

News You Can Use



Because You're Different



Workplace Safety/Liability

Playing It Safe During the Holidays

AS THE holiday season nears, your business will have new safety considerations to confront. From holiday parties and risk of electrical shock to fires and trips and falls, companies have a set of safety and risk management challenges that may not be present during most of the year.

Decorations present their own set of safety challenges, and so does a company party. To ensure your staff's and visitors' safety, and reduce your liability, consider the following:

Safety while decorating

Keep all relevant OSHA regulations in mind when decorating your workplace, including:

Ladder safety – Make sure that your employees don't stand on tables or desks when hanging lights. Insist that they use a ladder and that they have a partner to hold it steady.

Keep walkways unobstructed – When employees are decorating, ensure they keep all walkways free of wires, cords, boxes or any of the material you are putting up. When people are working amid clutter, they can easily trip and fall.

Install wisely – Also make sure that your employees do not put up decorations in a way that can impede movement of your workers or office visitors, or create trip hazards or expose staff to getting caught in the decorations.

Unobstructed exits – Do not place decorative items in exit corridors or on sprinklers. It's essential to ensure that none of your decorations block exit signage or fire safety equipment.

Office parties

If you're throwing an office party, your biggest concern should be potential liability from labor laws and liability if alcohol is served.

Consider the following tips to ensure that festive cheer doesn't turn into a legal nightmare:

Limit your employer liability – Make sure that the party is not tied to any specific religious tradition and is referred to as a "holiday party."

Apply your workplace policies on behavior, including those on violence, harassment, discrimination and general code of conduct, even if you've chosen a venue other than your workplace. Prior to the event, let employees know the standards to which they will be held.

Avoid activities or items such as mistletoe, a game of Twister, or inappropriate music that could lead to physical contact, unwanted social pressure or inappropriate conversation.

Take any complaints stemming from the party seriously. As you normally would with any other incident, document, investigate and take appropriate action.

See 'Carefully' on page 2

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AND NEW YEAR!

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Workers' Compensation

Workers Feel Lost, Frustrated by Claims Process

A RECENT STUDY found that injured employees are often left feeling frustrated and fending for themselves after they file a workers' compensation claim.

The survey of injured workers by researchers at the University of Waterloo in Ontario, Canada, found that workers reacted in a number of ways when experiencing "procedural" unfairness, frustration in how their claim is being handled, or poor communications from their claims adjuster or employer. Some give up, some react confrontationally, others quit.

The study confirms what other studies have shown: Employers need to be actively involved in helping staff navigate the workers' comp system, keep in touch with them to lend assistance and provide support, including a feasible return-to-work program.

Otherwise, they risk having a disgruntled injured worker who may take longer to recover or secure the services of a lawyer.

And once lawyers enter the picture, the more likely it is that the worker's injury will drag out and the cost of the claim will increase substantially.



Negative feelings

Many claimants have a number of negative emotions when embroiled in the workers' comp claims process, including feeling:

- Confused
- Angry
- Frustrated
- Unsupported
- Abandoned
- Disappointed
- Wary

Others did report some positive emotions, including determination and optimism.

Issues that cause negative feelings

- Uncertainty about how to access work compensation programs.
- Reluctance to speak up for fear of losing their jobs.
- Not receiving adequate modified work so they can return to work early.
- Receiving inadequate medical care.
- Their employer trying to suppress the claim.
- Unresponsive claims adjusters.

What you can do

Throughout the recovery process, communication is the key. Maintaining contact with your employee and keeping in touch with the attending physician about available work will help reduce anxiety about returning to work.

For many workers that may mean modified work with restriction to avoid reinjury. You may also consider having them work from home, if feasible.

Encourage an injured employee to follow through with recommended care to avoid long-term complications whenever possible.

If your worker is not getting a response from their claims adjuster, offer to assist them.

Check in with your worker regularly and let them know their colleagues miss them and are hoping they'll soon be back on the job. ❖

Continued from page 1

Carefully Consider Whether You Should Serve Alcohol

Alcohol at parties – Alcohol is a liability, so you should carefully think about whether you should serve it. Consider:

- Hiring professional bartenders who have their own insurance and are certified for alcohol service. Speak with the vendor to determine what protocols it uses to keep from serving minors and others who are visibly intoxicated.
- Offering an array of non-alcoholic beverage choices.
- Not having an open bar. Instead, hand out drink tickets to control consumption.
- Stopping serving alcohol at least at least an hour before the event ends.

- Serving food for party-goers to munch on, in order to slow absorption of alcohol into the bloodstream.
- Giving a supervisor or manager the authority to cut off the serving of alcohol to anyone who is intoxicated.
- Providing alternative transportation, which may include free cab rides.

The takeaway

The holidays are fast approaching, but if you get an early start on planning for them you can keep safety top of mind to ensure nobody gets hurt and your firm doesn't get sued. ❖