



**RISK MANAGEMENT IN CLINICAL PRACTICE:
EXPOSURE MANAGEMENT FOR
BEHAVIORAL HEALTHCARE & THE SOCIAL
SERVICES**

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Some of the Sections Utilize Materials Provided by: The St. Paul Company, National Safety Council and Continental Insurance Company

Risk Management in Clinical Practice: Exposure Management for Behavioral Healthcare and The Social Services

1. Introduction

Chances are that you are reading this guide for one of two reasons. Either you are the person in your organization that has been designated as the risk manager and you're looking forward to picking-up practical tips about loss prevention and loss control, or you have been given this information to figure out for yourself or your organization what all the fuss is about risk management.

We hope that you can appreciate that risk management is usually seen as an attempt to control the impact of accidental losses and further, to provide for financial risk transfer should such losses require monetary support. Would it surprise you though to know that the probability of most claims and resultant losses can be reduced substantially? Insurance should be purchased only for accidental losses. Our experience is that, unfortunately, behavioral healthcare and the social services focus far more energy on controlling the negative impact of a claim than on preventing the claim in the first place.

As you look through this guide, We believe that there are three crucial issues to keep in the forefront. Loss prevention combines policies and procedures with follow-through; it represents the structures and activities an organization should have in place to minimize the probability of an accidental loss. The majority of these pages are dedicated to loss prevention. Loss control policies and procedures minimize the impact of a loss on the organization. Loss control examines "what if" scenarios, determines risk retention limits, and develops contingent action plans. Thirdly, behavioral healthcare and the social services are different than other businesses. You deal with vulnerable populations of people, in a world that demands you justify the value of your work, and most of you work with shoestring budgets. Do not fall for the trap of another industry's guidance when it comes to loss prevention and loss control.

2. Definition

Hopefully, the introduction has increased your curiosity about loss prevention and loss control. When considered together, these two broad areas of concern comprise an overall definition of risk management. Risk management techniques can assist many of the functions and departments of an organization. The directors and officers, financial, personnel, maintenance, and clinical care systems will benefit from an active program of risk management.

Many risk management techniques are “second nature”; done without a second thought. For example, what do you do when there is an ever-increasing cacophony in a common area of your building? Or, for child residential programs, what about a child alone walking through campus? How about snow on the sidewalks? Other techniques can only be developed and implemented through a process of diligent identification followed by planned interventions. As examples consider topics such as sexual harassment, physical and sexual abuse of clients, and wrongful termination. Is your physical plant safe? Are the employees using their personal vehicles to transport clients adequately insured? Are your workers compensation claims under control?

There are many definitions of risk management. For our purposes though it is important to move away from the perspective of pure risk; to allow us an important and necessary paradigm shift. Consider the inherent anxieties faced by behavioral healthcare and social service organizations. For some this greatest fear it would be that a “large ticket item” claim, following litigation, is substantiated and the monetary award to the plaintiff is beyond the limits of the organization and insurer to pay. For others, it would be the devastation of a client or member of the staff being hurt; of violence, a suicide or homicide. Risk specifically relates to the probability of a “large ticket item” loss occurring. Risk management must be considered as significant to an organization as its purpose and mission. Risk management becomes one of the administration’s tenets of operation.

However, the structures necessary to minimize the probability of a “large ticket item” claim impose on the organization the responsibility of controlling the inherent exposures faced by the organization. Exposures exist because the business exists and, in one way or another, do represent financial indemnity. An organization’s activities can be classified by exposure, and the structures necessary relate directly to each exposure. For example: does an organizational safety committee conduct physical plant inspections as well as trend and track workers compensation claims? Only through the realization that an organization must examine and decide on how to handle exposures can risk truly be managed.

Consider creating a new organizational chart that maps out comprehensive exposure and risk management lines of authority rather than reporting mechanisms or programmatic

clustering. Line staff should be accountable for the safety of events within the day-to-day business of the organization. Middle managers must practice exposure management. And senior administrators and the Board of Directors should be concerned with risk management.

Keep in mind that although no claims or threat of a claim is a desirous goal, behavioral healthcare and the social services carries the onus of human frailty. Rarely do you have a completed products liability; you do not produce widgets or heal broken bones. Rather we deal with human lives and emotions. With that chosen responsibility you have to be more vigilant of the dangers in everyday events and manage exposures preventatively.

The purpose of this manual is to provide guidance for your organization's preventative maintenance.

3. Management Primer

Exposure and risk management has been compared in a previous chapter. Exposure management encompasses loss prevention; day-to-day efforts to minimize the probability that a loss will occur. It is the primary responsibility of middle managers. Risk management, on the other hand, encompasses the policies and procedures necessary for loss prevention and loss control of potential catastrophic loss. In either case, management tasks include planning, organizing, directing, and controlling for any and all critical exposures. The goal focuses on management's responsibility to develop, implement, and maintain the safest possible environment within which employees can fulfill the mission of the organization, and clients can receive care. Accident, liability, and illness prevention actually saves your business profit and prevents injuries.

A good risk management program includes the following components:

- A mission statement developed and understood by the Board and all levels of the organization.
- The mission statement of an organization does change over time. It is not a philosophical statement of your founding principle, but an easy to understand declaration of why you are in business. The mission statement goes hand-in-hand with your vision. Vision is the single most important driving force of your organization; a description of where you are going. Survival is not a mission and vision statement. The mission and vision statements then lead directly to a description of your scope of practice, or how are you going to accomplish your vision. The mission and vision statement paired with the description of your scope of service establishes your organization as a dynamic force, and begins a proactive and positive process of risk and exposure management. Be sure to re-visit these every few years.
- Strategic planning, with routine analysis of goal attainment driving the organization forward.

Just a little while ago strategic planning every 3-5 years would be sufficient for Behavioral Healthcare or Social Service Organizations. In today's environment strategic planning on a yearly basis is required; quarterly reviews are essential. There are a number of techniques that can be utilized for strategic planning, and the final product should be an action plan that is obtainable. All levels of the organization should participate in the process; the strategic plan must be "owned" by the entire organization.

- A quality improvement or quality assurance plan that is developed and monitored by all levels of the organization.

Quality improvement begins with an analysis of what it is you do well, rather than the converse. QI is not outcomes management. With the aforementioned description of your scope of service, QI can begin by asking whether or not you can prove that is what indeed you are doing. QI techniques should be applied to action items from the strategic plan, and should avoid becoming problem focused.

Quality assurance has become the monitoring function of the policies and procedures that result from the description of your scope of practice. At a minimum, essential functions include utilization review, a composite “picture” of clients served which includes demographic information as well as an objective measure of presenting problems, client record review.

- Solid employee practices including; screening and hiring, orientation, semi-annual performance evaluations, and staff development.

Good employment practices begin with job descriptions that are developed in consideration of the scope of services that will and/or are provided by the organization. A clear understanding of your scope of services permits the recruitment, screening and hiring of personnel that can provide the necessary talents to accomplish the organization’s mission. It is strongly recommended that job descriptions be written with consideration of the Americans With Disabilities and Drug Free Workplace Acts. Pre-employment screening is a measure of the individual applicant’s competence against the competence of the organization. It must include proper background examinations including criminal, child abuse, and motor vehicle record checks. Post-offer screening places contingencies upon employment and can include drug and alcohol testing and actual reference checks with previous employers.

Orientation is a set period of time within which the competency and performance of the new employee is evaluated against a set of job criteria. Ideally, the new employee learns the rules and regulations, policies and procedures, disaster plan, grievance and compliant procedures, and special care protocols (verbal de-escalation, therapeutic holds) of an organization before being “in-service”. Orientation must end with a formal evaluation; if the time of orientation passes without a formal evaluation, the individual becomes a permanent, full-time employee. If an employee is not working out the relationship should be terminated prior to permanent status.

Performance evaluations should occur twice a year. Once a year a formal and thorough evaluation should take place, and include a review of the last year’s goals and set goals for the coming year. Rather than listing staff weaknesses, consider reframing this to become staff development goals. This list of targeted accomplishments will then provide the supervisor with objective criteria with which to evaluate the employee. The second performance evaluation serves two purposes; a mid-year “check-in” on the year’s goals and, discussion of a salary increases, if funds are available.

- Consumer satisfaction analysis including evaluation of the organization's primary customers, referral sources, and the community within which the organization does business.

Most Behavioral Healthcare and Social Service Organizations understand consumer satisfaction from the perspective of their primary customers and referral sources. Primary customers to any organization include the payers, purchasers, providers, and the clients and their family. Ask for honest feedback. From a pure risk or exposure perspective however remember that communities change. What was once "country" is now suburbia; the open field next to the "Center" is now a fast food or chain restaurant. Behavioral Healthcare and Social Service Organizations take care inviting selected community leaders to be on their Board of Directors. Take time too to consider that your "new" neighbors are community leaders in their own right. How satisfied are they with you?

- Outcomes Management
- A risk management, exposure management, and safety committee.

These committees should monitor; the mechanical and physical plant, infection control, vehicle safety, and workers compensation injuries, and holds regular disaster plan drills. Larger Behavioral Healthcare and Social Service Organizations may be able to afford three separate committees. Minimally, each of these areas of concern should be monitored through a centralized function. Organizations with multiple programs can delegate the responsibility for each task to middle managers with results of various surveys and accountability reporting forwarded to a larger centralized committee.

- A mechanism to ensure inventory control and minimize employee theft.

It is important to monitor the mysterious disappearance of portable assets of an organization which includes televisions, computers, video tape machines, desk top copiers, and camcorders. An organization should have enforceable policies regarding computer software, and the safety mechanisms to assure that confidential and/or proprietary information cannot be accessed or destroyed by unauthorized persons.

- A system to minimally oversee the transportation of clients and the organization's fleet of vehicles (if applicable). Who can drive company vehicles and what requirements are necessary for staff to use their own vehicles in the transportation of clients are important considerations for the risk/exposure management program.
- A worker's compensation review, including return to work/modified duty policy, and loss analysis.

Quarterly loss analysis is the concern of risk management; monthly reviews of the status of employee injuries the concern of exposure management. Consider

establishing guidelines for early return-to-work, setting-up physician and outpatient rehabilitation panels, light duty assignments, and establishing a corporate culture of minimal injuries and rapid return to work.

- An active training program that focuses on exposure/risk management issues.

Risk and exposure management should be introduced to employees during orientation, and some mandatory inservice education should be given yearly. Minimally, the safety committee can develop a topic list of necessary staff development topics.

- A plan to have all facets of the exposure/risk management program linked to administrative planning and decision making.

Just as senior management begins the process with its clear mission and development of the proper corporate culture, it must utilize information from various exposure/risk management activities to assist in planning and decision making.

4. An Insurance Primer

The insurance question that must be asked is: what are the risks inherent in doing business as a Behavioral Healthcare or Social Service organization? An organization must transfer and then actively control its risk of loss. Insurance provides for security from unforeseen events that cannot be controlled by other means. Insurance is necessary to protect an organization from a loss or losses that cannot be afforded.

Insurance is the transfer of pure risk from one party to another for a price through a legal contract, which spells out the terms, the perils covered and property excluded. Insurable risk is defined as the uncertainty of loss, chance of loss, or the probability of loss. Certain factors and/or conditions must be present for insurance. These include an insurable interest, the ability to predict losses, the ability to predict the monetary value of the losses, and a certainty that the losses are accidental or unplanned. Insurable interest is based on the principle of indemnity, that is, placing the insured in the same financial position following a loss that existed before the loss occurred. The insurable interest is usually the financial stake in the property or casualty to be covered.

Behavioral Healthcare and Social Service Organizations should consider the purchase of insurance for the following exposures:

- Property
- Directors and Officers of the Corporation
- Professional and General liability (including umbrella coverage)
- Automobile/Vehicle
- Workers' Compensation
- Crime
- Coverage for easily transportable equipment such as computers.

Property Coverage

This type of insurance provides security from losses related to the direct physical loss or damage to covered property. Property is defined as a building or dwelling, and includes all permanently installed indoor and outdoor fixtures, machinery and equipment, and other personal property used to maintain the building; business personal property such as furniture; and personal property of others in the care, custody, and control of the Organization. Behavior Healthcare and Social Service Organizations should minimally make sure that their policy insures against fire, lightning, internal explosion, volcanic action, vandalism, sinkhole collapse, and sprinkler leakage. Other coverages can be purchased and might include: loss of business income; damage from falling objects; loss due to the weight of ice, snow and sleet; glass breakage; and damage due to collapse. Organizations in geographic areas where there is a high risk of flood or earthquake should consider these additional coverages as well. Organizations should work closely with their insurance agent or broker to make sure that the proper perils are insured against.

One additional note about property coverages. It is important that Organization's consider the degree of business interruption and blanket coverages. Business interruption coverage provides insurance for the actual loss of business income resultant from a necessary suspension of operations. Blanket coverage provides insurance for multiple locations under a single policy; it can provide higher limits for an occurrence of loss that could be used for a single location or a loss at multiple locations.

Property exposures are managed through good basic business practices including monthly physical plant inspections

Liability Insurance

Liability is defined, as the failure of an individual or organization to exercise the proper degree of care required of a sensible person. The guideline driving this definition is that of negligence. Negligence is a wrong committed by one person or organization on another. It is an improper action that causes bodily injury or property damage and is usually in the control of the negligent party. However, a Behavioral Healthcare or Social Service Organization's liability exposure may also be present due to an accidental occurrence. Every employee, contracted professional staff, or the organization itself may be held legally responsible for any action that leads to the bodily injury or property damage of others. Liability insurance covers both the financial obligations resultant to the injured person's claim as well as the cost of legal defense.

Liability insurance is available in two forms: occurrence and claims made. Both forms provide liability insurance for bodily injury or property damage to others. The occurrence form of liability insurance furnishes coverage during the policy period regardless of when a claim is reported and filed with the carrier by the insured. The claims made form of liability insurance furnishes coverage only for claims that are reported or filed during the policy period or within sixty days of the policy's expiration, and only when the date of alleged negligence occurred after a retroactive date. The retroactive date defines the specific date when the policy actually begins.

Organizations also have a vicarious liability as well. This means that the organization itself may be held liable for any negligent act committed in the performance of assigned duties or on behalf of the organization by employees or contracted professional staff.

I. Directors and Officers Liability Coverage

Directors and Officers of any corporation are defined by the organization's by-laws and usually include the Board of Directors and administrative/senior management employees such as, but not limited to, the chief executive officer, the chief operations officer, and the chief financial officer. These individuals can be held liable, or have an exposure, for any and all activities of the Organization. Directors and Officers liability insurance provides coverage for the identified individuals who commit wrongful acts such as error, neglect, or breach of duty. Examples of wrongful acts include fiduciary malfeasance and misfeasance, failure to adequately supervise professional activities and employment practices such as discrimination (improper hiring), sexual harassment, and wrongful termination. It is the responsibility of the Board of Directors and Officers to assure that

recognized standards of care are followed, that staff have earned appropriate academic degree and hold proper licensure to do their job, and that the environment within which business is conducted is free from “defects” that might cause bodily injury or physical damage to others. These basic principles apply whether professional staff are employees of the organization or are performing duties for the organization on a contractual basis.

II. General Liability Coverage

This type of liability coverage provides insurance for bodily injury or property damage to clients, their families, vendors, or others not employed by the Organization from perils within the Organization’s premises or as a result of its business operations. General liability coverage also includes protection from a claim that is the result of an accusation of libel, slander, or invasion of privacy, as well as, medical payments for bodily injury.

General liability exposures faced by Behavioral Healthcare and Social Service Organizations are primarily centered on the premises from which the operation is directed. Examples include failure to remove ice from the entryway to the building, failure to post notice of a wet floor, failure to expediently repair or remove dangerous physical plant problems (for example, wet ceiling tile).

Fire legal liability is also an exposure. It is essential for Organization to check their lease or business complex agreement about this liability, and to strictly enforce necessary policies about smoking, and emergency procedures about smoke and/or fire.

III. Professional Liability Exposures

This type of liability insurance protects a professional or an organization’s professional staff who fail to meet the standards of skill and care generally accepted for that profession or occupation. The protection afforded by this coverage includes both direct injury or harm, as well as indirect injury or harm (emotional trauma, pain and suffering). An individual, the legal guardian of an individual, or an individual’s estate, may file a claim. Professional liability also includes the failure of a professional with regards to “duty to report” or “duty to warn”.

Organizations are faced with exceptional professional liability exposures. Three essential questions to ask should be:

- Is the professional staff credentialed and trained, and supervised properly for the performance of all aspects of their duties?
- Do professionals perform “scope of service” duties as defined by organizational policy and professional credential?
- Are the duties performed under the direct order of a professional legally and medically authorized to order such duties?

Even if an Organization contracts for the services of any or all professionals, the organization itself is liable for the professional activities performed. Contractual professional staff may be included in professional liability coverage as contingent employees.

IV. Umbrella Liability

An umbrella policy provides insurance for liability claims when an award for damages is in excess of the limits of the general and/or professional liability policy. There are multiple limits of insurance that apply to liability coverages; however, the two major limits to consider are the per occurrence and the aggregate limit amounts. The occurrence limit is the dollar amount the carrier will pay for a single, individual claim. The aggregate limit is the maximum amount an insurer will pay for all covered losses during the policy period. When limits are reached, additional coverage is provided by an umbrella policy.

Behavioral Healthcare and Social Service Organizations might consider the purchase of umbrella liability coverage to provide coverage in the event of a catastrophic loss, such as a wrongful death.

Auto Insurance

There are two different forms of insurance that comprise an automobile policy. Both include property and casualty coverages.

The property section of this package policy protects an insured from loss due to comprehensive or collision damage, and is specific to an insured's vehicle(s). The vehicles that are covered must be scheduled (i.e., listed specifically). Comprehensive coverage is defined as the direct and/or accidental damage to an insured's vehicle from anything other than collision. Collision is defined as a direct and/or accidental loss that results when two vehicles collide, collision with another object, or the upset (overturn) of a vehicle.

Protection from economic loss due to negligent ownership (failure to repair bad brakes), poor maintenance, or negligent use of an insured vehicle is provided in the liability section of an auto policy. As with all liability coverages, this protection is designed to cover damages that an insured is legally obliged to pay as a result of bodily injury or property damage to others as a result of a vehicular accident.

A business auto coverage form may be necessary for Organizations. For example, if the organization owns a fleet of vehicles, coverage would be essential in order to conduct business. However, if the organization requires that professional staff drive their own vehicles in order to conduct business then the business auto coverage form would specify coverage for non-owned autos only. Non-owned autos may, depending on the carrier, be added as an endorsement to the general liability section of an organization's commercial policy. This is also true for hired autos (i.e., any vehicles hired, leased, rented, or borrowed and used for business purposes).

The use of non-owned autos raises an additional exposure for Organizations. Whenever a vehicle is used on behalf of an Organization in the course of business, the organization has a responsibility to assure that the vehicle is properly registered (and, if applicable, inspected), and that the driver of the vehicle is licensed and insured. It is best to make

sure that the organization's policies and procedures incorporates the aforementioned points, and that all staff are properly educated in safe and defensive driving techniques.

Workers' Compensation

Most states have promulgated compulsory laws that require employers to provide coverage for employee work-related injuries, and for employer protection against common law suits that may be brought by employees (or their survivors) to recover damages from job-related injuries. All injuries sustained by an employee arising out of and in the course of employment are covered. Additionally, occupational diseases specific to a particular trade or occupation are covered. Workers' compensation insurance provides cash (a portion of wages), medical benefits, and rehabilitation for injured employees. It doesn't matter who, why, or what caused the injury to occur and as such is considered a no-fault type of coverage.

Workers' compensation insurance implies that employers should provide as safe a work environment as can be maintained given the scope of the organization, and that employees should be integral to the maintenance of the work site. Further, employers must consider their return-to-work and modified duty policies. Also, employees must be informed of their Workers' Compensation rights and their duties should an injury occur.

It is strongly suggested that organizations establish a safety committee, contract for the assistance of a Workers' Compensation loss control expert to assess an organization's exposures (and to make recommendations), and educate their employees regarding safe work practices. Although carriers recognize that a zero employee injury policy is impossible, all organizations can continually improve their safety record.

The nature of work performed may demand lifting, entering buildings and dwellings that may not be in the best repair, physical activities with clients, and performing duties with individuals that may be less than cooperative. For organizations that provide injections, there is always the risk of needle sticks and exposure to communicable diseases. For this reason, as well as others, a strong education program related to safety procedures and potential risks is necessary; even the basics (e.g., universal precautions, proper lifting techniques) need to be reviewed at least yearly with the most experienced employees. Organizations that contract for professional staff through another organization or agency also hold a responsibility to assure that the employing organization or agency has workers' compensation insurance.

