

COMPCONTROL

The Official KMIT Member Newsletter

'Summer Help' Time Coming Soon

It's time to start thinking about your 'Summer Help' plans again. Seasonal employment is different from full-time, and presents different types and degrees of challenges than full-time.

First of all, most 'summer help' is young... much younger on average than the rest of your work force. And 'young' means, almost by definition, *less experienced*. And less experience often leads to more accidents. Less experience means less job training, overall, and less training on specifics,

and it means less time spent in a variety of working conditions, and under a variety of circumstances. In short, it means less wisdom, when one understands that wisdom is the result of understanding (training) PLUS experience (life lessons).



And, it is, in fact, *more likely that a temporary ('seasonal', 'summer', etc.) employee will get hurt, doing the exact same task, than an experienced hand.*

What can/should you do differently with 'summer help' than you may have done last time around? Here are a few thoughts:

1. Hiring. If you can (if they are good employees and available), hire the same young people as last year and the year before. If not, hire the ones you believe to be the most trustworthy, are 'teachable', and able to work without constant supervision—and most likely to be able to work for you again next year.
2. Training. Have a good trainer show them the specifics of each (and every) task they are sent to do. Don't assume they know how to do the job, even if you think they 'should' already know. *A lack of training is probably the biggest reason for injuries of summer workers.* And, remember that there are many 'little things' that experienced workers know, and take for granted, than you might realize (such as poison ivy, heat stroke, etc.).

continued on page 5

Kansas Municipal Insurance Trust
Board of Trustees & Key Contacts

Sharon Brown - President
Clay Center

Steve Archer - Vice President
Arkansas City

Bobby Busch - Treasurer
Neodesha

Toby Dougherty Doug Gerber
Hays Goodland

Daron Hall Herb Llewellyn
Ulysses El Dorado

Mac Manning Lana McPherson
Peabody De Soto

Larry Paine Sasha Stiles
Hillsboro Andover

Don Moler
LKM Executive Director
Ex-Officio

Don Osenbaugh
Pool Administrator/Agent/Editor

Marla Dipman & Gene Miller
Claims Adjusters, IMA

Renee Rhodes
Risk Control Consultant, IMA

Paul Davis
Vice President, Risk Management
IMA

Deanna Myers
Design Editor
Office Administrator/Agent

CompControl is a publication of the League of Kansas Municipalities and the Kansas Municipal Insurance Trust for the purpose of educating and informing cities about loss control methods and risk management. If you have any questions concerning KMIT workers' compensation or risk management that you would like to see answered in this newsletter, please direct those inquiries to:

Kansas Municipal Insurance Trust
300 SW 8th Avenue
Topeka, KS 66603
Phone: (785) 354-9565
Fax: (785) 354-4186
dmyers@lkm.org

Copyright 2009-2010 by the League of Kansas Municipalities. Contents herein are not intended to provide specific legal or medical advice. Readers should seek advice on specific concerns from a qualified professional.

Getting Employees Back to Work

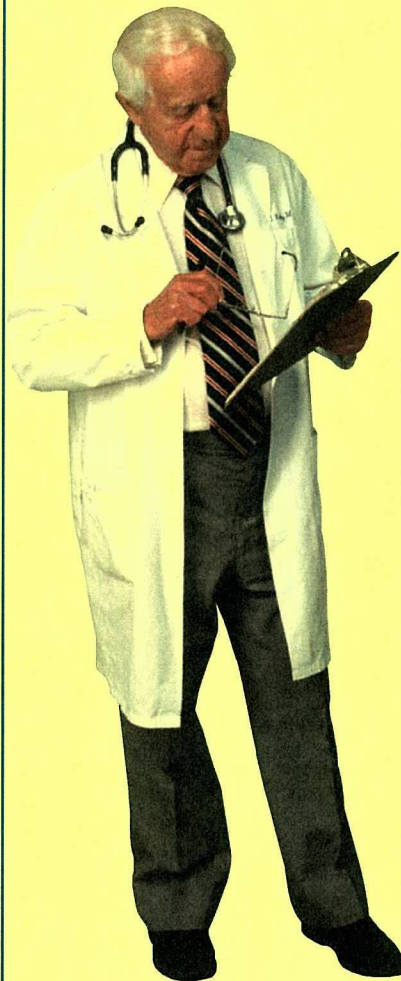
As you are all probably well aware by now, premiums having just been collected, the cost of workers' compensation claims (and therefore your premiums) continues to rise. While the ever-increasing cost of medical treatment accounts for much of this increase, there are some things you can do as an employer to minimize the cost of your claims, and keep your premiums as low as possible. **Returning your injured workers to modified duty as early as it is medically appropriate is they key thing you can do to mitigate the cost of your claims.**

