



SAFETYTIMES

A Bi-Monthly Publication distributed by the Workers' Comp Trust
P.O. Box 8070, Santa Rosa, CA 95407 • (707) 542-9502 • www.ncbesafety.com

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Issue 12, Number 2 North Coast Builders Exchange November-December 2005

A Workers' Comp Success Story ~ BODEN CONSTRUCTION INC.

Build safety into the job



Safety has always been part of doing business for Boden Construction, Inc. As a small, award-winning company with primarily long-time employees, safety is important. "Most of the guys that work for me are my friends. I don't want to see them hurt," says Jim Boden, who co-owns the company with his father, Silas. Boden Construction started in 1972 building spec homes and evolved into what is now its core business: custom residential remodels and new construction. One of the company's current projects is building new retreat cottages at Timber Cove.

The company has 10 employees in the field and three office support staff. "We've always looked for long-term employees," Jim Boden says. "We don't do seasonal hiring."

With help of Kelley and the NCBE crew we've brought our ex-mod back to 100%. My goal is to bring it down to 70%.

Although Boden Construction always had a safety program, "it was pretty generic before," Boden admits. "It wasn't what it is today."

For literally decades, the company enjoyed an excellent safety record, but things began to change around the year 2000. "We had always had a 72-77% ex mod but our ex mod started climbing. It hit an absolute high of 134% in 2003 when we had a run of lacerations."

That's when Boden turned to NCBE for help. NCBE Safety Coordinator Kelley Keogh helped Boden set up an Injury and Illness Prevention Program (IIPP) and implement a safety incentive program. "I can't say enough great things about Kelley, NCBE and Hallie Fraser, and about how much they've helped us with things like site inspections," Boden says. "They have amazing resources."

Job-site weekly safety meetings are a given on all of Boden Construction's projects, with mandatory attendance by everyone on the job



Jim Boden on the work site.

— the foreman, superintendent, carpenters, laborers and any subcontractors. The company not only pays everyone for safety meeting time, but also tacks on another \$5 per meeting.

The job foreman and superintendent run weekly safety meetings. "I sent all of my foremen and superintendents to a 10-hour OSHA training. They're now certified and so am I," Boden says. "Our foreman and superintendents have also had first-aid training. All of this has been through NCBE's different seminars and programs."

The company also gives each employee a \$100 bonus for every injury-free quarter, and an additional \$100 if there are no injuries for an entire year. Thus, every employee in the company has the potential for up to \$500 in awards over a one-year period for remaining accident-free. "If injuries do arise, nobody gets the safety bonus," Boden adds. "The goal is to get everybody looking out for one another. The reality is, they're the ones who make this happen. I can put policies in place all day long but if they're not doing it, it isn't going to work."

Fortunately Boden Construction has never experienced a major incident. "We've mostly had minor, careless accidents that shouldn't have happened," Boden says. "Now we tell employees to slow down and think about what they're doing. A big part of this is changing the attitude of all us — myself included. I was a carpenter for 20 years. I used to think if a cut happened, you put some duct tape on it and go back to work. But we can't have that attitude anymore."

COMP CORNER

Hallie Fraser
Workers' Comp &
Safety Director



WORKERS' COMP TRUST BUSINESS

Are you interested in learning more about workers' comp? In becoming involved with the North Coast Builders Exchange? Want to volunteer some time and give back to the industry?

There are two openings on the NCBE Workers' Comp Trust, which is the entity that oversees the Group Workers' Comp program and all safety services that are offered to members. The Trust meets quarterly.

In order to become a Trustee you must be:

- A North Coast Builders Exchange member in good standing
- A participant in NCBE's group workers' comp program
- The owner, principal or officer of the company

Please contact Hallie at (707) 542-9502 or hallie@ncbesafety.com if you are interested in volunteering to serve on this worthwhile Trust.



EMERGENCY PREPAREDNESS

If we learned one thing from Hurricane Katrina, it was that in the event of a major natural disaster, we really need to be able to fend for ourselves for a few days. Emergency

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The Big Five...

There are four written programs every construction company in California must have (minimum), regardless of size: The Injury and Illness Prevention Program (IIPP), the Code of Safe Practices, Hazard Communication, and Emergency Medical Services Plan. Fire Prevention and Emergency Action Plans are required in writing for employers with more than 10 employees. In addition, tailgate safety meetings are required to be held.

If you have all the items below in place, you are well on your way to being in compliance with OSHA. If not, give Hallie a call (as long as you are a member of NCBE) at (707) 542-9502 and we'll be able to help you get into compliance.

Injury and Illness Prevention Program

Per Section 1509 of the Construction Safety Orders (Cal/OSHA) every employer must "establish, implement and maintain an effective Injury and Illness Prevention Program (IIPP)". This is the backbone of your safety program and there are seven minimum elements required by the regulation. This is one of the first documents OSHA will ask for if they ever come onto your worksite. Go to <http://www.dir.ca.gov/Title8/3203.html> for the entire regulation.

