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Managing Risk. Insuring Success.

2nd Quarter 2009



**PLAYING IT SAFE
WITH GUY SAFETY**

Student Workers: Know the Laws

Q: I have a lot of student workers on my staff now that the summer months are approaching. What are some of the basics regarding student rights and limitations?

A: As an employer, you are required to follow OSHA teen guidelines and Fair Labor Standards. You and your student employees should be aware of student worker laws and rights.

Hours of work:

According to child labor laws, no employee under the age of 16 should be on the job after 7 p.m. when school is in session. Child labor laws determine how many hours a student can work based on the student's age. These laws fluctuate to allow students to work more hours during the summer or when school is out of session during vacation and other school breaks.

Ages 14 – 15:

When school is in session, students can work no more than three hours per day, including Fridays, and no more than 18 hours per week.

On the weekends, school-leave days and holidays, students can work no more than eight hours. When school is not in session, students can work no more than 40 hours per week. When school is in session, students can work no earlier than 7 a.m. and no later than 7 p.m.

Ages 16 – 17:

Students 16 and older can work unlimited hours as long as their job is a non-hazardous position.

At the end of the day

While you don't want to think about the possibility of one of your workers being killed at your place of business, the fact is that teen homicide is the leading cause of work-related death, especially in retail and food-service industries. Make sure you have a safety plan in place and offer training that instructs your employees what to do in the event of a robbery or other violent act on the premises.

- Remember that students younger than 16 are not to work past 7 p.m. on school days.
- Never leave a student worker alone on the job.
- Never let student workers close on their own.
- Remind them to report any customer (or worker) threats or acts of violence.
- Let them know that they should call the police if they notice any suspicious behavior.
- Have phone numbers for the police department posted near the phone.

For complete information on hiring teen workers, visit OSHA's Teen Workers site at www.osha.gov/SLTC/teenworkers/index.html. To find out more about Accident Fund's WorkSafe Students program or to order teen training materials, contact your independent Accident Fund agent.



Photo by Vanessa Zaroor

Town & Country Disposal, based in Harrisonville, Mo., uses trucks with automated mechanical arms that can lift containers for dumping and be operated from the driver's seat, keeping employees safe.

Culture of Safety Delivers Success for Disposal Firm

J.R. Pesek has never missed a day of work in 26 years in the waste-processing business. That type of dedication to his career carries over into how he has managed his residential and commercial trash disposal company, Town & Country Disposal, for the past 11 years. The company, based in Harrisonville, Mo., runs residential and commercial routes and manages a state-of-the-art transfer station and recycling center. For Pesek, safety on the job isn't only practical, it's economical. "Injuries are money lost," he says. "Injuries will mess up everything, including productivity ... (and) time is money."

Owner Takes Proactive Approach

Accident Fund Senior Loss Control Consultant Richard Garrett says Town & Country Disposal sets a high standard for how a policyholder should approach work-safe policies and return-to-work initiatives.

"Town & Country has an excellent culture of professionalism in a line of business that's not always thought of having it," Garrett says. "Employees are expected to dress in a particular manner. They have an approach to safety that stands out."

Garrett says because of their investment in people and the newest equipment, the company has a very low turnover rate among their 116 employees. Pesek deserves credit for this, Garrett says, because he is so active in the day-to-day operation of the company.

"Employees must be trained by myself or one of my supervisors a minimum of 72 hours before they start going out on the trucks," Pesek says. "We also provide regular safety meetings and teach lifting fundamentals, such as lifting with your legs."

Wis. School District Takes Action on Safety

For business owners, it's difficult enough to enforce and maintain safe work practices for employees at one building. Imagine trying to do so at more than 45 facilities with nearly 7,000 employees spread out across an entire city. That's the challenge facing Madison Metropolitan School District in Madison, Wis. But they're making the grade when it comes to taking a proactive approach to tracking incidents, preventing injuries and training employees to keep work-safe practices top of mind.

Changes Make Big Impact

When MMSD became a United Heartland policyholder in July 2002, Loss Control Consultant Anne Romaine says that the initial priority was to help them implement a more effective return-to-work program. The district saw the benefits of getting employees back to work in some capacity and how it impacted their experience modification factor for the better; plus they saw increased cost savings. Early on, the district's experience

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Photo courtesy Chandra McDowell

Chandra McDowell is risk secretary for the Madison Metropolitan School District.

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FIRM

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Go Green or Go Home

Pesek takes a hard line when it comes to adhering to certain safety policies. The company purchases all work clothes, including high-visibility fluorescent shirts for their employees. Boots and leather gloves are a mandatory part of the uniform and if a worker isn't wearing their safety green when they come in, they're sent home.

The trucks are also outfitted with rear-view and side cameras and equipped with multiple strobe lights in the front and back to ensure that drivers can see the trucks from a distance. The trucks also use automated systems, operated from the driver's seat, that use mechanical arms to lift containers, dump them and then place them back on the curb, helping to reduce injuries from lifting.

"Injuries are money lost. Injuries will mess up everything, including productivity ... (and) time is money."

— J.R. Pesek, Owner, Town & Country Disposal

Return to Work Helps the Healing

When injuries do happen, Pesek is a big advocate for return to work and tries to get employees active again without delay. "When a guy is sitting there doing something that he doesn't want to do anyway, it changes his attitude," Pesek says. "Working makes the wounds heal faster."

Pesek says that Accident Fund has been helpful in providing training and posters that promote work-safe policies, such as proper lifting techniques and wearing correct safety gear.

But Garrett again credits Pesek for Town & Country's success and low loss ratio. "He has created a culture of safety that serves them well," Garrett says.



Photos by Rich Bauer

At the Madison Metropolitan School District, incidents are tracked through a coding system. This enables our United Heartland loss control consultant to determine which schools to visit and gauge issues that may need to be addressed.

