



PERMASM

Workers' Comp

News for Public Employers

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

PERMA 2018 ANNUAL CONFERENCE

Committed to Your Community



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On May 24 and 25, over 300 PERMA members, brokers, staff, speakers and vendors gathered at the Sagamore Hotel & Resort for the PERMA 2018 Annual Member Conference. Highlights of this year's conference were expanded educational sessions, a larger Safety & Wellness Fair and two keynote speakers.

WORKSHOPS: CURRENT AFFAIRS AND LEGISLATION

The two highest-rated workshop sessions from this year's conference handled very hot topics. Gail Hamel, a human resources consultant out of Glens Falls, presented on diversity in the workplace in one of the morning sessions. Gail opened with a discussion of the dimensions of identity, a key concept that is now understood in terms of both perception and presentation. Every identification factor has a spectrum, and binary descriptions no longer fit. She transitioned into talking about the differences between diversity and inclusion, then how to identify our personal stereotypes and unconscious bias. Gail closed with tips on how to be an ally of inclusion in your workplace.



John Hanson, a consultant with Willis Towers Watson, presented an updated version of his 2019 New York State Volunteer Firefighter Enhanced Cancer Disability Benefit Act session to a packed house Thursday afternoon. Some of the changes in his presentation include the updated cost for coverage (less than \$250 per eligible firefighter), verification that NYS will not reimburse any local government's costs for the program, and an explanation of how premium for the benefit is calculated. More information on the program sponsored by PERMA is

coming soon. Please see the update on page 6 for the latest information.

SAFETY & WELLNESS FAIR MOVED ON DOWN THE HILL

With increased vendors and more display vehicles, we moved the Safety & Wellness Fair to the Sagamore's Event Center. There, attendees could check out the latest advances to ambulance tech with Stryker, have their posture evaluated, receive a PERMA Safety Institute training session, or get a massage. Representatives from the PERMA claims and risk management staff were on hand to answer questions, and PERMA's new partner, the NYS Association of Fire Chiefs, was there as well.

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PERMA

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Letter from the Executive Director

JEFF VAN DYK, AIC

I hope this letter finds you well and that you are enjoying the beautiful summer weather!

We just completed the biggest, best and most highly attended PERMA annual meeting ever, but the PERMA staff remains busy on numerous fronts.

VFF ENHANCED CANCER BENEFIT

Over a year ago, we facilitated a meeting between NYSAC and John Hanson of Willis Towers Watson to develop a win-win strategy for lawmakers to pass legislation that would provide cancer benefits to our volunteer firefighters while protecting taxpayers from assuming burdensome costs.

The legislation was modeled after a similar law in Georgia, and was passed in 2017. For the past 12 months we have worked with NYSAC and three of the state's fire service associations to create the New York Volunteer Firefighter Cancer Benefit Program.

The program is currently with the Department of Financial Services (DFS) for the approval process. In conjunction with the fire associations and NYSAC, I expect to lay out a purchasing option for PERMA members in the next few weeks.

I want to take the opportunity to thank the tens of thousands of firefighters who volunteer their time to protect our homes and businesses in

our communities, day in and day out. In fact, PERMA has a volunteer firefighter on staff – claims specialist Dan Beaudoin. Dan's commitment to PERMA matches his commitment to public safety, as evidenced by his recent certification as an EMT.

MANAGERS CONFERENCES

Last fall, Stephen Altieri, PERMA's president and board chair had an idea; a conference designed specifically for managers and administrators. Karen Braman, PERMA's director of member services, surveyed the membership and the response was overwhelming. As a result, we will be hosting three manager conferences this September in Buffalo, Syracuse and New Rochelle. This is another example of how our association exists to serve and provide value to our membership. Look for registration information in early August.

PROTECTING AND SERVING PERMA MEMBERS

We continue to work diligently on providing best in class risk management services. The summer season brings more people outside which creates a different risk for the workers we are trying to protect. Our risk management specialists provide service to membership in person and online.

For all PERMA staff, the goal is simple – provide the safest possible workplace for those people who serve and protect.

Yearly Check-Ins Greetings from Member Services!

Did you know that your member service representative offers a "yearly check-in" meeting (YCI) to provide you an in-person forum to bring up any PERMA-related topics that may be on your mind? In addition to their smiling faces and warm greetings, your representative will bring member specific documentation to the meeting which outlines your current activity with PERMA.