The first step is to implement a **Return To Work Policy***. KMIT can provide you with a "sample" policy to review*, if you do not already have one in place (see insert). You should stress that your intention is to aggressively return injured workers to work as early as medically possible. Make certain that you communicate this to your supervisors and first line managers, as many times they are the ones who are in contact with the injured worker. Your injured workers should be bringing you disability

slips back from the treating physician on a regular basis; this will alert you when it is appropriate to bring an employee back to work. It is the physician's responsibility to tell you what activities are medically appropriate for the employee, **NOT TO TELL YOU WHETHER THE EMPLOYEE CAN WORK OR NOT.**

If you know what is medically appropriate for the employee to do, you can then decide whether you have work available within those restrictions. If you do receive a slip saying that the employee cannot work, do not hesitate to contact the doctor's office directly and ask them to provide you with restrictions, or make suggestions of some work you might have available and ask if the employee can do these things. Too often the employee tells the doctor that there is "no light duty" in their job, so the doctor just takes them off work, when you might have had some tasks that the employee could do, had you known what their limitations were.

***see KMIT's model policy (insert)**



...Back to Work

Many employers are under the misconception that if they bring an injured worker back to modified duty, and they hurt themselves again, that the employee will then be able to sue them. This is simply NOT TRUE. If a re-injury were to occur, the worst that could happen is that they could file a new workers' compensation claim; but, more than likely, it would just be handled as a continuation of the original claim. Employees are barred from suing their employers in civil court in exchange for the no-fault system in workers compensation.

Keep in mind that **you do not have to return employees to their usual position, department, or at the same rate of pay.** For example, if you had an injured police officer, you could have him/her do some mowing in the parks department, if it was within his/her restrictions. If the mowing position is not paid at the same rate as a police officer, you could pay him/her whatever that position pays, and workers' compensation would make up 2/3 of the difference between that and his/her usual salary.

We often find that there are tasks employees can do in the office, such as filing, photocopying, answering phones, inventory, billing, etc., also custodial work, cleaning, painting, etc. We even had one city have an employee come in for a couple of hours each day to watch safety videos, which was a great idea, not only to limit the wage loss, but also to help prevent future accidents! Be creative when trying to come up with modified duty assignments, and ask all of your supervisors to think of those tasks that get put on the back-burner because they don't have the manpower or inclination to do them; some of those tasks can become great modified duty jobs.

Your employees do not have to accept the modified work you offer them. **However, if you have work available for them that is within their medical limitations and they choose not to accept it, they are not entitled to receive workers' compensation wage loss benefits.** You might allow them to take sick leave for this time, if you chose to do so, but you are not obligated to and that would depend upon each individual city's policy.



continued on page 4

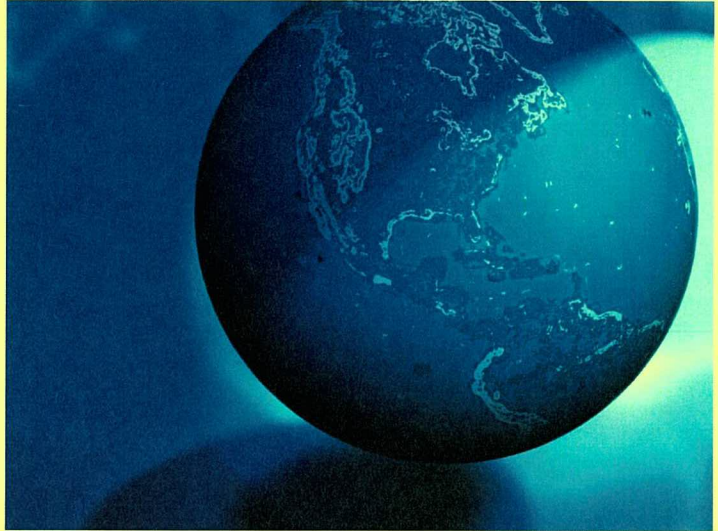
NEWS & NOTES

KMIT Supervisor Training, 'World Tour' Report

KMIT and IMA staff completed the annual **KMIT Supervisor Training Seminar Tour** with stops in early March in Basehor and Girard. February trainings were held in Ulysses and El Dorado.

