

IPRF ISSUES

Risk & Safety Tips from the ILLINOIS PUBLIC RISK FUND

Vol. 7 No. 4 • Quarterly Issue • October 2008

Substance Abuse and the Workplace: *A Harmful Combination*

National Drug-Free Work Week...Oct. 20-26, 2008

A safe, healthy and drug-free workplace is everybody's responsibility, and IPRF wants to take the opportunity to educate employees about steps they can take to help a co-worker who may have an alcohol or drug problem. By knowing what to do (and what not to do), employees can play a powerful role in improving workplace safety and encouraging co-workers with alcohol or drug problems to seek help.

Some of the potential risks and hazards of workplace alcohol and drug use are obvious, particularly those related to safety. Alcohol and drug use can seriously impair judgment and coordination, which can lead to workplace accidents, injuries and even death. And a person does not need to be an alcoholic or drug addict to create safety hazards. For example, someone who still has alcohol in their bloodstream from drinking before they were on the clock may not be in any condition to work safely. But the problems extend beyond safety. Workplace alcohol and drug use can weaken an organization's ability to operate profitably and productively. It is also associated with lower levels of employee morale—not only that of employees struggling with alcohol or drug problems, but also those who work alongside them.

Most of us know someone, perhaps a family member, friend or co-worker, who has been affected by alcohol or drug abuse in some way. Though some of the signs may vary by drug of choice, what you see that person doing and how you interact with him/her is often the same, regardless of the substance being used. Both on and off the job, symptoms of alcohol or drug use may be physical (chills, smell of alcohol, sweating, weight loss, physical deterioration); emotional (increased aggression, anxiety, burnout, denial, depression, paranoia); and/or behavioral (excessive talking, impaired coordination, irritability, lack of energy, limited attention span, poor motivation). It is important to note, however, that if an employee displays these symptoms, it does not necessarily mean he/she has a substance abuse problem.

Signs that substance use may be a workplace hazard include:

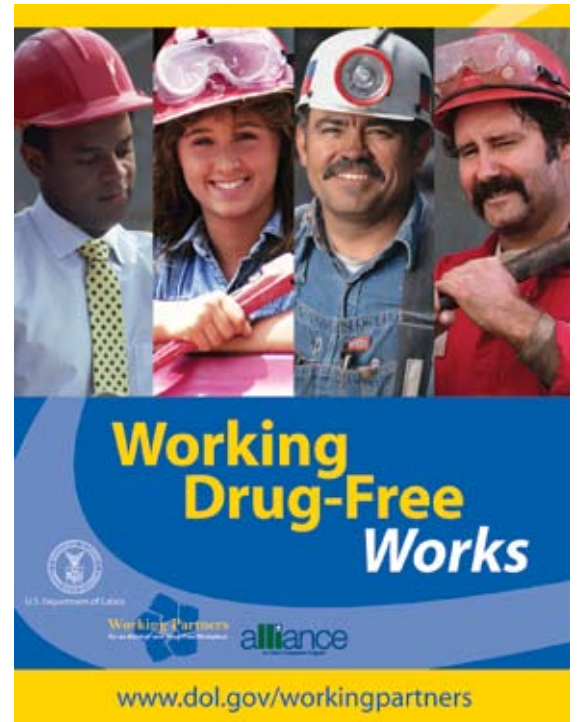
- Creating mishaps, being careless and repeatedly making mistakes.
- Damaging equipment or property.

- Being involved in numerous accidents.
- Displaying careless actions in the operation of hazardous materials or equipment.
- Being unreliable, not being where he or she should be.
- Showing a lack of detail on performing routine job duties.
- Being unwilling to follow directions and being argumentative.
- Giving elaborate, unbelievable excuses for not fulfilling responsibilities.
- Not carrying one's load.
- Taking unnecessary risks.
- Disregarding safety for self and others.

