

# IPRF ISSUES

Risk & Safety Tips from the ILLINOIS PUBLIC RISK FUND

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## The IPRF and the NATO SUMMIT 2012



### There have been increased questions concerning the nature and extent of the IPRF's coverage in the event that members are called upon for assistance during the May NATO Summit in Chicago.

While the City is gearing up to welcome 50 world leaders and thousands dignitaries for the 2-day conference at McCormick Place beginning May 20, first responders in the suburbs and throughout the State are wondering whether they will be deployed to assist the City if and when the need arises.

While it is anticipated that the planned demonstrations will remain peaceful, there's always the potential for violence, vandalism and property damage.

In the event that the City is in need of additional resources, local authorities can rely upon one of the most comprehensive mutual aid systems in the nation. Central to the comprehensive Illinois emergency plan is the statewide, non-discriminatory mutual aid response system for fire, EMS, and specialized incident operational teams established by the Mutual Aid Box Alarm System (MABAS) and its partnership with IEMA (Illinois Emergency Management Agency). On the law enforcement side, there is the Illinois Law Enforcement Alarm System (ILEAS), a coalition of local police agencies and the Illinois Terrorism Task Force (ITTF). After a Declaration of Disaster or emergency, Law Enforcement, Fire, EMS and special operations resources can be mobilized on the direction of IEMA. A significant value of MABAS and ILEAS, however, is derived from its ability to mobilize members in response to local and regional emergencies and other extraordinary circumstances not involving an officially declared disaster or emergency. In these situations, workers' compensation coverage, coverage through the State of Illinois may not be triggered.

IPRF Members can rest-assured that their personnel will be fully covered under these circumstances, even if they include terrorists' acts. The IPRF program includes a special endorsement providing terrorism insurance. Furthermore, as long as the MABAS or ILEAS mutual aid agreement applies, any IPRF Member and its personnel will be provided with full and complete Workers' Compensation coverage that follows the employee first responder to wherever they are called upon to serve within the State of Illinois.

## How is IPRF doing?

### 2011

- An approximate 8% or \$4,300,000 premium growth.
- Almost 50 new members joined IPRF.
- IPRF retained over 99% of its members (our goal is 100%).
- The 2011 IPRF Grant of \$3,500,000 was the largest ever!
- Added the Small Business Program.
- Added 4 service employees in claims and loss control.
- Expanded the billing options to include E-billing.

### 2012

- Expanded Grant Program to include Tasers and Stryker Power Load;
- Will be introducing an EFT payment option;
- Developing a Preferred Provider Program (PPP).
- Continue to develop online accessible information for both you and your clients.

*Thank you for your continued support of the Illinois Public Risk Fund.*

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# 5 MINUTE SAFETY TALKS

## Climbing & Reaching Safely

There's never enough space to store everything you'll need in an easy-to-reach place, so you may find yourself having to get something that's out of your reach. You may need to reach extra condiments on the top shelf of dry storage, a container of bleach in the cleaning closet or milk in the walk-in refrigerator. Whatever it is, don't try to climb the shelves or use makeshift ladders to get what you want. It's sometimes tempting to climb on anything that's handy. Standing on top of a trash can, a box, a chair or a table to reach something, or making a short ladder taller by putting it on top of a box or blocks can be very dangerous. Use the right equipment to help you reach what you want. Find out what you need—a small stepladder, an extension ladder, or even a special industrial device. If you're not sure what you need or don't think what you need is available, talk to your supervisor.

### Getting Ready

- 1) Choose the right equipment.
  - Make sure you use a ladder or stepstool that's strong enough and long enough for the job.
  - Check the ladder's duty rating and don't exceed its limits.
  - Type I, an industrial ladder, holds 250 pounds. Type II holds 225 pounds. Type III, the household ladder, holds 200 pounds.
  - Consider the weight of what you'll be carrying when selecting your equipment.
- 2) Inspect the equipment before using it.
  - Check for loose or bent rungs or steps, cracked side rails or bent or missing parts.
  - Make sure the spreaders can be locked in place when opened.
  - Metal ladders should have plastic or rubber feet and step coverings.
  - Check for oil and grease on the rungs or steps that could cause you to slip.
  - Replace missing parts and tighten loose hardware.
  - Make sure the steps are wide enough for you to spread your feet for balance.
- 3) Set it up carefully.
  - Place the ladder or stepstool on a firm, level surface.
  - In busy areas, use a barricade to prevent collisions.
  - Lock nearby doors that could open toward you.

