

P E R M A[™]

Workers' Comp

News for Public Employers

PUBLISHED BY PERMA, PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION, INC.



*Village of Menands Crossing Guard
Jacqueline Groves-Spencer*

SCHOOL CROSSING GUARD TRAINING – *Let's keep them, and the kids, SAFE!*

As the work of the PERMA data analytics department progresses, more high risk groups are being identified. Earlier this year, we found that school crossing guard claims are infrequent representing only 2% of the claims in their supervising department, police. **But they also have an average cost of \$91,000 - double that of the average police claim and three times that of the average PERMA claim!**

Why are crossing guards such a high risk group? It is primarily due to the severity of their injuries, which usually involve multiple body parts. And what is the number one cause of these injuries? Being struck by a motor vehicle. Since the average age of a school crossing guard claimant is 63, they often need a longer recovery time and miss more work, which drives lost time costs higher.

CROSSING GUARDS NEED FORMAL TRAINING, SO PERMA TRAINED 130 OF THEM.

If claims are infrequent, but primarily severe, we determined that PERMA needed to help crossing guards avoid accidents altogether. But how?

While some of the largest cities in the nation have created local training programs for their school crossing guards, a formal crossing guard training program does not exist. So PERMA's public safety risk management specialist, Lew Moskowitz, took it upon himself to create one. He contacted an old friend and colleague, Rocco Fragomeni, director of the Zone 5 Training Academy in Schenectady, to assist him. The two developed the program, using various sources, including the Manual of Uniform Traffic Control Devices, the New York State Department of Transportation and the American Automotive Association. Over the course of seven crossing guard trainings conducted in the month of August, Lew refined the content and progression of the training.

Response from PERMA members was strong. Nineteen municipalities were represented with over 130 attendees trained. Three municipalities (Town of Mamaroneck, Town of Pittsford, and the Port Washington Police District) even sent non-crossing guard attendees to learn policy and procedures. The trainings consisted of approximately 150 minutes of classroom time and 45 minutes of outside practical experience. It may seem simple to perform the functions of a crossing guard, but from equipment, to hand motions, to visual perception, every action can be tweaked to ensure a safer outcome.

TRAININGS- COLLABORATIVE AND PARTICIPATORY

Attendees shared "war stories" of slips and falls, outlandish attire, traffic regulation, and infrastructure problems. They continually presented different traffic scenarios and asked for guidance. In each training, the guards made it apparent that their primary safety concern was driver awareness. Every one of them had a distracted driver story; stories that have only increased since texting has become so common.

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Letter from the Director of Data Analytics

DEBBIE STICKLE
DIRECTOR, DATA ANALYTICS

This month, Executive Director Jeff Van Dyk is ceding his column to

PERMA's Director of Data Analytics, Debbie Stickle, to announce some of the findings that her claim modeling project has discovered.

It started back in the summer of 2014. We began an initiative to use advanced analytics and predictive modeling to determine how to allocate PERMA's risk management resources to provide the right solutions, in the right place, at the right time. Within the first year, we identified police losses as the prime target for tailored loss control initiatives and started actively working to introduce solutions. With the addition of Lew Moskowitz as PERMA's Public Safety Risk Management Specialist, we were able to identify and develop six targeted interventions in the areas of mental stress and trauma, crossing guard traffic control, low back injuries, EMS and fire assists, training-related injuries and motor vehicle accidents.

A PERMA-SPECIFIC CLAIMS MODEL

Concurrently, we built a predictive model using claims data from 2008 through 2013 for the purpose of pinpointing areas to focus impactful risk management efforts. Starting with close to 40 key variables contained within this data, the resulting model highlights six variables with high predictive value in determining claims likely to be severe. The six variables determined to be predictive are *age, marital status, class code, report lag days, type of accident, and body part injured*. **To put the modeled losses in perspective, for each 1 percent reduction in loss in these six key areas, PERMA would achieve almost \$350,000 in claim savings each year.**

HOW IS THAT POSSIBLE?

