

Workers' Comp & Safety News



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Fire Safety: What you can do

An effective fire safety program has three phases: prevention, detection and response.



Prevention

The best way to fight fire is to prevent it. Safety officers' top priority should be checking the workplace for fire hazards – and educating workers how to prevent them.

- Check extension cords. Minimize their use, avoid plugging them together and never allow them to run under carpets or anywhere they can be pinched under or behind furniture. Avoid overloading electrical sockets.

- Keep electrical appliances away from anything flammable. Turn them off at the end of each day, particularly appliances in

the kitchen or break room.

- Keep exits, stairways and storage areas clear of waste paper, empty boxes and other fire hazards. If recycling or garbage receptacles are overflowing, have your waste removal agency make a collection.

- Designate smoking areas away from combustible items. Where smoking is permitted, provide non-combustible receptacles for cigarette ends, separate from waste containers.

- Prevent arson, the largest single cause of fires in general office buildings. Remove combustible materials that could help vandals set fires and other

hazards, such as dry vegetation surrounding the property.

Detection

Statistics show that when fires break out at sites with no fire detection systems, it takes an average of 27 minutes from the start of the fire for firefighters to arrive on the scene. Functioning detection systems reduce that lag to less than 10 minutes, according to CPI Security, a maker of fire detection equipment. That gap often means the difference between a raging inferno that can destroy lives and property and a minor flame-burst that is little more than an inconvenience.

This Just In . . .

Each year in the U.S., more than 80,000 serious workplace fires occur, causing the deaths of nearly 200 and injuring another 5,000 employees. Estimated property losses exceed \$2 billion annually, but that figure does not take into account losses caused by business disruption.

The theme of this year's National Fire Prevention Week, October 7-13, will be "Plan Your Escape." But responsible business managers know that the safe-being of their enterprise and their workers is much more than a once a year activity. For more information on making your employees and your premises fire-safe, see the article on this page.



Don't Let Employees Talk and Drive

They have their iPhones, BlackBerries and Treos to stay in touch even when they're on the road. But could they also have the most dangerous tool in the modern business world?

The answer is probably yes – at least if your managers and workers use their devices to speak, or even worse to text message or email while they're driving.

According to recent figures from the Cellular Telecommunications & Internet Association, more than 236 million people owned cell phones in the U.S. as of May 2007. Though research has shown that the devices are not the worst distraction while driving, their sheer prevalence makes them by far the most common danger.

A study released in April 2006 found that almost 80 percent of crashes and 65 percent of near-crashes involved some form of driver inattention within three seconds of the event. The study, conducted by the Virginia Tech Transportation Institute and the National Highway Traffic Safety Administration (NHTSA), found that the most common distraction was the use of cell phones, followed by drowsiness.

A 2005 study by the Australian Insurance Institute for Highway Safety found that motorists who use cell phones while driving are four times as likely to get into crashes serious enough to injure themselves. A University of Utah report in 2006 concluded that talking on a cell phone while driving is as dangerous as driving drunk,

even if the phone is a hands-free model. An earlier study by researchers at the University of Utah found that motorists who talked on hands-free cell phones were 18 percent slower in braking and took 17 percent longer to regain the speed they lost when they braked than drivers who weren't talking on the phone.

"As a society, we have agreed on not tolerating the risk associated with drunk driving," said researcher Frank Drews, an assistant professor of psychology at the University of Utah. "This study shows us that somebody who is conversing on a cell phone is exposing him or herself and others to a similar risk — cell phones actually are a higher risk," he said.

With evidence like this it's not surprising that most countries in the world, including almost all the western industrialized nations, have banned the use of cell phones while driving. In the U.S., only New York, New Jersey, the District of Columbia, Connecticut, Washington and (beginning in 2008) California have outlawed the dangerous practice.

But for companies, having a safe cell phone policy is not just a matter of legislation — it's just sound business practice, says safety consultant Steph Marr. "It's an obvious danger, and allow-

ing employees to engage in dangerous practices that could result in their death or serious injury is clearly a bad policy," he says.

Still, according to the Society for Human Resource Management, only 40 percent of companies have cell phone policies restricting use of the mobile devices. Some allow employees to conduct business over the phone as long as they pull over to the side of the road or into a parking lot. Others have completely banned the use of all wireless devices while in the car.

Companies that don't ban the use of cell phones while driving also face potentially massive lawsuits from victims of an accident caused by their employees. Though juries are still voting both ways on such cases, there have been enough instances of major damages awards to make such a policy a "no-brainer."

For example, in a Miami-Dade County, Florida case, *Bustos v. Leiva*, a 78-year-old woman was awarded \$21 million in damages when a lumber driver talking on the phone rear-ended her vehicle, causing her severe injuries.

According to Braun Consulting, employers are also facing increasing claims by employees for health problems allegedly associated with cell phone use. Workers who use cell phones while on the job have begun to file workers' compensation claims and lawsuits based on the theory that radio frequency radiation from cell phones may lead to various forms of brain cancer or other maladies. This is happening even though the science appears inconclusive and contradictory.

According to a report issued by the U.S. General Accounting Office (GAO) in 2001, "The consensus of FDA, the World Health Organization, and other major health agencies is that the research to date does not show radiofrequency energy emitted from mobile phones to have adverse health effects but there is not yet enough information to conclude that they pose no risk.

"Although most of the epidemiological and laboratory studies conducted on the issue have found no adverse health effects, the findings of some studies have raised questions about possible cancer and noncancer effects that require further investigation."

Although the issue regarding damage to a person who uses a cell phone will only be resolved by scientific study to come, the popularity of the class action suit by the plaintiffs' bar means there will probably be litigation before there is solid science.