Data shows that during the recently concluded fiscal year, only 48% of the membership took advantage of their YCI. Well...we want to see

you, and increase those numbers! In the coming weeks, the member service representatives will be sending meeting invitations with RSVP postcards to members that renew in December, January and February. We encourage you to take advantage of this opportunity, if only to say hello and put a name to a face!

The YCI is one in many ways in which PERMA strives to provide the best service available. We hope to hear from you, and see you soon!

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.

In addition, a fun new element was added with the inclusion of the eRisk Solutions driving simulator. Attendees chose from more than 70 vehicles and 100 driving situations, and were then let loose on the (virtual) road. Many attendees proved adept at handling big machinery in difficult environments, but more than one rolled their vehicle over or hit a small (virtual) animal!

**TWICE THE KEYNOTES,
TWICE THE EDUCATION**



On Thursday, the former mayor of Miami, Florida, Manny Diaz, shared his journey in community engagement. Manny came into office with

a detailed plan to improve the city he loved, and then to exit once he had done so. He accomplished, and exceeded, almost all of his goals. Crime in the city dropped dramatically, development increased

exponentially, and Manny rebranded Miami as an international city. He put resources into the airport to increase flights and brought the top art fair in the world – Art Basal – to Miami.



On Friday, Michael Melnik reprised his popular session from the 2016 Fall Educational Conference detailing his “Energized

Approach” to safety and wellness. Michael is an occupational therapist who works with large companies to increase employee safety awareness. Key takeaways from his presentation were a focus on novelty and engagement when promoting safety goals, but also listening to employees and understanding what motivates them. By playing to employees’ motivation, and showing appreciation of their efforts in small ways, employers can reap big results.

IN CONCLUSION...

The weather was glorious, the setting was stunning, the food was delicious, and the activities were engaging. “We had record attendance again this year,” said Karen Braman, director of member services, “Not just in number of attendees, but also in the number of municipal entities represented. That’s what we want – the highest number of members experiencing what a PERMA membership has to offer.”

Most of the PowerPoint presentation slides, supplemental materials, and videos are available on the PERMA website. So if you weren’t able to attend the conference, or a particular session, or simply want to relive the good times, go to <https://www.perma.org/general/perma-2018-annual-conference-materials/>.

All-in-all, it was another successful conference, and we hope to see everyone again this year, either at one of the regional managers conferences in September, or at the Fall Educational Conference, November 1 & 2, in Binghamton!



PERMA 2017 *Awards in Excellence*

We are so pleased to have had the opportunity to honor the 2017 Awards in Excellence winners at the Annual Awards Banquet on Thursday, May 24 at the Sagamore Resort on Bolton Landing. Jeff Van Dyk, PERMA executive director, and Stephen Altieri, chairman of the board, presented the awards.

This year, we introduced a new award – the PERMA Safety Council Excellence in Risk Management Award. Chosen by the members of the PERMA Safety Council from nominations submitted by the membership, the winner exemplifies innovation and the creative use of resources. The winner, Craig Hiller of the Town of Vestal, developed and implemented a transitional duty program for the Town highway department that is getting workers back to full duty quickly and safely.

Here are details on all of the winners, and you can view our Grease-themed 2017 awards video at <https://youtu.be/UTfnZyb6QKA>.



Triple Threat Award

Awarded to the Town of Long Lake and accepted by Sean Curry, principal account clerk

The Triple Threat Award recognizes a member who cumulatively scores highest in timely claim reporting, best return-to-work rate, and best medical-only to indemnity claim ratio. The Town files all claims within 10 days of the accident, has an average return-to-work rate of three days, and their ratio of medical-only to indemnity claims is a phenomenal 21:1. Long Lake is a small town, but they care just as much about their employees as larger towns. As their PERMA claims manager, Mary Lang, says "Clearly Long Lake is a member that values safety and return to work to minimize the exposure on claims."



PERMA Safety Council Excellence in Risk Management Award

Awarded to Craig Hiller, deputy highway superintendent, Town of Vestal.

The Safety Council Excellence in Risk Management Award, new for 2018, recognizes a particular employee, committee, department or municipality for demonstrating innovation, outside of the box thinking, and/or creative use of resources in promoting a positive safety culture. Craig was nominated by Nancy Olmstead, director of human resources at Vestal, who reported that he created an innovative transitional duty program for the highway department.