Crime Insurance

Very simply, crime insurance protects an insured from burglary, robbery, theft, forgery, mysterious disappearance, extortion, and computer fraud. Although crime insurance does not cover dishonest acts committed by the insured (see Directors and Officers coverage), coverage is extended to all employees, a custodian of the insured's property, a messenger transporting an insured's property (including money and securities) from one location to another, and individuals watching over or guarding an insured's property.

There may be a loss due to typical crime exposures (robbery, burglary, etc.); however, the primary exposures for consideration are employee dishonesty, forgery or alteration (particularly of client records), and mysterious disappearances of equipment, supplies, or medicines. The single best method for controlling these exposures is focused on the organization's record keeping procedures, including the location of client records (and the method of "checking them in and out"), and supplies allocated. Additionally an occasional field check of activities is strongly recommended.

Inland Marine Coverages

Insurance to protect an Organization's easily transportable property (e.g., computers). Consider that the investment made in electronic data processing, including computer hardware and software, is an insurable interest, and can be covered by an inland marine policy form called an electronic data processing (EDP) floater.

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5. Risk Management: A Step-by-Step Safety Program

Accident and illness prevention operations go hand-in-hand. Promoting safe work practices among your employees, and maintaining property and equipment in the safest operating condition, results in prevention of injuries and increased profits.

Step One: Take a Positive Leadership Role

You have probably heard this before, but the importance of this message can not be overstated. Top management support is critical in the success of any organizational undertaking. Management must communicate a commitment to safety and support staff with the resources and time necessary to implement an effective safety program. Management should consistently respond to recommendations made by committees and staff, and allow members time to perform their committee functions. It is not only the weight of your words, but also your actions, which fosters the commitment to safety from employees.

Step Two: A Safety Policy with Meaning

The organization needs to develop a safety “mission” which embodies the safety values and goals of the agency. Implementation of the policy should receive verbal publicity with signed support from top management, and should outline:

- The safety and health of employees and consumers is a priority for the organization
- Management will make every attempt to reduce the possibility of accident, illnesses, and disasters
- Safety and health always take precedence over profit
- All required safety ordinances and laws will be met, and then some

Safety procedures and guidelines developed in support of the policy should be practical in application and have meaning to employees. The Safety Manual should serve as a working guide for employees to be used regularly as a reference and be updated periodically. The Safety Manual should address the following:

- Define the organization’s accident and illness prevention plan
- Target the expected behavior of employees
- Make safety everyone’s responsibility at all times
- Support employees in avoidance and prevention of dangerous situations
- Designate a safety coordinator provide leadership to the program
- Define safety responsibilities in every employees’ job description
- Incident reporting and accident investigation
- Written rules and guidelines on specific safety topics such as fire safety, crisis intervention, vehicle safety, Personal Protective Equipment, Hazard Communication, personal safety, housekeeping, emergency evacuation plan
- Required safety training and documentation requirements
- OSHA posting requirements
- Outline policy committees and employee involvement programs
- List all emergency telephone numbers

- Enforcement of safety rules outlining documentation of unsafe acts, safety counseling, timeframes for correcting behavior, and a progressive disciplinary plan

Step Three: Create and Monitor a Safety Program

Communications link connecting the expertise of line staff and management with the organization's commitment to maintaining a safe work and treatment environment. Issues addressed are in areas such as employee injury and illness, public safety, crime, fire prevention, vehicle safety, and professional liability.

- Promote safety and health awareness
- Review incident reports and recommend corrective action
- Track and trend loss statistics for analysis
- Conduct periodic facilities and vehicle inspections
- Initiate accident investigations and perform root cause analysis
- Provide educational material and training
- Provide operational procedures that have meaning
- Job Placement Screening

Step Four: Safety Orientation & Training

Safety training and orientation is fundamental in establishing a safety culture for your organization, and should focus on exposures where your agency, employees and customers are at risk. Always maintain documentation of the training provided including attendance, trainer, and content. Some areas of training might include:

- Safety policies and procedures
- Body Mechanics
- Lifting & transferring
- Universal Precautions
- Infection Control
- Hazard Communication
- Vehicle & Driver Safety
- Personal Safety
- Crisis Intervention
- Fire Safety
- Emergency Preparedness
- First Aid/CPR
- Accident Reporting & Investigation

Step Five: Safety Committee

The purpose of a safety committee is to provide leadership and organization to the Safety Program by facilitating the interest and involvement of staff in controlling the exposures and losses of an organization. The membership of the committee should include equal representation from direct care staff because the input of those employees who are faced with hazards on a daily basis is critical. Employee involvement in this process is essential to the development of an effective process for problem identification and analysis. Members serve as problem solvers for the organization, not problem givers. The primary functions of the Safety Committee should include:

- Identification of safety issues
 - Review of incident reports
 - Tracking and trending incident data
 - Internal safety inspections
- Safety related training program development
- Identification of recommended corrective action measures
- Employee incentive programs
 - Promote safety awareness
 - Motivate safe work practices
 - promote a positive culture

Step Six: Incident Review

Incident reporting and review is essential to a thorough loss control program. Analysis of accidents, and incidents, which could potentially result in an accident, is fundamental to minimizing future exposures. Incident review identifies patterns that evolve within certain categories such as: shift, department, procedures, devices, condition, or body part. Identifying patterns enables staff to discover the underlying cause of the loss, and formulate corrective action to reduce the exposure. The risk management process consists of the following:

1. Identify and analyze loss exposure
2. Examine the alternate risk management techniques
3. Select the best technique
4. Implement
5. Monitor results

Step Seven: Self-Inspection

Most facilities are subject to regular inspections by government agencies and/or funding sources. There are several reasons for conducting self-inspections, which include:

- Locate causes of accidents and illnesses
- Determine and monitor safeguards for accident prevention
- Train and encourage employees to inspect their own immediate work areas
- Periodic review high frequency and severe exposures
- Reinforce management's interest in safety and health

Safety inspections are a fundamental tool in developing a culture of continuous awareness for health and safety. The goal is to train everyone in the organization, at every level, to take time to clean up the water spill creating a slip hazard, or ask for help in moving that heavy box out of the hallway.

Step Eight: Motivation

Motivating employees to be interested in safe work habits starts at orientation and is critical to the success of a safety program. Stimulate interest with suggestion boxes, bulletin boards, posters, articles or newsletters, special campaigns such as a wellness program, and competitive activities, which increase awareness. Providing employees with incentives such as contests, prizes, and recognition awards can help to facilitate

involvement in the program. Remember, commitment of resources and participation by top management in the safety program sets the tone for everyone's attitude toward safety. Be Creative!

SAFETY COMMITMENT AND RESPONSIBILITY

Good control of anything requires that responsibility and authority be placed with someone. Safety Responsibility should be placed and accepted as follows:

MANAGEMENT

1. Establish Safety Policy
2. Provide Safe Environment
3. Provide Competent Supervision
4. Delegate Authority
5. Provide Training and Education
6. Provide Safety Inspections
7. Investigate Accidents
8. Measure Safety Performance
9. Maintain Records
10. Provide Continuing Support
11. Monitor the Risk Management Process

SUPERVISOR

1. Workplace
 - Guarding Machinery
 - Maintaining Good Housekeeping
 - Safe Materials Handling
 - Maintenance of Tools and Equipment
 - Grounding and Controlling Electricity
 - Safe Working Surfaces
 - Life Safety
 - Emergency
2. Environment
 - Provide Personal Protective Clothing
 - Controlling Air Contaminants
 - Controlling Temperature and Humidity
 - Controlling Toxic Substances and Chemicals
 - Adequate Illumination
 - Noise Control
 - Off-Premises Controls
3. Transportation
 - Vehicle Inspection
 - Preventive Maintenance

- Safety/Emergency Equipment
- Specialized
- 4. Products
 - Quality Control
 - Raw Material Inspection
 - Finished Products Inspection
 - Packing & Labeling
- 5. Property
 - Fire Protection
 - Security
 - Disaster Recovery

EMPLOYEE

1. Observed Prescribed Work Practices and Follow Them
2. Report to Supervisor any Hazards That Exists
3. Report ALL Injuries Immediately to Supervisor
4. Provide Input on Safety Matters

6. Safety Program Essentials

A comprehensive safety program is essential to the loss prevention efforts of your organization. The goals of a safety program are:

- maintain a safe work & treatment environment
- minimize hazards in the environment
- promote safe work practices
- facilitate a safety-minded culture

Benefits of Safety Program

When management's attitude reflects a commitment to safety, the safety program becomes part of the organization's culture, strengthening employee morale and involvement. An effective safety program increases employee recognition of workplace hazards, thereby reducing the potential for accidents, injuries, illnesses, and other losses, as well as the cost. A safety program can also increase profits by improving productivity, quality and motivation.

Safety Program Fundamentals

The primary objectives of a well-designed safety program are to further employees' awareness of safety issues, encourage participation in safe work practices and behaviors, and preserve a safe environment with minimal exposure to hazards. A comprehensive program incorporates these basic elements:

- Organizational policy statement
- Senior management support
- Employee hiring practices
- Employee awareness and involvement
- Employee and supervisor training
- Safety committee
- Internal facility safety inspection
- Hazard analysis
- Incident reporting
- Accident Investigation
- Loss analysis
- Corrective action planning & follow-up
- Medical assistance/First Aid

Written Safety Manual

Addressing the elements of your safety program in writing reinforces the significance of safety issues to the organization and its employees. The manual should open with a safety policy endorsed by top management emphasizing that safety is a critical concern for the organization. Each component of the safety program should be addressed individually, and the contents must be consistent with the organizational culture, operations, and goals.

POLICY AND PROCEDURES

Organizational policies and procedures are necessary for communicating operational expectations to employees and external agencies. If your objective is to achieve compliance with policies and procedures, be sure to involve employees in the process. Without the input from those individuals performing the job everyday, procedures have no meaning. If you've established your committee membership with representation from direct care or line staff, you're off to a good start. Policies and procedures also need "teeth". Compliance with procedures should be mandated in personnel policies and reviewed during performance evaluations. Some essential topics that should be addressed in your policy and procedure manual are:

- Incident Reporting
- Accident Investigation
- Confidentiality
- Workers' Compensation
- Sexual harassment
- Workplace Violence Prevention
- OSHA Bloodborne Pathogen Standards
- Exposure Control Plan
- Personal Protective Equipment
- Fire Evacuation & Safety
- Disaster Preparedness Plan
- Hazard Communications & MSDS
- Driver and Vehicle Safety
- First Aid/CPR

Sample Safety Policy

The _____ recognizes the importance of employee safety as an essential ingredient of our daily work activities for humanitarian, economic and legal reasons.

The safety of staff and children in our care is a major concern and we are dedicated to providing the leadership and economic support to maintain a safe environment.

To achieve our goal of maintaining a safe work place, all staff are expected to cooperate in following safety rules and policies and to report any hazards that might cause injury to themselves, coworkers or our clients.

SAFETY COMMITMENT AND RESPONSIBILITY

Good control of anything requires that responsibility and authority be placed with someone. Safety responsibilities should be placed and accepted as follows:

Management

1. Establish Safety Policy
2. Provide Safe Environment
3. Provide Competent Supervision
4. Delegate Responsibility
5. Provide Training and Education
6. Provide Safety Inspections
7. Investigate Accidents
8. Measure Safety Performance
9. Maintain Records
10. Provide Continuing Support
11. Monitor the Risk Management Process

Supervisor

1. Workplace
 - Guarding Machinery
 - Maintaining Good Housekeeping
 - Safe Materials Handling
 - Maintenance of Tools and Equipment
 - Grounding and Controlling Electricity
 - Safe Working Surfaces
 - Life Safety
 - Emergency
2. Environment
 - Provide Personal Protective Clothing
 - Controlling Air Contaminants
 - Controlling Temperature and Humidity
 - Controlling Toxic Substances and Chemicals
 - Adequate Illumination
 - Noise Control
 - Off-Premises Controls
3. Transportation
 - Vehicle Inspection
 - Preventive Maintenance
 - Safety/Emergency Equipment
 - Specialized
4. Products
 - Quality Control
 - Raw Material Inspection
 - Finished Products Inspection

- Packing & Labeling
5. Property
 - Fire Protection
 - Security
 - Disaster Recovery

Employee

1. Observed Prescribed Work Practices and Follow Them
2. Report to Supervisor any Hazards That Exists
3. Report ALL Injuries Immediately to Supervisor
4. Provide Input on Safety Matters

SAFETY COMMITTEE

All employees in your organization should be encouraged to be concerned with their own safety as well as the safety of others. Some employees are quick to complain about unsafe work conditions in a facility, but also take unsafe shortcuts in their work practices. Getting all employees to take an interest in safety, is key to the effectiveness of a safety program.

The safety committee sets the tone for the organization by making active employee involvement a central part of their safety planning process. The most valuable resource for development of effective training and procedures is the employees' hands-on knowledge of job skills, practices, equipment, and exposures. This must be supported by management and granted the authority to advise the organization on safety issues.

Tools for Effectiveness

The main goals of a safety committee are to improve safety awareness, maintain a safe work environment, and promote safe practices and procedures. To obtain these goals, some essential ingredients are required for success:

- Senior Management Support
- Timely response from management on Safety Committee recommendations
- Motivated and interested members
- Leadership
- Membership knowledgeable about organizational operations
- Commitment to meetings and assignments
- Reasonable time from work for members to perform committee duties
- Meaningful promotion of safety awareness
- Recognition of accomplishments
- Resources and in-house assistance necessary
- Training and education for committee members

Functions & Responsibilities

- Motivate an active interest in safety at all levels
- Establish safety goals for the organization
- Open discussion of safety concerns and ideas
- Evaluate existing accident & illness prevention programs
- Conduct periodic incident reviews
- Recommend corrective actions
- Loss and Trend Analyses
- Coordinate an accident investigation program
- Schedule periodic on-site safety surveys
- Manage the internal safety inspection program
- Develop safety training programs
- Create and update safety policies & procedures
- Set up safety incentive programs
- Monitor effectiveness of safety program
- Develop reports and recommendations for management

Membership

To foster employee safety and health awareness, committee members can set a positive example by involving both management and employee in committee activities.

- Persons with tact, good humor, objectivity, and mature judgment
- Equal representation from management and staff
- Cross-functional representation from various areas of operation or departments
- Appoint an alternate for each member for consistent representation
- Develop rotating membership so that 50% of members are new each year
- Minimum terms of one year
- Serve as role models to foster employee and customer safety and health awareness

Structure

- Regular monthly meetings scheduled in advance
- Attendance should be mandatory; assign alternates if necessary
- Written agenda distributed one week in advance to allow members to prepare
- Documentation of meeting minutes
- Decision-making by consensus or majority vote
- Communication flow reporting issues to top management

The safety committee process facilitates a closer relationship between management and staff by encouraging collaboration while improving attitudes towards safety. Safety committees tend to lose their effectiveness when discussions wander outside the scope of safety. For example, a safety committee meeting should not address issues related to individual employee compensation. Nor should it address case management activities, employee grievances, or complaints regarding a supervisor or worker. The focus should be on problem solving, the systems implemented will take care of problem identification.

Safety committees that are run effectively are the foundation of an organization's safety and accident prevention efforts.

Safety Committee By-Laws

Purpose

The purpose of the Safety Committee is to provide guidelines in establishing safety objectives, policies and procedures.

Organization

The Executive Director in each division will appoint a staff person to serve in the capacity of Safety Director to represent management. The Safety Director will form a Safety Committee representative of supervisors and employees. Committee size should depend on division size but with a minimum of four members.

Responsibilities

Safety Director

1. Nominate or appoint safety committee members, making sure there is an equal number of employer and employee representatives. Rotating members annually.
2. Set the time and dates for monthly meetings.
3. Appoint a member of the Safety Committee to record minutes of the meetings.
4. Distribute copies of the minutes to Executive Director and committee members.
5. Maintain files of minutes, safety reports, papers, and written recommendations including any action taken.
6. Meet with Executive Director to present recommendations made by the committee for solutions or options to safety issues for approval and implementation.
7. Inform all program/site supervisors of decisions, actions and recommendations as approved by the Executive Director.

Safety Committee Members

1. Perform regular safety inspections in assigned areas.

2. Review any work-related injury to determine what caused the injury, what could have been done to prevent it and what had been done to forestall recurrences.
3. Attend staff meetings and report on any accidents/injuries from prior period. Report remedial action taken or recommended to prevent future accidents/injuries.
4. Encourage staff to make suggestions on making their immediate area a safer place to work for themselves, co-workers, and clients/residents.
5. Follow-up with supervisors or staff to determine if recommendations or procedures made by the Safety Committee and approved by management for prevention of accidents/injuries has been implemented.
6. Attend Safety Committee meetings and report on resolutions of safety issues from assigned area. Share staff concerns with Safety Committee for possible solutions or resolutions.

Safety Committee members are the pipeline to management in regards to the safety of their co-workers. Procedures will vary from site to site and should be designed or added to in order to make them unique to the specific areas, i.e.; kitchens, offices, play area, maintenance/tools, hallways, and parking lots.

Sub-committees may be formed from members of the Safety Committee to work on projects such as investigating and resolving safety and health issues, developing policies and procedures specific to the division, etc.

In addition, a permanent sub-committee may be formed to make inspections and train staff in accident prevention. This sub-committee should include Safety Committee members and non-committee members inviting input from “line” staff as to unsafe areas and possible corrections.

Sample Outline For Safety Committee Minutes

Call To Order

- Record time and length of meeting
- Document attendance; members present and absent
- Introduce Guest/Visitors

Approval of Minutes

- Review minutes from last meeting and address motions for changes; finalized by a motion for acceptance

Old Business

- Review any outstanding issues from the last meeting
- Document discussion and action to be taken including assigned responsibility and target dates for each issue

- Review sub-committee reports

New Business

- review current Incident Reports for Corrective Action and trends
- Review current Safety Inspections and Corrective Action taken
- Additional suggestions of complaints
- Document discussion and action to be taken including assigned responsibility and target dates for each issue

Safety Training and Incentives

- Review current training programs and identify areas for development
- Review and/or develop incentive programs

Closing

- Review all assignments
- Set/clarify time and date of next meeting

General Safety Rules

You are working for an organization, which requires all employees to conduct work operations in the safest manner possible. Compliance with all

_____ safety rules is a requirement of employment. These rules are the minimum guidelines for working safely. Additional safety training and instruction will be provided to inform each employee of specific safety regulations established by the state and federal government which apply to work being performed.

1. The use of drugs or alcoholic beverages are strictly prohibited at all work locations. Employees will be tested if suspected to be using drugs or alcohol.
2. Report all on-the job accidents the same day the accident occurs. An incident report is to be completed and signed by you and your supervisor.
3. Your supervisor must authorize all non-emergency treatment for accidents first.
4. Report any unsafe condition or practice, you think might cause an accident or injury.
5. Use precautions to protect yourself and others when faced with aggression by a client that may result in bodily harm. Precautions include forms or behavior control as stated in the policy on Behavioral Control & Disciplinary Methods.
6. Use tools and equipment only when authorized and trained to operate safely and properly. Use the proper tool or equipment for the job being performed. Do not use any tool or equipment that you think is not in safe working condition.

7. Use required safety and personal protective equipment during work operations, ensuring that safety equipment is in good working condition. Do not remove any guards on any machinery at any time. Make sure power is off before making repairs to any electrical appliances.
8. Always maintain good housekeeping in work areas. Place waste materials in dumpsters. Store tools properly when they are not being used. You are responsible for keeping the area where you work clean and neat at all times.
9. When lifting, get help for heavy loads. Always lift carefully and avoid twisting motions. Slightly bend your knees, grasp the load firmly, lift with your legs and keep your back straight. Get assistance when lifting anything over 50 pounds.
10. Avoid boisterous play, pranks, or other behavior, which might distract or startle others and contribute to accidents or injuries.
11. Wear vehicle seat belts at all times when traveling in an automobile while on company business.
12. Obey all _____ rules, instructions and signs, and comply with governmental safety regulations. If you are not familiar with the rules and regulations for a specific job, ask for an explanation.

INCIDENT REPORTING

A basic element of an effective risk management program is consistent incident reporting and investigation. Any unintended event, which did or potentially could result in personal injury or property damage, should be documented as an incident. Investigation of incidents should identify hazards, which contributed to the incident, and future prevention of the incident. The purpose of an investigation is to determine facts, not fault.

Elements of an incident reporting process:

- Documentation within 24 hours of the occurrence
- Explain the who, what, where, when, how, and why of an incident
- Identify participants, witnesses, clients involved
- Document external agencies incident reported to
- Assign categories for tracking and trending analysis
- Identify contributing factors such as unsafe acts or conditions
- Signed review by appropriate management
- Periodic analysis of incidents for trends
- Recommendation of corrective action
- Follow-up on effectiveness of control measures

Accident Reporting and Investigation

It is the policy of _____ to comply with all employee injury/illness reporting requirements established by OSHA.

