

Risky Business

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Did You Know?

- According to the American Medical Association, about \$30 million is spent annually on health insurance, medical care and lost wages due to back pain and injuries.

Source: *Rose Medical Center website*

- Issue 4 (Ohio Healthy Families Act) will be removed from the ballot in November. The Act would have mandated 7 paid sick days for employees working more than 30 hours a week with employers staffing more than 25 employees.

Don't Be A Slouch!

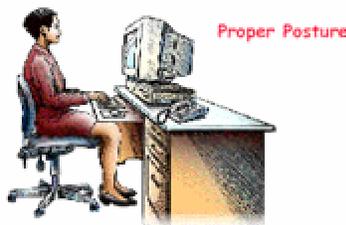
Perfect posture is not just for beauty pageants. Besides making you look slimmer it is actually good for your health. According to an article in Redbook magazine, there are at least 5 health reasons to maintain a straight posture.

1. Less back pain—constant slouching can increase pressure on discs in the spine which can lead to back pain, herniated discs, and/or pinched nerves.
2. More energy—slouching compresses your lungs which decreases the level of oxygen in your blood which can leave you feeling tired.
3. Fewer headaches—leaning forward, such as when you are using a computer, pulls on neck muscles which can cut blood flow to the brain, creating headaches.
4. Fewer bone and joint aches.
5. Better digestion—sitting

up straight after eating allows your digestive system to work properly and will reduce heartburn and gas.

Poor posture also causes your nerves to stretch which means they are unable to communicate properly with muscles, glands and organs. This could lead to back pain, migraines, indigestion, heart burn, dizziness, among many other discomforts.

According to a National Institute of Neurological Disorders and Stroke study, back pain is the most common cause of work-related disabilities in the U.S. According to the study back pain is the leading reason for job absenteeism. Avoid being part of studies like this by going over proper ergonomics with your employees.



Perfect Your Posture

While sitting:

- Both feet should be flat on the ground. Use a footstool if your feet do not reach the ground.
- Knees should be at or below hip level.
- Take frequent breaks from sitting for long periods of time.
- Keep head aligned with body.
- Let the chair support your back. If the upper back is not supported it could cause a burning feeling in your postural muscles.

While standing:

- Both feet should be parallel, not turned out, and be hip width apart.
- Avoid wearing high heels.
- Bend at your knees when lifting objects.

Drug Testing Changes Put Into Effect By The U.S. Department Of Transportation

The U.S. Department of Transportation has amended its drug and alcohol testing procedure rule. One change to 49 CFR 40 now requires observed collections for all return-to-duty and follow-up tests and retesting due to questionable results. The observer's role is to make sure the employee does not have any prosthetic devices to help beat the drug test. This amendment takes effect November 1, 2008. This new testing requirement should only be used on employees specifically referenced in this regulation. Testing conducted

outside the scope of the regulation could be deemed an invasion of privacy. All other changes made to 49 CFR 40 went into effect August 25, 2008. Some of these changes include making specimen validity testing mandatory as well as adding behaviors that constitute a test refusal. Clients subject to Department of Transportation regulations should update their testing policies and be sure that employees, managers, and testing facilities are aware of the changes.



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Family Medical Leave Act (FMLA) Amended

Few people are aware that on January 28, 2008 President Bush signed into law the National Defense Authorization Act for FY 2008 (NDAA). Section 585 of the NDAA actually amends the FMLA to permit a relative to take up to 26 weeks of leave to care for a member of the Armed Forces who is being treated for a serious injury or illness. The normal extent of time allowed off under FMLA is 12 weeks.

Side note—From an employer's standpoint it is crucial that the injured worker is informed that FMLA time will be run concurrently with any short-term disability or workers' compensation leave. This should be done in a letter to the injured

worker and be made part of the employer's policy manual if possible. This impedes the injured worker from taking their disability time and once released to work by a physician continuing to remain off using their entire FMLA time. In other words: An injured worker could be taken off work for 4 weeks under workers' compensation. He is then released to return to work by his physician. The injured worker decides on his own that he is not able to return to work yet. If FMLA had been run concurrently with the disability he would only be allowed 8 more weeks off before it is not mandatory for his position to be held for him. If he was never informed that this disability was counting towards his FMLA he would be allowed 12 weeks off before his position would no longer need to be held for him.

BWC Grants

A total of \$4 million will be awarded to Ohio state-fund employers for the 2009 fiscal year. \$3 million will be used for safety equipment and \$1 million will be used for development of drug-free workplace programs.

According to the BWC website an analysis of 30 construction industry employers who participate in the grant program showed an 82% reduction in lost days.

Funds are limited so employers should submit their documentation ASAP. Contact your V&A representative for further information.

Mark your calendar

**2009 Ohio
Safety Congress
March 31—April 2,
2009
Columbus
Convention
Center**

Self-Insuring Employer Assessment Funds

Assessment Rates Per \$1.00 Paid Comp

| <u>Mandatory</u> | <u>07/01/2008</u> | <u>2007/2008 Change</u> |
|--------------------------------------|-------------------|-------------------------|
| Surplus Fund (mandatory) | 0.0450 | +0.0000 |
| Self-Insuring Employer Guaranty Fund | 0.0527 | +0.0000 |
| Administrative Cost Fund: BWC | 0.0847 | +0.0025 |
| Administrative Fund: IC | 0.0834 | +0.0044 |
| Safety & Hygiene Fund | 0.0098 | +0.0000 |
| <u>Optional</u> | | |
| Surplus Fund (rehabilitation) | 0.1300 | +0.0000 |
| Surplus Fund (handicap) | 0.2480 | +0.0000 |
| Surplus Fund (disallowed claims) | 0.0285 | +0.0049 |