Altogether, some 115 supervisors (along with several 'vendor' guests), representing 33 LKM cities (including several 'non-KMIT-member' cities) were provided information and training about work-place 'safety culture', work comp policies procedures and procedures, and in proper case management of work comp claims. The trainers were KMIT

(IMA) Claims Adjusters Marla Dipman and Gene Miller, and KMIT Pool Administrator Don Osenbaugh. The 2011 seminar training schedule will likely also begin in February and extend into early March, and probably again will feature sessions in four KMIT-member cities. (The only city on the 2011 schedule at this time is Larned. The remaining cities will be selected on the basis of geography and the desire of cities to 'host'.)



...Back to Work ...continued from page 3

Coming up with modified duty assignments can sometimes require a little creativity, however the benefits are substantial. Not only in the tangible savings by way of reduced lost wage payments, but also in intangible ways. Getting employees back to work helps to encourage a mindset of "ability" rather than "disability". It helps the morale of the injured worker, fosters communication between the employee and city, and helps to limit the involvement of claimant attorneys. Possibly the best incentive is that in bringing our injured workers back to work, we prevent them from sitting in front of the television set all day

long, watching commercials from plaintiff attorneys trying to drum up business! Please don't hesitate to call your claims adjuster if you have questions about modified work or need help coming up with some ideas for modified duty work assignments, at 1-800-288-6732.

SAFE CITIES as of February 28, 2010

If you would like assistance returning an injured employee to work, or need ideas for modified duty, please contact Marla or Gene at, 1-800-288-6732 or kmitclaims@imacorp.com.

| | | | | | |
|----------------|----------------|-----------------|----------------|---------------|-------------|
| Abilene | Cheney | Fort Scott | Hoisington | Mound City | Sedan |
| Admire | Cherryvale | Fowler | Horton | Neodesha | Sedgwick |
| Allen | Coffeyville | Frankfort | Jetmore | Neosho Rapids | Sharon |
| Altamont | Columbus | Fredonia | Johnson City | Newton | Springs |
| Andale | Concordia | Galena | Kingman | Oberlin | Spearville |
| Andover | Conway Springs | Girard | Kinsley | Ogden | St. Francis |
| Arkansas City | Council Grove | Glasco | La Cygne | Olpe | Stafford |
| Atchison | Cullison | Glen Elder | Larned | Osawatomie | Stockton |
| Atlanta | Damar | Goodland | LEAGUE | Oskaloosa | Tampa |
| Augusta | De Soto | Grainfield | Lecompton | Oswego | Tescott |
| Baldwin City | Derby | Grandview Plaza | Lenora | Ozawkie | Tipton |
| Basehor | Douglass | Great Bend | Leoti | Palco | Tonganoxie |
| Baxter Springs | Eastborough | Greeley | Lincoln Center | Paola | Treece |
| Bel Aire | Edgerton | Grenola | Lucas | Peabody | Turon |
| Belleville | Edwardsville | Grinnell | Maize | Princeton | Ulysses |
| Bennington | El Dorado | Halstead | Marysville | Ramona | Valley |
| Beverly | Elkhart | Hamilton | McFarland | Ransom | Center |
| Bird City | Ellsworth | Hartford | Medicine Lodge | Reading | WaKeeney |
| Blue Mound | Esbon | Haysville | Melvorn | Roeland Park | Wakefield |
| Blue Rapids | Eureka | Hiawatha | Minneapolis | Rose Hill | Walton |
| Brewster | Florence | Hill City | Moline | Russell | Wamego |
| Chautauqua | Ford | Hillsboro | Montezuma | Satanta | Wellsville |

KMIT cities are considered Safe Cities if no lost time claims have been reported during the calendar year, beginning January 1, 2010.

...Summer Help

...continued from page 1

3. Safety Equipment. Obviously, be very sure you make the necessary safety equipment available to summer help, and BE SURE they use it—EVERY time. Make seat belts, safety goggles, hats and gloves the first things on the list.
4. Supervision. EVERYBODY needs some supervision. Temporary help probably need more supervision than others. Even the 'best' summer employee is likely still in the developing stage of understanding the role of the employee, and also needs more guidance from time-to-time than he/she will ask for.
5. Communication. Keep summer help on board with the rest of the crew. Pair them up with experienced hands when possible. Provide them with communication devices ('walkies', etc.), and encourage them to check in regularly.
6. Remember. A young person is someone's very special child. Give them the advantage of your experience. Keep them safe.

