

Preventing Workplace Violence

Implementing Policies about violence in the workplace is effective deterrent.

The fourth leading cause of death on the job in the United States is workplace violence, costing the employer, on average, five million dollars in lost employee time and lawsuits. While there are many different causes for these deaths, there are also many ways to prevent them. The biggest difference is made through education and development of policy.



Factors that increase risk include:

- Working alone or with limited access to assistance;
- Working at night;
- Cash handling;
- Remote locations, those away from traffic;
- Direct contact with and effect on the public.

The best way to ensure workers are safe is to make sure they are as educated as possible. Establishing a zero-tolerance policy, as well as developing published consequences and procedures are good places to start.

Possibly the easiest form of violence to prevent is that which occurs between coworkers. Often a confrontation is the result of "desk rage," the result of stress becoming manifest in physical violence.

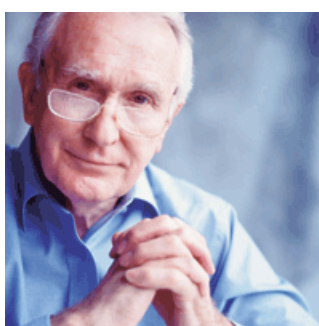
There are several signs that may alert an employer to a potentially dangerous worker:

- Acting out behavior - pounding fist on desk;
- "Fragmentor behavior" - refusing to take ownership, shifting blame;
- "Mixed messenger" - undermining others privately but nice in person; form of passive aggression;
- "Escapism" - using alcohol or drugs as a way to cope with stress;
- Poor social skills, declining personal hygiene, fixation on person or idea;
- Lack of concern for safety of others;
- Unwarranted, extreme expressions of distrust or feelings of persecution;
- Fascination with weaponry or violence.



Employers may also choose to provide training on workplace violence, which may include:

- Awareness of factors that could lead to violence;
- Prevention of violence (diffusing charged situations);
- Appropriate responses to violence (notifying emergency personnel, law enforcement, etc.).



Another way to ensure safety in the workplace is to build up security where possible. Installing locks or access card entries prevent unauthorized persons from entering. It is also best to ensure workers are aware of policies put in place to keep them safe - consequently, they should also be aware of what happens when the security of the space is in jeopardy.

The IPRC (Injury Prevention Research Center) has stated that Criminal Intent is the most common form of occupational violence, accounting for 85% of all workplace homicides. It is usually committed by perpetrators who have "no legitimate relationship to the business or its employers."

