

KWORDS *from* KWORCC

Silica Dust: New Regulations

By Brandon Mann, KWORCC Loss Prevention Specialist

Crystalline Silica Dust is a health hazard to employees, which is generated when materials containing silica are manipulated in such a way that the silica particles are broken into small airborne particles that enter the exposed employee's pulmonary system through respiration. CSD particles in size of 5.0 µm or smaller are able to enter the exposed worker's pulmonary system.

The primary health hazard of silica dust exposure is silicosis, which is a pulmonary disease where fibrous nodules develop in the lungs and restrict the flow of air into the body.

In an effort to protect workers from CSD exposure, the Occupational Safety and Health Organization (OSHA) instituted regulations for CSD exposure in both their General Industry and Construction standards.

Kansas counties are required to follow OSHA guidelines for safe work practices. Although county governments are not directly under the purview of OSHA, OSHA guidelines are enforced by the Kansas Department of Labor for county governments. Not only is following OSHA guidelines a legal requirement of employers, they are minimum safety standards that help to protect our greatest asset: our employees.

The only foreseeable threat from crystalline silica are the activities of contractors working at county facilities doing activities that generate silica dust and exposing county employees to the silica dust. The county will need to work with such contractors to ensure that any CSD generated does not affect employees working at the facility by requiring the use of tools with local exhaust ventilation and the use of wet methods.

The bulk of the silica dust regulations, under 29CFR1926.1153, apply to the Road & Bridge Department, since those employees are engaged in construction activities that may create silica dust.

Regardless of the miniscule threat of CSD exposure to most county employees, the county

is still responsible for objectively proving that the workplace is free from this threat. This will require the county to conduct air sampling by an industrial hygienist at all county facilities, at various locations throughout the facility, and having those air samples analyzed by a laboratory for silica content. Once the county can objectively prove, through two consecutive tests administered six months apart, that any silica exposure to employees is below the Action Level, then the rest of the provisions of the silica dust standard will not apply. The county will need to maintain records of all objective air sampling data as required under 29CFR1910.1020.

For more information on Silica Dust, please visit the KWORCC website at <http://kworcc.com/BrandonsLossPreventionPublications.htm>

Legal Detail: "2018 Death Benefits"

by Dortha Bird

The Kansas Legislature, during its 2018 session, passed Senate Substitute for House Bill 2184, that became law July 1, 2018. In it, changes were made to death benefits provisions of the Kansas Workers Compensation Act. The changes include an increase in the initial lump sum payable to surviving spouse and/or dependent children, from \$40,000 to \$60,000. Furthermore, for dependents of a deceased worker who had no spouse or children, maximum pay-out increased from \$18,500 to \$100,000. Finally, if there is no surviving spouse or dependents, the maximum payable to legal heirs increased from \$25,000 to \$100,000. Another change to the law is that funeral expense allowance increased from \$5,000 to \$10,000. To read about these and other changes to this statute, find the full bill here: http://www.kslegislature.org/li/62017_18/asures/documents/hb2184_enrolled.pdf

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CLAIMS REPORTING

To submit a claim online, go to www.tristarrisk.com and select "report a claim". To call in a claim: 1-855-495-1554. Questions on claims should be directed to Amanda Chamberland: 1-844-702-2353x4713 Amanda.Chamberland@tristargroup.net

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Is Kansas Safe?

The CLMI Safety Training Newsletter recently included a summary of the safest states in America. Safety is a basic human need. We require some form of it, such as personal and financial protection, in every part of daily life. But we're likely to feel more secure in some states than in others.

Here are the top ten states overall and how Kansas stacks up:

Overall	State	'Personal'	'Financial'	'Road'	'Workplace'	'Emergency Preparedness'
1	Vermont	2	3	9	17	9
2	Maine	4	8	14	11	3
3	Minnesota	11	7	1	2	22
4	Utah	21	10	6	4	2
5	New Hampshire	7	4	20	38	6
6	Connecticut	1	22	27	22	17
7	Rhode Island	5	21	3	24	11
8	Hawaii	12	6	39	19	5
9	Massachusetts	8	9	7	31	10
10	Washington	32	12	4	3	7
36	Kansas	23	23	13	37	44

You can see the complete article at <https://wallethub.com/edu/safest-states-to-live-in/4566/>