KMIT Member City Injury Stats 2010 to Date

| <u>Department</u> | <u># Injuries</u> | <u>Cost</u> | <u>Department</u> | <u># Injuries</u> | <u>Cost</u> |
|-------------------|-------------------|-------------|-------------------|-------------------|------------------|
| Administration | 2 | \$2,600 | Miscellaneous | 1 | \$1,300 |
| Animal Control | 1 | \$1,300 | Park | 2 | \$2,600 |
| Electric | 3 | \$17,600 | Police | 27 | \$59,450 |
| Emergency | 1 | \$1,300 | Sanitation | 7 | \$8,750 |
| Fire | 7 | \$36,500 | Street | 12 | \$21,310 |
| Gas | 1 | \$1,300 | <u>Water</u> | 5 | <u>\$12,850</u> |
| Maintenance | 7 | \$21,450 | TOTAL | 76 | \$188,310 |

Calendar of Events

April 2010

- 30 KMIT Board of Trustees Meeting, **Hillsboro**
- 1-30 Occupational Therapy Month
- 1-30 Foot Health Awareness Month
- 1-30 National Facial Protection Month

May 2010

- 1-31 Healthy Vision Month
- 1-31 Mental Health Month
- 1-31 Ultraviolet Awareness Month
- 2-8 North American Occupational Safety & Health Week
- 19 National Employee Health & Fitness Day

June 2010

- 25 KMIT Board of Trustees Meeting, **Hays**
- 20-26 Lightning Safety Week
- 27-7/5 Eye Safety Awareness Week

KMIT Revenues & Expenses

December 31, 2009

Assets

| | |
|--------------------------|---------------------|
| Checking and Savings | \$2,973,934 |
| Investments | \$6,470,000 |
| A/R net of reserve | \$4,524,606 |
| Premium Receivable (net) | \$ - |
| Specific Receivable | \$12,933 |
| Aggregate Recoverable | \$124,171 |
| Accrued Interest Income | \$23,462 |
| Prepaid Expenses | \$12,031 |
| Total Assets | \$14,141,137 |

Liabilities & Equity

| | |
|--------------------------------|---------------------|
| Accounts Payable | \$- |
| Excess Insurance Payable | \$- |
| Reserve for Losses | \$2,430,351 |
| Specific Recoverable | \$(491,564) |
| IBNR Reserved | \$4,010,832 |
| Accrued Taxes, Licenses & Fees | \$356,742 |
| Deposits on Premium | \$5,391,416 |
| Deposits on Premium Return | \$- |
| Total Liabilities | \$11,697,777 |

| | |
|---------------------------|-------------|
| Fund Balance | \$2,485,217 |
| Unidentified Fund Balance | \$(41,857) |

Total Equity (NET WORTH) \$2,443,361

Total Liabilities and Equity \$14,141,137

KMIT Q & A

Q: Should our city have a formal 'Return To Work' policy?

A: YES. EVERY city should adopt a formal 'Return To Work' policy and follow it in every possible claims case. The next issue of CompControl will be devoted entirely to this important topic.

Q: What do we do when a worker is injured?

A: 1. If the injury is serious, get immediate medical attention. If it is an emergency-level injury, call 911 or get the person to an emergency room. The employee's welfare comes first. If the injury is not severe, and can be treated by the designated physician, do so. 2. Contact your KMIT claims adjusters Marla Dipman or Gene Miller within 24 hours. 3. Fill out a 'Report of Injury' form (can be found at www.kmit.net) and get it to Victoria. A case cannot be opened unless and until your claims adjuster gets this form.

Q: Should my city have one physician for all of our work comp claims?

A: ABSOLUTELY. KMIT strongly recommends that each city officially designate ONE physician to handle all its work comp claims, and that ALL injuries are referred to that physician. NOTE: ALL supervisors need to be aware of the name of the Designated Physician, as well as the policy to use him/her.

Q: Are pre-employment physicals good to do?