- Age: Claimants aged 45 to 57 have a high probability of having a high cost claim. A 1 percent reduction of claims within that range would result in over \$175,000 of savings annually.

- Report lag days: In addition to causing treatment delays and extended disability periods, the longer it takes for a claim to get reported, the more likely it is to be expensive. There are multiple possible reasons. It may be that more severe claims are unreported accidents with late-appearing injuries. Or it could be that unreported claims have run-away costs without appropriate care management.

What we can determine is that it costs \$210 a day for every day that a claim is unreported. By day 5 an average claim now costs an additional \$1000.

- Type of accident: Motor vehicle accidents have a high risk of producing a severe claim due to the potential for a multitude of injuries and a highly unpredictable outcome.

A FEW KEY TAKEAWAYS

Modeling claims data for insights into areas of loss is a continual process and the model will be further refined as we strive to continuously improve the quality and usefulness of our data. But this process has already discovered and confirmed a few priorities:

- Targeted programs for police related injuries and claims remain our top organizational priority and require continued dedicated focus.
- Public works risk reduction is a second priority. It should be noted here that a 1 percent reduction in police and public works claims would result in an overall claims savings of \$200,000 per year.
- Dedicated loss control outreach and awareness focused on keeping workers aged 45-57 safe is advisable.
- An increased effort to improve member awareness about the importance and impact of early claim reporting is also a good idea.

It is also important to constantly measure how the initial model is performing when new data is introduced, so we will analyze more recent data to look for consistent areas of high risk.

In the coming year we will focus efforts in all of these areas and look to provide PERMA members with the right solutions, in the right place, at the right time.

Managed by Northeast Association Management, Inc.

Public Employer Risk Management Association, Inc. (PERMA), the largest self-insurance pool for public entities in New York State, has been administered by Northeast Association Management, Inc. (NEAMI) since 1995. NEAMI, with its staff of approximately 80 professionals, provides claims management services, as well as nurse case management, risk services, coverage underwriting, and general member services.



A majority also felt that the public was not aware of the necessity of crossing guards for the safety of children. The primary responsibility of a school crossing guard is to keep the children in their charge safe, and it is a responsibility they do not take lightly. The guards prided themselves on noticing children’s habits and assisting them in many ways unrelated to crossing a street, such as helping kids who are being bullied, or investigating when parents are absent from the walk to school.

Most of the attendees reported receiving no training when they were hired – they received their vest, STOP sign, and whistle, and were wished “Be safe.” Those guards that had been in the field the longest remembered a much different respect and awareness of their responsibilities when

they were hired. They were likely to have initially been trained by police officers, and some even remembered wearing police uniforms 40 years ago.

“GET TREATED LIKE THE PROFESSIONALS THAT YOU ARE.”

Chief Fragomeni, who retired from the Town of North Greenbush in 2013, was adamant that the attendees speak up within their municipalities, so they can “get treated like the professionals that you are.” He urged the guards to use both the police department and the schools as their resources when attempting to increase the safety of their work conditions.

Among other things, attendees were instructed about:

- Proper gear – absolutely essential are the high-visibility vest and large handheld STOP sign. The more reflective materials each of these has, the better.
- Traffic gaps – In a 35 mile-per-hour zone, it takes about 90 feet, or almost 2 seconds, for a driver to see a stop sign and then brake. So attendees were advised to set a small cone back 100 feet down-street from the crosswalk, and to

not step into traffic if any car was within the 100-foot zone.

- When traffic is stopped, attendees were instructed to face the intersection, not the crosswalk, and keep their head constantly moving, routinely making eye contact with drivers.
- Hand signals should not be used with the children – they can be misinterpreted by drivers.
- Children should be instructed before crossing to look left, then right, and left again, and then to cross the street. They should learn to become aware of their surroundings.