Focus on Claims: Keeping an Injured Worker Engaged

By Amanda Chamberland, TRISTAR Claims

Once an employee suffers a workplace injury the employer should step out of the picture and let insurance take over, right? If you answered yes to this question you may be creating an unengaged worker and inadvertently increasing the cost of an employee's workers compensation claim. Although questions regarding compensability, authorizations, etc. should be directed to the insurance carrier, the employer can and should maintain the role of a liaison for the employee. Communication between the injured worker, the insurance carrier, the physicians and the employer fosters an environment of engagement where each party works with the other for the resolution of the worker injury. As an employee brings in his restriction sheet after each appointment, it is the is perfect time for the employer to ask how their visit went, when they recheck, how they are doing with the current restrictions or lack of restrictions they have, etc. If they are displeased with their care or there is a scheduling concern, it is appropriate for the employer to discuss this with the adjuster/insurance carrier so a change can potentially be made. Miscommunication and misunderstanding can easily be avoided with more communication and understanding. An employee that is made to feel cared for and appreciated by his employer is more likely to do his part to get better by attending appointments as scheduled and returning to work which inevitably leads to reduced claim costs. Additionally, engaged employees are more cognizant of their work environment and safety precautions helping to prevent further injuries in the workplace. If you are not sure how to open up a dialogue with your injured employee, please contact your lost time claims adjuster, Amanda Chamberland with Tristar Risk Management for guidance at 1-844-702-2353 x 4713.

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 Ren Heitman at rheitman@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.

Local GovU

There are hundreds of courses available on Local GovU. Here is more information on two of them.

Dealing with Heat Stress: "Is it hot enough for you?" is a phrase that is tossed about often during the dog days of summer as part of many casual conversations. When it comes to people who have to work in environments of extreme heat, however, it is not a casual subject. It can easily become a life or death matter if appropriate measures are not taken to minimize the effects of heat stress.

This course will help employees understand the health risks associated with heat stress, identify methods for minimizing the effects of heat, and finally recognize the symptoms of heat stroke and heat exhaustion in themselves and others.

Workzone Safety for Local Governments: Work zones can pose hazards to drivers and workers alike. Because work zones present drivers with unfamiliar traffic patterns and road conditions, special care must be taken to design and sign work zones so that drivers can anticipate and safely react to these new circumstances. In addition, well-designed work zones will provide workers with protection and ample space in which to do their jobs.

This course will provide an understanding of the basic components of a work zone, as well as guidelines for work zone signage. Additionally, they will learn how work zone design elements can improve safety by reducing the number of decisions motorists are asked to make as they move through the area.

Selected Video Learning

Most of the safety videos are available only on VHS. However, most 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.

A complete list of available videos can be found on the

KWORCC website at

<http://kworcc.com/LossPrevention.htm>.

Suggested video library selections:

G-126 BUCKET TRUCK SAFETY

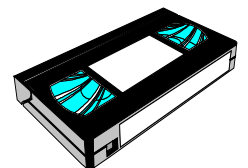
G-130 HEAT STRESS

G-136 DISTRIBUTOR TRUCK

G-138 DUMP TRUCK SAFETY

G-140 WORKING WITH STRESS

G-147 CONFINED SPACE ENTRY



Microlearning

Microlearning offers a series of short courses that are designed to expound on very specific points of a key topic.

At times associated with meeting the needs of millennials, microlearning provides bite-sized chunks of applied wisdom that encompass a wide array of topics. Increased retention of acquired information, salvaged time and lower training costs are a few potential benefits that result from microlearning systems' design as a fast and focused means of delivering information.

The employment of microlearning provides managers and other organizational leaders an opportunity to address their team with timely information on goals, announcements or changes

in strategy. Through video or other forms of media, managers can communicate and focus their team's energy in real time.

You may already be using microlearning if you conduct tailgate talks before starting a project. GovU and the Video Library are two more ways your county can apply microlearning. Additionally, your county can develop flash cards and other short reminders to place with equipment for a quick review of safety features. If you need help developing safety review cards, contact the KWORCC Loss Prevention Staff, Ben (bwoner@kworcc.com), Brandon (brandon@kworcc.com) or Carl (carleyman@kworcc.com).



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KSIA Conference

by Carl Eyman, Loss Prevention Manager

Annually members of the KSIA (Kansas Self-Insurers Association) get together to discuss relevant health care and workers compensation issues. The meeting is always held in Wichita at the Hotel at Oldtown. This is a great location with outstanding restaurants and museums. One or more of the KWORCC staff attend this conference most years. This year I attended the meeting which was held from July 12-13.

One of the major issues discussed was the state of health care in the United States. The issues include drug pricing, consolidation of hospitals and the possibility of community-based health care along with other issues. Why would this be important for KWORCC? When you consider that workers compensation is a very small percentage of the overall health care issue, it becomes extremely important.

Other issues included a new procedure for rotator cuff repairs, diagnostic procedures for determining soft tissue injuries and case law updates.

Why attend KSIA conference: Informative meeting, friendly group of people and well worth the time.



2018 *Board Meeting Dates*

- X **January 18th**
- X **February 15th**
- X **March 22nd**
- X **April 26th**
- X **May 17th**
- X **June 21st**
- X **July 26th**
- August 23rd**
- September 20th**
- October 15th – Annual Meeting**
- November 15th**
- December 13th**