### Climbing with Caution

- Face the ladder when you climb up or down.
- Hold on to the side rails.
- Carry small amounts.
- Have someone hand heavier objects up to you.
- Use a rope to raise heavier equipment. (Never raise or lower equipment by its power cord.)
- Never overreach.
- Always keep your body centered.
- Allow only one person on a ladder or step-stool at a time.
- Wear shoes with nonskid soles.
- Make sure your hands and feet are dry and free of grease.
- Never step on the top two rungs of a ladder.
- Never use a ladder or stepstool for anything other than its intended purpose.
- Never substitute stools, chairs or boxes for ladders or stepstools.
- Avoid standing underneath a ladder; be aware of what can fall from above.



## Material Handling - *Move that Load Safely*

Those of us whose jobs require material handling may already know about safe lifting techniques. But safe lifting is only one aspect of material handling. Transporting the load safely is the other. How you move or carry and put down the load is just as important as how you pick it up. The following tips can help you move the load safely and protect your back from stress, strain and potential injury.

### Manual Material Handling

Safe lifting means keeping your back aligned and balanced when lifting. Most standard loads under 25 pounds can be lifted and carried by following these steps.

Begin by bending from your knees (not your waist), tucking in your pelvis and tightening your stomach muscles. Then hug the load close to you and gradually lift yourself up using the strong muscles in your legs. When carrying the object, be sure not to twist or bend. Then, when setting it down, bend at the knees and slowly slide the load down your body until you can comfortably put it down.

### Mechanical Aids

Not all loads can (or should) be lifted by you or your coworkers. Carts, bins, dollies, forklifts and manual and powered hand trucks are mechanical aids that can help transport a load without putting undo strain on your back. Pushcarts and bins can be useful for light, awkward loads, while hand trucks and forklifts can help move heavier, stackable material. When using mechanical aids, be sure that the load is secured in place before moving it and be sure to push the device rather than pulling it.

### Tips to Remember

Whenever you lift or transport materials, keep these tips in mind. You'll place less stress on your back and will get the job done safely:

- Always wear shoes or boots with firm, slip-resistant soles.
- Make sure your path is clear and well lighted before lifting or moving the load.



- Know where to put the load down **before** you lift it.
- Never hurry when carrying a load.
- Organize your work area to reduce unnecessary lifting or moving.
- Check the condition of mechanical aids **before** loading. Are nuts, bolts or moving parts properly adjusted? Are the wheels stable and in good condition?
- Be safe - and you won't be sorry.

# Trenching & Shoring OVERVIEW:



## WHY TRENCHING AND SHORING SAFETY IS IMPORTANT

Accidents can cause severe injuries and fatalities due to crushing or asphyxiation from a trench collapse. U.S. Bureau of Labor Statistics (BLS) data show that 271 workers died in trenching or excavation cave-ins from 2000 through 2006. A review of multiple national databases by the National Institute for Occupational Safety and Health (NIOSH) researchers found that trenching and excavation hazards during construction activities resulted in 488 deaths between 1992 and 2000 - an average of 54 fatalities each year.

All trenching and excavation work presents unique safety exposures and hazards to workers. These hazards can be extremely dangerous unless they are addressed prior to beginning the excavation. If your entity is not properly equipped or trained to perform this task, transfer the liability to a qualified contractor who is capable of undertaking the task.