A: The 'right kind' of pre-employment physicals are a HUGE advantage to hiring the right people for job. For more information on this important subject, contact Marla Dipman or Gene Miller at 1-800-288-6732).

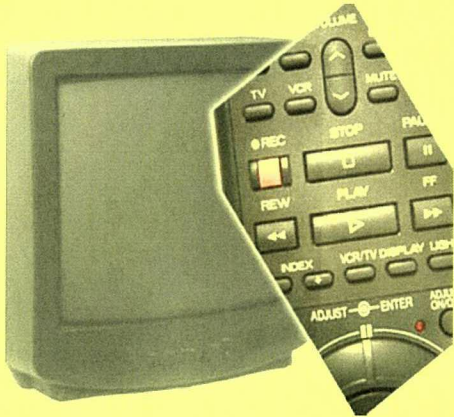
For a copy of KMIT's Return To Work Policy, which can be tailored to include your city's name, please contact Deanna Myers at dmyers@lkm.org or (785) 354-9565. See our website at www.kmit.net under the Document Center for a copy of KMIT's generic Return to Work policy.

Annual Payroll Audits Complete

KMIT's annual process of auditing your city's payroll for the preceding year is complete. About half of all KMIT members (generally, those with premiums over \$15,000) were given an on-site ('desk') audit, while the 'smaller' (half of the) cities in our group were audited via phone and fax.

Thank you to each and every city for your cooperation in this year's audit. Invoices or checks should be headed your way very shortly.

IMA Video Library, Safety Education for You!



Don't forget, about IMA's Video Library. KMIT Member cities can borrow up to five videos at one time at NO COST. To obtain a complete list of videos and ordering information, go to www.kmit.net, on the left hand side, click on IMA Safety Video Library. KMIT encourages cities to take advantage of these training videos to use as tools for training current employees along with new employees.

When returning videos to IMA, we ask that you use a padded envelope or box to help eliminate the possibility of videos being damaged during shipment.

Kansas Municipal Insurance Trust
300 SW 8th Avenue
Topeka, KS 66603





“Model”* Return to Work Policy

Workers Comp claims costs continue to rise and are a major expense to our city. There are several methods of controlling claims costs, but **one of the most effective methods is returning employees to work as soon as possible.**

The responsibility of the physician is to determine what, if any, restrictions apply to employees who are injured. **It is NOT the physician’s responsibility to determine whether or not an injured employee is able to work.**

It is the policy of the City of _____ to aggressively return employees to work, within the restrictions provided by the physician. Department heads, managers, and/or supervisors will be responsible for finding productive work for each injured employee. Assistance for this effort is available through our work comp carrier, KMIT, and its contracted representatives, Insurance Management Associates (IMA).

Temporary restricted duty work reassignment need not be confined to the current department in which the employee is ordinarily employed. Pay grade for injured employees will be based upon temporary work assignments.

Returning injured employees to work as soon as possible benefits both the employee and the City of _____, therefore, this policy will be enforced. Any questions concerning this policy should be addressed to _____.

The City of _____ has identified and created alternative or modified work-duty tasks, and matching a worker’s impaired physical capability from an injury to these tasks can control accidents costs, improve employee morale and productivity, and enhance our “bottom line”.

* all KMIT cities are strongly encouraged to adopt this or a very similar policy regarding Return to Work. This model policy is available in digital format (Word) by contacting KMIT.



City Safe

Spring 2010

Injury Prevention: Slips, Trips and Falls

They can happen any time, anywhere, to just about anybody. Slips, trips and falls start as soon as we stand up. It's a price we pay for walking on two legs. We like to think we can just brush them (and ourselves) off. But in the workplace, they take a massive toll. In fact, Slips, trips and falls logged the second highest injury category within KMIT member city employees, during 2009.

Same-level falls are the second leading cause of workplace injuries. In fact, most fall-related injuries, (about 65%) happen on same-level surfaces, according to the Bureau of Labor Statistics. The annual cost in workers' comp and medical costs?

KMIT Facts About Slip and Fall Injuries, 2009

Actual Numbers and Cost for Claims, Listed by Category

- From a different level - 13, \$69,875
 - From a ladder or scaffolding - 7, \$14,284
 - From liquid or grease spills - 7, \$8,665
 - As a result of ice or snow - 13, \$6,262
 - From same level - 34, \$49,261
 - Slipped, did not fall - 16, \$64,768
- TOTAL: 90 - \$213,118**

...continued on side B

DON'T LET SAFETY



"SLIP AWAY."