However, all accidents and incidents are important. Whether the loss be minor or major, every accident and incident must be reported, investigated and formally communicated to the Safety Committee so the cause or causes can be determined and corrected.

Normally, supervisors are the best-qualified people to conduct the investigation of an accident or incident. In most situations, the supervisor can and should take corrective action to prevent future accidents or incidents.

Non-Injury Accident/Incident

The minimum information needed on a non-injury form to assist in an investigation is as follows:

1. Name of employee(s) involved
2. Date and time of incident
3. Location of incident (be specific in the description and details of location)
4. Description of actual job function being performed at time of incident
5. Description of incident in detail
6. Signature and date of employee(s) involvement

Although non-injury incidents are only reported internally, the supervisor must complete an investigation report. To keep paper to a minimum, the investigation report may be incorporated into the current Division incident form. The investigation should include the following:

1. Description of any unsafe conditions/actions
2. Reports by any eyewitness to incident
3. Corrective action taken or to be proposed to management
4. Date of investigation and report
5. Signature of supervisor (or person completing report)

The completed Incident and Investigation Report form is to be copied to the Safety Committee.

Accident Resulting in Injury

The supervisor's Accident Investigation Report shall be used to report all accidents resulting in personal injury or illness.

This report must be thoroughly completed as quickly as possible following notification of the accident or illness. The original copy of the report is to be forwarded to the internal administrative office responsible for completing and filing the State Workers' Compensation Notice of Injury report form.

The Safety Committee will review all incident/accident reports on a monthly basis. After correction action (if any has been proposed) to prevent future incidents/accidents has been completed, reports can be moved to a master file for future reference. Files should be kept for a period of not less than five (5) years.

INCIDENT REPORT

Program/Unit _____ Workers' Comp? Yes No Date of Incident _____ Time of Incident _____

THIS ACCOUNT IS SUBJECT TO CONFIDENTIALITY REQUIREMENTS AND SHOULD BE TREATED ACCORDINGLY

1. Complete form and route to your supervisor by the end of your shift or work day.
USE CLIENT NUMBERS. USE STAFF NAMES.
2. If incident is "Category A", verbally notify supervisor as soon as situation is under control.
3. Written reports must be in the executive office within **three** working days following occurrence of incident.
4. Attach support data or explain as appropriate.
5. **WHEN COMPLETED, DO NOT REPRODUCE THIS FORM.**

I. TYPE OF INCIDENT – Check one or more as appropriate.

CATEGORY "A"

CATEGORY "B"

CATEGORY "C"

- | | | |
|--|---|--|
| <input type="checkbox"/> Abuse/neglect
<input type="checkbox"/> Altercation
<input type="checkbox"/> Client death
<input type="checkbox"/> Client/client sexual assault
<input type="checkbox"/> Elopement
<input type="checkbox"/> Suicide attempt
<input type="checkbox"/> Med-error (life threatening)
<input type="checkbox"/> Illness/injury (hosp-admit)
<input type="checkbox"/> Other _____
_____ | <input type="checkbox"/> Client grievance
<input type="checkbox"/> Illness/injury (ER-released)
<input type="checkbox"/> Med error (non-life threat)
<input type="checkbox"/> Suicide gesture
<input type="checkbox"/> Threats by clients
<input type="checkbox"/> Staff/client physical altercation/
intervention
<input type="checkbox"/> Other _____
_____ | <input type="checkbox"/> Vehicle accident
<input type="checkbox"/> Property damage
<input type="checkbox"/> Theft (personal or agency property)
<input type="checkbox"/> Other _____

_____ |
|--|---|--|

II. ACCIDENT DESCRIPTION AND DIRECT CAUSE ANALYSIS

PLEASE PRINT OR TYPE. USE CLIENT NUMBERS. USE STAFF NAMES.

1. **What Occurred?** Describe (1) relevant background information; (2) employee's location, immediate surroundings, and position in surroundings; (3) how employee was doing the job he/she was doing; (4) what occurred that precipitated the accident; (5) the type of accident of contact agent. Attach additional paper or diagrams as needed. _____

2. **Contributing Actions and Source Causes.** What actions and/or factors contributed directly to the accident? Be specific. _____

3. **Contributing Conditions and Source Causes.** What defective or otherwise unsafe conditions contributed directly to the accident? Include tools, equipment, machines, structures, and personal source causes. Be specific. _____

III. **PARTICIPANTS/WITNESSES** – Circle whether participant (P) or witness (W). Also, circle if participant/witness is client (C); staff (S); or visitor (V). If visitor, provide name, address and phone number if possible.

USE CLIENT NUMBERS AND STAFF NAMES.

PW / CSV _____ PW / CSV _____
PW / CSV _____ PW / CSV _____

IV. **REPORTING** – List to whom reported, both internally and externally (e.g. Abuse Registry, Police, etc.)

Reported to _____ Date/Time _____
Reported to _____ Date/Time _____
Reported to _____ Date/Time _____

V. **ROUTING** – Sign and date upon receipt.

Routing employee _____ Date _____
Reporting employee’s supervisor _____ Date _____
Unit supervisor/component director _____ Date _____
Comments _____
Program VP _____ Date _____
Comments _____

ITEMS VI, VII AND VIII FOR ADMINISTRATIVE USE

VI. **EXECUTIVE REVIEW** – Sign and date upon receipt.

President/CEO _____ Date _____
Risk Mgr/Safety Officer _____ Date _____

VII. **SAFETY COMMITTEE/OTHER REVIEW**

Reviewed by: _____ Date: _____
Recommendations:

VIII. **FINAL DISPOSITION** – To be completed by Risk Manager/Safety Officer

_____ File; no further follow-up required.
_____ Other

SAFETY INSPECTIONS

Most organizations have been exposed to “external” agencies conducting a hazard surveillance or safety inspection of their facilities. These visits are usually required to earn or maintain licensing, accreditation, insurance, etc. Involving employees in conducting internal inspections promotes employee involvement, increases awareness, and monitors the environmental hazards on a consistent basis. Safety inspections are used to detect improper actions and hazardous conditions before they result in accidents. When those issues noted are corrected, inspections lead to a more safe and healthy environment. The purpose is to maintain a safe work and treatment environment, control the actions of people, and maintain operational profitability.

Although governmental agencies, accrediting organizations, insurance companies, and others often conduct inspections, every organization should still conduct their own.

- Assign staff to conduct inspections
- Train the inspectors
- Review the previous inspection report
- Perform the inspection
- Document inspection findings
- Identify corrective action procedures
- Follow-up on compliance dates
- Review the program results in safety committee

Objectives

- Identify real and perceived problems
- Assess the severity of identified hazards
- Analyze the environment for improvement
- Develop appropriate corrective action plans
- Suggest methods of implementation of the chosen technique
- Monitor results for effectiveness
- Re-assess newly discovered problems

Techniques

- Perform monthly, quarterly, and annual inspections
- Written checklist designed for the area inspected (i.e. office, group home, inpatient)
- Evaluate the difference between unsafe employee behavior & conditions in which the employer places them
- Rotate responsibility of performing inspections to increase awareness
- Use internal program staff for their intimate knowledge of the daily operations
- Use external staff for their open-minded perceptions
- Procedures for prompt corrective action

Preventative maintenance

- Compliments the self-inspection program
- Facilitates maximum safety and readiness of equipment
- Results in reductions of downtime
- Decreases cost for repairs

FIRE SAFETY

Fire inspections should be conducted at least monthly. Frequency of these inspections will depend on the facility, materials, processes and regulatory requirements involved. A procedure for prompt corrective action of any noted deficiencies should be implemented.

INCENTIVES & AWARENESS

Recognition of safety efforts is invaluable in promoting a positive attitude towards safety for the organization. Suggestion boxes also demonstrate the organization's interest in receiving input from all staff on making safety improvements. Opportunities to recognize employees can be:

- agency newsletters
- annual staff gatherings
- memos from the safety committee
- memos from the supervisor or director
- awards, certificates
- compensatory time
- gift certificates

RISK MANAGEMENT SAFETY INSPECTION CHECKLIST

DATE _____ COMPLETED BY _____ TITLE _____

DEPARTMENT NAME _____

RECEIVED BY COMMITTEE _____ SENT TO DEPT. _____

ACTION COPY RETURNED _____

FIRE AND ELECTRICAL SAFETY (Some questions apply to all areas such as kitchen, bathrooms and bedrooms)	YES	NO	N/A	CORRECT BY DATE	DATE CORRECTED
Is there an emergency evacuation plan?					
Are emergency phone numbers posted?					
Does each department/unit have a specific fire safety plan and a person responsible for evacuation of individuals in seclusion?					
Are evacuation routes posted for both immediate and remote areas?					
Do evacuation routes include a location of pull boxes and fire extinguishers?					
Do fire drills involve practice evacuation of residents?					
Are exit signs posted? (non-exits marked if applicable)?					
Are exits available from all locations in the house?					
Are exit paths clear and unobstructed?					
Is there an exit plan for a resident in an upstairs bedroom?					
Is there a smoke alarm within audible/visual proximity to the resident's bedroom?					
Are fully charged and inspected fire extinguishers present (MIN 10B)?					
Are there designated areas for safe gathering of employees and residents/clients?					
Is there a person responsible for clearing the building and shutting off the alarm?					
Are smoke detector batteries checked for operation monthly?					
Is the fireplace covered with a protective screen?					
Is the fireplace maintained on a scheduled basis?					
Does the patient or do other residents smoke?					
Is there an adequate number of non-breakable ashtrays?					
Are there fire resistant garbage cans in the residence?					
Is there frequent use of extension cords?					
Are there multiple plugs in one receptacle?					
Are electrical cords showing wear or fraying?					
Are all electrical devices protected from, and not exposed to, moisture?					
Are electrical components (cords, switches, heating coils, etc.) of large and small appliances in good repair?					
Are there ground fault breakers near water source? (required if plug is within 6 feet of water source.)					
KITCHEN AREA/EQUIPMENT	YES	NO	N/A	CORRECT	DATE

				BY DATE	CORRECTED
Are knives and other sharp utensils secured in a locked drawer or cabinet?					
Are glasses and other eating utensils free of chips and sharp edges?					
Are all gas-operated appliances working properly, i.e., gas stove pilot lights and burners working? Is location free from gas odor?					
Are all surfaces clean and in good repair?					
Is the floor free from potential hazards such as throw rugs or frequent water spills? If linoleum, is it secure, no cracks, chips or raised areas up from the floor?					
Is water temperature at faucet below 110 degrees?					
If using well water, has the water been tested in past 2 years?					
Are non-toxic oven cleaners used?					
Are refrigerators and freezers operating properly? Temperature should be 40 degrees or lower in refrigerators.					
Are all solvents and poisons stored separately from food and original and clearly marked containers (locked if required by licensing)?					
Are there ground fault breakers near water source? (Required if plug is within 6 feet of water source.)					
FOOD ITEMS					
Are all food items being used prior to expiration date?					
Is all food properly stored/covered ?					
Are food items kept in storage area free of all cleaning supplies?					
Items in the refrigerator properly covered?					
Are items in the refrigerator free from mold?					
BEDROOMS (use add'l pages for add'l bedrooms)					
Are the screens on all windows?					
Are pictures or wall decorations securely hung?					
Are windows easily accessible in case of need to escape, i.e. fire. Can the windows open easily?					
Are all carpets securely tacked down?					
If there are blinds with draw cords, are they a hazard?					
Is the furniture in good repair? Drawers open easily? No splintered edges?					
Are the mirrors cracked or broken?					
Are all cords out of walkways or paths?					
All lamps in working order? No frayed cords or broken receptacles?					
Are closet doors safe? Can anyone get trapped in closet? Is there any danger from hooks or hangers?					
If hospital bed in use, is there any danger from cords?					
BATHROOMS (use add'l pages for add'l bathrooms)					
Is there proper ventilation?					
Is there a non-slip mat available for the tub/shower both inside and outside?					
Is the floor made of, or covered with non-slip surface?					
Does the water temperature meet licensing requirements?					
BATHROOMS (continued)	YES	NO	N/A	CORRECT BY DATE	DATE CORRECTED

Is the bathroom free of hand razors, toothbrushes, tweezers, nail clippers, emery boards, scissors, etc., to prevent the spread of communicable diseases?					
Are there proper disposal methods available for feminine hygiene articles?					
Is the toilet seat secure (not loose or cracked)?					
Is the toilet secure to floor and wall (not loose)?					
Are there handrails, if necessary, for easy entrance/exit from bathtub?					
Are there rubber gloves for client/staff use?					
Is sink secure to wall and/or floor (not loose)?					
Is floor safe, i.e. no warping, no missing tiles, and if carpeted, no frayed edges?					
Are walls, floors, ceilings free from cracks, holes, chipped paint?					
Is medicine cabinet secure?					
Are mirrors free from cracks or chips and secure?					
Light fixtures covered/free from frayed wires?					
Is the light switch properly covered?					
Are extension cords/appliances (hair dryers) away from access to the tub, toilet, sink (water)?					
Are outlets properly covered with plates?					
Is door free from jamming for easy exit?					
Is ground fault breaker around vanity?					
Is bathroom free of hazardous cleaning supplies (toilet bowl cleaners, etc.)?					
Are night lights used to help see after dark?					
Are there procedures for checking the status of the room after every use?					
TIME OUT ROOM					
Are air vents out of reach?					
If there is a window, is it made of non-breakable or shatter proof material?					
Are the walls free from any wall hangings?					
If the room has a door, does the door have window so the client can be seen?					
Is the room designed so observation is possible from anywhere in the room?					
If the room has outlets, are they properly covered?					
If the room is carpeted, is it free from tears, cuts or fraying?					
Is the overhead light out of reach and securely covered?					
Is the floor safe, i.e., no warping or missing tiles?					
Are walls, floors, ceilings free from cracks, holes, chipped paint?					
Is the light switch properly covered?					
BASEMENT - ATTIC					
Are stairways/walkway sturdy and free from debris?					
Are all household hazardous waste articles properly stored, i.e., paint thinner, insecticides?					
Can doors be securely locked when not in use?					
Is the area rodent free? Are repellents nonpoisonous to humans?					
BASEMENT - ATTIC (continued)	YES	NO	N/A	CORRECT BY DATE	DATE CORRECTED
Is the landing area free of liter and properly lighted with the light					

switch visible before descending/ascending the steps?					
Is there fluorescent tape on first (3) steps of cellar stairs?					
Is the area free from exposed wires?					
Is the area free from water and have a proper drainage system?					
Is the area properly ventilated and free from trash?					
Are pipes safe? insulated if hot water, marked with reflective tape if low hanging?					
OUTSIDE AREAS					
Are sidewalks and parking lots clear of snow and ice?					
Are sidewalks, steps, and ramps free of slip, trip and fall hazards?					
Are area grounds well kept? Free of weeds and trash?					
Are sidewalks clear? No cracks, holes, etc.?					
If there are fences, are they well maintained, painted, no missing pickets, holes, splintered areas, etc.?					
Is the ground free of dangerous holes?					
Are porches free of clutter?					
Are porches and walkways well lit?					
Are areas lighted for security?					
Are banisters on porches or stairs secure and well maintained?					
Are the garages locked?					
Is hazardous materials locked away? (Kerosene, gasoline, paint, tools, equipment, etc.?)					
Are doors, screens, storm windows all in good repair?					
Are trees and shrubs kept trimmed?					
Are there proper receptacles for trash and garbage?					
Are barbecue grills in good repair?					
Is the residence located in a high crime area?					
HALLWAYS					
Are hallways cleared of potential trip and fall hazards?					
Are loose rugs secured by non-skid backing? Are large rugs anchored at the edges?					
Is lighting adequate to see in hallways?					
Handrails secure and free from splinters?					
STAIRS WITH CARPET, LINOLEUM OR RUNNERS					
Is the carpet, linoleum and runners secure?					
Are non-skid treads used (where applicable)?					
Is linoleum free of cracks, chips or tears?					
Are carpet free of rips, pulls and shreds?					
Are the stairs free of slip, trip and fall hazards?					
Are there adequate handrails for regulation compliance?					
Are handrails present and securely fastened?					
If handrails are metal, are they free of rust?					
If handrails are wood, are they free of splinters?					
Is lighting adequate?					
Are landings/steps large enough and free of clutter?					
Are dangerous steps adequately marked?					
LIVING AND DINING ROOMS					
Are all floor coverings tacked down (throw rugs carpets)?					
LIVING AND DINING ROOMS (continued)	YES	NO	N/A	CORRECT BY DATE	DATE CORRECTED
Are all lights and lamps in working order (all bulbs working and in place)? No empty light sockets?					

Are all electric sockets not in use covered with socket plugs?					
Are all cords secure and not in walk areas (telephone, lamp cords, appliance cords)?					
Are there any glass items and/or sharp objects which may potentially be used as weapons?					
Is privacy assured in living areas by use of blinds/curtains?					
OFFICE AREA/STAFF ROOM					
Are walkways unobstructed?					
Are electrical extensions properly used, i.e., multiple outlet strips, cords covered in walkways?					
Are all electrical cords in good repair, no frayed or damaged plugs, lights, typewriters, calculators, radios, clocks, etc.					
Telephone cords out of sight and covered?					
File cabinets out of walkways?					
File drawers, cabinet doors closed?					
Typewriters secure?					
Are all accessible surfaces free from rough or jagged edges?					
Chairs substantial enough to accommodate employees and in good repair?					
Bulletin boards secure to walls?					
Desk free of spindles (i.e. metal spike for notes)?					
Carpet in good repair. No rips, cuts, tears etc.?					
Are windows free of broken or cracked glass?					
Are area rugs free of tears? Also well secured?					
Hardwood/linoleum floors in good repair. No broken boards, missing tiles, holes in floor or unevenness?					
Linoleum/tile floors clean and well maintained? Not too highly waxed?					
Are heating/cooling vents unobstructed?					
Are exit doors clearly marked in program office?					
Are evacuation plans posted on each floor?					
UNIVERSAL PRECAUTIONS					
Are universal precautions and blood borne pathogen procedures posted and being followed?					
EPA approved disinfectants used?					
Are Material Safety Data Sheets (MSDS) sheets available on each unit?					
Are leak proof bags used to transport laundry?					
Are gloves and other Personal Protective Equipment (PPE) readily accessible?					
Are antibacterial hand washing agents available?					
Are there procedures for handling and disposal of hazardous materials?					
Do all PPE/Spill kits include disposable CPR mask resuscitator?					
MISCELLANEOUS					
Are incident reports available to staff?					
Are household pets secured?					
SECURITY	YES	NO	N/A	CORRECT BY DATE	DATE CORRECTED
Is vehicle access to the facility controlled?					
Is pedestrian access to the facility controlled?					
Is there a system for monitoring movement through doors and					

windows?					
Are there procedures for staff to call for assistance in a crisis?					
Are there telephones in all program areas?					
Do all staff wear identification badges?					
Are there frequent visitors in the house who are unknown to the staff?					
Is client access to sharp instruments controlled throughout the facility?					
Is client access to hazardous chemicals controlled throughout the facility?					
Are there guns or other weapons maintained in the home or office?					

7. Quality and Risk Management Self-Assessment

Every facility and risk management activity needs to be reviewed and evaluated periodically to identify opportunities for improving your program, setting goals, and educating those involved. Although an assessment of a quality and risk management program can include many questions, there are some fundamental areas that need to be included in such an evaluation. These areas include:

- The Quality Resource Management (QRM) policy statement
- The Position of quality and risk management
- Occurrence Screening and Incident Reporting
- A Patient Satisfaction Program
- Infection Control and Environmental Safety
- Quality Assurance Committees
- Claim Management
- The Credentialing and Reappointment Process
- Evaluation of the Quality and Risk Management Program

The quality and risk management self-assessment guide has been designed to assist in the evaluation process. Completing this assessment should provide a perspective on how well your program is designed and any opportunities for setting goals to improve overall effectiveness.

Sample policies and other forms have been provided in this manual to assist in enhancing your program. If you have any questions regarding the self-assessment or require additional support, please contact your Risk Management Care Representative.

Quality Assurance/Risk Management Policy Statement:

1. Indicates formal commitment to Quality and Risk Management by the Board of Trustees.

YES _____ NO _____

COMMENTS: _____

2. Signed by the Chairman of the Board.

YES _____ NO _____

COMMENTS: _____

3. Defines the accountability of the facility’s CEO/President and program/clinical staff to the program.

YES _____ NO _____

COMMENTS: _____

4. Organizational chart allows the Director of the program to freely communicate identified problems to any department in the organization.