Employees must be trained "when the program is first established; To all new employees; To all employees given new job assignments for which training has not previously been received; Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard; Whenever the employer is made aware of a new or previously unrecognized hazard; and, For supervisors to familiarize themselves with the safety and health hazards to which employees under their immediate direction and control may be exposed. "

It is not required by the regulation that a copy be on jobsites, but it is recommended.

Code of Safe Practices

A Code of Safe Practices is required by Cal/OSHA Construction Safety Order Section 1509. It is basically the safety rules for the company. Employers are required to train employees on the contents of the Code of Safe Practices (and have them sign off that they received it) when it is implemented and upon hiring of new employees.

The Code of Safe Practices must reflect the rules specifically for your company. If your company does trenching, safety rules for trenching need to be included. If your company doesn't do any welding, the safety rules for welding do not have to be listed.

The Code of Safe Practices must be posted or "readily accessible" at jobsites.

Hazard Communication

A written Hazard Communication program is required by Cal/OSHA, Section 5194 of the General Industry Safety Orders. Hazard Communication is meant to provide information to your employees regarding chemical hazards in the workplace. This is the regulation that requires an inventory of all chemicals, a MSDS or Material Safety Data Sheet for every chemical, and specific labeling for secondary containers. Go to <http://www.dir.ca.gov/Title8/5194.html> for the complete regulation and requirements.

Training must be provided to employees regarding the chemicals they work with when the program is implemented, for new hires, and whenever a new chemical hazard is introduced.

The inventory and MSDS must be on jobsites and containers must be labeled properly.

Emergency Medical Service Plan

A written Emergency Medical Service Plan is required per Cal/OSHA, Section 1512 of the Construction Safety Orders. This is the regulation that requires at least one First Aid Kit per location and CPR/1st Aid training. It also requires that emergency numbers and information be posted at each jobsite. Go to <http://www.dir.ca.gov/Title8/1512.html> for the entire regulation.

Training must be provided to employees regarding the procedures to follow in case of injury, illness or other emergency.

The regulation does not designate that the written program be on jobsites, but it is recommended. It is an emergency plan and should be on jobsites.

Tailgate Safety Meetings

Tailgate safety meetings are required by Section 1509 of the Construction Safety Orders. It is required that a safety meeting be held every 10 days. The intent of these meetings is that they are short (10-15 minutes), cover one topic, and are applicable to the operations of the jobsite. For example, if there are no elevation or fall hazards, don't cover fall protection. NCBE has some topics in English and Spanish on the website we created that is dedicated to Workers' Comp and Safety <http://www.ncbesafety.com/tailgate>. State Fund also has topics on their website in English and Spanish at <http://www.scif.com/safety/safetymeeting/SafetyMtgTopics.asp>. You can also use day-to-day happenings, near misses, injuries, etc. to create your own topics.

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Medical Provider Networks

Effective January 1, 2005, California workers' compensation law has added a statute that allows for the use of a medical provider network for the treatment of work-related injuries.

One of the most anticipated savings provisions of Workers' Comp Reform (SB899) is for employers to use a medical provider network (MPN) for the treatment of on-the-job injuries to workers. An MPN is an entity or group of providers set up by an insurer, and each MPN requires approval by the administrative director of the Division of Workers' Compensation (DWC). It is important to note that only insurers can set up an MPN, not employers.

Because the insurer determines the network of doctors, an MPN can help reverse the trend of rising medical costs for work-related injuries. By utilizing the MPN, you can have medical control for the life of the claim,

with limited exceptions. As a result, your company can begin to realize significant cost savings.

State Fund's MPN consists of the State Fund – Kaiser Permanente Alliance, the State Fund Preferred Provider Network (PPN), and the Blue Cross of California Preferred Provider Organization (PPO). Combining these networks into one MPN enables State Fund to provide treatment for injured employees throughout the state of California.

Beginning on January 1, 2005, each covered employee must receive notification in writing (in English and Spanish) regarding the policies and procedures of the MPN. To comply with the law, State Fund offers two publications (Employee's Guide to the State Fund Medical Provider Network, and New Employee's Guide to Workers' Compensation) for you to distribute as follows:

When to Notify Covered Employee

Existing employees, prior to implementation of the approved MPN

At the time of new hire

When existing employees transfer into the MPN

At the time of injury

Publications

Employees Guide to the State Fund Medical Provider Network (#s 13142 For English, 13143 for Spanish)

New Employee's Guide to Workers' Compensation (#s 15765 for English And 15766 for Spanish) and Employee's Guide to the State Fund Medical Provider Network

Employees Guide to the State Fund Medical Provider Network

New Employee's Guide to Workers' Compensation and Employee's Guide to the State Fund Medical Provider Network

When distributed as specified in the Table, these publications can help you provide employees with the timely and detailed information that the law requires. To request a supply of the publications, call the State Fund Customer Service Center toll-free at (877) 405-4545 and request the two brochures.

