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The Informer

A monthly newsletter addressing workplace safety by Iowa Municipalities Workers' Compensation Association .

OSHA workplace recordkeeping changes

A significant change in Occupational Safety and Health Administration (OSHA) recordkeeping went into effect January 1, 2017. The new final rule requires certain employers to electronically submit injury and illness data they are already required to record in their onsite OSHA injury and illness forms. The reporting requirement applies to establishments with 250 or more employees and establishments with 20-249 employees in certain high-risk industries.

OSHA follows the North American Industry Classification System (NAICS) to determine high-risk industries. As a general rule, municipalities fall into sector 92, Public Administration; which does not qualify as a high risk industry. So, unless your establishment has 250 or more employees, you are not required to report electronically.

An example of a municipal service that does qualify as high risk: the operation of utilities, Sector 22. Other IMWCA members that may be classified outside public administration with 20-249 employees and qualify as high risk are waste collection, NAICS code 5621, and waste disposal, 5622, and nursing care facilities, NAICS code 6231.

Employers who qualify for electronic reporting for calendar year 2016 must submit information by July 1, 2017. Learn more about NAICS at www.census.gov/eos/www/naics/.

To complicate things a little more, Iowa is a state-plan state and follows federal regulations, with few exceptions. Within six months after pub-

lication of the final rule, state-plan states must adopt requirements that are "substantially identical" to the requirements in the final rule. As of this writing, Iowa has not adopted the final rule. However, after visiting with an Iowa OSHA representative, we expect it to be in force by July 1, 2017.

IMWCA Can Help

Many of IMWCA's members are already taking advantage of the electronic tool known as Tracker. Tracker software automatically takes the first report of injury information from the Company Nurse Report and places it in the Tracker database. From there you are able to "Track" each employee's claim. Tracker will allow you to enter data for each claim regarding treatment and status of the employee (i.e. restricted, time off, return to full duty, etc.). **The best part of Tracker is it will produce your OSHA 300 report as needed, and at the end of the calendar year you will be able to generate your OSHA 300A report from Tracker.** To learn more about Tracker visit www.imwca.org/AboutIMWCA/services/Pages/Return-ToWorkNow.aspx.

In addition, the vendor IMWCA uses to offer Tracker has plans to provide each user the ability to download a file out of the system that can be uploaded into the OSHA reporting format.

And with things changing in Washington this too may change, so stay tuned.

Subrogation in claims

When a work injury is caused by the negligence of a third party, IMWCA will attempt to recover what has been paid out on the claim from the at-fault party. This process is called subrogation.

As with all claims, it is recommended that you report these claims as soon as possible. Even if the at-fault party or their insurance carrier admits liability, they will not authorize treatment or pay benefits until the claim is ready to settle. If the claim is not turned-in promptly it could delay your employee in getting the proper medical treatment. Turning in the claim in a timely fashion will allow IMWCA to conduct an investigation and authorize or pay for the appropriate benefits. It will also allow us to put the at-fault party on notice and work with them in recovering the money that has been paid.

Our members have many different types of exposures that could involve subrogation. One of the most common types is motor vehicle accidents. Some of your employees do a lot of driving in their day-to-day duties: law enforcement officers, building inspectors, public health nurses, and equipment operators are just a few examples. After the accident it is important for the injured employee to call the police so an accident report can be filed. The accident report will show who the at-fault party is and if any citations were issued.

Another type of claim that may have subrogation potential is when an employee sustains an injury on someone else's property. This occurs frequently in the winter when an employee slips and falls on snow or ice from a business or homeowner that does not shovel or remove snow/ice from walkways. IWMCA also sees claims with subrogation from homes with dilapidated stairways, rotten flooring or dangerously placed items. In these cases photos could be helpful in successfully recovering some or all of the money that has been paid.

If your employee has to work with and around other contractors and becomes injured due to the negligence of the contractor or their employees, subrogation may be possible. If the contractor is not working in a safe manner or is not providing a safe work environment for your employee, please document this and let your claims examiner know your concerns when the claim is filed. Remember, we cannot pursue subrogation against co-workers.

