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Trust Intelligence

A Newsletter published by the Workers' Compensation Trust

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2018 Connecticut
Flu Predictions

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Trust Board of Directors Declares \$4 Million Premium Return

Year After Year – It Pays to Be a Trust Member!

It's another joyous holiday season for Trust members! We're delighted to announce a \$4 million premium return to qualifying members for the 2018 year. This year's return is the third largest return on record and comes on the heels of two record setting \$5 million premium returns for both the 2016 and 2017 years.



That's a combined total of \$14 million of premium returned to Trust members in the last 3 years alone and over **\$40 Million in the Trust's history!** The Trust continues to maintain its strong financial position and profitable results as Connecticut's 5th largest insurer of workers' compensation overall and the state's largest insurer to the healthcare and human services industry.

Diane Ritucci, President and CEO stated: "Our unparalleled commitment to reducing injuries, controlling claim costs and lowering workers' compensation premiums has paid big rewards to our members, assuring them that no other carrier works harder for their best interest than the Trust. Many members tell us how crucial these checks have been for them as they struggle with cuts in financial support from other sources. We are proud to serve the best in Connecticut's healthcare and human service industries and look forward to once again delivering hundreds of large premium return checks to members in the upcoming months. "

For the vast majority of Trust members, that competitive workers' compensation premium you received from the Trust at your last renewal just got even more attractive when your premium return is applied!

The premium return program rewards active members based on a combination of each individual member's longevity with the Trust, loss ratio and proportionate share of premium. **Each qualifying member will receive their check in the 30 day period preceding the renewal of their 2019 policy.**

Trust Reduces Rates - Effective January 1, 2019

More good news for Trust members! The Trust will be lowering rates in nearly every major class code for renewal and new business policies effective 1/1/19. The overall rate decrease is -7.4% with some codes seeing decreases as much as -16.6%. In addition to the premium returns mentioned in the lead article, these continued favorable loss results allow us to pass on even more savings to members.

Trust TeleCare Hits 1,000 Call Milestone!

As of November, Trust TeleCare has received over a 1,000 calls with 48% of those calls resulting in self-care. This has many advantages. Self-care requires no medical treatment which means no medical cost. It also constitutes a record only claim and does not create an OSHA recordable event. Over 100 members have used the service at this point and additional members are being on-boarded weekly.



The key benefits being experienced by those members utilizing the service include:

1. A consistent process for evaluating and documenting an employee's injury. Calls are answered by an impartial telephonic triage nurse who determines the right level of care at the right time including the option of self-care.
2. Cost savings for unnecessary or expensive emergency room visit care for minor injuries; especially during off-hours where a hospital emergency room is the only option for care.
3. First Reports of Injury are automatically generated and electronically submitted in a real time environment to the Trust, thus reducing the overall time the Trust receives notice of a claim literally down to minutes after the event has occurred.
4. Triage reports are automatically submitted within minutes of the event alerting the claim contact person that an injury has occurred. This has been very well received for those members who have multiple locations or employees working on the road or within a client's home.

If you are interested in this service, please contact your Loss Control Consultant so they can schedule a meeting to assist you with the training and enrollment process. If you have any operational questions on how this new service offering would work within your organization, please contact Brian Downs, Vice President of Quality & Provider Relations at (203) 678-0103 or downs@wctrust.com.

PIA of CT Designates Nate Shippee "Company Person of the Year"



On September 27th the Professional Insurance Agents of Connecticut named Nate Shippee Company Person of the Year at the fifth annual Connecticut Young Insurance Professional Industry-wide Golden Gala Awards Night at the New Haven Country Club, Hamden, CT. Nate is Vice President of Sales & Marketing for the Workers' Compensation Trust.

The award, bestowed by PIACT, is given to an individual who fosters a strong working relationship with agents and brokers, and who exemplifies a commitment to professionalism and service.

"As an active member of the association, Nate's contributions to PIACT are numerous and have helped to strengthen the organization," said PIACT President Ken Distel.

Diane Ritucci says "We are very proud of Nate. He is a true professional. The Trust is fortunate to have him on our sales team."