Of the legislative reforms, MPNs have the greatest potential to reduce your medical costs. However, the way to receive the full benefit of the cost reductions is to channel

every one of your injured workers to MPN physicians. The power to make MPNs successful is in your hands. Taking full advantage of State Fund's MPN and California's other recent reforms will net you the best results for reducing claims costs.

To find the MPN nearest to your company go to www.scif.com and click on the Medfinder icon. You can enter your zip code and get a list of physicians/clinics that are part of the MPN.

Build safety into the job

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Stricter accident reporting requirements for workers' comp insurance in recent years contributed to that shift in attitude. "If you go in with a laceration that requires stitches, or if an injury requires medication or antibiotics to be administered – if you step on a nail, for example – that's a workers' comp claim. You can't pay out of pocket," Boden says. "But in reality, if you step on a nail, that's a housekeeping issue. We have to look at how we can stop that from happening. That's one of the biggest things that has helped us bring our ex mod down."



Kitchen by Boden Construction

Boden Construction prides itself on keeping job sites clean. "Housekeeping is one of my pet peeves," Boden says. "Keeping a job site clean is good for safety and productivity. I don't want to be working around yesterday's debris."

As a testament to how wholeheartedly Boden Construction has incorporated safety into its operations, the company conducts weekly safety inspections, with Boden often doing these himself. "Rather than the mandated every 10 days, we do them every five days," he says. He also requires job foremen to submit weekly safety reports along with their weekly operations reports.

"With help of Kelley and the NCBE crew we've brought our ex mod back to 100%," Boden says. "My goal is to bring it down to 70%."

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From State Fund Reform Update #3 www.SCIF.com/news/WorkerscompReformUpdate.html





Safety Snippets

Upcoming NCBE Workers' Comp & Safety Seminars

All listed seminars are held in NCBE's Construction Training Center, 1030 Apollo Way, Santa Rosa (unless otherwise specified)

2006

January 19th – Intro to Cal/OSHA for the Construction Industry

January 23rd – Claims Management: An Employee has had an injury, what now?

February 1st – Flagger Certification Training

February 2nd – Flagger Certification Training (Ukiah)

TBA – Workers' Comp 101

TBA – Forklift Training

Keep an eye out in the Building News for all seminars. Flyers for each seminar are inserted starting about three weeks prior to the seminar.

For a full listing of NCBE Seminars go to www.ncbeonline.com or for safety seminars only go to www.ncbesafety.com. You can also contact Rebecca at (707) 542-9502 for more information regarding our lineup of seminars.

COMP CORNER

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personnel will be so overwhelmed that “non emergency” situations will not be addressed right away. Have you considered what you will do if you are stuck at your workplace for a couple days? Do you have a plan for your family?

All workplaces should have an Emergency Plan in place and employees need to be trained as to what the procedures are. You may want to “practice” your evacuation and 1st Aid procedures. Remember, in a major event such as a 9.0 magnitude earthquake or greater, there will probably be no running water, no electricity, no gas, no communication lines, etc. for several days. Companies need to know what they are going to do ahead of time, we all know it not a matter of if, but when the “big one” will hit.

Both the California Office of Emergency Services (www.oes.ca.gov) and the Red Cross (www.redcross.org) have good information to help with workplace and family emergency planning. NCBE can also help. Contact me at (707) 542-9502 or hallie@ncbesafety.com.



NCBE Safety Hotline

Have a safety question? Need a copy of a regulation? Want to set up a site inspection? Is OSHA coming to visit and you need urgent assistance with getting

into compliance? Call NCBE's new Safety Hotline. It's a direct line to someone who can help. (707) 542-SFTY (7389).

Reminder

North Coast Builders Exchange has moved its offices. Our new address is: 1030 Apollo Way PO Box 8070 Santa Rosa, CA 95407 Phone and fax numbers are still (707) 542-9502 and (707) 542-2027. Come by and check out our new digs!



Contact Us

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FRAUD

Call the State Fund Fraud Hotline!

The Battle Continues...

Many workers' compensation insurance fraud arrests and convictions began with a tip phoned in to a fraud hotline.

The basic facts are:

- Workers' compensation fraud can be committed by doctors, lawyers, employees, employers—*ANYONE!*
- The penalties are stiff: Up to 5 years in state prison and/or up to a \$150,000 fine.
- Fraud raises the cost of living for *everyone* in California.
- It is easy to help. If you believe you have information or evidence of workers' compensation fraud, call us at:



1-888-STOP FRAUD (1-888-786-7372)

A TOLL-FREE CALL

7:00 a.m. to 7:00 p.m., Monday through Friday

You may remain anonymous. Bilingual operators available.

Please do not use this number to report billing problems, late payments, complaints, etcetera.

