

KWORDS from KWORC

KWORCC Business

Auditor's Note

Workers Compensation Codes are a complicated compilation of job definitions designed to accurately identify various workplace exposures. Each specific job classification is assigned a four-digit number which is then used throughout the workers compensation system. Classification codes are a primary part of the workers compensation pricing mechanism. Each workers comp code has its own rate for the purpose of calculating premium on a policy.

The workers compensation classification system was developed to provide an orderly method of grouping similar employees where each workers comp class code would reflect job exposures common to them.

National Council on Compensation Insurance, NCCI, is an independent advisory organization who developed and maintains the workers compensation classification system as used in Kansas. The NCCI class code system is made up of somewhere around 700 different classifications. Each representing very specific and different workplace exposures.

One Class Code about which we receive a lot of questions is 9410. Code 9410 contemplates several governmental occupations including board of health inspectors, building inspectors, clerk of the works, dog catcher with no power of arrest, electrical inspectors, engineers not in direct charge of work, home economist, laboratory work, mine inspectors, planning board engineer, welfare workers tax assessors, property appraisers, tax collectors, toll collectors, and directors of public works not in direct charge of work.

Policies You Need!

The Department of Labor has been visiting the various counties to check and make sure they are abiding by the state safety requirements. They are looking for several different policies as part of their safety inspections. While each county will need to develop and write their own policy to reflect the work environment, KWORCC does have information to help you develop that policy. You can find the KWORCC Loss Prevention Manual on the KWORCC website at <http://kworcc.com/LossPreventionManual.htm>. Section B: Safety Procedures has information on the following:

Blood Borne Pathogen - Page 19

Confined Space - Page 37

Emergency Action Plan - Page 50

Hazard Communication - Page 79

Lock-Out Tag-Out - Page 92

Personal Protective Equipment - Page 97

You can also find KWORCC's one size fits all mandatory and recommended policies in Section C of the Loss Prevention Manual, at the above link.

Welcome Clark and McPherson Counties!



Clark and McPherson counties joined KWORCC in March of this year. With the addition of these two counties, KWORCC membership

includes 74 counties and 11 county instrumentalities. Importantly, of the 19 counties in district six, 15 are KWORCC members and of the 16 counties in district two, 14 are KWORCC members!



Focus on Claims

by Tina Cox

CORnerstone Risk Solutions administers employee accident benefits, and corresponding claims, on behalf of KWORCC and we are happy to be an extension of your employment and safety team. As a brief refresher, we would like to remind employers of their responsibilities under the Kansas Workers Compensation Act.

- Employers are required to post K-WC 40-A, Workers Compensation Rights and Responsibilities, "in one or more conspicuous places".
- Employers are required to provide any injured worker with a copy of K-WC 27-A advising them their rights and responsibilities under the Act.
- Employers direct medical care and should be prepared to send any injured employee to their approved medical provider(s).
- Employers should review any medical restrictions, following each doctor's visit, and working with supervisors and injured employees to offer return to work as soon as possible. KWORCC provides both a modified duty policy as well as a modified duty offer of employment form.

The above mentioned forms were included with the KWORCC Insurance Manual and may also be found on the KWORCC website, <http://www.kworcc.com/Forms.htm>, pre-filled with CORnerstone contact information. If you haven't visited the KWORCC website, please take a few minutes to peruse as there is a plethora of information available to ensure your compliance as well as sample policies to aid you with safety and claims issues. As always, please feel free to contact Amanda Chamberland or Tina Cox with any questions or concerns as follows:

800-288-6732; achamberland@corisksol.com; tcox@corisksol.com

700 SW Jackson • Suite 200
 Topeka, Kansas 66603
 Toll Free 1-877-357-1069
www.kworcc.com

CLAIMS REPORTING

For assistance with on-the-job injuries, contact CRS at 1-800-333-8913. Questions on claims should be directed to Tina Cox. All correspondence, bills or other documentation for your claims can be submitted online at:
www.cornerstoneclaims.com.