The responses to the training were positive:

“Short, sweet, and to the point.”

“Good discussions [and] clarified some questions I had. Very beneficial to new and veteran crossing guards.”

“Excellent presentation.”

PERMA will continue to offer this training as requested. If you would like your school crossing guards to receive this beneficial training, contact Lew Moskowitz at Imoskowitz@neami.com or 888-737-6269, ext. 3083, for scheduling.



The graduates of the Canastota crossing guard class



The graduates of the Schenectady crossing guard class



Discussing hazards and solutions in Schenectady



One of the two crossing guard classes in Pittsford



Lew Moskowitz leading the practical exercises in Mamaroneck

THE 2016 PERMA FALL EDUCATIONAL CONFERENCE IS FOR *Leaders of the Pack!*



Registration is open for the 2016 Fall Educational Conference to be held November 3 & 4 at the Sheraton Syracuse University Hotel and Conference Center. This year we are offering a track-based program for flagging certification and written communication. The sessions acknowledge and celebrate the leading roles employees like DPW and clerks take within municipalities.

FOR ROAD WORKERS – FLAGGING CERTIFICATION

Most PERMA members know that OSHA and PESH require all employees with flagging responsibilities to be trained before they begin flagging operations. What you may not know is that *the New York State Department of Transportation also requires that all flaggers obtain and renew certification in flagging operations.*

PERMA is thrilled to be able to offer the flagging certification training through TSC Training Academy at this year's conference. The certification is good for four years and the training focuses on:

- Federal and NYS policies, procedures and standards
- Work zone safety principles
- An overview of the Manual on Uniform Traffic Control Devices (MUTCD)
- Recognition and prevention of hazardous conditions
- Proper signals

We are offering this training, which normally costs around \$135, for FREE to conference attendees. Because of the value of the training, the class is limited to 35 attendees.

WRITTEN COMMUNICATION TRAINING

For the very first time, PERMA will be offering International Institute of Municipal Clerks (IIMC) Continuing Education Units (CEU) for attendance to the Fall Educational Conference. Attendees enrolled in the communication track who complete a post-conference learning assessment will receive one CMC Experience or one MMC Advanced Education Credit.



This track focuses on written communication and social media. We realize that many office employees are often thrust into the position of managing their municipality's social media presence with little or no training. Our social media training, led by Matt Maguire of Eric Mower & Associates, a national PR firm, will focus on practical advice on when to use social media, as well as:

- Key considerations in developing social media content
- Specific insights on Facebook, LinkedIn, Twitter, YouTube and Instagram
- How the strengths and pitfalls of social media differ between business and personal usage
- The importance of creating, and how to create, clear policies, procedures and protocols for using social media

But written communication doesn't stop at just 140 characters. Much of what has to be written is time-consuming and labor-intensive. So the second session will focus on common-sense tips and tricks that attendees can use to quickly write clear and effective letters, memos and emails.

Some of the topics to be covered include:

- Overcoming writers' block and procrastination
- Organizing larger writing projects
- Computer tricks and keyboard shortcuts

CRISIS DE-ESCALATION FOR MUNICIPAL WORKERS

The final session for both tracks is a presentation by retired Lieutenant Ray Hassett of the New Haven, Connecticut, police department. Lt. Hassett believes that the public relies too often on police and security officers when a faced with a potential violent situation in the workplace. While police and security should be called the minute a situation escalates, what can be done in the three to seven minutes before authorities arrive?



This session will teach the basics of conflict resolution, providing attendees with front-line tools to de-escalate everyday situations. Guidance will be given on:

- Practicing respect for all members of the community
- How to maintain rational thought in emotional situations
- Step-by-step de-escalation protocols
- Using innate improvisational skills to manage any situation

Lt. Hassett will teach attendees techniques for de-escalating situations by properly recognizing and responding to emotion, and provide communication guidelines

Leaders of the Pack continued from page 4

to reduce emotional stress in interactions with the public, preventing a crisis situation before it can occur.