YES _____ NO _____

COMMENTS: _____

5. Director of Quality and Risk Management reports to upper management.

YES _____ NO _____

COMMENTS: _____

6. Administration annually evaluates RM/QA program to determine compliance with plan(s).

YES _____ NO _____

COMMENTS: _____

7. There is a formal link between the organization’s risk management efforts and the quality assurance program.

YES _____ NO _____

COMMENTS: _____

Quality and Risk Management Position(s):

1. A formal job description(s) is written.

YES _____ NO _____

COMMENTS: _____

2. Reviews and/or coordinates RM/QA activities of all department and committee quality management.

YES _____ NO _____

COMMENTS: _____

3. Reviews the utilization review activities.

YES _____ NO _____

COMMENTS: _____

4. Subscribes to literature on quality assurance/risk management and clinical journals.

YES _____ NO _____

COMMENTS: _____

5. At least annually, and at orientation, educates direct care staff and governing board members on quality assurance and risk management procedures and policies.

YES _____ NO _____

COMMENTS: _____

6. Quality Assurance/Risk management components that are contained within facility's policy and procedure manual include the Quality Assurance plan and Incident Occurrence reporting.

YES _____ NO _____

COMMENTS: _____

Occurrence/Generic Screening and Incident Reporting Program

1. The reporting process defines the purpose, procedures to follow and responsibility for routing completed forms.

YES _____ NO _____

COMMENTS: _____

2. The occurrence screening process is established in all high-risk areas and especially for areas with a high volume of consumers.

YES _____ NO _____

COMMENTS: _____

3. Reporting of all incidents and occurrences to the quality and risk manager occurs within 24 hours and is based on established criteria (i.e., injury or potential liability).

YES _____ NO _____

COMMENTS: _____

4. Department (program) specific occurrence screening criteria is developed.

YES _____ NO _____

COMMENTS: _____

5. The incident/variance report is objective and is adequate to report essential information.

YES _____ NO _____

COMMENTS: _____

6. The results are trended criteria, practitioner, outcome.

YES _____ NO _____

COMMENTS: _____

7. Procedures are established to maintain confidentiality and obtain objective review.

YES _____ NO _____

COMMENTS: _____

8. At a minimum, a monthly report is produced identifying problem trends or patterns.

YES _____ NO _____

COMMENTS: _____

9. Evidence of corrective action of identified problem is documented.

YES _____ NO _____

COMMENTS: _____

10. QA activity results are communicated freely to departments/services.

YES _____ NO _____

COMMENTS: _____

11. Where political problems exist due to size or structure of the direct care staff, consultants are used for case evaluation.

YES _____ NO _____

COMMENTS: _____

CLIENT SATISFACTION PROGRAM:

1. A mechanism exists for visitors, consumers and their families to formally or informally communicate concerns regarding the institution.

YES _____ NO _____

COMMENTS _____

2. A client advocate position is formally assigned.

YES _____ NO _____

COMMENTS _____

3. The position reports to or is an integral part of the overall quality and risk management program.

YES _____ NO _____

COMMENTS _____

4. A formal mechanism is established that communicates the results of the program and perceptions of the quality assurance coordinator, the staff and administration.

YES _____ NO _____

COMMENTS _____

5. A formal mechanism is established that provides feedback to visitors, consumers and their families in a timely fashion.

YES _____ NO _____

COMMENTS _____

QUALITY ASSURANCE COMMITTEE:

1. Committee(s) (individual or as a whole) have direct care staff commitment and involvement.

YES _____ NO _____

COMMENTS _____

2. Committee Activities (evaluating effectiveness): Having the following five steps that are identified and documented in the minutes or various committee activities been followed?

- Description of the problem
- Analysis of the problem
- Proposed action
- Plan for monitoring proposed action
- Date and procedure for measuring change or conducting a re-audit

YES _____ NO _____

COMMENTS _____

3. Committee refers problems to appropriate medical staff committees, department heads or to administration for review and action.

YES _____ NO _____

COMMENTS _____

4. Confidentiality is maintained on individual cases through the omission of names in review and documentation in the minutes.

YES _____ NO _____

COMMENTS _____

5. Committee activity/minutes are reported to quality and risk management.

YES _____ NO _____

COMMENTS _____

CLAIMS MANAGEMENT:

1. All claims management is coordinated by the same person or department.

YES _____ NO _____

COMMENTS _____

2. A formal policy is established on identifying and reporting potential claims.

YES _____ NO _____

COMMENTS _____

3. A procedure is established that secures related client records in the event of a claim.

YES _____ NO _____

COMMENTS _____

4. Governing Board is made aware of the claims activity (pending and settled), and any appropriate QA/RM action at least semi-annually.

YES _____ NO _____

COMMENTS _____

5. Risk manager reviews all attorney request letters and related patient's medical records before released.

YES _____ NO _____

COMMENTS _____

6. A separate file containing sensitive claim information is kept on each case that is reported to the company.

YES _____ NO _____

COMMENTS _____

THE CREDENTIALING AND REAPPOINTMENT PROCESS:

1. The results of the facility's quality assurance activities is incorporated into the reappointment and declination of privileges.

YES_____ NO_____

COMMENTS _____

2. The processed is formalized, outlining the flow of QA/RM information to the direct care staff.

YES_____ NO_____

COMMENTS _____

EVALUATION OF THE QUALITY AND RISK MANAGEMENT PROGRAM:

1. Reviewed regularly by the facility-wide QA/RM Committee, administration or board, but not less than annually to determine: a reduction in identified trends, appropriateness and follow through on corrective action, a smooth flow of information and monitoring to determine effectiveness or corrective action.

YES _____ NO _____

COMMENTS _____

Staff Credentialling

Another important aspect to the quality and risk management program of a provider is staff credentialling. It is critical that a standardized and effective credentialling process be in place. The legal implications of credentialling mean the provider must demonstrate that it acted reasonably and prudently so that there is no evidence of negligent conduct. Generally, most managed care organizations require credentialling of all licensed or registered healthcare professionals. Such professionals would include: physicians, nurses, psychologists, licensed social workers, physical therapists, occupational therapists or other licensed professionals.

The initial credentialling process should include the following:

- A background/biographical description of the individual's professional career
- All years accounted for since graduation from professional schools
- Boards or fellowships
- Documentation of license, certification or registration
- Criminal background check
- Motor vehicle check
- Liability insurance certificate
- Liability claims history going back ten years
- Licensure board disciplinary action
- Continuing education credits and specialized training
- Documentation of demonstrated clinical competency
- References

Once initial credentialling of staff takes place, there should be an annual reappointment credentialling process established which includes all the criteria listed above and also:

- Documentation of whether the person is being considered for the same or modified position/privileges
- Any changes in claims, discipline, insurance, licensing
- An update on clinical competency

The primary risk factors to be concerned about in reference to clinical competency and credentialling include the following factors:

- Lack of continuing education
- Failure to achieve expected professional thresholds
- Inconsistencies in any background information

8. Model Language for a Managed Care Risk Management Program

Delegation of Risk Management Responsibility

It will also be important for a provider to demonstrate that a key management individual has the responsibility for risk management within their organization. Depending upon the size of the provider this person may be a full-time or part-time employee.

Following is model language for both a managed care risk management program and a job description for a risk manager which you may find useful.

I. A Risk Management Program shall include, but not be limited to, the following components:

- A. There must be a person designated as the facility's Risk Manager. Risk Manager is defined as that person charged with the responsibility for the implementation, coordination and effectuation of the risk management program. The Risk Manager shall be empowered by the governing body medical staff and administration with the authority to do what is necessary to carry out the functions and activities of the internal risk management program.
- B. The Risk Manager must evidence at least eight (8) hours of continuing education per calendar year in areas that are relevant to the risk management function and activities described in these regulations. Risk management programs acceptable for continuing education credits shall include, but not be limited to, programs sponsored by the American Society of Health Care Risk Management (ASHRM), affiliated state and local risk management societies, the American Hospital Association (AHA), the American Medical Association (AMA), state hospital and medical associations, the Joint Commissions on Accreditation of Healthcare Organizations (JCAHO) and the Council on Accreditation (COA).
- C. The Risk Manager, in order to carry out these functions, activities and responsibilities shall have access to all necessary, relevant hospital and medical staff data including, but not limited to, committee minutes, medical records and medical staff files.
- D. A commitment from the governing body to the risk management program, including both manpower and financial resources, is necessary for the implementation and the daily functions of the program. The commitment should be in writing as a policy statement which has been formally adopted by the governing body and the administration.
- E. A system for the identification of unexpected or unanticipated outcomes which may have caused injury or have the potential to cause injury and risks which have or could potentially cause an injury or impairment of patient safety.

This system for identification can utilize and include, but not necessarily be limited to, the following items:

1. Criteria-based outcome studies.
 2. Monitoring systems based upon objective criteria.
 3. Incident reports.
 4. Client grievances.
 5. Committee reports and minutes including quality assurance, credentialing, peer review, morbidity and mortality.
 6. Legal complaints and suits.
 7. Third party reports (JCAHO), state licensure (department of professional regulations).
 8. Cases referred to the medical examiner or coroner.
 9. Outside requests for client records.
 10. Security or police reports.
 11. Administrative and/or administrator-on-call reports.
- F. An internal procedure for the expeditious review and investigation of all serious unanticipated or unexpected outcomes where an injury has occurred or safety has been impaired.
- G. A system for the analysis of all identified risk exposures to include the following components:
1. Centralization of all identified risk data.
 2. A means to share and integrate risk management data collection and analysis activities with other appropriate clinical and administrative departments.
 3. The results of the analytical review are to be forwarded by the Risk Manager to the person charged with the responsibility for the clinical areas involved to review, evaluate and respond back to the Risk Manager. Any corrective action taken in response to the review and evaluation should be forwarded to the Risk Manager.
- H. The Risk Manager shall provide reports to the governing body at designated times, but at least annually, for the purpose of reviewing and evaluating the activities of the risk management program. These reports can be written or given verbally through a formalized committee structure.
- I. The Risk Manager should coordinate, plan and implement educational programs to minimize the risk of harm to patients. These educational programs should address, but not be limited to the following:
1. The direct care staff on initial appointment and during the reappointment process.
 2. General orientation for all new employees.
 3. Specific programs tailored to the individual institution to address the high-risk areas, in particular: crisis and residential services.
- J. The Risk Manager shall be empowered to effectuate the implementation of other programs to reduce the possibility of patient injuries and financial loss.

- K. The Risk manager shall forward to those committees empowered to evaluate the competency of the direct care staff any and all pertinent data, such as claim/litigation histories, quantitative data from incident reporting or occurrence screening systems, and knowledge of adverse outcomes or questionable practice. These committee may include executive committees, may include executive committees, credentials committees and governing body committees.
- L. The Risk Manager should perform, coordinate and/or assist with the risk financing and claims administration functions for the institution.

II. IMMUNITY

No individual or institution reporting, providing information, opinion, counsel or services to an incident review committee or a quality assurance committee or any other staff, administrative or governing body committee that evaluates quality or care issues or as a part of the internal risk management program, shall be liable in a suit for damages based upon such reporting, providing information, opinion, counsel or services, provided that such individual or institution acted in good faith and with a reasonable belief that said actions were warranted in connection with, or in furtherance of, the functions of the internal risk management program.

III. CONFIDENTIALITY

Any and all documents and records that are a part of internal risk management program, as well as the proceedings reports and records from any of the above committees, shall be confidential and not subject to subpoena or discovery or introduced into evidence in any judicial or administrative proceeding except for proceedings by the department responsible for disciplinary and/or review action of any professional.

IV. RISK MANAGEMENT JOB DESCRIPTION

A job description for the Risk Manager should be developed and include:

- A. Review and follow-up of all incident reports.
- B. Preparation of incident report data for tracking and trending of incidents and a monthly report to the Risk Management and Safety Committees. This should be accompanied by recommendations to department heads for actions needed to reduce risk. Follow-up should be performed to determine if actions taken were effective.
- C. Coordination of risk management and quality assurance to include the coordination of clinical chart review with direct care staff participation.
- D. Communication with professional liability carrier
 - 1. Notification of serious incidents and/or occurrences, potential claims and litigated claims.

2. Perform follow-up on incidents and/or occurrences as requested by the carrier.
- E. Function as a resource person to the direct care staff on risk management issues and questions.
 - F. Development of a report on risk management and quality assurance activities, actions and results for presentation to the governing body.

9. Client Records

I. Introduction - Purpose Of Client Records

- a) Clinical treatment
- b) Legal

II. Who “Owns” A Record?

- a) Personal property of facility
- b) Resident’s interest
- c) Court Order/Subpoena

III. Who Can Access Records?

- a) /competent resident
- b) Legal guardian of resident
- c) Licensure
- d) Third party payors
- e) Clinical staff members
- f) Surveying agencies
- g) Peer review committee/nursing students

IV. What Is The Penalty For Unauthorized Access?

- a) Civil Liability
- b) State Citations

V. What Should The Authorization State?

- a) Date and time
- b) Resident’s name
- c) Name of facility
- d) Purpose of release
- e) Extent and nature of the information
- f) Statement that authorization can be revoked

VI. What Do You Document?

- a) Relevant clinical information
- b) Licensure/certification surveys

VII. The Basics Of Good Documentation

- a) Use ink
- b) Write legibly
- c) Signatures
- d) Never use white-out, etc.
- e) Timely documentation
- f) Complete all parts and sections
- g) Document when medicine is not given within certain time frame
- h) Client’s name on every page
- i) Use only approved abbreviations

VIII. Charting Do’s

- a) What is clinically relevant
- b) Be specific
- c) Be objective
- d) Use quotes
- e) Use only approved abbreviations

- f) Date and time each entry
 - g) Use measurable terms
 - h) Chart signs and symptoms
 - i) Chart you consulted with other professionals as appropriate
 - j) Chart only your own observations
 - k) Sign every entry
 - l) be consistent
 - m) Document unusual occurrences
- IX. Charting Don'ts
- a) Chart incident reports
 - b) Label resident behavior without describing it
 - c) Block chart
 - d) Erase or obliterate any entry
 - e) Squeeze in an entry
 - f) Insert notes between lines
 - g) Ask someone to "save you a few lines"
 - h) Cover up someone else's mistakes
- X. Classification Of Client Information
- a) Non-confidential information
 - b) Confidential information
 - c) Privileged communication
- XI. Photographs And Video Tapes
- a) Clients' rights to privacy
- XII. Computerized Information
- a) Confidential information
- XIII. Legal Proceeding Involving Medical Records
- a) Court orders
 - b) Subpoenas
 - 1. Subpoena to testify
 - 2. Subpoena duces tecum
 - c) Depositions
 - d) Interrogatories
- XIV. Record Retention
- a) For adults
 - b) For minors

10. Driver and Vehicle Safety

- **Fleet Safety Guidelines Introduction**

The purpose of these guidelines is to aid management in their efforts to increase vehicle operator safety, and the control of vehicle accidents. These guidelines are designed to provide you with the basic information for your own comprehensive fleet safety program. They are flexible enough for use by both large and small fleet owners, while still allowing the program to be tailored to fit your particular operation.

- **Parts of a Comprehensive Fleet Safety Program**

Among the factors which management must consider when deciding the type of fleet safety program to introduce include the size of the fleet, the type of operation and the geographical area covered by your operations.

The following list shows the various parts of a comprehensive fleet safety program. The following pages will elaborate on each item on the list.

- A) Establish Written and Communicated Management Fleet Safety Policy Statement
- B) Designation of Experienced Person to Have Responsibility and Authority for day-to-day Supervision of the Fleet Safety Program
- C) Structure for New Driver Screening and Selection
- D) Structured Program for Driver Orientation & Training
- E) Structured Program for Accident Reporting, Review & Analysis for Future Accident Prevention
- F) Maintenance of Driver and Accident Records
- G) Regular Vehicle Inspection and Maintenance
- H) Methods to Keep the Fleet Safety Program “in front” of Drivers
- I) Positive Reinforcement of Safe Driving Practices
- J) Regular Management Review of the Fleet Safety Program

- **Guidelines for Determining the Preventability of Motor Vehicle Accidents**
- **Defensive Driving Techniques**

A. Establish Written And Communicated Management Fleet Safety Policy Statement.

Any program of safety and loss control must have the enthusiastic support of top management, who must then control and direct the program just as they would manage the other areas of their operation. Accordingly, management must establish the policy under which it wishes to operate. Management also must set the goals toward which its operations will strive to achieve.

All drivers whether they are employees, volunteers or others, must fully understand what is expected of them under the fleet safety program. The foundation for this understanding is management's fleet safety policy statement to drivers.

All fleet safety programs should begin with management's statement of fleet safety policy which should be formally communicated to all drivers. Contents of this policy will depend on the scope of the fleet safety program, but the policy should clearly state the following, at minimum:

- ◆ Management's fleet safety policy.
- ◆ The goals for the program.
- ◆ Details on how the program will be carried out.
- ◆ Who has been designated to have day-to-day operating responsibility and authority for the program.

The following page shows a sample management policy statement that you may wish to modify for use in your operation.

SAMPLE MANAGEMENT POLICY STATEMENT

To All Drivers:

We have decided to improve the safety of the operation of our vehicle fleet. We fully recognize that you, as a driver, play a key part in our mutual effort to reduce death, injuries and property damage accidents involving vehicles.

In order to help you do a better job we are initiating an improved fleet safety program. It is designed to promote safety awareness and the part each of us plays in a continuing accident prevention program. This is a part of professionalism!

I am personally taking charge of the fleet safety program to promote more effective results. (Name of person being given responsibility and authority to operate the program on a day-to-day basis) will be responsible to me for carrying out the details of a complete fleet safety program and will be available to help each of you in performing your job safely.

I solicit your help and want you to be constantly alert to the hazards of your driving job or activities. Follow instructions and avoid the "thoughtless acts" that might cause you, or your fellow drivers, to be involved in an accident.

Don't hesitate to bring in safety suggestions to your supervisor. We can't lick the problem alone, but with your help we can do it.

Everyone benefits when we stop accidents.

(Signature of Owner and/or President)

AUTOMOBILE INSURANCE AND VEHICLE POLICY

POLICY: It is the policy of _____ to require employees holding jobs that require driving and/or the transportation of those we serve to operate agency or personal vehicles in a manner consistent with the Pennsylvania Motor Vehicle Code, applicable _____ policies and procedures, and defensive driving techniques.

_____ will reimburse employees, at a rate set by the Consolidated Board of Directors, for use of a personal vehicle for agency business. Such use shall include any traveling which is reasonably necessary to carry out the business of the agency and which may be said to be within the employee's scope of employment. Travel to and from work shall not typically be considered "business use" for which an employee will be reimbursed. Any questions regarding the scope of this policy should be directed to a supervisor.

For purpose of this policy the term "driver" will be used to represent any employee required to drive as part of their job duties.

GENERAL VEHICLE OPERATING PROCEDURES:

1. Prior to an employee providing transportation he/she will receive training on safe driving practices. This training will include a written test and driving test.
2. Drivers are required to operate the vehicle in a safe and legal manner at all times.
3. Under no circumstance should a driver transport a person who poses a risk to the safe operation of the vehicle. If such a possibility exists, other alternatives such as the use of two staff or public transportation should be considered. A vehicle in which a person is not fulfilling his/her responsibilities as a passenger should be immediately stopped and pulled over to the side of the road. The vehicle should only be placed in motion when there is no risk with continued operation.
4. All occupants of the vehicle during all times that the vehicle is in motion must use seat belts. All drivers are responsible for ensuring that all occupants of the vehicle use seat belts at all times while the vehicle is in motion. Failure to comply with this standard may result in discipline, up to and including discharge.
5. A driver shall not be permitted, under any circumstances, to operate a vehicle at any time when the driver's physical or mental condition would present a direct threat to the health or safety of himself, others, or would otherwise present a significant risk of damage to property. This prohibition includes, but is not limited to, circumstances in which the driver is temporarily unable to operate the vehicle safely or legally because of illness, injury, medication, or intoxication. Upon discovering that an employee has provided transportation under these conditions, disciplinary action consistent with the guideline for supervisory

intervention will be implemented. Where appropriate and necessary, reasonable accommodation will be made when a physical or mental impairment causes an employee to be unable to fulfill the driving responsibilities of the position.

6. The driver is responsible for safeguarding the vehicle and its occupants at all times.
7. The driver is responsible for informing the Program Director of any citation received during the course of employment. Parking tickets issued on an agency vehicle must be reported to the Program Director. The driver is responsible for the resolution and payment of any citations or parking tickets that result from the action of the driver. The driver will be subject to corrective action consistent with the guidelines for supervisory intervention up to and including dismissal, based on the facts of the specific situation.