TRUSTEES

Gary Caspers, President
 Cloud County Commissioner
 811 Washington
 Concordia, Kansas 66901
 (785) 243-8135

Stan McEvoy, Vice-President
 Decatur County Commissioner
 PO Box 28
 Oberlin, Kansas 67749
 (785) 475-8101

Michelle Garrett, Secretary
 Morris County Clerk
 501 W Main
 Council Grove, Kansas 66846
 (620) 767-5518

Linda Buttron, Controller
 Jefferson County Clerk
 300 Jefferson, PO Box 321
 Oskaloosa, Kansas 66066
 (785) 863-2272

Sandy Barton,
 Stanton County Clerk
 P.O. Box 190
 Johnson, Kansas 67855
 (620) 492-2140

Dr. Steve Garten
 Barber County Commissioner
 120 E Washington
 Medicine Lodge, Kansas 67104
 (620) 886-3961

Bonnie "Rob" Roberts
 Miami County Commissioner
 7 Sunset Lane
 Paola, KS 66071
 (913) 294-5844

Claims Training ~ Save the Date!!!

CORnerstone Risk Solutions will present a webinar on the workers compensation process for KWORCC members June 8th, 2016 at 10 a.m. Please mark your calendars and watch for the on-line registration email coming soon. Also, be sure to forward the registration e-mail to supervisors, department heads, commissioners and others who are involved in your workers compensation program.



Tornado!

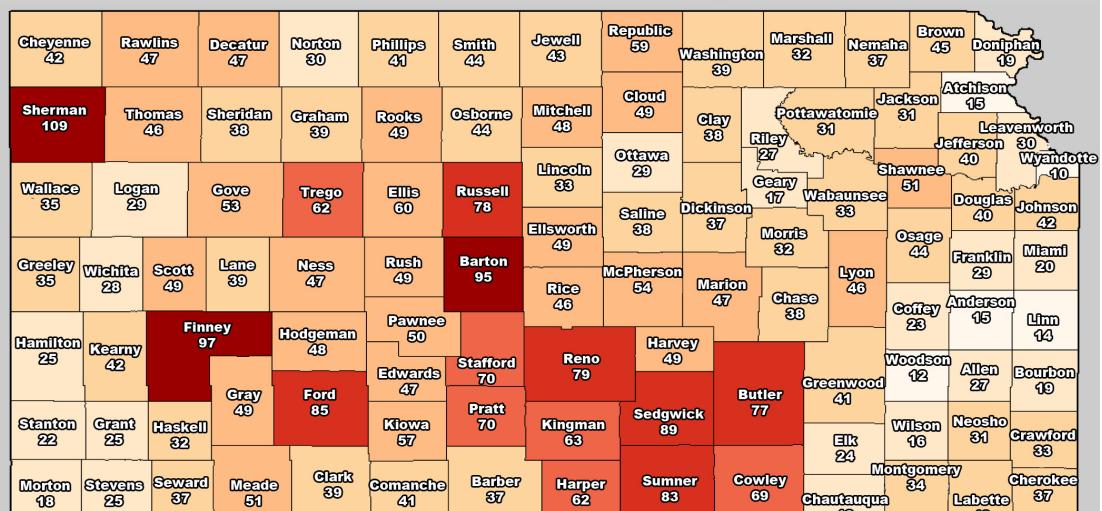
These short-lived storms are the most violent of all atmospheric phenomena and, over a small area, the most destructive. The width of a tornado path ranges generally from 200 yards to one mile. Tornadoes sometimes double back or move in circles and some have remained motionless for a while before moving on.

The National Weather Service is responsible for issuing tornado warnings to the public. A "tornado watch" means that conditions are favorable for tornadoes to develop and a "tornado warning" means that a tornado has actually been sighted in the area or is indicated by radar.

As part of the county's Emergency Preparedness Plan, an action plan should be laid out telling all county employees where to go in the event of a tornado. Specific information can be found on page 51 of Section B of the KWORCC Loss Prevention Manual which can be downloaded from <http://kworcc.com/LossPreventionManual.htm>.

A tornado drill should be conducted once a year to make sure that all employees are aware of the proper procedures. Remember to review your plan with new hires as well.

Kansas Tornadoes Per County (1950-2015)



KWORCC Learning Center

Safety awareness and safety training are a large part of keeping your employees safe. Regular safety meetings (KWORCC recommends once a month) can be used to show videos from the KWORCC Safety Video Library as well as to discuss housekeeping and timely safety topics. Additionally, individual employees can take online courses through Gov-U (contact Tony Green at TGreen@localgovu.com or 866.845.8887 to set up an account if you don't have one) and the KWORCC Loss Prevention Staff is available for on site, in person group training.

