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# the Informer

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

## Human resource position helps members

As the two year anniversary of our Human Resources Specialist position approaches, it seems appropriate to share how the role has developed and the benefits members receive.

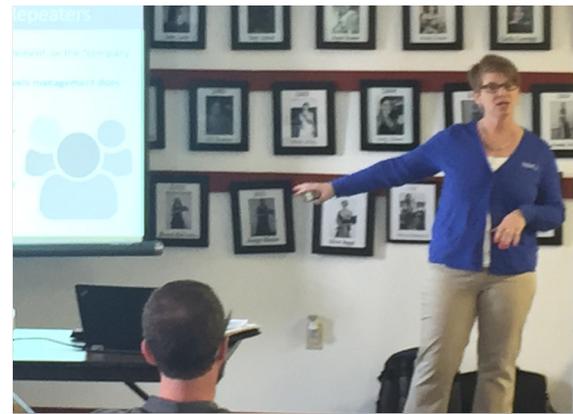
When Lisa Mart was hired in December of 2016 as IMWCA's first Human Resources Specialist, she was given the opportunity to create a program that focused on helping members control workers' compensation costs through quality human resources practices.

Many members choose to email or call Lisa with questions. She tends to follow-up by asking questions of her own to gather enough background on the situation to be able to provide quality guidance. Lisa will often ask members about number of employees and what policies are in place. She frequently requests to view handbooks and/or union contracts to get the big picture of the member.

Since Lisa's role is similar to a coach, she doesn't want to just provide the member with the correct answer. Lisa presents support as to why the answer is what it is, using tools such as the actual law, statute or an article that discusses the topic.

Lisa says the most common topic members contact her about is return-to-work (RTW) and getting employees back to work in a modified capacity. Other topics that she often gets questions about include:

- Employee physicals
- Fair Labor Standards Act or FLSA (overtime, compensatory time, child labor, hours worked, etc.)
- Family Medical Leave Act (FMLA)



Lisa presenting at the 2018 IMWCA Regional Workshop in Taylor County.

- Employee relation issues

In addition to helping members one-on-one Lisa enjoys presenting to various groups on a variety of topics. During the Fiscal Year 2017-2018 she gave 18 educational presentations. Already in FY 2019 she has presented 10 times, with more scheduled throughout the year.

"The relationship building is the key to success in my position," Lisa said. "I really enjoy getting out on the road to spend time with our members."

If you have not had the opportunity to work with Lisa on your human resources needs, keep her in mind as one of your no cost benefits of being an IMWCA member. Lisa can be reached at (515) 974-5329 (office), (515) 350-3362 (cell) or [lisamart@iowaleague.org](mailto:lisamart@iowaleague.org).

Looking back at the overall claim counts and the 20 costliest claims of the last Fiscal Year we noted some interesting facts.

In FY 2017-2018 we received a total of 2,013 claims. This is an increase of 17 claims compared to the previous FY. Of these total claims 695 were incident-only, meaning they were only called in for a report. Medical-only claims totaled 1,157, and 161 of the claims were indemnity files where lost time and/or permanency benefits were paid along with the medical expenses.

Sprain/strain type injuries from lifting or twisting is the leading cause of these injuries. Slip, trip and fall injuries, such as on ice and snow or stairs, is the second leading cause of injury. Coming in third for claim cause is cuts and lacerations; these are injuries you might get from tools or broken glass.

When we look at the most injured body parts hand/wrist/finger injuries led the way. These are followed by arm/shoulder injuries and then knee/leg injuries. Back and neck injuries round out the top four most injured body parts.

The total incurred (estimated) cost for the 2,013 claims from the last FY is \$9.2 million dollars. The average per claim cost is approximately \$4,600. Although the number of claims was higher, the total incurred cost went down from the previous FY by \$2.3 million dollars. The average per claim cost also went down by about \$800.

The top 20 costliest claims, which account for less than 1 percent of the total claims, accounted for 37 percent of the total incurred (estimated) costs at about \$3.4 million. The top 20 costliest claims ranged in total incurred (estimated) cost from \$96,843 to \$462,330.