## JOB TASK EXAMPLES

Any work performed 5 feet or deeper below grade will require some type of protection for workers in the trench. Although we typically think of the water and sewer departments as having the greatest exposure to working underground, many public entity employees may be required to work in or around an excavation or trench. Examples of possible underground job tasks include:

- Installation of underground utilities
- Maintenance or repair of underground utilities
- Repair of water main breaks
- Inspections of new installations

## WHAT YOU CAN DO TO REDUCE CHANCES OF PERSONAL INJURY RESULTING FROM A TRENCH COLLAPSE

If your entity does not have all the equipment and qualified personnel, the best option is to contract the trenching and excavation work out to a qualified contractor. This will eliminate the chance of personal injury or harm to your employees. You and your employees should be familiar with OSHA regulations in 29 CFR 1926 Subpart P - Excavations.

If your public entity is properly trained and equipped to perform trenching and excavation work, please observe the following safety practices:

1. Trenches 5 feet deep or greater require a protective system. Trenches less than five feet deep but not in stable rock also require protection against cave-in. If sloping or benching cannot be used to mitigate the exposure, then a trench box or other shoring equipment must be used.
2. Plan traffic control around the trench or excavation if necessary (ex. use of barricades to control traffic). All workers should wear appropriate personal protective equipment including hard hats and warning vests made of reflectorized or high visibility material when exposed to vehicular traffic.
3. Inspections should be conducted by a competent person each day before the shift starts, during the shift, or after any other occurrence that may impact the stability of the excavation such as water that accumulates after a rainstorm. A competent person is defined as someone who is capable of identifying existing and predictable hazards and has the authority to take prompt corrective measures to eliminate them.
4. Competent person should conduct soil analysis to determine type of soil (A,B,C, or solid rock) being excavated and what trenching equipment should be used. (See 29 CFR 1926 subpart P).
5. Competent person should determine if atmospheric monitoring is necessary due to the possibility of a hazardous atmosphere. (ex. excavation near sewers, landfills, or hazardous substances storage area).
6. Identify underground utilities prior to digging (call JULIE at '811' or 800-892-0123).
7. Determine type of trench protection (sloping and benching, shoring, or shielding/trench box).
8. Plan for and install appropriate means of access and egress. Trenches 4 feet deep or more must have exit means within 25 feet of every worker (stairway, ladder, ramps).
9. Back fill trench as soon as possible.
10. Establish and maintain a written safety program for trenching and excavation operations.

## IPRF ASSISTANCE: TRENCHING AND EXCAVATION

1. On-site training is available free of charge from your IPRF Loss Control Consultant.
2. Training videos are available through the video library.

## RESOURCES

1. Regulations for excavation can be found in 29 CFR 1926 Subpart P, [www.osha.gov](http://www.osha.gov).
2. Consult the MUTCD for traffic control if required. [www.mutcd.fhwa.dot.gov](http://www.mutcd.fhwa.dot.gov).
3. IPRF Loss Control Consultant 1-800-628-5618 or [iprflosscontrol@ccmsi.com](mailto:iprflosscontrol@ccmsi.com).

## Jeff Skog CSP, ARM-P, CWCP

Jeff is a Loss Control Consultant for IPRF. He joined Cannon Cochran Management Services, Inc. (CCMSI) in May, 2011. His professional safety career started in 1987 as a Loss Control Representative for Zurich Insurance. He has since worked for several other large insurance carriers.



In 1985, Jeff graduated from Iowa State University with a Bachelor of Science Degree in Engineering Operations. Mr. Skog has earned the following designations through examinations and experience:

- Certified Safety Professional (CSP)
- Associate in Risk Management for Public Entities (ARM-P)
- Certified Workers' Compensation Professional (CWCP)

## 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 WAGE	MAXIMUM TTD BENEFIT
Jan. 15, 2012 to July 14, 2012	\$966.72	\$1,288.96
July 15, 2011 to Jan. 14, 2012	\$946.06	\$1,261.41
Jan. 15, 2011 to July 14, 2011	\$930.39	\$1,243.00
July 15, 2010 to Jan. 14, 2011	\$925.08	\$1,243.00

## April is... Alcohol Awareness Month

**With summer parties and outdoor fun – just remember to drink responsibly.**

- Plan a designated driver before you go out.
- Don't drink if you are under the legal drinking age.
- Only drink alcohol in moderation – no more than one drink per day for women, two drinks a day for men.
- If you are pregnant, or have the potential to become pregnant, don't drink alcohol. (There is no known safe amount or type of alcohol to drink during pregnancy.)

