

# TRUST NOTES



MRM Workers' Comp /MRM Property & Liability Trust

## UPCOMING TOWNSHIP'S CONFERENCE IN HERSHEY, PA



MRM will be exhibiting at the 2024 Pennsylvania State Association of Township Supervisors (PSATS) Educational Conference & Exhibit Show, April 14-17, 2024, at the Hershey Lodge, along with Nancy Buszinski from HUB Three Rivers.

If you plan on attending the conference and visit the exhibit hall, stop by booth #109 to say hi and be entered in our drawing for a chance to win a Yeti cooler!

Hope to see you there!

## 2024-25 WORKERS' COMP PAYROLL PROJECTIONS

The 2024-25 Payroll Projection Forms will be sent to all members at the end of April. Please complete the form and return it to the office by May 31<sup>st</sup>. Additionally, if you have not yet done so, please return the updated contact sheet to Lorie Mertz via her e-mail [lorie@mrmtrust.com](mailto:lorie@mrmtrust.com) or fax 724-934-1608 so we can update our files.

## FROM THE CLAIMS TEAM

Over the past several weeks, we have been noticing an increase in claims being submitted late. MRM is committed to providing our members and their employees with timely and thorough claim service. However, our ability to promptly investigate and administer the claim is hindered when the First Report of Injury is not received promptly.

Studies have confirmed that there is a direct correlation between prompt reporting and the ultimate cost of workers' compensation claims. Prompt reporting allows us to investigate claims while the facts are still fresh, witnesses are still available, and ensures employees receive prompt/appropriate medical treatment. In addition, **late reporting can lead to the assessment of monetary penalties or fines by the Commonwealth, which could impact potential future dividends.** Based on our review of claims that have been submitted late, these are the most common reasons that lead to delays:

- Breakdown in communication between departments. For instance, the Supervisor is aware of an injury but does not notify the person who is responsible for submitting claims to MRM. Be sure that claims reporting requirements/procedures are communicated to all employees, especially Department Supervisors.
- Lack of training or understanding (on behalf of employees and Department Supervisors) regarding:
  1. What constitutes "notice" of an injury (for instance, if an employee *verbally* mentions an injury to his/her supervisor, the state considers that as notice, which starts the clock for reporting).
  2. Policy/procedures to be followed in the event of an injury.
- Lack of backup assignment or support. MRM recommends every member considers cross-training to ensure more than one person is aware/trained regarding what to do if/when an injury occurs. **As a reminder, all claims forms are located on our website ([www.mrmtrust.com](http://www.mrmtrust.com)).** **At minimum, make sure a backup person has our information, so they know whom to contact with questions if an injury occurs:**

MRM Claims Department  
[WC-Claims@mrmtrust.com](mailto:WC-Claims@mrmtrust.com)  
Phone (724) 934-9797, Option #1  
Fax (724) 934-1609  
Website [www.mrmtrust.com](http://www.mrmtrust.com)

We have also noticed a great deal of turnover among municipal claims contacts over the past few years. If you would like to set up a time so we can go over best practices for claims reporting, we would be happy to set up a call or meeting. Please reach out with any questions or concerns.



## **SPRING SAFETY TIPS AT WORK**

Spring is a great time to relax, thaw and enjoy outdoor activities again. It is also a time of hazards, particularly safety threats. Here are tips for staying safe at work this spring.

### **Severe Weather**

Spring is here, and so are crazy weather patterns. In the spring, nothing is off-limits, so be prepared for snow, rain, sleet, hail, thunderstorms, and possibly tornadoes. You must have clear expectations for outdoor workers regardless of if they are on-site or in a remote location. Establish clear guidelines on when to stop working and seek shelter. Regular drills can help keep employees prepared for dangerous storms. Download a weather app for your smartphone and keep your eyes open for inclement weather.

### **Dangerous Driving Conditions**

Driving in snow and ice might persist into spring. Other areas might be thawing out, bringing flooding and slippery road conditions. Have protocols for every road scenario and provide refresher training on defensive and distracted driving techniques. Never drive more rapidly than what is safe for the current road conditions. When driving in bad weather, slow down!

### **Flooding**

A washed-out roadway is undoubtedly a hazard for outdoor workers and drivers. Avoid flowing and standing water which can carry you or your car away. The water is probably deeper than you think and might contain debris, tree branches or potholes. Please pay attention to barricades, and do not ignore them by driving past. If forced to navigate through the water, take extra precautions by going slowly, estimating the depth of the water, and avoiding any area with a downed power line.