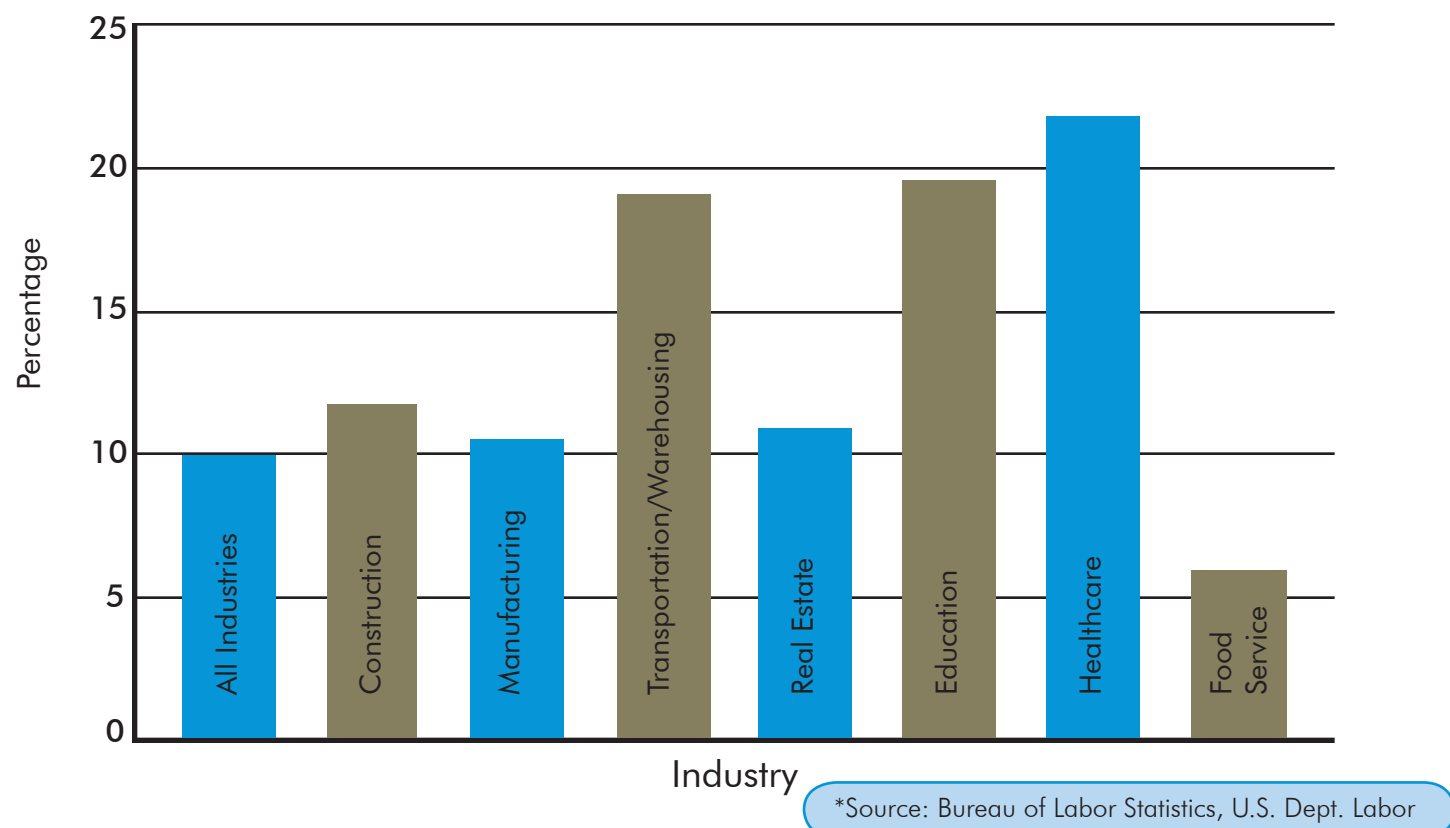
Generally, those at a higher risk for becoming a victim are those who work in the field, or at a service or reception counter.

Please see the chart on the back panel for some specific information on industries changing policies after the occurrence of a violent incident.

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Percentage of industries changing policy after incident of workplace violence



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Drug Free Workplace Grants by BWC

The Bureau of Workers' Compensation (BWC) has developed another opportunity for employers to receive funding for improving the quality of their workforce.

State-funded public or private employers who participate in the Drug-Free Workplace Program (DFWP) and Drug-Free EZ Program (DF-EZ) may now apply to receive grants for offsetting the costs of working toward training and implementation of drug-free policies.

Private employers are eligible for matching grants on a 2-1 ratio up to the amount of \$15,000 (\$5,000 from the employer and up to \$10,000 from BWC). Public employers are eligible for a 3-1 matching ratio, with a maximum amount of \$20,000 (\$5,000 from the employer and up to \$15,000 from BWC).

Funds are available for meeting any of the following:

- Developing a written substance abuse policy;
- The legal review and revisions of that policy;
- Education for the employees about the policy;
- Providing training for supervisors;
- Employee assessment when included in a BWC-approved consortium package. (Please note this does not include drug screening.)

Who is able to participate?

- State-funded employers, whether public or private, with the exception of state agencies.
- Those current on premium payments - not more than 45 days past due on disputed penalties, premiums, assessments or other funds due to BWC.
- Those without a current substance-free program, comparable to the current BWC guidelines, in the last four years.
- Employers not already completing the eligible four or five years of participation in the DFWP program.

Why should you participate?

- Increased productivity - according to BWC, substance users are 33-50 percent less productive.
- Absenteeism - users miss at least three weeks of work per year and are tardy three times as often as non-users.
- Accidents - users are three times more likely to have an accident on the job and five times more likely to file a workers' compensation claim.
- Theft - roughly 50 to 80 percent of pilferage at work is attributed to substance users.
- Claims - medical claims filed by substance-abusers are 300 to 400 percent more costly than those filed by non-users.