The Trust Forms Alliance with OSHA



Pictured from left to right Steve Biasi, U.S. DOL/OSHA Area Director Bridgeport; Paul Mangiafico, Compliance Assistance Specialist; Dale Varney, U.S. DOL/OSHA Area Director Hartford; Diane Ritucci, President & CEO, Carol Fronczek, Vice President Loss Control and John Rosa, Consultation Program Manager

The Trust and the U.S. Department of Labor Occupational Safety and Health Administration (OSHA), Hartford Area Office, Bridgeport Area Office and the State of CT-Department of Labor Division (CONN-OSHA) have formed an Alliance to provide Trust members and clients information, guidance, and training. This will help to protect the health and safety of workers, focusing on workplace hazards and challenges facing our members and clients.

Through the Trust's Alliance, areas of emphasis will be to reduce and prevent exposures to bloodborne pathogens, personal protective equipment, chemicals in the workplace, emergency planning, infection control and respiratory protection, falls, strains and sprains, workplace violence and safe patient handling. Assistance will be provided to employers and employees to understand the rights of workers and the responsibilities of employers under the Occupational Safety and Health Act (OSH Act). The Trust's educational sessions planned for 2019 will focus on these topics as well as other relevant trainings.

Longstanding Members Recognized by the Trust

Diane Ritucci, President & Chief Executive Officer recognized some of our members who have been with the Trust for over twenty years. It is our pleasure to partner with you all these years!



Action for Bridgeport Community Development
Indi Hayes, Accounting Manager (left) and Zeljka Trivunovic, Director of Operations & Planning



Lifebridge Community Services
Alan Mathis, President & Chief Executive Officer



Vantage Group
Rick Pittman, Chief Executive Officer

Recent Study Shows it Pays to be Nice to Your Employees

A recently published research study from the State University of New York at Binghamton found the showing of compassion by management to their employees almost always pays off, especially when combined with clear, enforced goals and benchmarks.

The study was conducted by an international research team, focusing on how different leadership styles can impact job performance of subordinates. The survey group consisted of nearly 1,000 members of the Taiwanese military and approximately 200 full time working adults in the United States reporting to three different styles of leadership.

Not surprisingly, researchers found that authoritarianism-dominant leadership had consistently negative results on job performance while the benevolence dominant leaders had positive impacts on overall job performance. However, the most positive impact on employee performance came from classical paternalistic leaders who knew how to strike a balance of focusing both on task completion and well-being.

The main takeaway for managers: Put as much or more of an emphasis on the well-being of your employees as you do task completion and hitting goals. You may see improved productivity and an overall better working relationship.



Trust Staff Helping Youth Stay Warm this Winter

This fall, Trust staff took part in the Homeless Youth Winter Clothing Drive program organized by Waterbury Youth Services, a 12 year member. The program helps youth learn the skills they need to be more successful at home, in school and throughout the community. Many of the youth were in need of essential winter clothing.

The Trust staff donated gently used coats, hats, gloves and scarves to the program in hopes of keeping these young people warm this winter.



OSHA NEWS

OSHA will be using the 2016 OSHA 300 information to create an inspection list of establishments meeting certain criteria. The list will be created for establishments with elevated Days Away, Restricted or Transferred (DART) Rates, together with a random sample of establishments that did not provide the required 2016 Form 300A data to OSHA as well as some low-rate establishments for quality control purposes.

The Trust has developed several resources, educational programs and on-site consultations to assist our members with OSHA recordkeeping and reporting requirements. To enroll, go to the Trust website www.wctrust.com.

OSHA Recordkeeping: Basic - December 13, 2018
OSHA Recordkeeping: Intermediate - January 10, 2019



STATE OF CONNECTICUT
WORKERS' COMPENSATION COMMISSION

Pedro E. Segarra named as new Workers' Compensation Commissioner



WINTER PREPARATION CHECKLIST

The winter months bring challenges, but with some foresight and preparation you can mitigate the risks and hazards. Don't wait until the first snowflake arrives. Plan now. This checklist can be used as a guide to help ensure your organization is prepared for winter.