For your own safety, it is important that you not tolerate such conduct by a co-worker using alcohol or drugs. However, this can be a challenge—sometimes it may seem easier to ignore the problem and unwittingly enable the employee's behavior to continue. For example, you may cover up for a co-worker by providing alibis or doing his/her work; develop reasons why his/her continued use of alcohol or drugs is understandable; or just avoid contact altogether. Trying to take responsibility by throwing out the person's drugs or making idle threats also tends to be ineffective.

Worker alcohol and drug use cannot be taken lightly, especially in environments where workers rely on each other for safety. While supervisors can confront workers whose behavior affects their job performance, co-workers may be able to help before this occurs. However, it is important for employees to understand that it is not their responsibility to diagnose problems. Rather, they should observe behavior and focus on safety. Though notifying a supervisor may eventually be necessary, a co-worker may have significant influence using the right approach. **If you suspect someone has a problem:**

- Identify with the person and show concern. Say you have noticed a change in behavior and express your concern for their safety and that of other workers.
- Describe your observation of their behavior, using specific days and/or times rather than saying "you always" and other similar phrases.



The purpose of Drug-Free Work Week is to highlight that being drug free is key to workplace safety and health and to encourage workers with alcohol and drug problems to seek help.

- Connect the behavior to the alcohol or drug use (or suspected use).
- Urge the person to get help and offer information about how to get it. For more information about local resources, you can also call 1-800-662-HELP or visit www.findtreatment.samhsa.gov.
- Tell the person you will no longer hide the problem for him/her, but do not make idle threats. Be willing and able to follow through.
- Explain how the person's problem use affects you and others at work.
- Reconfirm your concern. You do not need to get him/her to admit he/she has a substance problem. You must stand your ground with your co-worker, be consistent with your actions and be willing to follow through on any threats you make.

It is important to note, however, that even after confronting a co-worker using these steps, he/she may still be unwilling to accept or acknowledge the alcohol or drug problem. When you have done all you can and the person's behavior is such that it directly affects you and your ability to do your job, it may be appropriate to involve others. This may mean taking your concerns about safety to a supervisor, who may have more options through the workplace to help the person get assistance.

Inside this issue... **2** 5-Minute Safety Talks **3** Loss Control Program Flaws **4** Prevent Office Fire Damage



Illinois Public Risk Fund
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5 MINUTE SAFETY TALKS

Hand Protection

Two of the most intricately designed instruments we work with are our hands. We probably couldn't use any other devices that can take the beatings our hands take and still execute precision maneuvers.

Like most things of marvel, we have come to take our hands for granted -- except when we get our fingers pinched in a door or slammed between two bowling balls. Then we become painfully aware that our hands are not only present, but sensitive, too. Unfortunately, as soon as they're healed, we forget this experience and start taking them for granted again.

Hand injuries account for over one-third of the two million disabling on-the-job accidents that occur each year. Most of these hand injuries (80% of them) are caused by pinch points. Pinch points have the nasty habit of catching us when we're not paying attention. Pinch points can be avoided by being aware of their existence and then taking the proper precautions.

Another way to enhance hand protection is to wear approved work gloves when handling rough materials and during other operations where your hands are directly involved in the lifting or moving of objects. Other measures include taking the time to remove or flatten protruding nails, splinters, or sharp edges on materials you're going to be working with.

Machine guards and special tools given to you to perform your job should be used. When you don't lock out machinery, or remove a guard and don't replace it, you're increasing the odds that you'll be injured.

Despite any precautions we may take, our hands are still going to receive minor injuries from time to time. Injuries such as minor cuts and scratches should be treated promptly, as they can develop into something more serious.

A little foresight will go a long way in protecting your hands. Watch aisles and doorways for proper clearance. Keep your hands free of grease and oil. Don't wear rings while working. Guards should be in place to protect pinch points. Use gloves to protect your hands. A good thing to always keep in mind is that your hands are fearless. They'll go anywhere they're sent and they can only act as wisely as the person they belong to.



