

## OVERALL OBJECTIVE -

ECM seeks to provide a consultative relationship in which we work with our clients to influence and improve their Risk Management Process. Following are a few suggestions regarding Workers' Compensation, Return to Work Program, and Claims Management.

## OVERALL GOAL –

Place our Clients in a position to control their Workers' Compensation costs (both direct and indirect costs).

Please inform ECM if you need assistance with Your Workers' Compensation Strategy or Return To Work Program. ECM's Claims Advocates are ready to assist.

## ABOUT WORKERS' COMPENSATION:

Workers' Compensation is insurance designed to provide medical care and wage replacement to employees for job-related injuries. WC is designed to protect both employees (by providing medical coverage and wage replacement) as well as the employer (by protecting you from liability – WC is the sole remedy for job-related injuries).

Overall Goal of Workers' Compensation – to rehabilitate the injured employee so they can return to work and be productive. A Return To Work Program is essential to this goal.

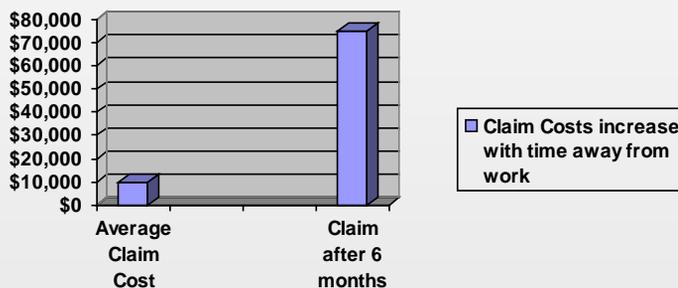
## TABLE OF CONTENTS

<b>What Is A Workers' Compensation Strategy and A Return To Work Program</b>	<b>Page 2</b>
<b>Why Develop A Workers' Compensation Strategy and A Return To Work Program</b>	<b>Page 3</b>
<b>Develop A Plan <u>BEFORE</u> An Injury Occurs (Pre-Loss Suggestions/ Checklist)</b>	<b>Page 4</b>
<b><u>WHEN</u> An Injury Occurs</b>	<b>Page 5</b>
<b><u>AFTER</u> An Injury Occurs (Post-Loss Suggestions/ Checklist)</b>	<b>Page 6</b>



## WHAT IS A WORKERS' COMPENSATION STRATEGY AND A RETURN TO WORK PROGRAM?

- ❑ **Workers' Compensation Strategy** – A Strategy to Prevent future work place injuries and/or Minimize the impact of a work place injury when it occurs
- ❑ **Return to Work Program** – A Program designed to get injured employees back on the job, thus Decreasing Company Costs and Increasing Company Productivity.
  - Goal – Employee back in his normal position sooner than if he had not worked during their recovery
  - Should be customized to fit your Company and the employee needs
  - Establishes a Transitional Duty position for an employee while his work place injury is healing
  - Terms used for a Return To Work Program
    - ✓ Transitional Duty – Temporary work offered to an injured employee before he is fully recovered
    - ✓ Modified Work – Temporary modifications to the employee's regular job duties to remove or change the elements that exceed current physical abilities
    - ✓ Alternate Work – Temporary reassignment of the employee to another position, or different type of work, within current physical abilities
  - Why a Return to Work Program: The Chances of an injured employee ever returning to work decreases dramatically the longer he is away from the job. Not only does extended absence open up the possibility of a lawsuit, but the cost of hiring and training a replacement for the injured employee affects your bottom line, your workplace, and the morale of your employees.



## WHY DEVELOP A WORKERS' COMPENSATION STRATEGY AND A RETURN TO WORK PROGRAM

### ❑ Employer Benefits:

- Reduced Workers' Compensation Costs
  - Reduced medical costs
  - Reduced employee lost time and subsequent indemnity costs (lost wages)
  - Reduced likelihood for malingering and/or fraudulent claims
  - Legal costs are less likely
  - Over time, your premium costs can be reduced and your experience modification factor may be improved
- Increased Productivity
  - Receive some productivity for wages paid (wages replace wage-loss payments)
  - Reduced operating costs
  - Maintenance of an experienced work force which reduces the cost of hiring and retraining replacement employees
- Improved Communication
  - Supervisors are in contact with the injured employee
  - You know the status of the employee's injury
- Boosts Morale
  - Employees know that work will be available if they are injured on the job
  - Employees know that their employer cares about their well-being
- Increased Control
  - Employees know that you want and need them to come back to work after a workplace injury
  - Work is being done by your employees, not by temporary help
  - Length of disability is usually reduced

### ❑ Employee Benefits: Our Client's success depends on having productive and healthy employees.

A Return To Work Program provides many benefits to your employees, such as:

- Provides the employee with financial security through their earned wages
- Improves the employees self esteem and returns their confidence
- Provides positive reinforcement since the employee is concentrating on productivity rather than injury. Wellness rather than illness attitudes are created.
- Reinforces the "going to work" habit and encourages daily contact between the injured employee and co-workers which sustains relationships