When Craig first became deputy highway superintendent, he began questioning why the department had no transitional duty program. He worked with representatives of the Town's workers' comp PPO and PERMA and developed a transitional duty program that involved watching PERMA safety videos until the employee was ready to return to full duty.

This transitional duty assignment is used for both work-related and not work-related illnesses and injuries. It is consistently applied with all employees knowing what the assignment is and that there are no exceptions. The results have been positive and there is hope that there will be fewer work place injuries in the future.



NYSAC PIONEER AWARD, presented by Stephen Acquario, executive director of the New York State Association of Counties.

Awarded to Schoharie County and accepted by Linda Hill, Deidre Scutt, Lora Newell, Susan Makely, and Jay Belfiore, county safety officer.



NYSSBA PIONEER AWARD, presented by Bob Schneider, deputy executive director of the New York State School Boards Association.

Awarded to Johnson City Central School District and accepted by Hank Chapman of Haylor, Freyer & Coon.

The Pioneer Awards *The Pioneer awards are awarded to a county and a school member who demonstrate exceptional creativity and transformative approaches to address challenges and produce a positive impact on the safety and health of employees. Jay Belfiore, Schoharie's safety officer, is a strong contributor to the PERMA Safety Council and regularly utilizes PERMA's DVD library and PERMA Safety Institute training. He runs safety/PESH related programs for the county annually, and utilizes PESH's consultation services frequently. And as a PERMA member, Johnson City is ideal. They have low reporting times for new claims, a robust transitional duty program, and a strong emphasis on safety which keeps their rate of indemnity claims low – currently only 16.25% of all claims.*



Kenneth Herman, Sr. Memorial Risk Management Award

Awarded to Town of Clay and accepted by Damian Ulatowski, town supervisor, and Judy Rios, executive assistant.

The Kenneth Herman, Sr. Memorial Risk Management Award is presented to a PERMA member for exemplifying PERMA's mission to improve workplace safety and wellness through exceptional participation and utilization of PERMA's programs. A PERMA member for 10 years, Clay has recently stepped up their already substantial engagement with the program by leading the pilot chapter of the PERMA Regional Chapter Program. Clay supervisor Damian Ulatowski and executive assistant Judy Rios have been integral providing structure and focus for these meetings of PERMA members that focus on the benefits of sharing ideas and resources, with a keen eye on taking advantage of the services that PERMA, as an advocate and partner, can provide. Thanks to their diligent work, the pilot chapter has been extended for another year.

For more information on these award winners, please visit PERMA's YouTube channel to watch the 2017 Awards in Excellence video: <https://youtu.be/UTfnZyb6QKA>

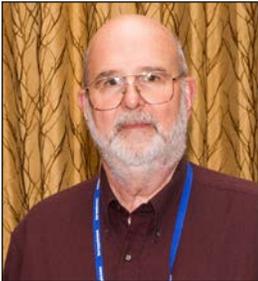
Member Longevity Awards

10 YEAR BOARD SERVICE AWARD



Beth Hunt, treasurer for Hamilton County, has served on the PERMA Board of Directors for 10 years, and as vice-chair of the Board since 2013. PERMA Board Chair Stephen Altieri presented Beth with an award of appreciation for her service to the PERMA program and membership.

15 YEARS



East Clinton Fire District
Robert Trzcinski,
Commissioner



Village of Scarsdale
Angela Martin,
Director of Personnel

20 YEARS



Essex County
Seth Celotti, Safety Officer, and
Wendy Sayward,
Department of Public Works



Greenville Fire District
Lisa Dinon, District Treasurer

25 YEARS



Village of Scotia
Jim Marx, Maria Schmitz, Andrew Kohout, Mayor Kris Kastberg, Pete Frisoni, and Ken Almy



Town of Groton
Chuck Rankin, Bookeeper

PERMA *Staying Informed*

MEMBER SURVEY RESULTS HELP GUIDE COMMUNICATION, EVENTS

In the first half of 2018, the member services department queried the communication preferences of members, as well as their thoughts on the PERMA Annual Member Conference. Key takeaways from the survey results:

- The 2018 Communications Survey echoed many of the same results of the 2016 survey, with increases in the number of members wanting to receive only one non-claims PERMA email per month and the number of members reading emails on something other than a desktop. Consequently, we are thinking how to schedule and send emails in order to align with member desires.
- The Annual Conference survey results also closely matched last year's results. The largest differences were in the number of people who didn't attend because the conference was too far away (went down by 4%) and the number of attendees who went to the after-dinner event on Thursday (up by 3%)

Thank you to everyone who responded to the surveys. We especially value the

comments, as they give us ideas we may not have had before. If you would like the full results, please contact Member Services at memberservices@neami.com.