LEADER NOTES

OBJECTIVE: To increase the awareness of hand injuries and the need for hand protection.

POTENTIAL INJURIES: Amputations, disabling injuries, and minor cuts and abrasions.

THE TALK – POINTS TO COVER

- Our hands are the most intricately designed instruments we use.
- We often take our hands for granted and forget the injuries that have occurred.
- Be aware of pinch points and take the proper precautions.
- Use approved hand protection for handling rough materials.
- Machine guards and special tools should be used for hand protection.
- All hand injuries should be treated promptly, even minor cuts and scratches.
- Protect your hands by checking clearances in doorways and aisles, removing grease and oil, removing rings or other arm and finger jewelry, making sure pinch points are guarded, and using proper hand protection.
- Protect your hands by acting wisely when you use them.

The information and suggestions contained in this discussion have been developed from sources believed to be reliable. However, Broadspire makes no warranties, either expressed or implied, nor accepts any legal responsibility for the correctness or completeness of the material or its applications to specific factual situations.



Tree Trimming & Removal Safety Tips

Assume that All Power Lines Are Energized!

- Contact the utility company to discuss de-energizing and grounding or shielding of power lines.
- All tree trimming or removal work within ten feet of a power line must be done by trained and experienced line-clearance tree trimmers. A second tree trimmer is required within normal voice communication range.
- Line-clearance tree trimmers must be aware of and maintain the proper minimum approach distances when working around energized power lines.
- Use extreme caution when moving ladders and equipment around downed trees and power lines.

Stay Alert at All Times!

- Do not trim trees in dangerous weather conditions.
- Perform a hazard assessment of the "work area before starting work.
- Eliminate or minimize exposure to hazards at the tree and in the surrounding area.
- Operators of chain saws and other equipment should be trained and the equipment properly maintained.
- Use personal protective equipment such as gloves, safety glasses, hard hats, hearing protection, etc., recommended in the equipment manufacturer's operating manual.
- Determine the tree's felling direction. Address forward lean, back lean, and/or side lean issues.
- Determine the proper amount of hinge wood to safely guide the tree's fall. Provide a retreat path to a safe location.
- Inspect tree limbs for strength and stability before climbing. Tree trimmers working aloft must use appropriate fall protection.
- Do not climb with tools in your hands.
- If broken trees are under pressure, determine the direction of the pressure and make small cuts to release it.
- Use extreme care when felling a tree that has not fallen completely to the ground and is lodged against another tree.
- Never turn your back on a falling tree.
- Be alert and avoid objects thrown back by a tree as it falls.



For more complete information:

OSHA Occupational Safety and Health Administration
U.S. Department of Labor
www.osha.gov • (800) 321-OSHA

LOSS CONTROL PROGRAMS

The Ten Most Significant Flaws

Controlling losses has become an essential function for companies worldwide as accident, medical and related litigation costs continue to escalate. Direct and indirect costs related to workers compensation claims must be controlled to protect corporate assets and bottom-line profits. More stringent state and federal regulations create additional challenges for American companies. Effective safety and health programs become a financial necessity.

Over the years, Bureau Veritas has assisted many clients, including many Fortune 500 companies, in evaluating, developing and implementing their loss control programs. In the process acquiring this experience, we have encountered certain recurrent program weaknesses.

The purpose of this article is not to reinvent the loss control wheel, but to share our experiences in working with actual loss control programs and to identify common problems that impede these programs.



1. Lack of Management Commitment If managers seldom notice hazards or comment on safety during their operation walk-throughs, if safety is seldom discussed with supervisors, if management's priorities do not clearly and consistently include safety, if a written policy and the assignment of responsibility are the sum total of top management's investment in safety—these all signal management's lack of commitment effective loss control. This can spell trouble for a company's bottom line.