These are just a few examples of types of claims that could involve subrogation. We carefully look at and review each claim that is turned in for subrogation potential.

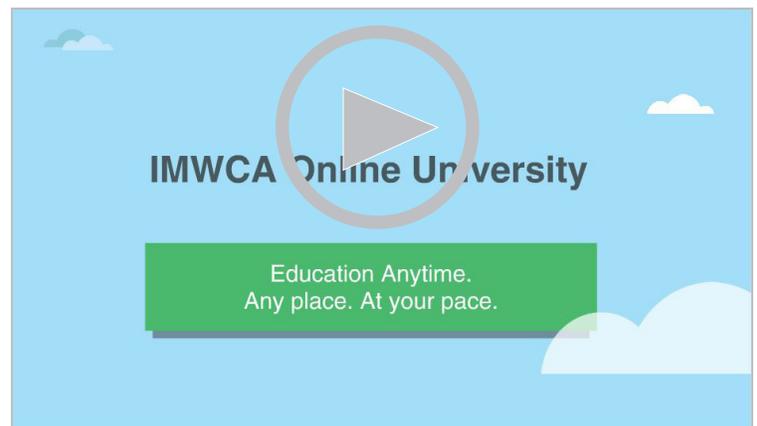


Announcing! Online University additions

IMWCA members continue to take advantage of the Online University at an ever-increasing rate. The most recent usage report shows 10,587 courses started through October 2016, up from 8,145 in 2015.

The IMWCA Online University is focused on providing a quality curriculum to meet your training needs and get every employee home safe at the end of their day. With the new additions coming online in 2017, we will have nearly 90 courses available. You can train anytime, anywhere you have access to the Internet, and at no additional cost. Here's the lineup of new courses coming in 2017:

- January | Road Grader Safety
- February | Snow Plow Safety
- March | Dump Truck Safety
- April | Backhoe Safety with Trackhoe Supplement
- May | Bulldozer Safety
- June | Street Sweeper Safety



To learn more and sign up for this valuable resource visit www.imwca.org/LossControl/pages/OnlineUniversity.aspx or contact us at losscontrol@iowaleague.org.

Medications and Driving: A potentially dangerous combination

In America, medications have helped improve and extend our lives. In most cases medications create positive outcomes. It is important, however, to ensure that those taking medications read the provided warnings to make sure that the use of the medications does not create a hazard while carrying out their daily activities.

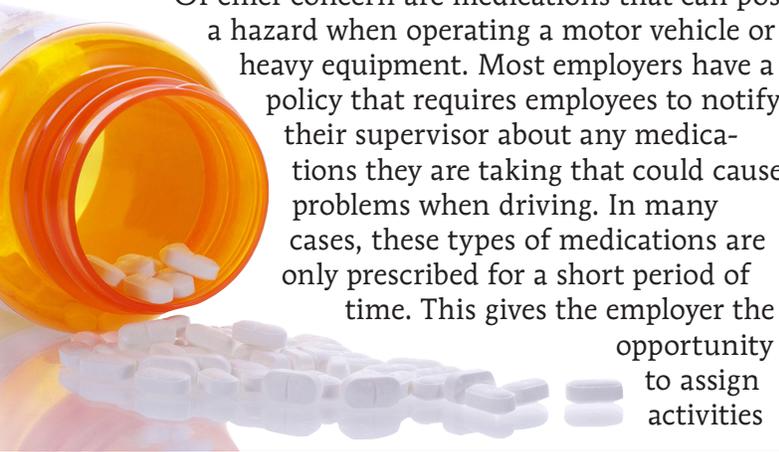
Of chief concern are medications that can pose a hazard when operating a motor vehicle or heavy equipment. Most employers have a policy that requires employees to notify their supervisor about any medications they are taking that could cause problems when driving. In many cases, these types of medications are only prescribed for a short period of time. This gives the employer the opportunity to assign activities

that will not create an undue hazard.

Taking medications that cause drowsiness or inattentiveness while driving can cause serious injury or even death to an employee or others. Picture a dump truck driver falling asleep at the wheel because they are taking a sleep aid. This has happened in the history of IMWCA, and resulted in a single vehicle roll-over incident.