Footwear

- Remind staff of proper footwear
- Provide ice grippers to staff

Company Vehicles

- Get a winter vehicle maintenance check-up: tires, battery, belts, hoses, lights, brakes, heater/defroster and wiper blades
- Keep a basic winter survival kit: flashlight, batteries, blanket, snacks, water and warm clothes; encourage employees to do the same with personal vehicles.
- Load each vehicle with ice scraper/snow brush, jumper cables and road flares
- Provide kitty litter and sand/salt to employees on the road

Employee Training

- Review safe methods of removing snow
- Review slip and fall prevention
- For employees who work outside, review cold weather exposures and controls
- Provide safe winter driver training

Parking and Walkways - Before the Storm

- Have plenty of ice melt and sand accessible
- Plan for snow removal before staff/visitors arrive
- Remove leaves/acorns; they make the surface slippery
- Check and adjust outside lighting, change timer if necessary
- Consider awnings over entrances and exits to deter water accumulation
- Specify a location for snow/ice to be plowed to:
 - choose an area where runoff is opposite of pedestrian traffic
 - ensure it does not obstruct view to traffic
 - verify rood drain outlets remain clear
 - keep fire protection equipment, hydrants and control valves accessible

Parking and Walkways - After the Storm

- Treat water accumulation as necessary
- If possible, stagger parking areas by shift to allow for effective snow removal
- Design and designate a safe walking route for staff; create a map to share with employees
- Close long or steep walkways from use until snow/ice is gone

Communication is very important during inclement and dangerous weather. Be sure to have a Communication "Tree" in place and test it out to make sure that it works. Ensure you have a plan for power failure: cell phones, portable charger, extra batteries. Battery powered radios can be helpful in these situations.

This document and the information contained within are the proprietary of Workers' Compensation Trust. Significant time and effort was expended to create this information. It is solely for the use of your organization while you remain a member of the Trust. This document is not intended to be distributed outside of your organization.

The Legal Corner

Attorney John M. Letizia, Managing Partner
Letizia, Ambrose & Falls, PC

Telecommuting



Allowing employees to work remotely (sometimes called “telecommuting”) may help increase employee productivity, reduce turnover and aid in retention and recruitment efforts, but there are risks and challenges. Employers must assess who can be an effective remote worker, monitor and supervise the work performed by that employee, and understand their legal obligations in this context. An employer must have a strong remote work or telecommuting policy that clearly defines who and what positions are eligible to work remotely, whether the remote work is full-time or part-time, and how employees will be supervised and more.

A. What Type of Employee and Position is Suitable for Telecommuting?

Employers facing an employee request to work remotely must consider the employee’s prior work history, including prior remote work experience, as more experienced, higher performing employees are generally more successful remote workers. Telecommuting should not be contemplated if the employee is responsible for supervising someone else or the company’s efficiency is compromised when the employee is not present. Moreover, an employer should retain the discretion to end the remote working arrangement if the company’s needs are not being met. The employer should make clear that an employee’s failure to fulfill normal work requirements may be cause for disciplinary action, termination of employment, or at least withdrawing the privilege of telecommuting, and that all other work policies apply with equal force to the remote worker (e.g., attendance, accountability, grievance procedure, etc.).

The representations made in this article are the analysis of the law offices of Letizia, Ambrose & Falls, P.C., who are responsible for its content. This information and analysis are provided gratuitously and for information purposes only.

B. Important Laws Affecting Telecommuting

1. Workers’ Compensation Liability

Employee injuries occurring during the course of work performed at home, incidental to work performed at home, or for the benefit of the employer at home, are compensable workers’ compensation injuries. Examples of compensable claims have included an employee who suffered a heart attack shoveling his driveway to leave his home office to complete work activities and an employee who slipped and fell while walking to the mail box to mail business correspondence.

2. Telecommuting as a Reasonable Accommodation Under the ADA

According to guidance issued by the Equal Employment Opportunity Commission (“EEOC”), an employer may have to allow an employee to work at home at least part of the time due to a disability under the Americans with Disabilities Act (“ADA”), which requires employers to provide reasonable accommodations for qualified applicants or employees with recognized disabilities. This is the case even if the employer does not have a telecommuting policy in place.

C. Confidentiality

Just like employees within an office, telecommuting employees must maintain the confidentiality of company information, but employers face unique security challenges due to the remote employee’s use of their own personal home computer and smart phone to perform their work. Employers must consider heightened safeguards such as encrypted email, network firewalls, periodic monitoring and specifically approved remote-access applications to protect their own data and their customers’ data with a telecommuting employee.

D. Risks v. Benefits of Telecommuting

From a legal perspective, employers must understand the increased risks associated with allowing employees to telecommute and they must implement clear policies, guidelines and sound technological practices to mitigate these risks.

Please contact Attorney John Letizia at letizia@laflegal.com if you have any questions, would like a copy of the EEOC guidance on telecommuting and the ADA, or would like assistance drafting a telecommuting policy.