Excessive alcohol use is responsible for many adverse health and social consequences, which include liver cirrhosis, breast and colon cancer, unintentional injuries, violence, unintended pregnancy, and fetal alcohol spectrum disorder.

## How Can We Better Serve You

The IPRF is dedicated to its members and is always working toward higher levels of service. We need your input on:

- Safety Concerns
- Claims Information
- Timeliness of Claims Processing
- Helpfulness & Courtesy of our Claims Team
- Loss Control
- Topics to be addressed in this newsletter

Please contact Paul Boecker III at [pboecker@ccmsi.com](mailto:pboecker@ccmsi.com) or 630-649-6053.





# SUBROGATION!

## Reimbursement of Claim Payments from Third Parties at Fault. IPRF Members benefit from a dedicated Recovery Claims Specialist

In today's economic environment, public entities are faced with many of the same financial challenges that are a reality in the private business sector. IPRF provides resources such as loss prevention services and other programs to help their Members mitigate employee accident costs. Yet we all realize that some employee accidents are unavoidable and caused by circumstances outside a Member's immediate control. For instance, a driver who fails to yield and strikes your vehicle causing injury to a working employee. An employee injury from a defective product, a hazard found on private property or physical contact with intent to harm an employee, are other examples where subrogation opportunities can be found.

IPRF Claims Administration provides a proven solution to recovering claim costs when a third party is the cause of an employee's workers compensation claim. A dedicated subrogation claims specialist focused on obtaining reimbursement for benefits paid on your employee's workers compensation claim, to the extent allowed under the Illinois Workers Compensation Act. Having a claims professional who is responsible for recovering claim payments rather than issuing them, is a benefit seldom found in today's claims administration environment.

The IPRF subrogation claims specialist utilizes a number of resources to aggressively obtain reimbursement from responsible third parties. These include demanding reimbursement from third party insurance companies, direct collection from the responsible individual, obtaining restitution on claims involving criminal actions, and filing suit where claim payments are significant, as well as monitoring civil suits filed by the employee against the third party to insure any settlement includes reimbursement for workers compensation payments made.

Under the Illinois Workers Compensation Act, it is important to remember that reimbursement of claim payments is limited by statute. As an example, when an employee files suit against a responsible party for tort recovery, his/her attorney is entitled to collect 25% of the settlement as his/her fee, in addition to certain expenses involved in filing the suit. There are other factors involved as well. Such as when the responsible party has low policy limits. In such cases the subrogation claim specialist evaluates each case and presents recommendations on acceptable reimbursement amounts for approval by the IPRF Board of Directors.

How do we identify cases where subrogation opportunities may be present? The basic process involves review of every new claim that is reported by a Member for third party responsibility. This is undertaken as part of our investigation by the assigned IPRF claims examiner. Even if a case involves a single visit to the ER. We still undertake the same procedure to identify an opportunity to obtain reimbursement when another party is at fault. If such an opportunity is identified, the claim examiner completes a subrogation referral form and submits it to a claim supervisor. A claim where there is reasonable expectation for reimbursement is then assigned to the IPRF Subrogation Claims Specialist, even though the workers compensation claim continues to be actively handled. That way the subrogation claims specialist can identify and notice all responsible parties and/or their insurance carriers of our intent to recover benefit payments made for the specific claim/accident that our Member has reported.

How does IPRF measure the benefit to its Members of having a dedicated Subrogation Claims Specialist? Well, it's all in the dollars recovered for claims paid on behalf of our Members. In the twelve month period ending on December 15th, 2011 the total dollars recovered on IPRF Member claims, exceeded \$650,000.00! –Subrogation is indeed another effective tool to help mitigate workers compensation claim costs for all IPRF Members!

By: Glenn Macey –IPRF Unit Claims Supervisor



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