### **Slips and Trips**

Things melt during the spring, so be prepared for muddy, slippery conditions. Pay particular attention to entrances, parking lots, and stairs at your workplace. If you have a business where service is involved, there is an additional liability with customers, so be careful. To help prevent slips and trips, keep floors clean, dry, and free from obstruction, and post warning signs for wet floors.

### **Sun Hazards**

Rain, flooding, and other severe weather are not the only things to worry about this summer. The sun can also be a hazard. The sun threatens with heat stress, sunburns, and UV radiation. Frequently we forget that the sun can be as harmful in April as in July. Do not wait until summer to put an ultraviolet exposure policy in place! Be sure to offer breaks, shade and access to water.

### **Insects, Rodents, and Vegetation**

This spring, watch for poison ivy and ticks that might carry Lyme disease. Workers must wear gloves and long sleeves and use insect repellent when working near tall grass and forested areas. Rodents may destroy the wiring of equipment at your facility. Check wiring on all equipment not recently used.

Source: [www.labormax.net](http://www.labormax.net)

## POISONOUS PLANTS



Recognize poisonous plants and proper treatments if exposed.

Poison Ivy, Poison Oak, and Poison Sumac are the three most common poisonous plants that somebody working outside will come in contact with. All three have common health effects but are different in appearance. They can also differ based on the region you are located in.

Urushiol is the allergen that is found in all three of these plants. The plants will contain this oil substance on the root, stem, and leaves. Urushiol will stay active on clothing and pets, so it does not have to be direct contact to cause health problems.

Urushiol is a very strong allergen, it is said that a quarter ounce of the oil can give the whole Earth's population a rash. A quick contact with a plant is enough to make a person break out in a rash. People can be immune or become immune to Urushiol.

If exposed to Urushiol oil, people will most commonly break out into an itchy red rash that is accompanied by bumps or blisters. Over the counter medication are available to treat most cases. If the oil is inhaled, or if the rash is severe, medical treatment is necessary.

Poison Ivy: Will always have three leaves, never any less or more. Poison ivy will never have thorns.

Poison Oak: Will always have three leaves, never any less or more. Poison Oak will never have thorns. Similar to Poison Ivy, but it's wider and more rounded.

Poison Sumac: Stems that come off of the trunk are red and can contain loose berries.

Keep an eye out for all these plants signs while working and you should be able to identify them as poisonous.

If exposed:

- \* Wash skin with poison ivy soap and tons of cold water.
- \* Do not rupture blisters, rinse with warm water to help the itch.
- \* Apply ointments to combat rash.
- \* Seek medical attention if rash is severe or if inhaled.

Tyler Lukart, Optimus Risk Services

## SEASONAL/SUMMER EMPLOYEES

Several of our members hire temporary/seasonal laborers starting in spring. While we understand the benefits municipalities gain by having additional assistance during the warmer weather months, from a Risk Management standpoint it is also important to be aware of some potential hazards that can arise with temporary workers:

1. Risk of injury and Workers' Comp claims. Did you know that in Pennsylvania, workers' comp wage loss benefits cannot be stopped unless an Injured Worker actually returns to work? For temporary workers, if an injury occurs and work is not available before the season ends, under PA Workers' Comp law MRM is forced to continue payments throughout the "off season", and indefinitely until work is available/offered and the Injured Worker returns to work. Even if the Injured Worker is released to modified duty (Light Duty), we ask that you make every effort and attempt to offer work within the restrictions, to avoid a potentially costly claim.
2. Seasonal workers are sometimes minors. It is important for hiring managers to be aware of which jobs minors are not permitted to perform:
  - Under the Child Labor Laws of the Fair Labor Standards Act, employers may employ 16 and 17 year olds for any job unless it has been deemed particularly hazardous for such youth or detrimental to their health or well-being. 29 US Code 203(l)(2); 29 CFR 570.118; 29 CFR 570.120
  - Following are some of the occupations that the US Department of Labor has deemed as particularly hazardous for 16 and 17 year olds or detrimental to their health/well-being:
    1. Manufacturing or storing explosives or articles containing explosive components
    2. Motor-vehicle driver and outside helper
    3. Forest fire-fighting and prevention, timber tract occupations, and forestry service
    4. Logging
    5. Operating sawmills, lath mills, shingle mills, or cooperage stock mills
    6. Work involving exposure to radioactive substances and to ionizing radiations
    7. Operating power-driven hoisting apparatus
    8. Operating power-driven metal forming, punching, and shearing machines
    9. Operating balers, compactors, and paper-products machines
    10. Operating circular saws, band saws, guillotine shears, chain saws, reciprocating saws, wood chippers, and abrasive cutting discs
    11. Operating power-driven wood working machines
    12. Wrecking, demolition, and shipbreaking operations
    13. Roofing operations and/or about a roof
    14. Excavation operations

