover the importance of the experi-

ence modification factor, how it is calculated, and the effect it has on your premium

- Understand how to properly classify overtime remuneration
- Learn how self, monthly and quarterly auditing can prevent a nasty surprise at audit time
- Access tools provided by workers compensation carriers to minimize loss exposure
- Stay up-to-date on changes in state workers compensation laws.

This list is a sample of the services a risk evaluation can provide. Let us help you discover where you could save. Call our service team today. ■

## Obesity Exacerbates Worker Injuries



Studies confirm that the obesity epidemic has had a direct impact on employers in both workers compensation costs as well as extended disability durations. Such studies conclude that having a body mass index in the overweight or obese range increases the risk of traumatic workplace injury.

Obesity has an effect on the types and severity of injuries. For example, severely obese workers suffer more injuries to their hands, wrists and fingers. Obese workers file twice as many workers compensation claims. Those claims average seven times the medical costs of claims filed by non-obese workers. They also lose 13 times as many days of work resulting from workplace illness or injury than do non-obese workers.

Employers interested in wellness initiatives designed to combat this epidemic and reduce workers compensation and other costs can visit the website of Infinite Wellness Solutions at [www.infinetwellness.com](http://www.infinetwellness.com). ■

## Return-to-Work Programs Reduce Out-Time

One effort your firm can make to significantly reduce the length of time an injured worker is away from the job is the implementation of a return-to-work program.

Employers with return-to-work programs experience fewer lost workday cases, fewer lost workdays and fewer workers compensation claims. Returning to suitable work helps employees more readily recover from injuries. It also reduces lost productivity and lowers compensation costs for the employer. Employers offering some type of return-to-work program can expect a majority of workers to return to their jobs early in the recovery period.

Most injured workers want to return to work as quickly as possible. Evidence also suggests that the longer workers are away, the less likely they

are to return. Injured workers who miss more than six months return only half of the time. Only one in four of those missing a year ever return.

Employers interested in creating a return-to-work program must be cautious that the program does not violate state statute or federal law, such as the Family Medical Leave Act or the Americans with Disability Act. For this reason, it is advisable that any program be submitted to an HR professional and attorney for review prior to implementation.

Interested employers should first contact their workers compensation provider for information about a return-to-work program. Many providers staff professionals ready to assist you in creating a program tailored to your specific operation. ■

## Back Pain for Drivers

Back pain is a common complaint among vehicle operators. Lost-time absences due to back pain are six times greater for those who drive more than four hours a day. Researchers also found that at least half of drivers studied reported having lower back trouble in the past 12 months.

Additionally, musculoskeletal disorders (MSDs) account for more than 50% of injuries suffered by workers who drive vehicles or operate machinery. The most common MSD is lower back pain.

Ergonomists recommend that employers focus on the following:

- **Posture.** Sitting in a prolonged, static position for several hours daily is a common source of pain. Employees should be familiar with all vehicle options designed to improve posture, such as seat controls, headrests, and lumbar support adjustments.

Employees should also be encouraged to take frequent breaks from sitting.

- **Adjustable Seating.** Seats should be set so that the driver's legs can easily reach pedals and rest on the floor. The height should allow comfortable access to the steering wheel and other dashboard controls.

- **Adjustable Steering Wheel.** The steering wheel should be set such that the arms can rest a bit while driving without too distant a reach.

- **Reducing Whole-Body Vibration.** Whole-body vibration occurs in most vehicles and is often the cause of disabling back injuries that result in surgery. To reduce whole-body vibration, employers should be sure vehicle suspension is maintained at a high quality and consider the use of vibration isolating or dampening technology for seating. ■

# Workplace Injuries and Provider Requirements

When an employee is injured on the job, there are essential steps that must be taken to file a claim with the workers compensation provider and to trigger that provider's assistance in the cost of the claim. Employers and employees should understand the following:

## First Aid Comes First

Employers should do everything possible to assist the employee with first aid after an injury. For example, if an employee cuts his/her hand on a saw, the most important step is treatment of injury. If possible, the employee should seek treatment at a facility among the medical providers approved by the workers compensation plan. However, in many cases the injury must be addressed quickly, and the closest

provider might not be listed in the plan. In some states, employers may be able to recoup the cost of services provided by an outside medical facility. Because this is not always the case, employers should familiarize themselves with their workers compensation plan's approved medical providers in case one is available nearby.

## Independent Medical Examination (IME)

For many injuries, workers compensation providers will require that the employee undergo an IME performed by a physician chosen by the provider. The physician reports the results to the provider for the purposes of determining benefits. Some states allow the employee to visit his/her own physi-

cian for the IME. If the employee chooses to do this, he may be required to pay the cost of the IME out of pocket.

## Employee Claim Form

Employers will be issued claim forms by the workers compensation provider to give to the injured worker. Employers should encourage workers to get the form completed and filed with the workers compensation provider as soon as possible.

Employers with a broad understanding of the claims process are in a good position to minimize the stress and expense that accompanies a workplace injury. For more information on the process and your state's workers compensation law, give our service team a call. ■

## Sleep Apnea Leads to Injury Risks

**M**ore than 12 million Americans suffer from sleep apnea—a condition that causes breathing difficulties during sleep. Sleep apnea is a serious condition that can lead to personal health problems and on-the-job errors.

Sleep apnea sufferers are at greater risk of stroke and heart disease. They are also at a greater risk of injury resulting from accidents suffered at the workplace and while driving.

The effects of sleep apnea are credited for almost \$90 billion in losses to the U.S. economy annually resulting from healthcare costs, accident claims, and lack of productivity at work.

The common, outward signs of

sleep apnea include daytime drowsiness, falling asleep at work, irritability, fatigue, forgetfulness and lack of concentration, random changes in mood, and headaches



in the morning. Workers with these symptoms pose risks to themselves and co-workers and should be counseled about the possibility of a

health problem and its associated hazards.

Sleep apnea is a highly treatable disorder. Encourage employees who display symptoms at work to take note of other symptoms at home: loud snoring, heartburn or a sour taste in the mouth at night, sweating and chest pain while sleeping, episodes of not breathing while sleeping, and nighttime choking or gasping spells.

If an employee has untreated or unabated symptoms, take precautionary measures to minimize the risk of injury on the job due to sleepiness, forgetfulness, lack of concentration or other accident-inducing problems. ■

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happy to give the same great  
service to all of your friends  
and business associates.

## Start Building Your Drug-Free Workplace

**D**rug and alcohol use and abuse cause one in four workplace injuries. About 90% of businesses have employed illegal-drug users, and almost 90% of employed heavy drinkers work for small- and medium-sized firms. Likewise, about nine in ten full-time workers with alcohol or drug dependence or abuse work for small- and medium-sized firms.

Interestingly, smaller firms are generally less likely to test for substance use, and smaller businesses are less likely to have programs in place to combat the problem. Often, smaller companies cite the costs of screening programs as prohibitive, but the cost of just one error caused by an impaired employee could devastate a small company.

Educate management and staff about the signs of alcohol and drug intoxication and establish a program to minimize the risks of substance abuse at your workplace. Start by visiting <http://dwp.samhsa.gov/WPWorkit/index.html> for a "Drug-Free Workplace Kit." ■