2. Failure to Define and Assign Responsibilities and Accountabilities When duties and responsibilities are not clearly defined, the various elements of a loss control program will falter and stagnate. This stagnation is seen in such things as accident investigations that are done poorly, late or not at all; safety meetings that are conducted haphazardly or inconsistently; safety rules that are inconsistently enforced or nonexistent: physical hazards inspections that are superficial or nonexistent. In short, very little is accomplished, and whatever effort is expended is frequently ineffective.

3. Failure to Establish Program Objectives and Measure Performance Loss control programs sometimes look very good on paper but still fail to achieve significant results. All the standard program elements are there, and a significant expenditure of time and money is being made. Yet somehow they fall short.

4. Misunderstanding the Role of the Safety Staff When loss control is considered the responsibility of the safety staff: when virtually no one else in the organization invests any significant energy in the effort; when failures in the safety program are all blamed on the safety staff—this is a clear indication that management does not understand the proper relationship between safety personnel and line management.

5. Lack of Supervisory Involvement Supervisors have the most influence and control over employee attitudes and work habits. They are most familiar with the day-to-day operations, conditions and work environment in their departments and are, therefore, in the best position to prevent accidents. When supervisors are not actively involved, very few loss control program activities are carried out effectively. Accident investigations, inspections, employee safety training, safety meetings—all require their active participation in order to be effective.

6. Failure to Involve All Employees The company that does not solicit active employee participation in its safety program is leaving a tremendous resource untapped. Employees often are the first to recognize hazards on their jobs or in their departments and often have excellent ideas on how to correct an unsafe condition or change a job procedure to reduce the probability of an accident.

7. Non-existent or Inadequate Training Lack of training in the various loss control program elements can show up at any level in the organization. If the need to invest time and money in loss control is not well understood at the top management level, then the all-important management commitment will be lacking and the entire program will suffer. Supervisors who have not been trained in the basis elements of on-the-job safety, or who are not skilled in communicating that information, will be unable to assume their key role in the program.

8. Inconsistent Enforcement Of Safety Rules If enforcement of safety rules is different from supervisor to supervisor and from department to department, or if hourly employees are expected to obey the rules but management is not, or if the reasons for the rules are not known by those expected to obey them, people will not take the program seriously and support for the program will deteriorate. Safety rules that are not consistently enforced undermine employees' perception of management's commitment.

9. No Program for Controlling Losses After the Fact With no follow-up program for injuries, some injured workers will take advantage of the system, and even minor injuries will tend to become lost-time cases. The result is higher medical and indemnity costs and poorer quality and productivity due to absenteeism and turnover. First aid cases may become hospitalized or sent home without medical justification, or legitimate lost-time cases stretched from days into weeks without medical justification.

10. Failure to Consider the Interdependency of Program Elements It is not unusual to encounter loss control program efforts aimed at only a few of the key factors. The justification for this approach is that time or money is not available to do more. Actually, such halfway measures may ultimately waste time and money. A partial system cannot be expected to provide as much consistency and cost-effectiveness as an integrated one.



Tort Immunity before the Supreme Court of Illinois

Retaliatory Discharge Case – Sec. 2-109 of the Tort Immunity Act Does Not Provide Public Entities Immunity from Retaliatory Discharge Cases Based on Alleged Violation of Workers' Compensation Rights

A park district employee sued his employer in the circuit court, claiming that he was terminated in retaliation for filing a workers' compensation claim. The employer moved to dismiss the complaint on the basis that it was protected by the Tort Immunity Act. The circuit court granted the employer's motion to dismiss and the appellate court affirmed. However, the Supreme Court reversed.

Plaintiff suffered a work injury May 8, 2002. He received medical treatment and was off work. On June 24, 2002 his employer demanded that he take a drug and alcohol test. The plaintiff refused and he was terminated. Plaintiff's supervisor filed an affidavit claiming that he was entitled to request the drug and alcohol test because plaintiff's medical records indicated that he was smoking marijuana daily.