SCHOOL

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mod was 1.09; it now stands at 0.65. While return-to-work played a part in this drop, Romaine also says that having Risk Secretary Chandra McDowell as an advocate for work-safe practices has been integral to the district's successes. "Having a dedicated person to manage all the claims has been very helpful," Romaine says. "She's very good about tracking incidents and getting the needed information for claims."

McDowell, who's been with the district for eight years, works with each school to go over the injuries at each facility and has developed a coding system that tracks each individual incident. Slips, trips and falls tend to be the biggest source of injuries. She also sends out letters to each school telling them the injuries that have been recorded.

The coding system enables Romaine to identify which schools she'll visit each quarter and what issues she needs to address with specific individuals. She appreciates how receptive the district has been to United Heartland's presence. Her initial focus had been talking to custodial staff about issues, but now she meets regularly with principals too, sharing information about the importance of workers comp.

It's Gotta Be the Shoes

Sometimes it's little changes that can

have a big impact. McDowell says that Romaine worked with the district's food-service employees to have them wear non-slip footwear as part of their uniform. She also helped them identify potential slip and trip hazards so that they better understood the need to keep floors clean and aisles clear for walking. Since then, claims have dropped significantly.

"I think helping to prevent injuries is really the best way to keep safety on everyone's minds," McDowell says. "We figured out how much money we spent in lost wages and medical costs for foot injuries, so now we're investigating other opportunities too."

"Recently, we started meeting monthly to discuss safety inspections, and we're hoping to start focusing on employee injuries, determining what the causes are and whether there are ideas for prevention."

United Heartland Leads the Way

United Heartland also realizes that MMSD has limited resources available for safety training, so they've helped out by providing online custodial training for the district's team. It allows the MMSD custodial team to take the courses when it fits into their schedule and supervisors are sent the results of tests taken at the end of each session.

By studying where they can make improvements and doing their homework when it comes to training for their staff, MMSD and United Heartland have formed a winning team that's moving steadily to the head of the class.



MMSD food-service workers use non-slip footwear as part of their uniform and have taken action to keep floors clean and aisles clear.

Bullies: They're Not Just In the Schoolyard

Many employers might not consider bullying a form of workplace violence. Bullying in the workplace, they may argue, doesn't generally cause physical harm so it isn't actually "violence." Not so, says OSHA. Bullying in the workplace is considered to be a form of workplace violence, right along with physical assaults, threats of assault, harassment and intimidation.

What is workplace bullying?

Nearly all employers know about harassment. It's discrimination or action taken against anyone in defiance of their legally-protected status (sex, race, national origin, color, religion, sexual orientation, age, disability, etc.). Employers have a legal obligation to correct such instances of harassment.

Bullying, however, is harassment that occurs outside of those general laws. And while that makes it hard to explicitly define, there is general consensus that bullying is detrimental when it occurs in the workplace. Most people know bullying when they see it — the singling out of one or a few people through:

- Persistent aggression, including verbal abuse
- Offensive, threatening, humiliating or intimidating behavior
- Interference or sabotage that prevents work from getting done

While it's not generally discussed in many management circles, it's possible workplace bullying can be happening where you work, since 49 percent of American workers reported either having been bullied, or witnessing bullying, while on the job, according to a 2007 Zogby International Poll.

Employer costs

The monetary cost of bullying incurred by a company may not be obvious since employees who are bullied aren't typically litigious. In fact, only 3 percent of those who've been targeted have filed lawsuits and some 40 percent never complain to management. Yet there are costs in:

Top 10 Bullying Tactics

The Workplace Bullying Institute has identified the top 10 tactics used by bullies in the workplace:

1. Falsely accused someone of "errors" not actually made.
2. Stared, glared, was nonverbally intimidating and was clearly showing hostility.
3. Discounted the person's thoughts or feelings ("oh, that's silly") in meetings.
4. Used the "silent treatment" to "ice out" and separate from others.
5. Exhibited presumably uncontrollable mood swings in front of the group.
6. Made up own rules on the fly that even he or she did not follow.
7. Disregarded satisfactory or exemplary quality of completed work despite evidence.
8. Harshly and constantly criticized target; having a different standard for the target.
9. Started, or failed to stop, destructive rumors or gossip about the person.
10. Encouraged people to turn against the person being tormented.

Turnover. Bullied employees tend to seek other employment in an effort to find a non-hostile workplace. This costs the employer in downtime, recruitment efforts and reduced efficiency in getting a new hire up and running.

Talent Flight. The brightest employees (even those not directly bullied) will seek a different — and healthier — work environment, leaving the employer with a less-capable work force.

Accidents. Those who stay may experience increased anxiety, stress and distraction — creating ripe conditions for workplace accidents.

Health Costs. Stress from workplace bullying can lead directly to deterioration of employee health, driving up disability benefits, health care and workers compensation costs.

Litigation. Although litigation is rare, the costs of defending against even one lawsuit can generate huge legal fees.

What Employers Can Do

Ignoring workplace bullying is not the answer, since its negative impact on the work environment may affect your business productivity and even your bottom line.

However, there are several steps you can take to help prevent or reduce workplace bullying in your company. These include:

- Adopting a general code of conduct. In addition to workplace harassment policies, a code of conduct establishes the organization's commitment to upholding a respectful work environment for all employees.
- Treating complaints seriously. Even if the complaint does not involve unlawful harassment, you may still need to investigate to learn the facts of the situation — and whether further action is necessary in the form of training, disciplinary action or even termination.

Workplace bullying is always a critical issue because of the potentially detrimental effects for all involved. By taking it seriously, you'll help create a better, more productive workplace for all.

Sources: Workplace Bullying Institute; Fredlaw.com; Waitt Institute for Violence Prevention