APPROACHING SAFETY CULTURE CHANGES WITH ENERGY



This year, we are moving the keynote from closing the conference to right after lunch on Thursday. Occupational therapist Michael Melnik has spent two decades introducing workers to the 10 essential energy sources that can be harnessed to achieve a safe, healthy and productive workplace. Mr. Melnik knows that those in a position of

responsibility for safety are arbitrarily tasked with “implementing change” which can be daunting, time-consuming, and energy-draining. This presentation will teach attendees to use the Energized Approach to generate and capture the energy needed for program or initiative success.

FLEXIBLE ATTENDANCE

We know it is hard to get away from the demands of work for two days. That is why you can register for one, two, or all of the sessions. Attendance is free and includes three meals. Though the PERMA room block at the Sheraton Syracuse is full, there are additional hotel rooms available in the vicinity. Contact PERMA for more information.



More information is available at <https://www.perma.org/calendar/fall-educational-conference-2016/>. If you have any questions, please contact Kristen Morris at kmorris@neami.com or 888-737-6269, ext. 3078.

WE HOPE TO SEE YOU THERE!

THE DANGERS OF FENTANYL

*Lew Moskowitz,
Public Safety Risk
Management Specialist*



On June 10, the Drug Enforcement Agency issued an officer safety alert about fentanyl

(https://www.youtube.com/watch?v=9Xi4A8S23Xo&feature=player_detailpage).

Fentanyl is a Schedule II narcotic, a synthetic painkiller which has become responsible for an epidemic of overdose deaths within the United States. Fifty times more powerful than heroin, fentanyl is now frequently laced into its less-potent cousin, or sold on its own, often without the user's knowledge. Deaths by fentanyl are increasing exponentially. Massachusetts is already seeing fentanyl deaths outpace heroin deaths, and earlier this year, 23 people died over a 10-day period in Buffalo from fentanyl-laced heroin.

But the danger is not limited to the drug's users – first responders are at risk as well.

Fentanyl can be absorbed through the skin or inhaled as an airborne powder. The DEA is particularly concerned about law enforcement coming into contact with fentanyl on the streets during the course of an undercover drug buy or drug bust. In mid-September, eleven members of the Hartford, CT, SWAT team became ill during a drug bust after finding themselves in a cloud of fentanyl powder. Just the briefest touch or inhalation during enforcement activity or field testing can lead to the onset of adverse health effects. Fentanyl's effects include disorientation, coughing, sedation, respiratory distress, and cardiac arrest - all of which occur within minutes of exposure.

Canine units are also at significant risk.

While dogs tend to do better than humans after fentanyl exposure, they can continue to experience effects of exposure for weeks after. They need to be carefully monitored for a period of time after exposure for lethargy, hyper-salivation, hypothermia, and impaired coordination. Preparations of veterinarian naloxone should be available for all canine units.

PERMA encourages its law enforcement members to take precautions when dealing with a substance that may be fentanyl. We urge our members to follow the DEA's recommended safety measures for field testing, which can be found at: <https://www.dea.gov/divisions/hq/2016/hq061016.shtml>

If you have any questions, don't hesitate to contact Lew at lmoskowitz@neami.com or 888-737-6269, ext. 3083

FALL *Regional Seminars and Trainings*

This fall, PERMA has packed the schedule and the state with valuable seminars and trainings, and all BEFORE the Fall Educational Conference at the beginning of November!