Employers with a comparable program are eligible for funding to cover only employee education, supervisor training and associated materials. If you are not participating in BWC's DFWP or DFEZ programs, submit proof of your comparable program, along with a Safety GRANT\$ application, agreement and a completed W-9 form.

If you are interested in applying for grant money through the BWC under the SafetyGRANT\$ Program, please go to this address to begin the process: <http://www.ohiobwc.com/downloads/brochureware/publications/SafetyGrantsPhaseIV.pdf>

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BWC offers online courses

New classes on the internet allow individuals not otherwise able to gain new knowledge on a variety of topics.

The Bureau of Worker's Compensation (BWC) has introduced a new series training courses for those who may not have been able to participate in the past.

The BWC Learning Center is the new way to register for and take classes - it is available 24 hours a day, seven days a week. In addition to signing up for a course, employers are able to access a record of previous courses, cancel an enrollment or search for a needed course. As an added incentive for active training, BWC's Division of Safety and Hygiene offers many courses online for those who are not able to participate in a traditional classroom setting for any number of reasons.

One very highly recommended online course is targeted toward those who work daily in an office setting - Office Ergonomics Online.

This course is intended for any individual who works a minimum of four hours a day at a computer desk, and for supervisors, human resource staff or risk managers in these companies.

Office Ergonomics Online is targeted to teach the following concepts:

- Preventative measures to lessen the risk of developing repetitive injuries;
- Proper posture and keyboard techniques to avoid back discomfort - including workstation arrangement (arranging desk, chair, monitor positions);
- Symptoms and stretching exercises to prevent or alleviate cumulative/repetitive injuries;
- When and how to report an injury or receive assistance when needed;
- Troubleshooting tips for alleviating discomfort.

An optional component to the class is learning key skills to prevent injuries using laptops. Also, gather tips on protecting the voice for those working in call centers.

There are no specific requirements for this course, outside of Internet access. Employers can instruct workers to take the class at any time - as no prior registration is required - by visiting the Division of Safety and Hygiene's website through BWC.

What can your CCI claims examiner do for you?

Understanding how the claims examiners benefit an employer is an important tool. Claims examiners are able to save employers money on claims.

In a nutshell, the job of the claims examiner is quite simple: reduce employer cost. However, performing that task isn't nearly as easy as it seems.

Just as an example, let us say that a worker suffers from a minor injury and, although able to return to work, files a claim with BWC against his employer. What should the employer do? Settle the claim? Appeal it? Claims examiners are trained to answer these questions.

When a worker is injured on the job, he or she will report the injury and file the claim with the MCO chosen by the employer or appointed by BWC. A claims examiner is notified of the situation and will then review the claim to determine cost containment strategies for the employer.

Some tips for controlling costs include:

- **Salary continuation** - rather than allowing BWC to begin paying lost wages, the employer continues the wages once notified that the injury will cause the worker to miss several days.
- **Light or transitional work, if able** - this will allow the worker to remain on the job but not at risk for further injury.
- **Handicap applications** - cost control strategy that may be utilized if a qualifying pre-existing condition is identified in the claim. Your CCI Claims Team will monitor the medical and compensation on file to determine if a claim meets the criteria for Handicap eligibility.
- **Settlements** - your CCI Claims Team will continuously monitor your claims for settlement eligibility. If a claim is identified as a good candidate, you will be contacted by your Claims Team to discuss the Settlement process as well as the cost savings benefits associated with pursuing that Settlement.

Often an accident will take place and the employer is unsure how to proceed. This can inhibit the employer from taking actions to reduce costs. CCI recommends contacting your claims examiner immediately if you have any concerns. When they are notified that a claim

has been filed, claims examiners will automatically send the employer a "New Claim Notification," providing some useful advice.

The most important thing to remember is the claims examiner is your advocate. While he or she is not able to give you legal advice, it is very important to keep in mind what actuarial implications are involved.