LICENSE AND INSURANCE VERIFICATION:

1. _____ will verify the existence of a valid driver's license for all drivers.
2. _____ will review the driving record of all drivers immediately upon hire, and at least annually thereafter.
3. Where the job duties of a position include the operation of a motor vehicle, the driving record of the selected employee must be reviewed prior to making a formal employment offer. No applicant can be selected where the history of the moving violations which includes one or more of the following, within the past three years:
 - a) operating a vehicle while under the influence of drugs or alcohol
 - b) any felony involving a vehicle
 - c) homicide by vehicle
 - d) failing to stop when involved in an accident (hit and run)
 - e) racing on highways
 - f) driving without lights to avoid identification
 - g) fleeing from a police officer
 - h) driving while the license is suspended or revoked
 - i) failure to stop for a school bus with flashing red lights
 - j) drivers whose driving record includes seven or more points
4. Drivers are required to inform their supervisor immediately of any moving violation, or any circumstances that may affect their legal or physical ability to drive, or their continued insurability. Any employee who is required to drive in order to carry out the essential functions of his/her job must maintain his/her legal driving rights as a condition of employment.

5. At least annually, the agency will request certificates of insurance or copies of personal automobile policies from drivers using their own vehicle. The minimum coverage required is \$100,000 aggregate coverage. Where the employee is assigned a higher premium because of the work related use of their vehicle, _____ will reimburse the employee for the difference between private rates and business insurance rates, up to \$100 annually, upon submission of documentation from the insurance company.

USE OF AGENCY VEHICLES:

1. All drivers of agency vehicles will receive general instructions in the operation of the vehicle.
2. Agency vehicles are to be used exclusively for the transportation of people receiving services, supplies needed in the home, and to agency functions.
3. Prior to putting the vehicle in motion, the employee will receive the vehicle checklist to ensure that the vehicle registration, inspection, insurance information, mobile first aid kit, fire extinguisher, and other necessary supplies are current, and contained within the vehicle.
4. Keys to the vehicle must always be removed on every occasion that the driver leaves the vehicle.
5. No smoking is permitted in the agency vehicle.
6. In the event of loss or danger, personal items in the agency vehicle will not be covered by _____ or its insurers.

ACCIDENT REPORTING:

1. The driver will ensure the safety of all passengers, and when necessary, will provide CPR and First Aid if he/she is certified or otherwise qualified to perform such procedures. The driver will seek emergency medical attention if necessary.
2. The driver will notify the police immediately. The driver will record the names of any police officers or other authorities present at the scene of an accident.
3. The driver will obtain other motorists' name, address, driver's license number, vehicle license number, make of the vehicle, and insurance company and policy number.

4. Employees will cooperate fully with authorities. However, employees should make no voluntary statement to anyone present, other than in reply to questions of investigating officers.
5. Any theft or damage to agency vehicles should be reported to the Program Director as soon as possible, no later than twenty-four hours after the incident.
6. The accident reporting requirements of this policy shall equally apply to any employee who is a passenger in an agency vehicle, or personal vehicle engaged in agency use, which is involved in an accident.
7. Management will investigate and review all accidents, developing recommendations to prevent future occurrences.

MAINTENANCE

1. Any signs of malfunctions, unusual sounds, or vibrations are to be reported and logged in the daily log. A maintenance request should also be submitted. Where the malfunction represents a hazard to the safe operation of the vehicle, the vehicle will not be used to provide transportation until such time as the malfunction is corrected. Any such malfunction should be immediately reported to the Program Director.
2. Breakdowns are to be reported to the Program Director immediately.
3. All agency vehicles are to be kept in safe, clean operating condition.
4. A monthly vehicle checklist is to be followed in regard to the maintenance and upkeep of the vehicle.
5. Corrective action must be taken in response to all warning lights and other signs of maintenance problems.
6. The vehicle interior must be cleaned weekly. The exterior of the vehicle will be cleaned as needed, but at a minimum once a month.
7. All service should be performed by a dealer franchised by the vehicle's manufacturer and approved by the Program Director.
8. The driver should ensure that all maintenance and service required as detailed on the Vehicle Checklist is completed.

B. Management Designation of Experienced Person to Have Responsibility and Authority for Day-to-Day Supervision Of The Fleet Safety Program

Proper direction of a fleet safety program is of first importance if a reduction in accidents and related costs is to be expected. Efficient operation is the responsibility of management. For this reason, it is important to delegate one individual with authority to properly administer the functions of coordinating the fleet safety program. This person should also be allowed enough time in their workday to properly coordinate the program.

A fleet safety program depends on the ongoing support of the supervisors. Vehicle safety can not be left to upper management alone. Every person in the agency has a role. The role of the supervisor, however, is to give ongoing training, guidance, follow up and support. The commitment of the supervisor will bring about a change in attitudes and work habits that will lead to a safe work environment.

Supervisor's Role consists of, but is not limited to, the following: Hiring, Accountability & Responsibility, Orientation of Staff, Coordinate Training, Supervision and Support of Staff, Role Model, Policy & Procedures Implementation, Inspection of Vehicles, Accident/Incident Investigation & Reporting, Follow-up/Corrective Action, Feedback to Upper Management, Promote Safety Awareness, Ensure Safe Environment, and Ongoing Training.

It is also very important to inform and instruct supervisors in the duties and responsibilities of interpreting the fleet safety program to those working under their supervision. Each supervisor should be charged with the obligation of carrying out management's program as outlined by the coordinator.

Many fleet safety programs are unsuccessful because supervisors fail to assume their responsibility for accident prevention (and are not held accountable for that failure). When any supervisor knowingly allows any driver to violate the rules, and such violation leads to an accident, then the supervisor is more responsible for the accident than the driver.

A supervisor's attitude toward safe driving will greatly affect the attitude and driving performance of those responsible to him.

- ◆ Supervisors should be held accountable for safety performance in their areas of responsibility.
- ◆ Supervisor should supervise in terms of proper and safe job performance.
- ◆ Lines of communication between management and drivers should be kept open.
- ◆ It is often advisable to provide specialized training for supervisors, including safety conference and fleet supervisor or management courses.

◆ DRIVER SUPERVISION

The realization that driver selection and training is vitally important may not be obvious until one has to supervise a motor vehicle fleet. The inherent nature of a fleet operation leaves drivers under their own supervision for a substantial portion of the workday.

A key to success in the supervision of drivers is the supervisor's ability to enhance the development of proper driver attitudes. As attitudes heavily influence the manner in which a job is accomplished, the supervisor must see that they receive positive reinforcement and that undesirable influence are recognized and counteracted. Each fleet must tailor its own program to suit its particular needs. Some of the more widely recognized segments of programs are outlined below.

◆ **Routing and Scheduling**

Most operations will have a fairly good idea of factors such as route or area the vehicle will be using, number of miles for the trip, average time required to complete the trip, loading arrangements, etc. These items can be supervised to a limited degree through random checks to verify that the driver is actually following the prescribed schedule. Close control of routing and scheduling will make this supervision task less difficult.

◆ **Vehicle Location**

Depending on type of operation or commodity value, the supervisor may wish to establish certain procedures for verifying the location of the vehicle. This may be accomplished by two-way radios or telephone contact, or designated check-in stations (the arrival and departure items may be recorded by requiring the driver to punch a time clock, where available, or by making an entry in a log book kept at the check-in station).

◆ **Road Observation**

Road observation allows the observer to directly view the driver's handling of the equipment and thus detects driving faults and rule violations. This can be accomplished through periodic check rides with the driver or through use of a road patrol system. Road patrol may be done by the motor carrier itself, through cooperative efforts with other carriers or by using organizations, which specialized in this function.

◆ **Logs**

Carriers required to use logs, by the Department of Transportation, should also find them useful in the supervision of their drivers. These will require careful examination to detect problems. Comparison with other documentation of the trip may prove helpful in determining the accuracy of log entries.

C. Structure For New Driver Screening And Selection

Efficient fleet operation requires the proper screening and selection of qualified drivers. Incompetent drivers will cause unnecessarily high operating costs, delay service to customers and harm public relations. It is necessary, therefore, that adequate information is obtained concerning a driver applicant's background, ability and mental attitude.

The purpose of driver selection is to identify and hire the most qualified candidate for the position available. The selection process is intended to be a series of screens through which only the most qualified candidates will pass. Items to be considered and evaluated should include the candidate's past driving experience with similar vehicles, driving skills and knowledge, and attitude toward defensive driving and company safety standards.

The driver selection process applies not only to **full time** drivers but also to **incidental drivers**, meaning those that drive occasionally or in addition to other job duties.

Selection Screens - The following areas are screens used by many businesses in selecting drivers:

◆ **Job Descriptions**

Written job descriptions are the first step in selecting candidates and the time to develop them is before a job opening develops. Management will need to determine the essential job functions of each position as well as the experience, skill level and other qualifications needed. The written job description documents the minimum requirements for each particular position against which all candidates can easily and consistently be evaluated. Once this is accomplished, the screening process begins.

◆ **Employment Application**

Reviewing a completed job application is one of the first steps in the screening process. The application is a main source of information about the candidate and will help determine if the candidate has the minimum qualifications and background needed for the position. The application form should provide information on the applicant's driver's license, driving experience, accident record and traffic violation convictions and forfeitures for the past 3 years, past employment (previous 3 years), education, and physical history. The only questions that should appear on the application are those that pertain to the driver's potential ability to satisfactorily perform the job. Legal counsel should determine that the application form does not violate anti-discrimination laws and can advise on the wording of a signed statement verifying the accuracy of the information.

◆ **Interview**

A face-to-face interview with the candidate is invaluable since it provides management the opportunity to further assess and verify the candidate's qualifications, experience, knowledge and attitudes. Examine the application prior to the interview and inquire about gaps in employment. You may also compare the dates of employment with any fleet safety awards given by past employers. If the applicant drove for 10 years with the previous employer but only received a two-year safe driving award, ask about it. The applicant may reveal more information about accidents and violations than they had originally stated. Also during the interview, ask what accident and violations they have had over the past three years. Compare this to their motor vehicle record and have the candidate explain any discrepancies.

Employers subject to the Americans with Disabilities Act (ADA) are prohibited from asking any questions relating to the candidate's current physical condition or past medical history. According to the American Trucking Association, even the standard question, "Have you ever received a waiver from the U.S. Department of Transportation's physical qualification criteria?" is prohibited since it indirectly solicits information relating to the candidate's physical condition.

Employers can ask about a candidate's ability to perform essential job functions but cannot inquire whether that person has a disability. Notes from the interview should be kept on file for reference.

◆ **Reference Checks**

These can be accomplished via phone conversations or written requests. The best contact is often the candidate's former supervisor, if available. Information to be checked includes dates of employment, reason for leaving, description of job duties, types of vehicles driven, evaluation of job performance and the former employer's opinion of whether or not they would rehire the candidate if they had the chance.

A written release authorizing the reference checks should be obtained from the candidate prior to contacting past employers. Written records of the results of these checks should be kept on file.

◆ **Motor Vehicle Records**

The motor vehicle record (MVR) is available from the state in which the candidate holds their driver's license. The MVR details the accident and traffic violation history of the candidate over the last three years. The value of the MVR is that it provides an indication of the candidate's future driving performance based on past accidents and violations. An MVR detailing a history of small violations or just one major violation needs to be closely examined by management. The criteria for ordering an MVR is mandatory for all new hires and any employee with agency vehicle driving responsibilities, including incidental drivers.

It is strongly recommended that a written policy be developed and adhere to so that there is uniformity in determining what constitutes an acceptable MVR. Your Loss Control representative can assist in setting up an MVR policy (see sample below). Check with your state on the MVR ordering procedure. Some states require a form to be filled out; some require

a signed release from the candidate. There are also service companies that can obtain MVRs for you on a fee basis. A copy of the MVR should be kept on file.

SAMPLE EMPLOYEE NOTIFICATION

As part of our ongoing efforts to promote driver safety awareness and continue to improve our driver and vehicle safety program, there is a recognized need to improve and make more uniform the way driver safety performance is evaluated. The response to this need is to implement a point scale measuring system, which will relate to each driver's State Motor Vehicle Report (MVR) and driver accident and safety records.

The point values correspond to various types of driving incidents, citations and convictions, somewhat similar to the systems many states use for determining when a license should be suspended or revoked.

Special reviews will be made in cases where points have accumulated to an "action level" within a specific time period. Hopefully, with this system in effect, everyone's safety consciousness will be higher, and we will be able to achieve a better safety record than ever before. This works to everyone's benefit in the reduction of traffic deaths, injuries and property damage.

Note: You may also want to attach or display a copy of the guideline standards you will be using and advise employees of the actions that will be taken as points are accumulated.

SAMPLE GUIDELINE PROGRAM FOR THE EVALUATION OF MVR'S AND DRIVER SAFETY RECORDS

Having a MVR and driver safety record evaluation program simply means putting MVR's and driver's accident records at work for you for your driver and vehicle fleet safety program. Through careful interpretation, a summary of someone's driving record can tell you a lot about his/her driving safety habits and safety awareness. Statistics will show that a person with a proven safe driving background is less likely to be involved in an accident while driving on the job.

These guidelines have been developed to help you in this MVR and driver record evaluation process. They are based on many years of experience in reviewing motor vehicle and driving records and driver accident statistics. These guidelines can help you as you set standards against which you can measure MVR's and driver records. They can help to bring a convenience, fairness and consistency to your driver evaluation program.

Computation is very simple. Various types of citations and driving error situations have been assigned points, as shown in the table below. All that you need to do is add up the number of points a driver has in order to decide if further action is necessary.

As a positive employee relations gesture, we highly recommend that you openly inform drivers about the MVR and driver record review program. A sample notice is provided at the end of this information. You may be able to adapt from this sample notice to advise employees, perhaps through a bulletin board notice, for example.

GUIDELINE STANDARDS:

Action level: _____ Points. (A suggested Action Level is four (4) to five (5) points, but you may want to set up your own Action Level to fit your own driver and vehicle safety program and safety management philosophy or, perhaps, to follow the underwriting requirements of your insurance carrier (A sample of a company’s underwriting requirements follows)

Time period considered: The past three years. However, major convictions, as defined below, are counted as far back as five years.

CITATION AND ACCIDENT/INCIDENT CATEGORIES:	POINTS
Minor incident or citation, no accident involved:	1
At-fault Accident:	2
Major Citation or Conviction (within last three years):	6
Major Citation or Conviction (More than three, but less than five year ago):	3

ADDITIONAL POINTS”

Two recorded incidents, accidents or citations within the most recent eighteen months adds:	1
Three recorded incidents, accidents or citations within the most recent eighteen months adds:	2

DEFINITIONS:

Minor Incident or Citation, No Accident Involved

Any moving traffic citation a driver receives, unless it qualifies as a “Major Citation” or conviction as described below. This category, however, does not include cases involving: (1) Violation of motor vehicle equipment, load or size requirements; (2) Improper display or failure to display license plates; (3) Failure to sign or produce registration card; (4) Failure to have in possession a valid drivers’ license of the appropriate type and classification for the vehicle being operated; (5) Failure to use seat belts.

At Fault Accident

Any accident where the driver is designated as having caused the accident, or negligently contributed to its occurrence. Depending on your particular driver and vehicle safety program, you may want to extend this to include those accidents, which are determined to be preventable under the standards and guidelines established by the National Safety Council.

Major Citation or Conviction

Any citation or conviction that involves: (1) Driving while intoxicated or under the influence of alcohol, drugs or other controlled substances; (2) Failure to stop and/or report an accident in which the driver was involved; (3) Homicide, manslaughter, or assault arising out of the operation of a motor vehicle; (4) Driving while license is suspended or revoked; (5) Reckless Driving; (6) Possession of an opened container of alcoholic beverage; (7) Participation of an illegal speed contest, or drag racing; (8) Any attempt to elude an officer of the law; (9) Citation for traveling at a speed in excess of the posted speed limit.

Incident

Includes Minor Citation, At-Fault Accident and Major Citation or Conviction definition outlined above.

Action Level

This is the point level at which you would typically initiate some type of activity with the affected driver to promote driver safety awareness and further accident prevention. The actions you take are normally tailored to fit your driver and vehicle safety program and management philosophies.

Actions can range from a simple, but positive safety discussion with the affected driver (perhaps by the driver’s immediate supervisor), to having the affected driver participate in remedial safe driver training efforts, to removal from driving duties. Termination from employment is also a potential option but should be carefully pursued to avoid problems with employment practices liability exposures.

MVR GUIDELINES (GENERIC - VARY BY COMPANY)

A driver with any of the following in the last three years:

1. DWAI - Drugs or Alcohol
2. Hit and Run
3. Failure to report an accident
4. Negligent Homicide using a motor vehicle
5. Driving while license is suspended or revoked
6. Using a motor vehicle for a commission of a felony
7. Operating a motor vehicle without the owner the owner's authority (grand theft)
8. Permitting an unlicensed person to drive
9. Reckless driving
10. Speed Contest
11. Any combination of accidents (regardless of fault) and moving violation which total four
12. Or those with an international or foreign driver's license
13. Anyone licensed less than three years regardless of age.

(Any driver with past history - over three years old with more than one of the convictions - one through eleven, could be marginal or unacceptable unless violation dates are eight years old or more)

Monitor Drivers (MVR'S done at least annually)

1. With two or more accidents (regardless of fault) in the last three years
2. Two or more violations (any type) in the last three years

Drivers 21 Years old and Younger Which Are Unacceptable

1. Two or more accidents (regardless of fault) or violations in the past three years
2. Less than three years driving experience
3. Operation of "heavy" trucks or tractors beyond a 50 mile radius
4. Operation of public autos or vehicles transporting flammable, explosive or toxic cargo

Out of State Driver's License

1. New York and New Jersey State Laws requires drivers to be re-licensed within 60 days of their move to this state (Most states give 60 ; few give 90 days)
2. Any driver who is not licensed in the state where they reside within the required time frame is an unacceptable driver

MVR GUIDELINES CONTINUED

Corrective Actions

1. Marginal drivers should have MVR checks at least annually

2. Unacceptable drivers must be suspended for one year or indefinitely

ANY EXCEPTIONS MUST BE AGREED UPON BY THE COMPANY

- If exception is made, suspension will last for six months and an MVR will be done prior to reinstatement to verify there are no new convictions and/or accidents
- An MVR will then be done every six months for at least two years to verify no new convictions and/or accidents
- If there are any incidents on the MVR, then driving privileges will be suspended for at least six months (depending upon the conviction an/or accident and frequency)
- Defensive driving courses may assist in getting an unacceptable/marginal driver out of their “poor driving habits” and sharpen their skills
- An unacceptable driver may become eligible for reinstatement of driving privileges, if after one year there are no new accidents/convictions on their MVR. This depends on age of existing accidents/convictions on their MVR and seriousness of the accident/convictions recorded.

REINSTATEMENT MUST BE AGREED UPON BY THE COMPANY

REMEMBER:

1. Drivers are only ticketed on an average of one time for every 200 or more times that they have broken that law.
2. Drivers who have had three or more accidents in the last three years (regardless of fault) have about 300% greater chance for future accident frequency to continue.
3. Drivers who have had three violations in the last three years will have about 150% greater chance for future accidents and with six violations in the last three years, will have about 325% greater chance for future accidents.

◆ **Road Tests**

A road test is one of the ways to find out if drivers can do the job expected of them. It allows the candidates to demonstrate their skill and proficiency in handling the vehicle. The same type of equipment that will be assigned to the driver should be used in the test and the test should be

sufficiently long to cover a variety of situations. A pre-established route should be used that simulates the driving conditions encountered on the job. The test can qualify or disqualify an applicant provided the qualification criteria are reasonable and consistent. A qualified person should conduct these tests in a controlled and uniform manner. A check sheet listing the maneuvers to be executed and the actual results is useful as it helps assure consistency in the test and provides a written record of the results which are to be kept on file (sample copy attached). The candidate who has successfully completed the road test should be given a certificate of completion.

◆ **Written Tests**

Motor carriers that fall under the Federal Motor Carrier Safety Regulations (FMCS) are required to administer a written examination designed to instruct candidates in the rules and regulations established by the Federal Highway Administration pertaining to commercial vehicle safety. Some fleets make use of commercially available intelligence and psychological tests or company developed tests such things as driving rules and regulations. Extreme care must be taken to assure that the tests are nondiscriminatory and clearly associated with the knowledge and skills necessary to successfully fill the position. Aside from this exam, you may wish to test the candidate's knowledge of state traffic regulations to verify a working knowledge of these regulations. Each state has a booklet containing its traffic regulations with sample questions that can be used as a guide.