Irrespective of the plaintiff's allegations that he was terminated because of his workers' compensation claim, the park district claimed it was entitled to absolute immunity under the Tort Immunity Act for its actions including the discretionary actions of its employees. The Supreme Court disagreed. The Supreme Court concluded that the Tort Immunity Act couldn't be used to protect a public employer from all claims of retaliatory discharge. The court found that the right of employees to be protected from retaliatory discharge was too important to give complete immunity to public employers despite the Tort Immunity Act. The court overruled any other appellate court cases to the contrary.

The court held, "We cannot identify what legitimate competing interests are involved when a public entity decides to violate the clear prohibition of another enactment of the legislature, namely, section 4(h) of the Workers' Compensation Act. Moreover, terminating an employee for exercising workers' compensation rights plainly has nothing to do with 'how to best allocate resources and go about providing services for the benefit of the public.'"

Comment:

The Tort Immunity Act is a critical statute. Public employers are certainly entitled to greater protection than private employers. Public employers are certainly too much of a target for lawsuits, especially since they will always have deep pockets and be prime subjects for civil lawsuits. However, it would have been extremely surprising for the court to rule differently in this case. Public employers couldn't reasonably expect the Supreme Court to rule differently and allow them to violate employees' workers' compensation rights. The opposite conclusion would allow any public employer to terminate all workers' compensation claimants with impunity.

Importantly, the court did not rule that the public entity was wrong in terminating plaintiff in this case because he refused to take a drug test. The court simply ruled that the public employer wasn't entitled to automatic dismissal of the complaint based on the Tort Immunity Act. The employer can still proceed to trial and defend its actions. It certainly appears that the District was justified in terminating this daily pot smoking employee. Public safety clearly justifies terminating employees who come to work under the influence of drugs.

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2008 ILLINOIS PUBLIC RISK FUND SUPERVISOR TRAININGS

COURSE DATES

Mundelein, IL	Level III – October 9
Rock Island, IL	Level III – October 22
Springfield, IL	Level III – October 8

REGISTRATION

Contact Bonnie MacIntosh, Training Registrar at 1-847-726-4095. *NOTE: Registration needs to be completed at least two weeks prior to the course date in order to make arrangements for course materials.*

Prevent Fire Damage in the Office

By Jonathan Meyer



The average office presents all kinds of fire damage hazards. However, there are many ways to fire proof your office and prevent damage from happening even if your budget does not allow hiring a professional to fire proof the office.

Preparedness is a key feature. Learn fire escape routes and how to activate the fire alarm, become familiar with stairway exits, and practice fire drills on a regular basis.

Heat-Generating Equipment

Heat-generating equipment such as copiers, work processors, coffee makers and hot plates are often overlooked as a potential fire hazard. Keep them away from anything that might catch fire.

Safe Storage

Store combustible material such as paper properly. Make sure they are not stacked up. Install sprinklers and fire detectors in the storage area. It is recommended to locate storage areas away from heat sources.

Electrical Safety

Many office fires start as a result of electricity malfunction or misuse. A well maintained electrical system provides maximum safety and is an important step in fire prevention.

- Avoid overloading electricity outlets. The best method is to assure a sufficient number of outlets. That method will also help in minimizing the use of extension cords, reducing fire hazards.
- If you must use an extension cord, never run it across walkways due to the potential tripping hazard. If you must run a cord across a walkway, tape it to the floor.
- Is it very unsafe to use poor quality, non-approved office appliances such as coffee makers, copiers, and even computers. Defective appliances have a bigger chance of developing electrical shorts leading to shock hazards and fires.

Gas

Gas is very dangerous as it can be ignited easily. If you smell gas then there is probably a leak. Call the gas company technician to investigate. If you store flammable materials, be sure to seal them properly to prevent vaporizing.

Smoke Detectors, Sprinklers, and Fire Extinguishers

Install smoke detectors and maintain them frequently. Be sure to test detectors and replace batteries as required. Remember, smoke detectors are your first line of defense.