CERTIFICATES OF INSURANCE

Please send all requests for certificates of insurance (C-105.2, GSI-105.2) to underwriters@perma.org, or request through the website at <https://www.perma.org/members/file-a-claim/service-request/>.

RISK MANAGEMENT WEBPAGE FOR BROKERS

Since the debut of our Risk Management Services packet late last year, we've been inundated with requests for an online version. Everything agencies and prospective members might want to know about the risk management services provided by PERMA is on the new web page, as well as pictures, bios, and responsibilities of the full risk services team. Brokers will always know who to call, or who to refer clients to. Check it out at <https://www.perma.org/risk-management/>.

UPDATE ON THE NYS VFF ENHANCED CANCER DISABILITY PROGRAM

PERMA has been working diligently to educate our membership on the NYS Volunteer Firefighter Enhanced Cancer Disability Benefits Act that goes into effect on January 1, 2019. And in conjunction with our partners New York State Association of Counties (NYSAC) and New York State Association of Fire Chiefs (NYS AFC), we have collaborated with other State fire associations to provide a purchasing option for PERMA's volunteer fire members.

That option, pending approval by the NYS Department of Financial Services, will be offered by Hartford Life, and will cost approximately \$225 per firefighter, per year. More information will be coming very soon. You can learn about both the implementation of the Act as well as the purchasing program by watching our March webinar on the topic at https://youtu.be/YiOGyv7Q_fs.

Though it is neither workers' compensation or VFBL coverage, PERMA is honored to be part of the effort to protect volunteer firefighters through the offering of this enhanced disability coverage.

UPCOMING *Events*

SAFETY COORDINATOR TRAINING

Intended to help PERMA members fulfill their named Safety Coordinator required training, this program will cover basic Safety Coordinator duties with a focus on policies, procedures and activities to help you create and maintain a safe workplace. Trainings will be presented by PERMA public works risk management specialist Ed Starowicz.

July 16 – 8:30 am to noon – Village of Farmingdale

July 17 – 8:30 am to noon – North Patchogue Fire District

July 18 – 8:30 am to noon – Southold Fire District

September 25 – 8:30 am to noon – Town of Greene (Chenango County)

September 26 – 8:30 am to noon – Town of Manlius

September 28 – 8:30 am to noon – PERMA office, Latham

Please contact Sigrid Vomba, at svomba@neami.com or 518-220-0386 with questions or to register.

SCHOOL CROSSING GUARD TRAINING

As he has the past two years, Lew Moskowitz will be conducting the crossing guard training developed by PERMA that has resulted in zero medical or lost time costs since 2016. If you are interested in sending employees to a training in your area, please contact Lew with your availability in August and early September – lmoskowitz@neami.com or 518-220-0383.

MANAGERS CONFERENCES

These full-day trainings specifically for managers, administrators, and others in supervisory positions will be held in three locations throughout the state. Ronni Travers of Public Sector HR and various legal experts will be presenting an in-depth study of sexual harassment, including the current climate and soon-to-be-effective state regulations.

September 17 – 9:00 am to 4:00 pm – Hotel Henry, Buffalo

September 19 – 9:00 am to 4:00 pm – DoubleTree by Hilton, Syracuse

September 21 – 9:00 am to 4:00 pm – Radisson Hotel, New Rochelle

Registration information will be available in early August. If you have questions in the interim, please contact Erin Harrington, at eharrington@neami.com or 518-220-0394.

RISK MANAGEMENT *Update*

FROM THE PERMA ANNUAL CONFERENCE SAFETY FAIR

Check out all the of the summer risk management fact sheets distributed at the annual conference, including UV Index, Ticks & Mosquitos, and Lightning Safety, by going to <https://www.perma.org/general/perma-2018-annual-conference-materials/>.

SILICA STANDARD ENFORCEMENT EXTENDED TO AUGUST 5

Enforcement for OSHA's respirable crystalline silica standard (https://www.osha.gov/dsg/topics/silicacrystalline/gi_maritime.html) has been extended from June 23 to August 5. Any municipality that works with concrete should download OSHA's Small Entity Compliance Guide (<https://www.osha.gov/Publications/OSHA3911.pdf>) which discusses suggested engineering and work practice controls, exposure assessments, respirator use, medical surveillance, written exposure control plans, and other aspects of compliance.