Integrated Disability Management Offers Broad Advantages

Regardless of where or how an employee becomes ill or sustains an injury, an absence from work can seriously affect your business. Integrated disability management helps you control the direct and hidden costs of employee absence, ensure a speedy recovery for the employee and means fewer headaches about determining which benefits program must pay before any payments are made.

It's a holistic approach to insurance – combining previously disparate benefits and their claims processes into a harmonious unit aimed at getting injured workers back to health and their jobs as quickly as possible at a reduced overall cost to the employer.

Typically integrated disability management (IDM) will integrate workers' compensation, disability and Family and Medical Leave Act (FMLA) claims under one umbrella. Offered by many insurers to both small and large companies, they allow employers to structure compensation and indemnity programs with concern for employees while maintaining fiscal responsibility.

Programs will typically also include other services and benefits such as:

- ✦ Absence reporting
- ✦ Disability evaluations
- ✦ National preferred provider organizations

- ✦ Independent medical exams
- ✦ Utilization review
- ✦ Medical case management
- ✦ Return-to-work coordination
- ✦ Integrated reporting

Other features to look out for are:

- ✦ Early assessment of disability claims
- ✦ Certification of disability lengths
- ✦ Review of medical treatment plans
- ✦ Channeling to preferred providers
- ✦ Identification of work restrictions
- ✦ Administration of short-term disability (STD) claims
- ✦ Outcome reporting and analysis
- ✦ Absence recertification program

Benefits and savings

According to a survey by the non-profit Integrated Benefits Institute (IBI), employers using



integrated benefits saved as much as 40 percent in disability costs, even as employee satisfaction with the program increased. Other typical results include a drop in absenteeism, reduced disability absences, lower medical costs and faster recovery, the IBI maintains. Integrated data also give managers the information they need to get a broad program overview or analyze detailed claim information by benefit, location, job, diagnosis and other criteria.

Whether they want to improve an existing loss control process, establish a new disease management program or reenergize return-to-work efforts, the comprehensive data provided by IDMs will help establish priorities and achieve results.

But the IBI warns that converting individual benefit silos into a single integrated case management team can be a complicated task. The IBI recommends starting integration with a pilot program to test integration and develop reliable data on potential cost savings to justify full rollout. Some programs even used the savings realized in the pilot to pay for system-wide rollout. Integrated disability management should also use a single contact for claims reporting. This saves the employees the task of having to choose the correct program in which to report a claim. It also ensures that information is best able to reach the supervisors and case managers responsible.

For more information on IDM or other methods of improving claims-handling, please contact us. ■

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Employers concerned about this type of liability can recommend that their employees limit cell phone use and take the following precautions when using a cell phone:

- ✦ Use a hands-free headset.
- ✦ Use a phone that places the antenna as far away from you as possible.
- ✦ Extend the antenna during use.
- ✦ Limit calls inside buildings.
- ✦ Use the phone in open spaces as often as possible.



✦ Limit use by children.”
Source: www.howstuffworks.com ■

The type of detection system you need depends on your facility and the hazards it faces. Consult with reputable firms to make sure you have the best system, designed specifically for your facility and its location.

Response

As an employer, your primary responsibility is to protect your employees and others on premises. A clear plan of action will ensure you and your employees know what to do in case of fire. Many local fire departments will be happy to offer assessments, advice and training.

To create your fire response plan, ask yourself a few questions. What fire and life safety systems are present? Include fire alarm systems, smoke detectors, voice alarm systems, sprinklers, fire extinguishers, manual

pull alarms and fire escapes and fire doors.

Next, sketch a plan for each floor or building. Indicate the location of stairs, fire exits, manual pull alarm stations and extinguishing equipment. Post the floor plan(s) throughout the facility and assign a fire marshal to oversee safety and evacuation. Consider building occupants: your employees and visitors. What language do they speak? Post relevant signs and instructions in those languages.

Train employees in the basics of fire safety and evacuation. Conduct fire drills for all shifts and employees. How long does it take to clear the building? Closely monitor the drills to see that the evacuation goes smoothly and to fix any problems.

For more information on fire safety, please contact us. ■



OSHA generally does not require low-hazard employers to have fire extinguishers if they have a written fire safety policy that requires the immediate and total evacuation of employees from the workplace. (Your local building codes might require them, however.)

If your emergency action plan designates certain employees to use portable fire extinguishers, they will need proper training. Make sure they understand the priorities when fire occurs:

- 1 Activate the building's alarm system or call 9-1-1.
- 2 Help evacuate others as necessary.
- 3 Keep safety in mind. Try to fight a fire only if it is small and containable, if you're safe from smoke and you have an escape route. ■

10 Questions: Is Your Business Ready?

If you can't answer yes to all these questions, you have disaster preparedness work to do.

1. Are you concerned that your normal business operations might be interrupted by a natural or human-caused disaster?
2. Have you determined what parts of your business need to be operational as soon as possible following a disaster and planned how to resume those operations?
3. Do you and your employees have a disaster-response plan in place to help assure your safety and to take care of yourselves until help can arrive?
4. Could you communicate with your employees if a disaster happened during or after work hours?
5. Can your building withstand the impact of a natural disaster, and are your contents and inventory sufficiently protected?

6. Are your vital records protected from the harm that could be caused by a disaster?

7. Are you prepared to stay open for business if your suppliers cannot deliver, your markets are inaccessible, or basic needs (e.g., water, sewer, electricity, transportation) are unavailable?

8. Do you have plans to stay open for business even if you cannot stay in or reach your place of business?

9. Have you worked with your community, public officials and other businesses to promote disaster preparedness and plan for community recovery?

10. Have you consulted with an insurance professional to determine if your insurance coverage is adequate to help you get back in business following a disaster?

Source: Institute for Business and Home Safety www.ibhs.org/business_protection/ Reprinted with permission.