◆ **Physical Exam**

For employers not regulated by the FMCSR but subject to ADA regulations, a physical exam may be administered after the candidate has been offered the job but prior to starting work. It is important that the doctor or clinic know the physical requirements and essential job functions of the position being filled to properly evaluate the candidate. The employer will need to determine if reasonable accommodations are needed for disabled candidates physical exam is a FMCSR requirement for regulated fleets.

◆ **Drug Tests**

Tests can be administered to the candidate to detect the use of controlled substances as a further screen. The candidate needs to be advised as to what substances are being tested for and how the information will be used. A qualified lab or medical clinic needs to be used and various controls (such as a chain of custody) need to be in place to assure consistency and accuracy. Medical and legal counsel is strongly recommended prior to implementing this type of screen. For more information on Drug and Alcohol requirements, please contact our Risk Management Department.

◆ **Legal Review**

It is important to obtain legal review of your company's screening procedure to assure compliance with applicable local, state and federal laws.

D. Structured Program for Driver Orientation and Training

Proper orientation and training are essential to the success of a new driver. It is illogical to expect high performance from a new driver who has had no instruction in what is expected of him or her.

Orientation is the first piece of a successful driver-training program. The objectives of the driver orientation procedure are:

- ◆ To make the new employee productive quickly.
- ◆ To avoid accidents which injure employees.
- ◆ To avoid damage to cargo or equipment
- ◆ To avoid accidents or errors which have a negative impact on customer relations.

Driver orientation covers all aspects of the driving job. Even when a company hires an experienced driver from another company or from a driver training school, that employee still needs to learn company policies, procedure and safety regulations. The new employee is anxious to feel at home, to meet other workers and to learn the job routine. He is interested in becoming a part of things and being receptive; it is at this stage that he can be trained to be a productive, loyal employee. If such training is not provided the new employees either turn to the company's "grapevine" as a source of information or he will learn through a potentially costly process of trial and error.

Training must supplement the driver selection program as individuals cannot always be selected who have all the knowledge and skills necessary to perform the job in the manner expected. The amount of training that is needed varies directly with the complexity of the job as well as with the knowledge and experience of the new employee. An effective training program recognizes the knowledge and skills necessary for an employee to perform in a satisfactory and safe manner and attempts to bridge the gap between the employee's existing level of knowledge and that required. Proper training reduces operational disruptions and minimizes unnecessary costs from accidents and equipment abuse.

"Initial" training should be given to new personnel to get the employee properly indoctrinated prior to starting work. Even drivers with many years of experience have a need for orientation due to differences in types of cargo, vehicles and operations. "Refresher" training can be very useful for regular drivers to update information on operational changes, new routes, cargo, equipment, government regulations, etc. "Remedial" training may be useful when there is a problem of substandard performance which may be alleviated through corrective training. The need for remedial training may be identified by customer complaints, complaints from the public, accident involvement, moving traffic violations or reports of vehicle misuse or abuse. Drivers must be shown the critical relationship between their actions and the success of the enterprise. Effective training is the key to developing proper driver attitude.

There are two general approaches to training: classroom and in-vehicle. Classroom training can be accomplished using either a one-on-one or group approach. These methods are useful for company rules and regulations, federal and state regulations, routes and schedules, accident and

emergency procedures, basic cargo handling methods and basic defensive driving techniques. In-vehicle training is most effective for equipment familiarization, vehicle inspections, cargo handling and defensive driving. In-vehicle training provides one of the best methods of giving practical instruction to a driver under closely controlled conditions.

Designation of a driver trainer is worthy of consideration even in the smaller fleet. Such an individual should be one who commands the respect of the other drivers, has a good driving record and has the ability to pass on the proper knowledge and skill in a stimulating manner. The use of driver trainers tends to make instruction more uniform and consistent. It is not necessary to have a full time driver trainer; many fleets train a driver trainer from someone in an existing position in the terminal and use them part time as a trainer. The subjects outlined below should be included in every training program.

◆ **Introductions**

Introductions to key management personnel, supervisors, co-workers, company organization and objectives should be done.

◆ **Reporting to Work**

When, where and whom to report, procedures for signing in or clocking in should be reviewed.

◆ **Work Standards**

Dates and responsibilities, motor vehicle record review process, performance evaluation, incentive program, benefits, disciplinary procedures, vehicle accident reporting and review procedures should all be reviewed.

◆ **Company Rules and Policies**

Company rules and policies should be defined and committed to writing. Smaller operations will want to provide photocopies of this information for each new driver, while larger companies may desire to prepare written booklets. In either case, whoever deals with new personnel should review the more important aspects with a new driver.

◆ **Equipment Familiarization**

Equipment familiarization is necessary to minimize unintentional equipment misuse and abuse. With the large variety of combinations of engines, transmission and rear ends, it makes good operating sense to show a new driver the proper way to operate the individual equipment for maximum efficiency and minimum maintenance. Special controls, as well as loading and unloading devices should be demonstrated to new employees. The driver should also be instructed on how to make a proper vehicle inspection.

◆ **Routes and Schedules**

Routes and schedules should be explained. This could be included in the material given to drivers dealing with company rules and policies. Routing may be established to avoid congested areas, poor road conditions, high accident frequency areas, and roads with restrictive conditions, such as low or narrow overpasses or bridges with restricted weight limits.

◆ **Pre-Trip on the Road and Post-Trip Inspections**

Making inspections, recording results and the importance of having defects corrected before departure.

◆ **Emergency Procedures**

Emergency procedures should be established which deal with accidents and mechanical breakdown. Drivers should be instructed in the proper procedures to be followed if they are involved in an accident. Each vehicle or driver should have an accident report packet with which drivers can record the necessary information. The driver should know how to safeguard the scene to prevent others from being involved. Procedures should be established for the completion of a formal accident report as soon as practical. In the case of mechanical problems, drivers should know what to do with the disabled unit and whom to contact regarding repairs.

◆ **Regulations**

Traffic regulations, and State and Federal Department of Transportation safety regulations should be explained to the new driver with specific emphasis on those regulations particular to each company's own operation.

◆ **Defensive Driving Techniques**

Defensive driving means driving so as to prevent accidents in spite of the actions of others or the presence of adverse driving conditions. When giving a prospective driver a pre-employment road test, defensive-driving techniques should be evaluated. Any bad driving habits should be corrected prior to a driver's first trip. In order to effectively achieve a change in a driver's habits or attitude it is essential to have in-vehicle training.

◆ **Procedures at Completion of Trip**

Parking and refueling vehicle, completion of records and reports, post-trip inspections.

**SAMPLE
COMMERCIAL DRIVER ORIENTATION CHECKLIST**

Subject	Trainer	Date
Introductions	Management Personnel Supervisor Co-Workers	
Reporting to Work	Locations Hours Signing In	
Work Standards	Duties and Responsibilities Benefits Motor Vehicle Record Review Procedure Performance Evaluation Incentive Programs Disciplinary Procedures Vehicle Accident Reporting and Review Procedures	
Pre-trip, On the Road, and Post-trip Inspections	Inspection Procedures Equipment Condition Reports Correcting Defects	
Emergency Procedures	Vehicle Accident Reporting and Review Procedures Breakdowns	
Rules & Regulations	Company Safety Rules Local Regulations State Regulations Federal Motor Carrier Safety Regulation	
Route & Schedules	Road Conditions Hazardous or Congested Routes Height and Width Clearances	
Equipment Familiarization	Operator Controls Emergency Equipment Air Brakes Specialized Safety Equipment	
Completion Trip	Parking and Refueling Completing Reports Post-trip Inspections	

Driver Name	Signature	Date
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E. Structured Program for Accident Reporting, Review & Analysis for Future Accident Prevention

As every accident results in a reduction of company assets, either lost time or money, the management of any motor vehicle fleet, irrespective of size or type, should consider the elimination of all accidents as a major goal. In order to achieve this, a well-established system of reporting, recording and analyzing the facts surrounding vehicular accidents must be created. These procedures should be reviewed often to assure that all those involved would know how to handle the situation in the event of an accident.

◆ **Driver Responsibility**

As the driver will be the first person at the accident scene, the driver's initial actions are often critical to minimizing the end results of the accident. The driver may be under extreme stress at the time, thus the procedures to follow must be clear and concise, and thoroughly understood. To help facilitate this, an information packet containing instructions and forms for use in the event of an accident should be carried in the vehicle at all times. A vehicle accident report packet (can be obtained from the insurance carrier) is designed to aid you in training your drivers in proper conduct at the scene of an accident and provide a record of information at the scene.

This packet should contain:

- ◆ Driver's Report of Motor Vehicle Accident
- ◆ Witness Information Cards
- ◆ List of Insurance Claims Offices
- ◆ Traffic Accident Exchange Information Forms

Assuming the driver is capable, the next steps are as follows:

- ◆ When conditions and/or regulations permit, pull onto shoulder or side of the roadway to prevent further damage/hazards. Do not leave the vehicle unattended except in extreme emergency.
- ◆ Actuate four-way warning signals.
- ◆ Ask someone to summon medical assistance if anyone is injured and the police.
- ◆ If driver cannot go to a nearby phone, he/she should write a note giving the location and seriousness of the accident and give it to a reliable-appearing motorist and ask him/her to notify the police.
- ◆ Assist any injured person, but don't move them unless they are in danger of further injury and DO NOT administer first aid, unless you are qualified.
- ◆ Keep calm, be courteous, and don't argue. Make no statement concerning the accident to anyone, except a police officer. Get the officer's name and badge number. **Make No Settlement.**
- ◆ Complete the report, gathering all pertinent information at the scene of the accident.
- ◆ Obtain the names and addresses of witnesses and ask that they complete the witness information cards.
- ◆ Obtain all the names and addresses of all persons injured regardless of how minor the injury. Try to find out where injured parties are treated.

- ◆ If an employee - report as soon as possible to your supervisor.
- ◆ Before leaving the accident scene check to see that you have all the facts.

Thoroughness in performing this task will be of great help in assessing the accident afterwards. Drivers should remember the following general rules for filling in the report:

- ◆ Print or write legibly
- ◆ Follow instructions
- ◆ Answer all questions completely. If unable to answer any questions, mark “not known”
- ◆ Use additional sheets of paper if space is lacking for necessary information

Once the driver/employee has obtained the basic information on the preliminary accident report the driver/employee should report the accident as soon after the accident as possible to the supervisor.

◆ **Management’s Responsibility**

When the driver calls his/her supervisor to report the accident, the process is expedited if a checklist (see sample following) for recording accident data is available for the supervisor receiving the information. This will aid in collecting all vital facts so that it can be determined if someone should be immediately dispatched to the accident scene. If there are any fatalities, multiple serious injuries or extensive property damage, it is normally considered desirable to send someone to the accident scene immediately to initiate the investigation. It is a forgone conclusion that if the driver is injured or killed someone should be dispatched to the accident scene to represent the driver.

All accidents should be investigated to some extent. Management needs to know exactly what happened and why it happened in order to determine what might be done to prevent a similar occurrence in the future. Key personnel should be trained in basic accident investigation and the investigation should be started as soon as possible, while people’s memories are fresh and/or evidence is still available. The investigator should determine how the accident occurred, what physical evidence might be available, and why any factors contributed to the accident. The investigator should be able to reconstruct the events leading to the accident and record those facts for the future reference.

◆ **Accident Records**

A Company representative should complete a formal report to be sent to the motor carrier’s insurance company as soon as possible, as well as any State or Federal government reports that may be required. A permanent file should contain all the pertinent information concerning the accident including the preliminary accident report from the driver, copies of accident reports submitted to various agencies, accident investigation data, police records and any other information, which might be useful in evaluating the accident.

All vehicle accidents should be recorded, in chronological order, in an “accident register” to provide the motor carrier with an overall summary. Analyzing the accident register may indicate

problem areas or trends that would not otherwise be obvious by reviewing accident reports separately. The accident register should include at least the following information:

- ◆ Date of Accident
- ◆ Name of Driver
- ◆ Vehicle Identification Number(s)
- ◆ Location of Accident
- ◆ Brief Description of Accident
- ◆ Fatalities
- ◆ Injuries
- ◆ Property Damage

◆ Accident Analysis

Proper accident analysis involves the gathering of facts, arranging them in a usable format, and analyzing what transpired. A properly developed accident reporting and recording system will allow management to not only determine “primary” causes of accidents but will also help identify “contributing” causes which might be overlooked otherwise.

The investigation of each accident should seek not only the specific act which was involved but should go further into the conditions responsible so that your control program can be set up to correct these conditions. This means checking the driver’s record for similar occurrences, length of service, indications of poor attitude or lack of skill. It means questioning whether a proper job of selection was done and whether training was adequate. Does it appear that the driver has been properly supervised and was there previous indications that should have warned of this impending accident? Were there any equipment deficiencies involved? Could the scheduling or routing be improved and is there any indication of improper maintenance?

Such an investigation helps to show the basic conditions responsible and point out the area in which either specific or general corrective action should be taken. The information derived from the accident analysis should be used constructively to educate the employees or change procedures in an effort to prevent future occurrences.

The establishment of a procedure to review accidents and learn their causes and corrections is very important if future accidents are to be prevented. Organizing an accident review committee to perform the accident review function is one way to accomplish this by analyzing each accident to decide whether it was preventable. In making this review, the committee should have a copy of the completed driver’s accident report available.

The committee should decide whether the accident was preventable or non-preventable based on stated operations policy and recognized defensive driving rules. The National Safety Council generally defines a preventable accident as: **“any occurrence involving a motor vehicle which results in personal injury and/or property damage, regardless of who was injured, what property was damaged, to what extent or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent the occurrence.”**

Management should determine the makeup of an accident review committee. Whatever the size of your fleet, however, the majority (if not all) members of the committee should be licensed drivers. Members can include persons representing management, the fleet safety program coordinator, vehicle maintenance (a mechanic, if one is employed), and regular drivers. Drivers should be rotated in and out of the committee periodically to give all of the drivers an opportunity to participate.

All accidents must be reviewed on a non-personal basis. By following the method of secret balloting to cast votes on the preventability or non-preventability of accidents reviewed, each committee member will have the opportunity to vote as an individual.

The important factors to include in this process are that the committee meet regularly (usually monthly or quarterly), that all accidents are reviewed fairly and impartially and that the prime objective is learning how accidents can be prevented in the future.

Management must reach the person behind the wheel if accidents are to be avoided. The supervisor is the key person in coordinating the accident review committee's findings concerning accident preventability with the affected driver.

If the accident is found to be "non-preventable", the driver should be so advised by the supervisor.

If the accident is found to be "preventable", the supervisor should sit down with the driver and explain why it was so judged (based on the accident review committee's explanation) and what measures can be taken to prevent recurrence of the accident. The supervisor should resist using statements like "you need to be a careful driver" The driver probably already knows this! It is more important for the supervisor to point out specific details concerning future accident prevention measures for the affected driver. Of course for the supervisor to do an adequate job here he or she must be familiar with all facts about the accident and the factors involved in the accident review committee's decision.

To succeed in convincing the driver that the accident could have been avoided, the supervisor must deal with the driver in a sincere manner that shows an interest in helping the driver avoid future accidents. The successful supervisor will obtain the driver's confidence by explaining the purpose of the accident review, encouraging the driver to talk and maintaining an atmosphere of cooperation and mutual assistance. After all, aren't these all part of effective supervisory techniques?

It is recommended that a structured procedure be established to make certain that supervisors do contact the driver immediately after the accident review committee has reached a decision on the driver's accident. The prime objective should be to avoid establishing an attitude of bitterness in the driver's mind regarding the accident review committee's decision.

The driver should have the right to appeal, in writing, if there is disagreement with the committee's decision.

ACCIDENT DATA CHECKLIST

Date of Accident: _____ Time: _____

Location of Accident: _____

Drivers Name: _____

Address: _____ Home Phone #: _____

_____ Work Phone #: _____

Date of Birth: _____ License Number: _____

Vehicle: Year: Make: Model: _____

Vehicle ID #: _____ Plate #: _____

Damage: _____

Owner of Other Vehicle: _____

Address: _____ Home #: _____

_____ Work #: _____

Driver of Other Vehicle: _____

Address: _____ Home #: _____

_____ Work #: _____

Vehicle: Year: Make: Model: _____

Plate #: _____ Damage: _____

Insurance Company: _____

Policy #: _____

Description of Accident: _____

Police Department: _____

Injuries: _____

Supervisor Name: _____ Date: _____

F. Maintenance of Driver and Accident Records

The maintenance of accurate driver and accident records is necessary to gain full value from the fleet safety program. These records will assist in the evaluation of the success of the program. They will help supervisors and accident review committees in determining specific problem areas and in taking appropriate corrective action. They can also be used to show which drivers exhibit consistently poor driving records.

Accident records should, at a minimum, include the following:

- ◆ Minutes of each accident review committee meeting, along with a copy of each accident report reviewed and the committee's decision on each accident.
- ◆ Driver's accident and violation record form or card.

We recommend that this information be kept totally separated from other personnel records or files to preserve the privacy of that information from unauthorized access.

G. Regular Vehicle Inspection and Maintenance

A Vehicle inspection and preventative maintenance program should be established to assure that all vehicles are maintained at a high degree of mechanical fitness and safety at all times.

The benefits of a vehicle inspection and maintenance program include:

- ◆ **Reduced Maintenance Costs** - Minor adjustments and repairs made during regularly scheduled service checks help prevent unnecessary and costly repairs.
- ◆ **Decrease in Downtime** - Preventive maintenance reduces interruptions to product flow caused by breakdowns.
- ◆ **Accident Reduction** - Proper vehicle maintenance can reduce accidents caused by faulty brakes, tires, steering and other major components.
- ◆ **Improved Driver Morale** - When vehicles are kept in top condition, drivers are more likely to handle the equipment with care.
- ◆ **Customer Relations** - Clean, well-maintained vehicles enhance the company image as a safety minded entity.

◆ **EQUIPMENT SPECIFICATIONS**

The maintenance program should call for as much standardization as possible. Vehicle standardization can be by manufacturer and model type or by component within the vehicle. Advantages to standardization include reduced parts inventory, enhanced ability of mechanics to make repairs more efficiently and dependably due to their familiarity with the various components, reduction of inadvertent abuse of vehicles by drivers and, if the fleet has many similar units, better appraisal of the suitability of equipment for the task.

While standardization has definite benefits, it also has some drawbacks which must be recognized if management is to derive the maximum benefit when selecting equipment. If management restricts all buying to one supplier, they may not have the necessary leverage to obtain the most competitive price. This is one main reason that those who do standardize sometimes do so with two or three different suppliers.

◆ **MOTOR VEHICLE MAINTENANCE**

- ◆ **Preventive Maintenance** - For a vehicle to give most economical service possible it is essential that a fleet have a realistic preventive maintenance system. The groundwork for a good preventive maintenance system usually starts with the manufacturer's recommendations concerning necessary maintenance and time or mileage at which it should be performed. This is then modified by the actual experience of the fleet. Careful consideration must be given to the maintenance, which must be performed in order not to void the manufacturer's warranty. Preventive maintenance allows a firm schedule for its repair work so that it is not faced with large fluctuations in workflow. Uniform workflow has the obvious advantage of stabilizing the work force needed. Preventive maintenance differs from demand or crisis maintenance in that it attempts to anticipate problems and plan for their correction before they become serious. Normally,

preventive maintenance is performed on a mileage or a time basis. Typical jobs which are normally performed on a routine basis are oil and filter changes, lubrication, tightening of components, engine tune-ups, brake jobs, tire rotation, replacement of specific engine hoses, radiator maintenance, etc. The preventive maintenance interval will vary from one fleet to another depending on the initial vehicle specifications, type of operation the vehicle is used in (as well as terrain covered) and management's appreciation and knowledge of operational costs. A well-defined, consistently applied preventive maintenance program will result in the lowest total maintenance cost.

- ◆ **Demand Maintenance**

When maintenance is performed only when the need arises it is often referred to as demand maintenance. Some vehicle parts are only replaced on a "when failed" basis (i.e., light bulbs, springs, window glass, wiper blades, air lines, wiring, gauges, seat cushions, etc.). Other parts will be replaced or repaired when they are worn and this wear is detected by periodic inspections (i.e., tire, engine, transmission and rear-end rebuilds; universal joints; bushings, batteries, fatigued, corroded or deteriorated structural members; etc.).

- ◆ **Crisis Maintenance**

If preventive maintenance or demand maintenance is ignored or postponed, the inevitable result will be crisis maintenance when a vehicle has a breakdown on the road. Mechanics will have to be sent out to repair the vehicle or possibly another unit will have to be dispatched to replace the one having problems. In extreme cases the mechanical failure could cause, either directly or indirectly, an accident. Often times the failure of an item, which should have been detected and replaced, will result in damaging other component parts.