Having a clear policy about employees notifying their supervisor is key. Reminding employees of this requirement on an ongoing basis is important, and enforcing the policy is critical. Entities incur a significant liability when they do not address this issue.

As a final consideration, if a medication that has such a warning is to be taken for an extended period of time, the employer may need to make a reasonable accommodation or adjust the employee's duties. In rare cases, it may result in the employee not being able to continue employment. These situations would require consulting with human resources and legal counsel.



Register for IMWCA Regional Workshops

This year's workshops will feature members discussing how they have decreased their workers' compensation costs, making a positive impact on their budgets and improving the safety and satisfaction of their employees. Registration is open now!

For further information contact losscontrol@iowaleague.org or your loss control representative.

Please join us for one of these events:

- Tuesday, Jan. 31, 2017 | 9 - 11:30 a.m. in Waverly, Waverly Civic Center, 200 1st Street NE
- Thursday, Feb. 2, 2017 | 1 - 3:30 p.m. in Maquoketa, Maquoketa City Hall, 201 East Pleasant Street
- Tuesday, Feb. 7 2017 | 9 - 11:30 a.m. in Fairfield, Fairfield Library, 104 W Adams Avenue
- Thursday, Feb. 9 2017 | 9 - 11:30 a.m. in Winterset, Madison County Historical Society (In the Museum Building), 815 S 2nd Avenue
- Tuesday, Feb. 14 2017 | 1 - 3:30 p.m. in Spencer, Clay County Regional Events Center, 800 West 18th Street
- Thursday, Feb. 16 2017 | 9 - 11:30 a.m. in Carroll, Carroll Fire Station, 801 N Bella Vista Drive

**Save
the
Date**

Solid Waste Safety Workshop

The 2017 Solid Waste Safety Workshop will be held February 28, 2017 at the Ziegler CAT facility in Altoona.

As in previous year's, this workshop will provide those involved with managing solid waste an opportunity to learn about issues facing the industry in Iowa. The workshop is free and includes lunch.

More information will be provided in future issues of the Informer and on the IMWCA Web page. We welcome ideas for agenda topics. If you have a topic for us to consider please contact Scott Smith at scottsmith@iowaleague.org.

Welcome human resources specialist

The Iowa League of Cities welcomes Lisa A. Mart as the human resources specialist for IMWCA. Lisa attended the University of Iowa and became a technical recruiter. This role propelled her into a career in human resources. Lisa was the Human Resources Director at Palo Alto County Health System for over seven years before relocating to Central Iowa where she worked a number of years in the private sector before coming to IMWCA.

Lisa was an EMT with Palo Alto County Health System from 2002 - 2009 and has been a volunteer FF/EMT with Polk City Fire Department since 2010. She enjoys spending time with her three school-aged children and at-

tending their activities.

The IMWCA Human Resources Specialist is a new position, recently created by the IMWCA Board of Trustees.

This position will provide members assistance in their human resources to help them manage their workers' compensation exposures.



Welcome new Board of Trustees members

IMWCA recently welcomed two, new trustees to the Board:



Kelly Kornigor has worked for the city of Hiawatha since 2005. She was an administrative assistant in the Community Development Department for four years before moving

on to the Deputy Clerk position, with a promotion to city clerk in 2013. Kelly holds an Iowa Municipal Clerk certification, Master Municipal Clerk certification and a Master's of Business Administration from the University of Dubuque.



Ty Wheeler has served the City of Osceola as City Administrator and City Clerk since 2010. He has a BA from Central College and an MPA from the

University of Nebraska-Omaha. Prior to working in Osceola, Ty was a group insurance underwriter for Mutual of Omaha Insurance. Ty and his wife, Audrey, have two boys ages 6 and 4. When not working, enjoys chasing after his kids and is an avid college wrestling fan.

IMWCA Informer is a monthly newsletter published by the Iowa Municipalities Workers' Compensation Association (IMWCA) in cooperation with the Iowa League of Cities. View past issues online at www.imwca.org.

Comments or suggestions: contact Bethany Crile, newsletter editor, at (515) 244-7282 or bethanycrile@iowaleague.org.

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