PERMA IS A PROUD SPONSOR OF THE OSHA SAFE + SOUND CAMPAIGN

The OSHA Safe + Sound Campaign (www.osha.gov/shpcampaign) encourages every workplace in the United States to have a safety and health program that includes management leadership, worker participation, and a proactive approach to finding and fixing hazards.

PERMA is a proud sponsor of this year's campaign, and we will be focusing on the third tenet of the campaign: finding and fixing hazards. We will be promoting the use of the new Incident Review Form, as well as encouraging members to utilize PESH consultative services. You can find out more about both by visiting the members' risk management resource page (<https://www.perma.org/members/risk-management/>).

FALL PROTECTION FROM VEHICLES



Municipal truck drivers have many operations with unique handling issues. Clogged grates on the salt spreaders of plows, and screens on leaf blowers, must be cleaned. But doing so puts drivers at risk for falls. Municipal leadership should have fall protection policies in place as well as a fall protection program.

Each year over 100,000 injuries and deaths are attributable to work-related falls, and an OSHA study involving 99 fall-related fatalities suggests that all of the deaths could have been prevented by the use of fall protection.

We are asking all members to act to prevent falls from heights. Here are five suggestions that could be implemented to prevent falling from vehicles.

1. Establish a NO-WALK POLICY

on top of salt trucks, leaf boxes or other equipment;

2. Consider vibratory equipment

to assist with the cleaning of salt spreaders or other equipment, so that the employees are not exposed to the danger of a fall;

3. Utilize movable platform ladders

to reach the area that needs to be worked on, instead of climbing on the truck directly;

4. Utilize hand-built mezzanines

to allow employees to work from a platform at height;

5. Utilize fall protection systems

such as harnesses from a standing structure.

Using any of the above will help prevent the slips and falls that occur from heights on trucks and keep everyone safe.

BAIL-OUT TRAINING

Training in public safety has always been a critical component to maintaining professionalism and assuring the health, safety and well-being of our first responders. But just as important as the training topics are how they are presented. In fire services, an area where there has been high frequency of injuries, as well as a high level of severity, is in "bail-out training".

During the claim review period, 01/01/2015 – 12/31/2017, there were 39 bail-out training claims submitted to PERMA, with incurred costs ranging from a few hundred dollars to over \$100,000. Most of these injuries have occurred when the firefighter has "bailed-out" from a second story or higher elevation.

Located in the New York Codes, Rules and Regulations, Part 800.7 is the requirement that firefighters are instructed in the proper use of escape rope and system components by a competent instructor. The regulation also states that "Instruction shall include hands-on use of the equipment in a controlled environment". In 2016, a law office representing fire districts and departments throughout the state sought clarification from the NYS Department of Labor as to whether the regulation actually requires firefighters to demonstrate the "bail-out" from an elevated platform in training.

In response, the NYS Director of Safety and Health stated that "A violation would not be issued if the training included all the elements in paragraph (g), including the hands-on use of the equipment in a controlled environment without the practice from an elevation."

In other words, this training requirement can be met if the firefighter can satisfactorily demonstrate his or her proficiency in the use of the employer-provided emergency escape system components through both words and actions on level ground.

Protect your firefighters and avoid unnecessary claims by practicing bail-outs without the added danger of heights.



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LAW ENFORCEMENT/ CORRECTIONS ACCIDENTS

March, April, May 2018

The above chart represents the eighty-seven (87) claims submitted by law enforcement and corrections officers during the three (3) month period of March, April, and May 2018.

Slips, trips and falls decreased when the warmer spring months arrived, as most of those claims were winter-weather related. By far, the largest activity where claims occurred was Hand-to-Hand. Thirty-three percent of all claims submitted during this time period were during arrest situations or when officers were confronting combative subjects.

Because of its ubiquity, Hand-to-Hand activity has become an area of focus for PERMA risk management. We want to determine how best to reduce the risk of injury during this type of encounter. We have identified several intervention methods to keep members healthy, safe, and on the job. Methods being explored include specialized equipment, communication plans, and training such as arrest technique, defensive tactics, and de-escalation.

ACTIVITY AT TIME INJURY OCCURRED