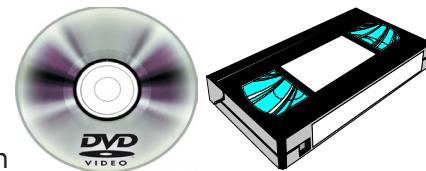
Gov U Classes

- Sexual Harassment Awareness for Managers
- Sexual Harassment Awareness in the Workplace
- Bloodborne Pathogens
- Emergency Preparations & Egress
- Global SDS and Hazardous Communications
- Lockout/Tagout
- Personal Protective Equipment 101
- Personal Protective Equipment 201
- Fire Behavior - Fire Growth & Fire Strategies
- Diabetic Emergencies
- Pandemic Planning - Elements of the Plan
- Understanding Carpal Tunnel Syndrome
- Managing Risk in an Aging Workforce
- Advanced Defensive Driving Techniques
- Cemetery Maintenance
- Confined Spaces
- Designing & Maintaining Safe Playgrounds
- Fall Protection
- Investigating Incidents for Local Government
- Lawn Care Equipment Safety
- Preventing Accidents in the Workplace
- Trench Safety
- Understanding MUTCD
- Work Zone Traffic Control 101
- Drug & Alcohol Awareness
- Transition from Peer to Supervisor
- A large selection of LEO/Corrections courses

Selected Video Learning

Most of the safety videos are available only on VHS. However, all videos with a number of G-106 and higher are available on DVD. The KWORCC staff is working to get popular topics on DVD. If you have a particular topic you would like to see us carry on DVD, please email Nicole at nicole@kworcc.com. Here are some suggestions for spring from the KWORCC Video Library.

- G-16 Confined Space
- G-30 Carpel Tunnel
- G-42 Dog Bite Prevention
- G-41 Ticks, They Can Bug You



A complete list of available videos can be found on the KWORCC website.

On-Site Training Suggestion: Competent Person

By Carl Eyman

When a boss calls an employee a "competent person," it is not a compliment – it is a legal obligation when it comes to excavation work.

OSHA defines a competent person as "one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them."

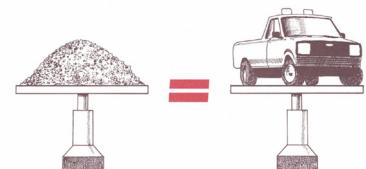
The KWORCC pool has received some inquiries about Competent Person Training. The OSHA Competent Person Training is a 10 hour course and costs \$89 plus expenses.

Most of the counties in the pool are doing excavation work that is less than four foot in depth. What is the difference between an excavation and a trench? OSHA defines an excavation as any man-made cut, cavity, trench, or depression in the Earth's surface formed by earth removal. A trench is

defined as a narrow excavation (in relation to its length) made below the surface of the ground. In general, the depth of a trench is greater than its width, but the width of a trench (measured at the bottom) is not greater than 15 feet (4.6m).

Each employee who enters a trench must be protected from cave-ins by a protective system if the excavation is five feet or greater in depth, unless it is dug into stable rock. A support system is not required if the trench is less than five feet in depth and the examination of the ground by a competent person provides no indication of potential cave-in.

The KWORCC Loss Prevention staff is available to do training on the "Competent Person" requirements and responsibilities.



One cubic yard of soil can weigh as much as a truck, 3,000 pounds!

Legal Detail: Independent Contractors

by Dortha Bird

Every year during the payroll audits, I receive inquiries about independent contractor payments being included in the payroll figures. KWORCC requests that you provide proof of coverage from the contractor and then the payment will be excluded. What if, however, the contractor does not have a policy in place? The question becomes are they truly an independent contractor? The division has a publication that provides guidance on this, so I will direct you there: <https://www.dol.ks.gov/Files/PDF/kwc126.pdf>. Generally, the question comes down to the exact type of work or service afforded as well as the amount of behavioral control or financial control over the contractor.

Even if you are absolutely certain that the independent contractor standards are met, KWORCC requests that you take a step further, just to be safe. Specifically, the contractor needs to read and sign "Exempt Status Fact sheet" AND complete and sign – before a Notary Public -- "Affidavit of Exempt Status Under the Workers Compensation Act." These forms can be found on KWORCC's website here: http://www.kworcc.com/Forms/WC_Affidavit%20-%20selection%20to%20not%20fall%20under%20act.pdf. Once completed, transmit to KWORCC to be placed in your underwriting file.

2016 Board Meeting Dates

- X January 21st
- X February 18th
- X March 17th
- X April 28th
- May 19th
- June 23rd
- July 21st
- August 25th
- September 22nd
- October 20th
- November 15th – Annual Meeting
- December 15th