Crisis maintenance is much more expensive than preventive or demand maintenance due to the cost of driver's downtime, phone calls, supervisory time required to organize necessary repair procedures, mechanic's time traveling to and from the breakdown, (or cost of having an outside garage make repairs), inefficiency of a mechanic working on the road versus working at a garage and cost of any additional parts damaged. Additionally a carrier's reputation can be damaged by customer dissatisfaction if a delivery schedule is missed.

- ◆ **Driver Responsibility for Maintenance**

Management must require driver inspections to report vehicle safety defects. Prior departure and en route checks should be mandatory. A Vehicle Inspections Report should be completed quarterly.

- ◆ **RECORD KEEPING**

Up-to-date records are an essential part of a complete vehicle maintenance program. Record keeping forms should serve one of three purposes; showing vehicle's maintenance needs, indicating a schedule of work to be done, and recording completed maintenance and costs. The usual types of records, which cover these requirements, include:

- ◆ Driver's vehicle condition report
- ◆ Service and inspection report
- ◆ Vehicle history folder - Provides a complete history of the costs of maintenance, parts, and labor associated with the vehicle.

◆ INSPECTION RECORDS

Critical item inspection guide for trucks, automobiles, van and pick-ups. What is a critical item inspection? What will it accomplish? Could you use it to your advantage? The critical item inspection program is a unique process developed that focuses inspection efforts on vehicle equipment and driver requirements most often identified as causing or contributing to passenger care accidents.

The adoption of a critical item checklist is a significant change from an inspection process, which consists of a very detailed inspection of all vehicle equipment. This guide has been published to assist companies who use personal cars (including van and pickup trucks) in business operations. We believe that the critical inspection checklist is a useful tool in supplementing existing preventive maintenance programs.

◆ CRITICAL ITEMS

- ◆ **Brakes** - Parking brake and transmission (park) mechanism - park on a fairly steep hill and hold the car with the parking brake only. This checks holding ability. For automatic transmissions, check (park) by releasing all brakes after moving the shift level to "P". If brakes repeat to pull to one side when braking, if you hear strange sounds or increased brake pedal travel indicates a brake problem. Have the system inspected at once and repair if needed.
- ◆ **Steering and Suspension** - **Steering** - Be alert for any changes in steering action. Inspection or service is needed when the steering wheel is hard to turn or has too much free play, or when strange sounds occur during turning or parking. **Suspension System** - Uneven or abnormal tire wear, or a pull right or left on a straight and level roadway may show the need for a wheel alignment. A vibration of the steering wheel or seat at normal highway speeds may mean that wheel balancing is needed.
- ◆ **Tires and Wheels** - Tires mounted on passenger automobiles, pickup trucks and light duty vans must have at least 2/32 inch (1.6mm) tread depth at all points in all major grooves. Tires must not be used which have unrepaired fabric brakes, exposed or damaged cord, bumps, bulges, or cuts that measure more than one inch (25mm) in length.

- ◆ **Lights** - Check license plate lights, side marker lights, head lights, parking lights, tail lights, brake lights, turn signals, backup lights and hazard warning flashers. Have head light aim adjusted promptly if the beam is improperly aimed.
- ◆ **Windshield and Windows** - Replace or repair broken, scratched or damaged glass that reduces vision or could cause injury.
- ◆ **Windshield Wipers** - Check operation and condition of the wiper blades and the flow and aim of the washer spray.
- ◆ **Horn** - Sound the horn now and then to make sure it works. Check all button locations.

◆ **DRIVER VEHICLE INSPECTION REPORT**

Each vehicle must receive an inspection by the users of the vehicle or assigned driver. The frequency of this inspection will depend upon the use of the vehicle. For example, a business with a territory involving hilly and mountainous terrain should inspect the vehicle's brakes more frequently than a company located in a central plains state.

When defects are noted or when problems develop during vehicle operation, a documented system of repair is necessary. The system should provide the driver with a means to notify management that the defect or problem exists and requires attention. The system should also provide a means of dating repair documentation, corresponding to the specific vehicle inspection report.

◆ **MAINTENANCE RECORDS**

Every preventative maintenance program is supported by thorough, up-to-date record keeping. To be useful maintenance records should be kept current, and should be reviewed on a periodic basis.

Every vehicle should have a record of all preventive maintenance and repair work, which has been performed. Such a record will allow management to develop needed cost data and review the past performance of a specific vehicle or group of vehicles. It allows management to analyze the maintenance, which has been performed on a vehicle to determine if additional work is necessary or can be expected. It also gives clues to problems, which have been overlooked in routine maintenance.

◆ **MANAGEMENT REVIEW**

Management should review the vehicle inspection and maintenance records annually. There are no specific forms or formats, which are required. However, management should establish that

the preceding elements are in place and are covering essential functions of inspection, maintenance and repair.

The following exhibits can be used to record vehicle inspections. Vehicle inspections should be recorded and completed at least daily, weekly or monthly depending on operational use or law.

- ◆ If Department of Transportation (DOT) regulated, a truck preventative maintenance checklist must be done daily.
- ◆ If not D.O.T. regulated, a preventative maintenance inspection with checklist should be completed monthly.
- ◆ A critical item inspection with checklist should be completed monthly or at least quarterly on passenger car, vans and pickup trucks.

The following pages are samples of various checklists. The sample checklists can be used as guidelines to help you prepare your own checklist.

INSPECTION RECORDS

PREVENTIVE MAINTENANCE: CRITICAL ITEM INSPECTION

Passenger Car, Vans & Pickup Trucks

Date _____ Time _____ Location _____

Inspection By _____ I.D. Number _____

Vehicle License _____ Vehicle Number _____

Critical Items _____ OK _____ Needs Attention _____

1. Brakes _____
Parking Brake _____
Pull/Strange Sounds _____
Brake Pedal Travel _____

2. Steering Suspension _____
Change in Steering Action _____
Vibration _____

3. Tires _____
Wear/Defect _____
Groove Depth 2/32" minimum _____

4. Wheels: Cracks Loose Nuts _____

5. Lights _____

6. Windshield and Windows _____

7. Mirror _____

8. Horn _____

Comments: _____

INSPECTION RECORDS

PREVENTIVE MAINTENANCE: AUTO/PICKUP/VAN INSPECTION REPORT

Location _____ Date _____

Make _____ Year _____ No. _____

Model _____ Mileage _____

Check Each Item	OK	Needs Attn.		OK	Needs Attn.
Instruments/Gauges	_____	_____	Steering	_____	_____
Radiator & Hoses	_____	_____	Brake System	_____	_____
Windshield	_____	_____	Battery	_____	_____
Rear/Side View Mirrors	_____	_____	Horn	_____	_____
Exhaust System	_____	_____	Windows	_____	_____
Wipers & Washers	_____	_____	Suspension	_____	_____
Speedometer	_____	_____	Fuel System	_____	_____
Oil/Water Leaks	_____	_____	Seat Belts	_____	_____
Seats/Upholstery	_____	_____	Oil Level	_____	_____
Heater/Defroster	_____	_____	Water Level	_____	_____
Transmission	_____	_____	Headlights	_____	_____
Engine Performance	_____	_____	Turn Signals	_____	_____
Brake Lights	_____	_____	Tail Lights	_____	_____
Reflectors	_____	_____	Safety Equip.	_____	_____
*Tires & Rims	_____	_____			

Vehicle Accident Report Packet in Glove Compartment? Yes _____ No _____
 General Condition of Body: Good _____ Fair _____ Poor _____

*Use tire gauge & report 32nd of inch remaining in each position (sides & Center). Check appropriate box to indicate if black wall (bw) or white wall (ww). If no snow tires in driver's possession, include "none". If driver has snow tires, they must be gauged.

Tires LF bw RF _____ LR _____ RR _____
 Snow Tires LF _____ RF _____ LR _____ RR _____ None _____
 (where Applicable)
 Spare _____

Signed By: _____ (Driver) _____ Date: _____

Garage Reports:

Signed By: _____ (Foreman or Mechanic) _____ Date: _____

H. Methods to Keep the Fleet Safety "In Front" of Drivers Through Educational Materials, Promotional Ideas and Regular Driver Safety Meetings.

There are a variety of educational materials and ideas available on fleet safety designed to help in the promotion of a fleet safety program. Often, these are low cost, or no cost, items. The important part is to do whatever it takes to keep fleet safety in front of drivers at all times. Continual safety awareness by drivers is the hallmark of an effective fleet safety program.

Some examples of materials you may want to seek out for your fleet safety program include:

- ◇ Regular exhibits of fleet safety related signs and posters on a central employee bulletin board.
- ◇ Positive fleet safety messages included as payroll check stuffers.
- ◇ “Safe driver” booklets and pamphlets for regular distribution to individual drivers.
- ◇ Regular driver safety meetings conducted by management.
- ◇ Driving safety videos.

A few words about driver safety meetings.....driver safety meetings that include all drivers can be excellent method for helping to maintain driver interest in the fleet safety program. However, these meetings should include an opportunity for driver participation. Meetings should always be based on a definite theme that will be of interest to the drivers and will tie in with the benefits of maintaining a good driving record.

Another area that can be of great benefit at generally low cost is a safety bulletin board. This board should be located so that it will be seen by all drivers daily and should be reserved for safety materials, safety posters and other safety messages specifically affecting the fleet safety program.

I. Positive Reinforcement of Safe Driving Practices

A system of awards and incentives can be an important part of a fleet safety program. Such awards serve as personal recognition of driving ability and can be valuable in maintaining interest in the program. Some drivers will perform expertly for wages alone or the self-satisfaction on accomplishing the task, while others will require additional forms of stimulation. One motivation technique, which has withstood the test of time in the motor carrier industry, is the incentive program. Incentive programs can be used for accident free driving, fuel-efficient driving, or whatever else is suitable for a particular operation.

These programs can provide many different types of awards (pins, patches, belt buckles, certificates, etc.) and may provide a substantial return on investment if they are administered properly and stimulate the driver's interest. Some management wish to go further and provide supplemental cash or merchandise awards for particularly meritorious examples of safe driving. This of course is management's prerogative and is usually an added incentive for safe driving.

Care should be exercised to coordinate programs of awards and incentives to make sure they are conducted fairly and without excluding any drivers who qualify. Award incentive programs conducted in a haphazard manner can do more harm than good. It is also important to remember that once a safety award and incentive program is started, planning should be in place to keep the program going indefinitely.

The goal of any incentive program can only be reached if there are established rules and procedures to assure that the drivers and supervisors alike understand the program and its operation, and complete and accurate records are maintained. Awards should be made promptly by top management, and before fellow employees. Publicity should be arranged (company bulletins, local newspapers, etc.) whenever possible.

Don't forget to include evaluation of safe driving results in the performance reviews for all drivers and their supervisors and managers who are responsible for the effectiveness of the fleet safety program.

J. Regular Management Review and Evaluation of the Fleet Safety Program

As with any aspect of your operation, fleet safety programs need to be regularly (generally annually) evaluated to make sure they are on track and getting results. This then allows modifications to be made to the program to keep it operating at top efficiency and as cost-effective as possible.

This type of review can usually be done annually and should involve the top management person who is ultimately accountable for the success of the program.

Proper consideration in the selection, training and supervision of drivers and the selection, scheduling, routing and maintenance of equipment should result in a smooth, well-knit operation and achievement of management's goals.

A breakdown in any of these areas will produce undesirable results in terms of accidents, injuries, property damage, damaged equipment and cargo, poor morale, customer complaints and high operating costs.

A Careful examination of your operating and accident records should identify some possible shortcomings of your present operations. To help you systematically evaluate the major areas of concern we have developed a checklist highlighting those items. During the evaluation note the different conditions, which you feel, may be responsible for present operating problems or could lead to future problems. This should provide you with some indication of what actions might solve the most problems and allow you to establish priorities for corrective action. Discuss your findings with other supervisors whenever possible to get their input and to foster a team effort to implement improvements.

Remember that certain actions that you take may work to improve several problems. For example, improvement in the preventative maintenance program can help reduce maintenance costs, prolong the life of the vehicle and equipment, eliminate road failures, reduce accidents due to mechanical failure, and improve driver attitude regarding equipment condition. Establishment of more effective driver training methods can improve skill and emphasize approved procedures, which tend to eliminate mistakes, mis-deliveries, cargo damage and customer complaints. The practice of defensive driving principles will reduce accidents, damage to equipment and cargo, and excessive operating costs.

The following questions should be exemplary of the type of approach you should take when reviewing operating procedures. Keep records of what problems you feel exist to enable you to justify corrective action and identify new trends as they develop.

◆ Driver Selection

1. Do you have a definite program for driver selection?
2. Is it as good as it should be and is it adhered to, or is it mostly on paper and frequently forgotten when you are busy or short of drivers?

◆ **Driver Training**

1. Do you have a definite training program or is it on a “hit or miss” basis?
2. Do you check the driver’s past record carefully to determine if reported experience and knowledge are factual?
3. Does your program provide for retraining as necessary when unsatisfactory performance or accidents are identified?

◆ **Driver Supervision**

1. Are your supervisory responsibilities adequately handled, or is there overlapping and occasional friction?
2. Are there areas where no one is clearly responsible?
3. Can your relations with your drivers be improved?

◆ **Equipment**

1. Is the vehicle/equipment adequately designed for the job it is expected to do?
2. Is the physical condition of your vehicle/equipment good or is it below average?
3. Do you have a well-defined and adequate preventive maintenance program and is it being followed?
4. Is your spare parts inventory adequate, thus avoiding delays and idle equipment, or is it excessive, thus tying up unnecessary amount of capital?
Could increased standardization of equipment reduce inventory?
5. Do you have a definite equipment replacement program?

◆ **Routing and Scheduling**

1. Can you improve on these procedures for greater efficiency of operation and greater safety?

◆ **Damage to Equipment and Cargo**

1. Where, when and why is damage to equipment occurring, either as a result of accidents or other causes?
2. Where, when and why is damage to cargo, other than caused by highway accidents, taking place?

◆ **Operating Costs**

1. Have you analyzed your operating costs to the degree that you can determine the operating costs for a particular unit?
2. How do your operating costs per unit compare with your fleet average?
3. How do your operating costs per unit compare with other similar fleets?
4. If this figure is high what is the cause?

♦ **Customer Complaints**

1. Do you keep a record of all customer complaints?

Corrective action should be specific. Each action you contemplate should be thoroughly reviewed to verify that there is agreement that the action should be effective, when it will be taken, who will be involved in implementing it and how it should be implemented. Make sure that everyone is following the actions agreed upon and keep in touch with those involved to ascertain if they are having any difficulty or have any criticism of the plans put into effect.

Check to see if the program is accomplishing what it was intended to do. If not, verify that all involved are properly implementing the recommendations and that the sufficient time has elapsed to verify the results. Emphasize that the program will never be “perfect” in your contacts with other supervisors. Point out that you are constantly seeking improvements and that necessary revisions must be made as the need for them arises. Periodic re-evaluation is the only way to verify that operating procedures are maintained at peak performance levels.

MOTOR VEHICLE FLEET EVALUATION

AREA OF CONCERN	HAVE	NEED	COMMENTS
-----------------	------	------	----------

Written Safety Policy			
Driver Qualification			
Job Analysis			
Recruiting System			
Driver Qualification Files			
Employment Application			
Interview			
Reference Check			
Add'l Background Information			
Road Test			
Written Test			
Motor Vehicle Record - Initial			
Motor Vehicle Record - Ongoing			
Physical Qualifications - Initial			
Physical Qualifications - Ongoing			
Driver Training			
Initial Training Program			
Company Rules and Policies			
Work Standards			
Equipment Familiarization			
Vehicle Inspection			
Pre-Trip/Post-Trip Inspections			
Routes and Schedules			
Emergency Procedures			
Accident Reporting			
Defensive Driving Techniques			
Regulations			
Cargo Handling			
Ongoing Training Program			
Driver Supervision			
Vehicle Location Checks			
Trip Recorder Checks			
Road Observation System			
Logs Checked			
Incentive Program			
AREA OF CONCERN			
	HAVE	NEED	COMMENTS
Maintenance			

Vehicle Specification System			
Preventive Maintenance Program			
Demand Maintenance System			
Crisis Maintenance			
Vehicle Inspection Report			
Maintenance Record System			
Routing and Scheduling			
Routing Planned			
Scheduling of Equipment			
Scheduling of Drivers			
Accident Reporting, Recording & Analysis			
Accident Information Packet			
Telephone Reporting System			
Accident Report			
Accident Register			
Accident Review for Preventability			
Accident Analysis			
Accident Follow-up			

III. Guidelines for Determining the Preventability of Motor Vehicle Accidents

The ultimate goal of any safety and loss control program is an accident and loss-free environment. With the multitude of hazards that exist, however, reality tells us that accidents are going to happen. The important thing is that we learn from those accidents that do happen and do everything we can to prevent them from happening again.

In a well-structured vehicle fleet safety program, the establishment of a procedure to review accidents and learn their causes and corrections is very important if future accidents are to be prevented. Organizing an accident review committee to perform the accident review function is one way to accomplish this by analyzing each accident to decide whether it was preventable. At the very least, a determination concerning accident preventability should be made by someone from management with experience and training in accident review. In making this review, a copy of the completed driver's accident report should be available.

A decision should be made whether the accident was preventable or non-preventable based on stated operations policy and recognized defensive driving rules. The National Safety Council generally defines a preventable accident as: any occurrence involving a motor vehicle which results in personal injury and/or property damage, regardless of who was injured, what property was damaged, to what extent or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent the occurrence”

The NSC publishes Guidelines for Determining Motor Vehicle Accident Preventability, which can be valuable resource in this process. The publication provides a detailed discussion. It is recognized nationwide. Contact the NSC, or your local safety council affiliate for the information on how to obtain a copy of this publication.

◆ A STANDARD OF PERFORMANCE

Anyone who operates a motor vehicle in conjunction with their job, or volunteer activities, should consider himself/herself a professional driver. The designation is not reserved for over-the-road truckers. The term “professional driver” is designated to convey more than just average performance. It is based on the concept of defensive driving -- the ability to avoid accidents in spite of the wrong actions of the other driver and in spite of adverse driving conditions.

Accidents involve so many different factors that it is impossible to set hard and fast rules to classify them as preventable or un-preventable. Ultimately, management (perhaps through the use of an accident review or safety committee) has to make this determination. In making these decisions, management will need to answer the question, “What standard of safe driving performance do we expect of our drivers?” If an operation is easygoing in this standard, it condones an average standard of safe driving performance.

Drivers will respect a strict interpretation of safe driving rules so long as management takes the time and effort to insure this interpretation is made consistently and impartially.

These guidelines list a variety of situations in which accidents frequently occur. They are derived from the NSC publication noted earlier. These guidelines discuss some factors identified with preventable accidents. They suggest how an organization should evaluate accidents involving similar factors. The guidelines, however, do not cover every type of accident situation.

♦ **Accidents at Intersections**

A professional driver has the responsibility to approach, enter and cross intersections prepared to avoid accidents that might occur because of the actions of other drivers. Such actions include excess speeding, crossing a lane in turning, and coming from behind a blind spot. Complex traffic movement and failure of the other driver to conform to law or traffic control devices do not automatically discharge and accident. In fact most accidents at intersections are preventable even though the professional driver has violated traffic regulations. The professional's failure to take precautionary measures prior to entering the intersection is a factor in making a preventable decision. Even though the actions of the other driver indicate possible accident involvement, the decision based on such entrapment should be preventable.

♦ **Accidents While Backing**

Almost all accidents that occur while a vehicle is backing are preventable. A professional driver is not relieved of responsibility to back safely when another person acts as a guide in the maneuver. A guide can not control the movement of the vehicle. Therefore, the driver must continue to check all clearances.

♦ **Front-End Collisions**

Regardless of the abrupt or unexpected stop of the vehicle ahead, a professional driver can prevent front-end collisions by maintaining a safe following distance at all times. Factors such as vehicle size and stopping capability, weather and road conditions must factor into determining proper following distance. Also included is being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or curve of a roadway. Over-driving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

♦ **Rear-end Collisions**

Accident investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in their own following distance. Rear-end collisions preceded by a role-back, an abrupt stop at a grade crossing, when a traffic signal changes, or when a driver fails to signal a turn at an intersection, should be judged preventable. Failure to signal intentions properly or failure to slow down gradually should be considered preventable.

- ◆ **Accidents While Passing**

Failure to pass safely indicates faulty judgment and the possible failure to consider one or more of important factors a driver must observe before attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing accident; however, the entire passing maneuver is voluntary and it's the passing driver's responsibility.

- ◆ **Accidents While Being Passed**

Sideswipes and cut offs are preventable when the professional driver fails to yield to the passing vehicle by slowing down. If the professional fails to move to the right when possible, the accident also is preventable.