## DEVELOP A PLAN BEFORE AN INJURY OCCURS (Pre-Loss Suggestions / Checklist)

- Obtain a commitment from Senior Management for aggressive injury management and Return To Work Program.
- Establish clear program guidelines for managers, supervisors, and employees.
  - Who, What, When, and How to report a workplace injury.
- Establish a central contact (make someone accountable) for handling the Safety Program, workplace injuries, and the Return To Work program.
  - Central Contact will stay in contact with the employee, the insurance company adjuster, and the physician.
- Implement and Reinforce Regular Return To Work Program Planning.
  - Address Workers' Compensation and Return To Work program during new-hire orientation.
  - Hold regular safety meetings.
  - Display a Return To Work flyer where you post important employee information or notices.
- Develop a formal safety program and train your employees.
  - Emphasize the importance of safety to prevent workplace injuries.
- Develop a Safety Incentive Program for your employees.
- Develop aggressive Hiring and Recruiting practices.
  - Post-offer Physical Survey
  - Note: You hire the whole person when hiring someone, whether or not they are healthy, or have a pre-existing injury.

Note: Don't get stuck with the "we never should've hired him" statement.
- Develop Job Descriptions.
- Develop Transitional Work, Modified Work, and Alternate Work Descriptions.
- Interview, Identify, and Partner with occupational clinics on your Return To Work program.
  - Look for providers with occupational medicine experience.
  - Build relationships with providers, and encourage clinic physicians to visit jobsites or your operation.
  - Share your Return To Work Program, Job Descriptions, and available Transitional Duties with the physicians.
- Measure Return To Work Program results and efforts on a regular basis, and regularly communicate successes throughout all levels of the organization.

## WHEN AN INJURY OCCURS

**Key Element of Success** – An open flow of communication between the employer, the employee, the physician, and the claims adjuster.

### Immediately:

- Ensure that the injured employee receives medical attention, or that they sign an informal waiver that they refused medical treatment.
- Supervisor should go to medical facility with the employee.
- Ask treating physician to conduct a **Drug and Alcohol Screening/Legal Screen**, to determine if drugs or alcohol are in the employee's system
- Call or complete and submit a First Report of Injury to the Insurance Company (smaller claims may be submitted "For Informational Purposes Only")

### To do within the first **24 Hours** of having an accident:

- Contact Edwards, Church & Muse, Inc's Claims Department to let them know an accident occurred.
- Initiate an accident Investigation – Determine: Who, What, Where, When, & How.
- Write and save the names, addresses, telephone numbers, and Social Security Numbers of any witnesses.
- Gather and save all technical information and data surrounding the accident – what equipment was the employee using, was the piece of equipment yours or a rental, was it the fault of another contractor.
- Save and secure all relevant pieces of equipment for future testing.

### To do within first **72 Hours** after having an accident:

- Owner, Return To Work supervisor, or Superintendents and Project Managers should make contact (call and/or visit) with the employee to ensure that their needs are being taken care of and relay that you care about their well-being.
- Speak directly to the doctor to ensure that all the correct information has been given to them.
- Speak directly with the insurance company's claims adjuster to stay in the loop.
- Let doctor know "transitional duty" is available.
- Call police, highway patrol or any other responding agencies to receive copies of their reports.

### To do within **5 Days** of having an accident:

- Owners and top Management should contact the employee to ensure that he is recovering. Offer assistance in any way possible.
- Call employee at home to ensure that they are healing and to see if they need anything else – send a card, flowers or a note to let them know they are missed and to hurry back as soon as possible.
- Claims Adjusters should be called to give any additional information regarding the Claim – has the employee been released from doctors care, is the employee working "transitional duty", has the employee refused to work "transitional duty", is the employee in physical therapy.
- If Fraud is suspected, or there are any questions regarding the validity of the Claim, please call your Claims Adjuster Immediately!

## AFTER AN INJURY OCCURS (Post-Loss Suggestions / Checklist)

**Key Element of Success** – Workplace injuries cause reduction in productivity, stress on the employer and employee relationships, and unplanned costs. Once an injury occurs, the way it is managed can dramatically affect the outcome. Industry research suggests that an effective Return To Work Program can reduce annual workers compensation costs by 19 percent.

- Call and Visit the employee at regular intervals to check on his progress. It will show you care.**
  - Send a “Get Well” or “We Miss You” card to the employee.
  - Keep them up to date on Company activities and projects while they are away.
  - Informed employees feel more connected to the Company and plan on returning to work.
- Call the Insurance Company Claims Adjuster at regular intervals to check on the progress.**
  - **Note:** this is very important...do not wait for the adjuster to call you.
  - Discuss options for Transitional Duty.
  - Discuss any issues and/or concerns.

**Provide to the claims adjuster and physician the injured employee’s job description, physical job demands, transitional work and a physician return to work statement form.**

- Obtain a form or letter from the physician that states your employee’s post-injury physical capabilities.
- Decide on Transitional Duties and submit the job description to the insurance adjuster.
- Have the injured employee check in with you after each appointment with the physician.
- Provide Transitional Duty. We recommend that you offer the job in writing and send it to the employee by certified mail.**
- Once the employee has returned, comply with the physical restrictions set by the physician.
- Celebrate your employee’s return to full duty.
- Analyze the injury and determine if any preventative measures should be taken.
- Continue to discuss the prevention of work injuries in safety meetings.