Here are suggestions on how to proceed when a claim is filed, or if the possibility arises:

- Call your claims examiner immediately if you have any concerns or are unsure of what to do next.
- Timeliness is key. There are strict deadlines for implementing any strategies and the more time lost, the more it may ultimately cost the employer.
- Stay in close communication with your claims examiner. That person is dedicated to helping you save money!
- Be a concerned employer. You will be better informed if you are directly communicating with the injured worker. Don't forget to check on his progress and ask how he's feeling!

Important Date for 2007

March 20-22, 2007 -- The Ohio Bureau of Workers' Compensation Safety Congress and Exposition in Cleveland!

Learn about workplace safety from experienced speakers, attend classes and demonstrations, view new products, network and more!

Register online through the Ohio BWC website at www.ohiobwc.com. You may also register via fax or mail. Visit the Bureau's website for details about speakers and presentations!

Changes for Employers from Senate Bill 7

Senate Bill 7, effective June 30, 2006, provided for some key changes in the Ohio workers' compensation laws. Many of the changes made should come as positive news to Ohio employers. A summary of the key changes is listed below as provided by Thompson Hine Law Firm.

ISSUE	PRIOR to 06/30/2003	CHANGE
Substantial Aggravation	Any aggravation, no matter how slight, can be compensable.	Requires a substantial aggravation documented by objective findings. Once the aggravation subsides, the claim abates.
Reduction of Statute of Limitations	Six years if medical only, 10 years from date of last payment of compensation.	Five years from last payment of compensation or benefits.
Permanent Total Disability		Impairment from the allowed conditions prevents the (not "an") employee from engaging in employment utilizing present skills or those skills that he might reasonably attain. The statute also provides that PTD is not awarded when inability to work is on account of: non-allowed conditions; the aging process; voluntary abandonment; or failure to improve situation.
Non-Working Wage Loss	200 weeks non-working or working and possibly 200 weeks rehabilitation wage loss.	52 weeks maximum; 226 total of non-working and working wage loss. Coordination with rehabilitation wage loss.
Kaiser/Employer's Appeal	Claimant may voluntarily dismiss employer appeal.	Claimant may not dismiss complaint in an employer appeal without the employer's agreement.
Bailey/Mental-Mental Relief	Can observe an injury of another and claim mental condition.	Mental condition must arise from a physical injury or occupational disease sustained by the claimant.
Rape or Sexual Assault		Compensates a psychiatric condition where the condition results from sexual conduct in which the injured worker was forced to engage by threat of physical harm. Sexual conduct is defined as physical, sexual contact.
Eliminate PPD 40-Week Waiting Period	40 weeks.	Reduce to 26 weeks.
State Fund Settlements		Permit settlements without employer agreement if claim is out of experience and employer fails to respond.
Increase Fines for Employer Coverage Lapses or Late Payments		Late fees for both self-insurers and for state fund contributors. Provides a 60-day grace period.
County Prisoners Receiving Compensation		Will not receive compensation if the person is incarcerated in a county jail in lieu of a state or federal facility.
Clarify Loss or Loss of Use for Multiple Body Parts for PTD Purposes		Provides that the loss, or loss of use, of one appendage does not constitute the loss of two body parts.
Revise Finger Numbering	1st = index	Included, at R.C. 4123.57 1st = thumb
Increase Attorney's Fees	\$2,500	Increased to \$4,200 if claimant prevails in a R.C. 4123.512 appeal.
Sysco Reimbursement	Sysco reimbursement available if employer overturns adverse decision.	Self-insurers may opt out of surplus fund reimbursement and its assessments will not include a portion for the surplus fund.
Child Support		Brings uniformity to the payment of compensation and child support. Presently, each county has a different procedure.
Facial Disfigurement	\$5,000	Increased to \$10,000 maximum

WebWatch

<http://mycyberu.com/>

- Offers online courses and tips for today's workplace;

- Taking online courses increases team skills and confidence;

- Some offerings include: time management, information systems, sensitivity training and certification;

- Also offers 15 minute "Quick Training" courses on spreadsheets, word processing, presentation software and basic computer hardware.



www.fambiz.com

- Great resource for small family business owners;

- Provides a library of articles of over 300 family business topics;

- Some topics include: asset protection, compensation policy, finance and compensation issues.