DRUG & ALCOHOL TESTING, AND HARASSMENT, IN THE WORKPLACE – September 23 & 29 – Fishkill & Rochester-



Ronni Travers reprised the most popular session from the Annual Conference, *Drug & Alcohol Testing in the Workplace—What HR Needs to Know*, in Fishkill and Rochester in September. Designed to assist HR professionals (or anyone with HR responsibilities) in developing and implementing drug and alcohol testing policies, the session covered:

- Federal testing requirements
- Implementing policies for non-CDL staff
- “Reasonable suspicion” and how it differs from other testing
- Warning signs of alcohol and drug use
- Approaching employees suspected of alcohol or drug use
- Documenting observed behaviors

A second session – **HARASSMENT (INCLUDING SEXUAL HARASSMENT) IN THE WORKPLACE** – focused on the



recognition and prevention of workplace harassment. Covered topics were:

- Overview of employment discrimination laws
- Understanding, recognition, and avoidance of inappropriate behavior
- Promoting respect in the workplace
- Immediate and effective response to harassment complaints

Over 50 attendees came to listen to Ms. Travers over the course of the two days, and human resources professionals were eligible to receive two recertification credits hours from the HR Certification Institute.

If you weren't able to attend, the PowerPoint presentations for both sessions are on the website at <https://www.perma.org/general/drug-and-alcohol-testing-policies-and-harassment-in-the-workplace/>

SNOWPLOW TRAINING – September 23 – PERMA office, Latham



Low Troast of Empire Safety Training and Consulting presented an up-to-date refresher training on snowplow operations. The training encompassed:

- Hazard recognition
- Legal aspects
- Snow and ice removal materials
- Plowing techniques
- Accident prevention
- Pre-trip inspections

We will be offering the snowplow training three more times before the first snow falls (hopefully!):

FINGER LAKES REGION –
8am to 12pm – October 14 – Ulysses

FINGER LAKES REGION –
8am to 12pm – October 17 – Ulysses

CAPITAL DISTRICT –
8am to 12pm – October 28 – PERMA office, Latham

If you can't make it to any of the snowplow trainings, we have training resources you can access through the PERMA website. Log on to www.perma.org and select either **PSI** or **DVD LIBRARY** from the member dashboard.

Additional Upcoming Regionals and Trainings

CENTRAL – MSHA Refresher Training – October 4 – Norwich

CENTRAL – MSHA Refresher Training – October 5 – Canastota

CAPITAL DISTRICT – Safety Coordinator Training – October 20 – PERMA office, Latham

PERMA's annual safety coordinator training will assist anyone recently charged with responsibility for their workplace safety program. The four-hour training covers the basics: policies, procedures and activities to create and maintain a safe workplace. Attendees will learn how to take a proactive approach to building a risk management program that helps prevent accidents and lowers the costs of accidents that do occur.

Registration is required for any of the above trainings. Please contact Sigrid Vompa, at svompa@neami.com or 888-737-6269, ext. 3086 with questions or to register.

REGULATORY *Update*

Asphalt exposure causes health effects large and small

Over a half-million workers are exposed to asphalt every year, especially those with road paving, roofing, siding, and concrete work responsibilities. Exposure to asphalt and its fumes can cause minor irritants such as headache and fatigue, but also burns, rashes, bronchitis and cancer. In addition many asphalt products are highly flammable and put workers at risk for fire and explosions.

Controlling exposure to asphalt and fumes can be done through:

- **Engineering controls**, such as heating systems that maintain a constant asphalt temperature, and emission capture and destruction devices.
- **Administrative actions**, including using low-fuming asphalt and limiting workers' exposure time.
- **Wearing the proper respiratory protection and clothing.** For lists of exposure limits and respirator recommendations, consult the NIOSH Pocket Guide to Chemical Hazards: <http://www.cdc.gov/niosh/npg/npgd0042.html>

There are also many ways to work safely with asphalt:

- **Don't use "rapid-cure" asphalt mixes-** they evaporate easier, produce more toxic vapors and more danger of fire.
- **Never stick your head in an asphalt tank or mixing container, or lean over a kettle.**

- **Enclose asphalt mixing and stirring operations, covering the kettle if possible.**
- **Keep asphalt off your skin and out of your eyes.** If you get asphalt in your eyes, flush with water for 15 minutes.
- **Don't eat, drink, or smoke on the job.** Anything you put in your mouth could have been contaminated. Wash up first.