Our top 20 costliest claims involved various causes: an overturned vehicle, a slip and fall on ice, falling off a piece of equipment, lifting a heavy patient. Five of the top 20 costliest claims involved volunteer firefighters/emergency medical technicians. This was followed by law enforcement and secondary road/public works employees with three claims each.

Please remember to use your tools to reduce the frequency and severity of your workers' compensation claims. These tools include, but are not limited to:

1. Having a solid return-to-work program.
2. Ensuring a good relationship with your designated physician.
3. Completing and following-up on incident investigations.
4. Enforcing a 24-hour claim reporting policy.

As a program created by and governed by the members, we thank you for your commitment to keeping employees safe and helping them get back to meaningful work after an injury.

## Three essential components of lockout/tagout programs

Every day across the country employees are injured when proper lockout/tagout (LOTO) procedures are not followed. Implementing and following LOTO procedures could prevent most of these crush injuries, electrocutions and fatalities. Yet, the Occupational Safety and Health Administration (OSHA) states the LOTO procedures and programs are the least understood safety procedures. LOTO violations are also one of the most frequently cited OSHA violations and one of the most costly fines.

A LOTO program has three main components, and all three are a necessity for a proper program. Missing a key component can cause an injury.

**Annual Training:** Ensure every employee who operates a piece of machinery

knows the LOTO procedure or each piece of machinery. Self-audits should be performed annually to verify this.

**Machine-Specific Lockout/Tagout Procedures:** Each machine has specific lockout/tagout procedures that should be reviewed by supervisors and employees prior to working on the machine. The owner's manual or the company website generally includes information on properly locking out and tagging out that machine.

**Policy on Lockout/Tagout Procedures:** A policy requiring employees to follow the LOTO procedures will raise awareness of the procedures and allow management to better supervise the process. Update and review the policy annually with employees to ensure each person understands the process. In many organizations, the safety committee tackles the annual review.

A lockout/tagout program is one of the many ways you can ensure employees go home safe at the end of each day. Our loss control team is here to help answer questions or concerns about your program, and a sample policy is available at [www.imwca.org](http://www.imwca.org).



## Global release as part of a workers' compensation settlement

Workers' compensation claims can be concluded many different ways. Most claims are concluded by simply paying the benefits owed per the statute. A few workers' compensation cases get settled. Fewer yet end with the employee giving up their rights to all future workers' compensation benefits, including medical.

Iowa workers' compensation law dictates four types of workers' compensation settlements that can be used, and the terms of each workers' compensation settlement must fit into one of those. However, there are times when it is beneficial to agree on additional settlement terms outside of the scope of the workers' compensation claim.

Some examples of this include asking the employee to agree to give up their employment or to not pursue any other type of claims against their employer, known as a global release. These types of settlements are done as a separate agreement and are not part of the workers' compensation claim. It is the employee's right to accept or decline these agreements, and these separate agreements generally come with a cost.

As a workers' compensation pool our focus is on managing and resolving the

workers' compensation claim. If you feel a global release and/or a resignation is needed in conjunction with the workers' compensation settlement, please bring that request to IMWCA. Any additional costs stemming from the separate or additional settlement agreement is the responsibility of the employer or their employment liability insurance company. IMWCA is willing to entertain the option of presenting a global release as part of the workers' compensation settlement but is not responsible for the legal coordination or compensation of it.

These separate agreements usually involve ending an employee's employment. If you are considering proposing a resignation and/or a global release as part of the workers' compensation settlement, you should consult your employment attorney or attorney from the employment liability insurance carrier covering you.

IMWCA wants to work with members to provide the best resolution of claims. If you have circumstances outside the workers' compensation claim that should be considered, please let us know.

## Wishing you a joyful & safe holiday season.

As Thanksgiving approaches we want to say, "Thank you!" to each member for your loyalty and commitment to our shared goal of sending everyone home safe at the end of each day.

Our office will be closed November 22-23 so staff can celebrate Thanksgiving with family and friends.

The office will also be closed December 24 - 25 and January 1. Claims should still be reported immediately through Company Nurse during this time. Thank you!



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](http://www.imwca.org).

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

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