It is recommended to install sprinklers to fight fire immediately as it starts. Extinguishers are another important tool for fire fighting. Purchase and maintain a sufficient number of extinguishers and make sure that everybody who works in your office knows where the extinguishers are installed and how to operate them.

Smart Tips for Fire Damage Prevention in the Office

- Keep heat-generating equipment away from combustibles.
- Store combustible material properly.
- Promote maximum electrical safety.
- Call the gas company technician to investigate every suspicion for gas leaks.
- Install smoke detectors and maintain them frequently.

MEET PAUL BOECKER III *Assistant Claims Manager*

Paul joined IPRF in September of 1996 as the Coordinator of Member services. In that capacity, he coordinated loss control services with claims services and handled members request for additional services. In 2002 Paul was tasked with claim office responsibilities and started to work in the Downers Grove claim office. Since 2002 Paul has worked in each level of responsibility, from opening mail to assistant claims manager doing multiple tasks. As the assistant claims manager, Paul is responsible for the offices procedures, vendor support and assisting in claims handling for the IPRF. Solving problems in the office to better serve IPRF members is what Paul finds most rewarding.



Paul is married to Nancy and enjoys watching their sons Paul play soccer and Johnny play football.

AVERAGE & MAXIMUM WEEKLY

Disability Benefits

The maximum TTD benefit can be no more than 133-1/3% of the statewide average weekly wage on the date of the injury or last exposure.



	STATE AVERAGE WEEKLY	MAXIMUM TTD BENEFIT
January 15, 2007 to July 14, 2007	\$861.38	\$1,148.51
July 15, 2007 to January 14, 2008	\$873.28	\$1,164.37
January 15, 2008 to July 14, 2008	\$883.86	\$1,178.48
July 15, 2008 to January 14, 2009	\$912.56	\$1,216.75

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If you would like IPRF Issues newsletter mailed to additional department heads, please contact:

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Phone (630) 271-0600 • Fax 630-271-0643 • email pboecker@iprf.com

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www.iprf.com

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Toll Free Number to Fax 888-223-1638

Lost Time Claims - By Area Code of Member

NAME	MEMBERS	EXT. #	FAX
<i>Supervisor:</i>			
Sue LeBlanc		12232	440-914-2541
<i>Analyst:</i>			
Sharon Barnes	815 (Lb-Z members) 630 (F-Z members) 309 (A-Z members)	12233	440-914-2554
Ginger Beer	618 (A-L members) 217 (J-Z members)	12133	440-914-2562
Daniel Duffy	618 (M-Z members) 217 (A-I members)	12225	440-914-2786
Glenn Macey	815 (A-La members) 630 (A-E members)	12234	440-914-2549
<i>Medical Only:</i>			
Mari Curless	Beer/Duffy	12132	440-914-2509
Shari Heitman	Macey/Barnes	12238	440-914-2896
<i>Claim Service Rep.</i>			
Cheryl Foisy	Macey/Barnes Beer/Duffy	12134	888-223-1638
<i>Supervisor</i>			
		12226	440-914-2511
<i>Analyst:</i>			
Christine Dapper	847 (A-F members) 708 (N-R members)	13635	440-914-2512
Vicki Sherwood	708 (A-M members) 708 (S-Z members) 847 (G-Z members)	12229	440-914-2836
Barbara Keller	SUBROGATION	12231	440-914-2523
Elaine Serafino	Cancelled members	12228	440-914-2532
<i>Medical Only:</i>			
Nancy Radzienta	Dapper/Sherwood	12138	440-914-2510
<i>Claim Service Rep.</i>			
May SooHoo	Dapper/Sherwood Serafino/Keller	13639	888-223-1638

Other Important Numbers

Claims Manager:	Bill Strong	12235	440-914-6835
Asst. Claims Manager:	Paul Boecker	12728	440-914-6863

New Mailing Address: 1100 West 31st Street, Suite 140, Downers Grove, IL 60515

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IPRF Issues

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Peggy O'Brien, *Graphic Designer*

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