Rush to Get the Job Done Costs Worker His Life

Employee ignored safety rules 'just this once'

"I can't wait for this day to end so I can hit the lake this weekend," worker Sam Kohn said. "You better stop daydreaming about the lake," Supervisor Allen DeVries said. "We've still got a lot to finish today." "I know boss!" Sam said. "I'm about to start the machine back up and finish it all off. Then, I'll be kicking back on the beach, enjoying the sights." he said. "Hey, watch that machine—it's been getting jammed." Allen said. "Whatever you say, boss!" Sam said.

King of Lockout/Tagout: Sam had put a good dent into the work. He only had a few more things to finish, and he'd be done. Sam pressed the off button, and flashed Allen a big grin. Just as Sam was getting back to work, gears inside the machine started grinding together. "It's alright, I'll just duck under there, and we'll be back in business, and of course, I'm the king of lockout/tagout around here," Sam said.

A Deadly Mistake: Sam had slid under the machine without turning it off. Allen shouted for Sam to get out of there. But it was too late. While he was trying to clear the jam, Sam's leg got too close to a whirring piece of the machine that wasn't safety guarded and was severed. Sam was rushed to the hospital and doctors worked to save him. Two days later, Sam died from the injury.

What You Need to Know:

Lockout/tagout machines guarding could have saved this worker's life.

Be sure to:

- Learn lockout/tagout procedures.
- Remind others to alert you if they see any machine guards missing, and
- Follow and abide by safety rules.

...continued on side B

...Rush to Get Job Done

...continued from side A

Who's at fault for fatality? Sam's family sued the company for survivor's benefits. The family argued the supervisor knew the machine was missing a guard and had been negligent in allowing Sam to climb under it. The company claimed it had trained Sam in the right way to clear machine jams. It also argued Allen had tried to keep Sam from putting himself at risk—but he didn't listen.

Decision: The company won when the judge dismissed the case. Sam had been thoroughly trained and the company had documented it. Plus, since Allen hadn't ordered Sam to climb under the machine, the company wasn't negligent.

Key: The company won thanks to documented training and a good safety program. But a worker still lost his life—more proof that proper safeguards and lockout/tagout must be used everyday to protect workers and their lives.

Based on Chairez v. Hamilton Const. Co. Reprinted with permission from Supervisors Safety Bulletin, 1-800-220-5000.

New Training Materials Available from IMA

The KMIT website has a link titled **KMIT Loss Prevention Training Tools**, which takes you to a wealth of information that you can utilize when holding "toolbox" safety meetings for your employees. Go to www.kmit.net and enter the Document Center. New training materials on the following subjects can be accessed via our website:

Construction - [Electrical Safety](#)

General - [Lifting Safely](#)

Energy - [Accident Investigation](#)

Healthcare & Hospitality - [OSHA Logs](#)

Fleet - [Passenger Vehicle Load Securement](#)

Manufacturing - [Ergonomics in Manufacturing/Warehousing](#)

...Tread Lightly Regarding Safety

...continued from side A

\$70 billion, says the National Safety Council (NSC). Even more frightening: the NSC says slips and falls are also the leading cause of death in the workplace. They don't have to be.



First steps: Obviously, keeping floors clean and dry is key, even if some floors appear to have always been covered with oil or other contaminants. A spring cleaning (no matter the season) can help. Routine facility shutdowns are a great opportunity. Some other important steps:

- Improve traction with floor preps like etching, scoring and grooving. Non-slip paints and adhesive non-slip strips help, too.
- Put mats or floor runners at building entrances.
- Keep parts and tools out of walkways by designating storage areas and making sure people use them.
- Secure long power cords (or rewire areas so they're no longer needed.)

Gotta be the shoes: Remember, shoe tread patterns are as important as steel toes and metatarsal guards. Lugged soles made of certain polymers resist oil and improve traction. Smooth soles can be dangerous in all settings, but office workers and visitors should never wear them in production areas. Finally, focus on training—for everyone! A coffee spill on a tiled floor is as potentially dangerous as an oil leak in production.

Reprinted with permission from Injury Prevention and Cost Control Alert, 1-800-220-5000. Adapted in part from "Steps to Minimize Slip and Fall Hazards," by Karen D. Hamel, reliableplant.com.