Outdoor workers should take lightning seriously

Three hundred people are struck annually by lightning in the US, about 20% fatally. Those who work outdoors in open spaces, on or near tall objects, or near explosives or metals have significant exposure to lightning risks. So to protect yourself and your employees from lightning, you should:

- **Check National Oceanic and Atmospheric Administration (NOAA) weather reports** at www.weather.gov
- **If there are thunderstorms forecasted, do not begin any task that can't be stopped quickly.**
- **When thunder roars, go indoors!** Even if the thunder is just a distant rumble.
- **Identify shelter locations.** NOAA recommends fully enclosed buildings with electrical wiring and plumbing, but if a building is not accessible, workers should seek shelter in a hard-topped metal vehicle with rolled-up windows.
- **Remain in the shelter for at least 30 minutes after hearing the last sound of thunder.**

In addition, employers should always have an emergency action plan in place and train supervisors and workers on what to do when they hear thunder.

Now that the summer's over, get your heat stress policy and procedure ready for next year

Every summer, PERMA experiences an uptick in dehydration claims, especially among members with public works, fire, and recreation exposures. It is essential to prevent heat-related illness and fatalities by encouraging employees to:

- **Drink water every 15 minutes, even if you are not thirsty.**
- Rest in the shade to cool down.
- Wear a hat and light-colored clothing.
- Learn the signs of heat illness and what to do in an emergency.
- Keep an eye on fellow workers.
- "Easy does it" on your first days of work in the heat. You need to get used to it.

You can memorialize the above in an official policy now to protect your workers next year. Also, don't forget about downloading OSHA's Heat Safety App (https://www.osha.gov/SLTC/heatillness/heat_index/heat_app.html). The app takes a three-pronged approach, allowing users to calculate the heat index of a worksite, display a risk level for workers, and provide protective measures for that risk level.

PERMA RENEWS 100% OF ITS SEPTEMBER MEMBERS!

September was, in fact, the fourth month of 2016 that PERMA hit the 100% retention goal. PERMA's retention rate for the first four months of fiscal year 2017 stands at a solid 95%, proving that PERMA continues to provide the best coverage for the most reasonable cost to a large, and very smart, number of New York State municipalities.



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PERMA EMAIL *Subscription Preferences*

**PERMA DOES NOT WANT TO CLUTTER
YOUR INBOX**

At the beginning of the year, we asked the membership to complete a communications survey. One of the questions asked was: *If it were an option, would you be willing to complete email subscription preferences?* The answer we received was a resounding YES!

**WE HAVE CREATED FIVE EMAIL
SUBSCRIPTION CATEGORIES**

- **Claims Updates/Information:** including emails on the claims process, fraud, investigations, etc.
- **Event Information/Registration:** including emails about conferences, regional meetings, and safety trainings.

- **Online Resources:** including updates to the website, PERMA Safety Institute, and YouTube.
- **Policy/Program Information:** including emails on the Board of Directors and PERMA program changes.
- **Safety/Risk Management:** including regulatory updates, data analytics updates, online and onsite safety trainings, etc.

**YOU CAN SUBSCRIBE TO AS MANY
OR AS FEW OF THE CATEGORIES AS
YOU LIKE**

But in order for us to be able to start using the categories, we need at least 25% of the email contact list to complete their preferences. Currently, the number stands

at 8%. We will send out another reminder before the end of the year, but if we have not achieved 25% by January 1, 2017, we will shelve the categories until a later date. That means everyone will continue to receive all emails. So, if you are only interested in a few of the categories above, please complete your subscription preferences as soon as possible.

To complete your preferences, click on "update subscription preferences" at the bottom of any PERMA email, or email eharrington@neami.com with the categories you prefer.