## [SEASONAL/SUMMER EMPLOYEES CONTINUED](#)

It is important for employers to be aware of the potential risks and hazards that can accompany hiring seasonal employees and take proactive measures to minimize these risks. Employers need to ensure that seasonal employees have proper training and clear communication and guidance on their duties to minimize injuries. Seasonal employees are not as familiar with your policies and procedures as the full-time employees, which can lead to a breakdown in communication and potential safety risks. By being proactive, employers can ensure a safe and successful summer season for all employees.

If you have questions about any of the above, please contact Tyler Lukart of Optimus Risk Services ([tlukart@optimusrisk.com](mailto:tlukart@optimusrisk.com)) or Meghan Graham ([Meghan@mrmtrust.com](mailto:Meghan@mrmtrust.com)).

## [HOW TO ENSURE YOUR EMPLOYEES ARE SAFE TO DO THEIR JOBS](#)

The majority of municipal workers consist of public works crews and first responders. While the nature of municipal work is usually heavy duty and may carry a high risk of injury, that risk can be multiplied even further if you have an employee who is unfit to perform the job.

To ensure your municipal workers are capable of safely performing their essential job functions, Optimus Risk Services (ORS) recommends establishing the following as part of your practices and policies: 1. **Annual** physical fitness requirements for first responders, and 2. **Fit-for-duty** (FFD) exams for any labor-intensive jobs. Many benefits come from implementing fit for work tests, especially for the employer. As long as you're running these tests fairly and legally, you can find the following benefits from performing FFD tests:

- Minimal injuries on-site. When fit-for-duty tests are done, it improves workplace safety; the only people who are working on-site are those who are fit enough for the workplace. This prevents any accidents from happening on-site, which in return decreases injuries.
- Improved employee retention. When employees aren't getting injured and they are in a safe workplace, it increases employee retention. This means that employees stay with you and you grow a loyal and reliable team of employees.
- Gathering data. It's always important to have data on your employees. This data can be used for many different things. For example, it's important to have medical records on-hand in case an employee has a medical emergency on-site.
- Optimizes productivity. When the workplace is safe and efficient, everything runs smoothly.

“Source: Physical Capacity Profile ([pcpworks.com](http://pcpworks.com))”



## **HOW TO ENSURE YOUR EMPLOYEES ARE SAFE TO DO THEIR JOB CONTINUED**

These are some signs indicating need for a FFD assessment:

1. New employees - One of the main reasons why you may need to conduct FFD tests is when onboarding new employees. They are new to the work environment, so it needs to be determined whether they are fit and capable enough for their new job role.
2. They experience health issues - We all experience health issues now and then. This doesn't mean we're unfit to work. It's important to determine when health problems are critical and get in the way of work. For example, if an employee becomes uncoordinated and shaky, they may cause injury to themselves or others around them.
3. Emotional and mental instability - If you notice the mental and emotional well-being deteriorating, such as crying excessively, memory loss, or suicidal thoughts and threats, you should implement FFD test.
4. Repetitive signs - It's also crucial to note that all of these signs have to be repetitive for you to do something about it. Everyone has a bad day now and then. This doesn't mean they're unfit for the job. This makes it important for you to monitor your workers so you can implement fit for duty tests when they show patterns.

Additionally, MRM recommends having FFD clearance before allowing an employee to return to work following a ***non-work-related*** injury/disability. Consider the hypothetical example of a police officer who turns in a work release from his doctor shortly after having surgery. Perhaps he is motivated to return quickly because he is out of sick/personal time. Without a FFD exam, there is no way to truly verify if he is actually capable of performing/returning to Full Duty police work. If he is allowed to return based solely on the release from his doctor and is re-injured while in the course and scope of employment, then it becomes a worker's comp claim. Furthermore, because "aggravation of pre-existing condition" is accepted under PA Workers' Comp, the claim would likely have to be accepted and paid, ultimately having a negative financial impact on the municipality.

Contact Tyler Lukart from ORS ([tlukart@optimusrisk.com](mailto:tlukart@optimusrisk.com)) for additional details or guidance on procedures surrounding FFD exams. Also be sure to consult with your Labor Counsel before implementing any new policies, particularly in Union environments.

***We hope you have enjoyed this edition of Trust Notes! It is our pleasure doing business with you. Always feel free to reach out to our team with any questions.***

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