Influenza is Coming

As we move into another influenza season, it's worth recounting what happened last year. As most are aware, 2017-2018 was a particularly severe outbreak. We saw the highest percentage of outpatient visits across the country for Influenza-like Illness (ILI) since the 2009 influenza pandemic. Deaths from pneumonia and influenza were above epidemic threshold for 16 weeks, the longest in the past five years. There were 181 pediatric deaths from influenza in the United States, the highest ever recorded for a "regular" flu season. And overall hospitalization rates for influenza (all ages) were the highest ever recorded by Influenza Hospitalization Surveillance Network.

In Connecticut, there were a total of 3,490 hospitalized patients with laboratory-confirmed influenza admitted between August 27, 2017 and May 19, 2018. A total of 154 influenza-associated deaths occurred. Among them: 128 were in patients >65 years of age, 15 were 50-64 years of age, 7 were 25-49 years of age, 1 was between 19-24 years of age, and 3 were <18 years of age.

Why was the season so severe? Every year, there are several sorts of influenza viruses which circulate. They are categorized as influenza A viruses, of which the two common subtypes are H3N2 and H1N1, and influenza B viruses, of which there are usually two principal strains. Last year, the predominantly circulating virus was an Influenza A H3N2 strain. Of the influenza samples sub-typed in Connecticut, more than 10 times as many influenza A H3N2 viruses were detected as influenza A H1N1 viruses. Based on decades of data, H3N2 strains tend to cause more severe influenza than do other influenza strains.

Unfortunately, H3N2 strains also are the ones least responsive to the influenza vaccine. A study looking at 10 years of data has estimated that the average efficacy of influenza vaccination against type A H3N2 influenza is only about 33%. The CDC has estimated that the vaccine last year was only 25% effective against H3N2, but that based on the mix of all influenza A and B strains that circulated last year, overall effectiveness was about 40%. Compounding the problem was that while the initially selected vaccine strains were well matched to the flu viruses that circulated



in North America, some genetic changes took place during the production of the vaccine in egg stocks, which made the vaccine different enough from the original vaccine strain to further compromise its effectiveness.

What can we expect for the coming season? As always it's difficult to predict. Two of the four vaccine strains in the quadrivalent vaccine for this year have been changed in anticipation of the flu viruses we expect to circulate. The one piece of possibly good news is that during the flu season that has taken place already in the Southern Hemisphere it was H1N1 strains, rather than H3N2 strains, which predominated. H1N1 strains tend to associate with a milder flu season, and this is what was experienced in the Southern Hemisphere this year. Time will tell. As always, it's crucial for each of us to do everything possible to avoid getting the flu, and avoid exposing others. While it's not perfect, the flu shot is still the best defense we have, and it's also important to be mindful of common sense infection control measures. Stay home when you're sick, avoid being in close proximity to people with obvious respiratory infections, and wash your hands frequently.





Upcoming Educational Programs

The following programs are designed to assist members in gaining knowledge of issues that surround and support the reduction of work related injuries and create a safe and healthy workplace. To register, or obtain detailed information, go to www.wctrust.com. Most courses offer Continuing Education Units (CEUs). Your attendance is encouraged.

OSHA Recordkeeping: Basic

Thursday, December 13 9:00 AM - 12:00 PM Members: FREE Value: \$100

OSHA Recordkeeping: Intermediate

Thursday, January 10 9:00 AM - 12:00 PM Members: FREE Value: \$100

Partnering With the Trust

Wednesday, January 16 9:00 AM - 12:30 PM Members: FREE Value: PRICELESS

National Safety Council Defensive Driving 4 Hour Course

Wednesday, January 23 8:30 AM - 1:00 PM Members: \$40 per person

OSHA Safety Series: Respiratory Protection and Personal Protective Equipment

Wednesday, February 6 9:00 AM - 12:00 PM Members: FREE Value: \$100

Energizing Your Safety Committee

Thursday, February 14 9:00 AM - 12:30 PM Members: FREE Value: \$100

Safety Solutions for Group Homes

Thursday, March 7 9:00 AM - 3:30 PM Members: FREE Value: \$200

OSHA Safety Series: Emergency Planning and Fire Protection

Wednesday, March 20 9:00 AM - 12:30 PM Members: FREE Value: \$100

Supervisor's Toolkit: Stepping Up to Supervisor

Thursday, March 28 9:00 AM - 12:30 PM Members: \$50 per person



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