- ◆ **Accidents Involving Lane Encroachment**

Professional drivers sometimes feel they have been a victim of entrapment when an accident occurs as another driver changes lanes. However, a defensive driver is rarely a victim of entrapment. Usually, in accidents involving lane encroachment, the professional has failed to yield to the other driver. Similarly, entrapment in merging traffic is an indication of unwillingness to yield to other vehicles or to wait for a break in traffic. Drivers must avoid "squeeze plays" causing accidents with parked cars, pillars, and other road structures. The driver can prevent such accidents by dropping back when another driver forces the issue or contests a common portion of the road. A blind spot is never a valid excuse for lane encroachment accidents. Drivers must make extra allowances to protect themselves in areas of limited sight distances.

- ◆ **Accidents Occurring at Grade Crossings**

Drivers are always responsible for preventing collisions with fixed-rail vehicles such as trains and passenger rail transit system units. Trains and passenger rail transit system units always have the right-of-way, because they run on fixed tracks, cannot dodge or maneuver, and need greater braking distance than rubber-tire vehicles.

- ◆ **Accidents Involving Opposing Vehicles**

It is extremely important in this case for the accident review committee, safety committee or person determining preventability to examine all the facts surrounding the accident. This is especially true when a driver is involved in an accident with a vehicle approaching from the opposite direction. Such collisions may be head-on or sideswipe. Regardless of type, the accident investigator should verify the exact location of vehicles prior to and at the point of impact. Even though an opposing vehicle enters the driver's traffic lane, it may be possible for the driver to avoid the collision. In some cases, the accident is preventable when the opposing vehicle is in a passing maneuver, and the driver fails to slow down, stop or move to the right to allow the vehicle to re-enter its own lane. Failure to signal the opposing driver by flashing the headlights, or sounding the horn, should also be taken into consideration.

- ◆ **Accidents While Turning**

Turning movement – like passing maneuvers – require exacting care on the part of the driver. The driver making the turn is responsible for preventing “squeeze plays” at both left and right hand turns. The driver may be responsible regardless of whether the accident involved other vehicles, motorcycles, mopeds, bicycles or pedestrians. A U-turn that results in a collision is a preventable accident. Failure to properly position the vehicle for the turn is a sign of error. So is failure to check the rear and side view mirrors and to check pedestrian and traffic lanes. Drivers sometimes feel that accidents caused by sudden turns by others are non-preventable. However, extra precaution must be taken on information received from the driver of the other vehicle immediately preceding the incident or accident. At the first sign of a sudden turn, the professional driver should take immediate defensive action. Failure to take all appropriate and reasonable defensive action indicates preventability.

- ◆ **Accidents Involving Passengers**

Passenger accidents are preventable when they are caused by the careless operation of the vehicle. It does not matter what type of vehicle is involved, nor whether another vehicle was involved. Accidents involving passengers are preventable when the driver stops, turns or accelerates abruptly. The accident may also be preventable, even though the driver took emergency action to avoid a collision. Proper driving prior to the emergency might have eliminated the need for the evasive maneuver. Failure of the driver to enforce the wearing of seat belts and other restraining devices in the vehicle is a prime indicator of preventability of accidents causing injuries to passengers.

- ◆ **Accidents Involving Pedestrians**

Most court decisions will rule in favor of any pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not relieve a driver from taking precautions to prevent such accidents. The professional driver must slow down in any area where accidents are likely to involve pedestrians. The driver must adjust speed whether or not signs indicate lower speed limits or show other warnings. This means slowing in school zones, shopping areas, residential streets, and other areas with special pedestrian traffic. The professional must take precautions in areas where people are using bicycles, tricycles, motor scooters, skateboards, in-line skates and or roller skates. The driver who fails to reduce speed when this type of equipment is operated within sight distance has failed to take the necessary precautions to prevent an accident. Keeping with posted speed limits is not taking the proper precaution when unusual conditions call for a voluntary reduction in speed.

- ◆ **Accidents in Adverse Weather Condition**

Adverse weather conditions are not an excuse for involvement in an accident. Rain, snow, fog, sleet, and icy pavement do not cause accidents, but add more hazards to driving, and the normal hazards worse. Accidents blamed on skidding or bad weather conditions are classed as preventable, because they can be prevented by reducing speed, installing skid chains, using sand, or stopping entirely.

- ◆ **Accidents at Alleys, Driveways, Plant Entrances, and Shopping Centers**

Accidents involving traffic originating from alleys, driveways, plant entrances, and other special intersecting locations should be carefully analyzed. The accident review process must determine what measures the driver should have taken to avoid the collision. Failure to slow down for instance can be considered cause to find an accident preventable. So can failure to sound a warning or yield to the other driver.

- ◆ **Accidents Involving Fixed Objects**

Collisions with fixed objects are preventable. Such accidents usually involve failure to check or properly judge clearances and driving conditions. Many hazards are not, in themselves, reasons for excusing a driver from preventing an accident. These hazards include resurfaced pavements, new routes, unusual delivery or destination points, inclined entrances to docks, and marquees projecting over the traveled portion of a road. There are dozens of others. The driver must constantly be on the lookout for such conditions and make the necessary defensive driving allowances.

- ◆ **Accidents While Parking**

Most accidents that occur while parking are preventable. There are some factors that indicate preventability: unconventional parking locations; illegal parking, such as double parking; and failure to put out warning devices. Usually, an accident review committee would classify as preventable accidents resulting from a rollaway parked position. When parking, the driver should properly block the wheels or turn the wheels toward the curb to prevent vehicle movement. Vehicles should never be left unattended with the engine running, unless they have been designed for that circumstance (e.g., certain types of trucks and truck tractors).

- ◆ **Accidents Due to Mechanical Failure**

Any accident caused by mechanical failure that reasonably could have been detected by the driver, but went unheeded is preventable. It is the driver's responsibility to report possible mechanical failure and obtain repairs before operating the vehicle. Sometimes, mechanical difficulties occur unexpectedly during a trip. Upon discovery it is the driver's responsibility to check with the organization for emergency driving instructions. Failure to do so makes an accident preventable. An accident caused by mechanical failure that results from abusive driving should be considered preventable.

- ◆ **Single Vehicle Accidents**

Single vehicle accidents such as jackknifing, overturning or running off the road should be reviewed carefully. Such accidents may result from emergency action taken by the driver to prevent a collision. However, they may also result from speeding or other factors not associated with defensive driving. The accident review committee should evaluate the driver's actions prior to involvement for possible errors or lack of defensive driving.

WHAT IS A DEFENSIVE DRIVER

“A **defensive driver** is one who commits no significant driving errors and makes allowances for the lack of skill or improper driving practice of other drivers. A **defensive driver** adjusts his or her own driving to compensate for unusual weather, road and traffic conditions and is not tricked into an accident by unsafe actions of pedestrians and other drivers. By being alert to accident producing situations, the **defensive driver** recognizes the need for preventive action in advance and takes the necessary precaution to prevent the accident. As a **defensive driver**, he or she knows when it is necessary to slow down, stop or yield the right of way to avoid involvement in an accident.”

IV. Defensive Driving Techniques

- ♦ **Check your vehicle** - Check your vehicle frequently, at least once a week to be sure that breaks, accelerator, belts, radiator, oil, battery, tires, headlights, and break lights are all in good working condition. If you notice anything abnormal in the way your car sounds or operates, bring it in for repair immediately.
- ♦ **Seat Belt Use** - Seat belts are designed to keep you in the vehicle upon impact. Contrary to what some might say, you will be safer in the vehicle than you would be should you be ejected. Seat belts reduce your chances by about 50% of being killed or maimed. Adults who are not belted in often crush children passengers to death. Drivers wearing seat belts have more control of their car when an accident does occur. 75% of automobile accidents occur within 25 miles from home.
- ♦ **Stay Alert** - The best defense you have against auto accidents is your own ability to remain alert and aware while driving. That's why alcohol, drugs, or other medications can be lethal when you drive. They affect your ability to concentrate and severely impair your reaction time, which can lead to injury, disability, and all too often, death not only of the driver, but of innocent victims as well. Be alert, be aware, and be safe. Defensive driving is everybody's business.
- ♦ **Follow Traffic Laws** - Traffic laws vary from state to state. Know your own state's laws, and if you are planning an out of state trip, familiarize yourself with the laws of the area. Many states allow right turns at red lights. You must come to a complete stop first, check for pedestrians and oncoming vehicles, and then, if the road is clear, you may turn.
- ♦ **Watch the Other Driver** - While you may be an excellent driver, there's no way of knowing if the other drivers on the road are as safe as you. Stay clear of and never try to pass vehicles that swerve in and out of traffic, break inconsistently, fail to signal, drive very slowly or very fast, or that do not respond to traffic signals quickly. Reduce your speed, if possible, or pull over and let the suspect vehicle get out of your way.
- ♦ **Cushion of Safety** - A cushion of safety is the area around your vehicle that you should try to keep free of other vehicles and pedestrians. The key areas of a cushion of safety are: your following distance behind the vehicle ahead; the distance between you and any vehicle behind; and the area to either side of your vehicle. The advantage of the cushion of safety is to give you time to scan well ahead, about ¼ mile, thereby giving you early warning signs of the traffic ahead of you. So if you need to change lanes, if there are pedestrians crossing, traffic lights changing or you are approaching an intersection you have time to react to the situation.
- ♦ **Blind Spot** - Your vehicle; Side view mirrors should be adjusted so that you can just see the sides of your vehicle. While driving, change your sight angle by leaning in your seat and turning your head quickly to either side, thereby reducing the blind spot. You should check your mirrors every 3 to 5 seconds. Technique to check if you are in a drivers blind spot;

when you can not see the other drivers rear view mirror through the rear view window, then you are in their blind spot.

- ◆ **Following Distance** - Assuming that the weather conditions are ideal and the speed limit is 30 mph, You should keep a 4-second following distance. Under 40 mph...4 seconds. 40 mph and over...5 seconds. Increase your following distance in adverse weather conditions. Safe following distance is greater than your total stopping distance. This will allow enough space to bring your vehicle to a stop before hitting another vehicle.
- ◆ **Stopping Distance** - Factors that determine your stopping distance are: **Perception Distance**; the distance traveled from the time you first see a hazard to the time you make a decision to brake. **Reaction Distance**; the distance traveled from the time you decide to brake until you actually begin braking. **Braking Distance**; the distance you traveled once you apply the brakes until you come to a stop. All factors equal the total stopping distance.
- ◆ **Cover the Brake** - Cover the brake when you see a hazard ahead of you. (i.e. traffic light changing, jaywalker, car door opening and, pedestrian on the curb etc.) This will enable you to stop quickly if you have to.
- ◆ **Backing** - Avoid backing up if possible. Scan area first, then open the window, again check for any warnings, proceed backing from the driver side and use a helper if one is available. Back-up alarms will not necessarily stop the driver from hitting anything, but it may alert others that the vehicle is backing up. This is particularly good for nearby pedestrians as well as other drivers in the parking lot looking for a space. Helping others identify your vehicle's actions is a useful defensive driving technique.
- ◆ **Step Technique (backing -up)** - Stop the vehicle a number of feet before the stopping point, get out and step off the number of feet from the vehicle to the stopping point, then step off the same distance from your window, use a rag to mark the spot. Get back into the vehicle and slowly back until the rag is almost across from your window. Then get out and check one more time.
- ◆ **Adverse Weather** - Put headlights on, you will be more visible to the other drivers. Headlights should be on from dusk till dawn, as with any kind of weather. Reduce your speed and proceed cautiously, slow before curves in the road. Keep sand, chains or slat in your car to improve traction. In dense fog or heavy rain, where visibility is bad, pull to the side of the road if possible, and wait until conditions improve. (keep your emergency flashers on so that oncoming drivers can see you.) When you start driving again, use your low beams and proceed with caution.
- ◆ **Hydroplane** - If you are hydroplaning take your foot off the gas. Although it is difficult to tell exactly when hydroplaning can occur due to variables such as road conditions, tread depth and water depth, it can occur at speeds as low as 30 mph. Conditions are right for hydroplaning anytime you can see reflections on the road.

- ◆ **Skids** - knowing how to recover from a skid is essential knowledge for any driver. Techniques for recovering from a skid are the same for front and rear-wheel drive vehicles. When your rear wheels start to skid, turn the steering wheel in the direction you want the front wheels to go. Do not hit the breaks. As you recover, you might start heading too far in the other direction; adjust your wheel accordingly. **Don't panic**, you may have to make a few gentle adjustments before you are straightened out completely. When your front wheels start to skid, take your foot off the gas and shift to neutral, do not try to steer immediately. As the wheels skid sideways, your vehicle will slow down and traction will return. At this point you should make adjustments and shift back to drive.
- ◆ **Breakdown While on the Road** - For your vehicle; pull to the side of the road and turn on your emergency (hazard) lights. Set out triangles if stationary for more than ten minutes. Call your dispatcher if you have one. For your passengers; keep them in the vehicle unless there is a fire or the chance of fire. If they must leave the vehicle, keep them together. Stay with your passengers at all times, unless an aide is available to stay with them while you seek help. Talk to them calmly and clearly. Explain what has happened and assure your passengers that everything will be fine.

11. Workers' Compensation

The following section refers specifically to the laws of the Commonwealth of Pennsylvania. Your State rules and regulations may differ. Please check with the appropriate authorities to verify your responsibilities.

The cost of workers' compensation coverage, which includes payment of both medical treatment and wage compensation to employees injured on the job, continues to rise. Some reasons for these rising costs are:

- increased medical treatment costs
- increased litigation over benefits paid
- increase in the types of injuries considered compensable, such as injuries resulting from repetitive motion, and psychological stress

Additional costs to the organization may include:

- Replacement of the injured worker
- Increased stress & decreased morale of the injured employee's coworkers
- Emotional stress to the injured employee

Return-To-Work Programs

For all the reasons of financial, staffing, and employee stresses, workers' compensation and disability management is everyone's concern. Because of this shared interest, there is an excellent opportunity to get all parties involved in supporting an effective return to work program.

A return to work program offers the best opportunity for positive results to both the employee and the employer. Effective management of injured employees should value the employee above all, promote loyalty among the workforce, and control operating costs.

Although prevention of an injury is always preferable, it is understood that even the most conscientious organizations may experience an accident sooner or later. Most injured employees return to work with no lost time. However, some employee injuries may be more severe, and delay an employee's ability to return to their job. The culture of your organization's work ethic, as well as your policies and procedures, will determine how quickly the individual is able to return to work. Efficient management can re-establish the productivity of an injured employee in a shorter period of time than an organization that does not encourage return to work.

Development of an effective return to work program does not require any secret formulas or costly procedures. However, significant planning, organizing, and support from the immediate supervisors is required to ensure the success of your program.

Steps for Successful Return to Work

1. Clearly communicate a philosophy which values employees and their resources

A formal written policy indicating the importance of employees is one of the first steps in creating an environment that conveys a caring attitude. A positive attitude from supervisors and other leaders within the organization is critical to the success of any return to work program. If your organization has a philosophy statement, review it. Determine if the message being conveyed reflects the value of the employees.

The Boeing Corporation conducted a study of two groups of employees with long-term lower back injury claims and their progress towards return to work. While one group returned to work quickly, the other group was off the job for six months or more.

There were no differences between the two groups on physical measures, such as back strength or flexibility. However, there were differences noted in attitude. The employees who exhibited negative work attitudes and emotional stress were delayed in returning to work or never returned. Employees, who exhibited a more positive attitude towards their work and the organization, returned to work within the six-month period.

Supervisors are a critical force in establishing the organizational culture and attitudes. An educational program, which assists supervisors and staff to set aside prejudices and biases regarding disability, will be an important step toward conveying the value of individual employees to the organization. Your return to work program must be applied consistently for all employees without exclusion or favoritism. The overall philosophy should be to treat employees fairly and in a caring manner, reinforcing their importance to the organization.

2. Gain senior management support and commitment

To be successful, it is imperative that senior management is shown how and why disability management is important. Not only does senior management need to buy in, all levels of the organization have to support the active return to work programs. Presenting dollar impact is one way to gain support for formal change. A simple calculation for lost workdays and lost productivity should provide data on the cost of injured workers to the organization.

The key elements, which need to be supported, are:

- Incentives assigned to immediate supervisors to bring injured employees back to work, creating accountability at the department level
- Place the responsibility for maintaining contact with the injured employee to demonstrate concern and interest with the immediate supervisor
- Reporting of dollars incurred illustrating the cost of injured employees, specifying lost time costs
- Establishing a preferred provider panel
- Communication with the medical provider regarding the organization's return-to-work program and prevention of re-injury
- Utilization review of the medical bills

- System for tracking and monitoring the RTW program including cost effectiveness, appropriate modified duty placement, and employee motivation

3. Intervene early and stay in touch with the employee

Every organization should have a program of intervention whereby employees are contacted on the first day they are absent from work, and at regular intervals thereafter. This can be accomplished by the supervisor, co-workers, and human resources.

Many companies have a designated person responsible for management of the workers' compensation claims, but this is not necessarily the best person to maintain regular contact with the employee. The purpose of maintaining contact is to let the employee know they are missed and to provide support and this is usually best done by an individual who already has a close working relationship with the injured employee.

Help the employee stay tuned into the workplace by informing them how things are going at work, what the progress is on a new project, or how their colleagues are doing. It is critical to keep employees mentally "hooked" into information about their work life, and encourage them to continue to feel a part of the organization. When communicated with sincerity, these efforts help an injured employee maintain their interest in returning to work and allow them to feel valued.

Austin Industries, a Dallas-based construction firm, takes this part of their return to work program very seriously. When a new employee is hired, they are given a wallet-size card entitled "Injured on the job? Call us." It lists the steps to follow in a workers' compensation claim. Austin has over 40 employees who have been specially trained in worker's compensation law, disability management, communication and listening skills to help employees get back to work. These employees are selected from the supervisory and management ranks to serve as designated helpers.

When an employee is off work, the designated helper in that area is contacted. The helper is authorized to take the employee to medical appointments, meet family members, deliver compensation checks, and in general do anything to take the hassle out of medical recovery and return to work. This is a very intensive program involving extensive resources, but the bottom line savings in returning employees to work more effectively exceed the investment.

It is the business of everyone in the organization to be concerned about the injured employee and helping them return to work. Some supervisors feel they should not contact an employee because they might be bothering them. Typically, the opposite is true. The employee will feel the person and the organization are concerned about his or her condition and is interested in helping them through this difficult time. The communication should be genuine and sincere with the ultimate goal of returning the individual to work as soon as it is medically appropriate.

4. Develop close communication with your Claims Representative and Physician Panel

A key factor in effecting successful return to work for an injured employee is ensuring appropriate medical care. Most states allow employers to recommend, if not require, employees to receive treatment for work-related injuries from a preferred provider panel. The physicians selected for the organization's panel are chosen for their quality of service, return to work ethic, and willingness to coordinate modified duty with the employee and the employer. Occupational medicine centers or specialists are frequently selected for their expertise in treating occupational injuries. Providers specializing in treating injuries frequently seen among your employees are also recommended for the panel (i.e. ophthalmologist, dentist, chiropractor, and neurologist).

In severe cases, it may be necessary to involve a rehabilitation specialist because of their background in medical and disability management. Rehabilitation professionals generally have knowledge of local resources available that can assist the employee in recovering. In addition, they also assist the injured employee in the adjustment process.

The claim representative is a generalist who is responsible for the overall claim management process, including the medical, financial, and legal aspects of a claim. If appropriate, the claim representative will refer a case to a rehabilitation specialist for more in depth assistance in managing the medical or vocational process. The process of disability management is most effective when the entire team is involved: employer, claim representative, medical provider, rehabilitation specialists, and employee.

5. Educate the treating physician about your willingness to accommodate the employee's return to work

Bringing employees back to work helps save money while benefiting the employee. A Minnesota Department of Labor study found that the costs of returning an employee to work at their current employer was less than half the costs of returning the employee to work for a new employer. When training is added or the employee does not return to work, the cost is tripled.

It is a well-documented fact in medical literature that the longer a person remains inactive, the more disabling their condition becomes. Statistics indicate that only 50% of the people who are off work longer than five months ever return to work. Organizations that require 100% functional ability for return to work are wasting resources and creating a disability mindset for the employee.

Return to work in a restricted capacity can also serve as a work-conditioning program and actually be a part of the employee's rehabilitation process. If the employee's injury is aggravated on the job, benefits may be reinstated. In some states, there is a possibility of obtaining reimbursement from the second injury fund for the subsequent injury.

Modified duty can encompass anything from reduced hours to permanent modification of the job. Most alternative employment can be provided at a reasonable cost, and generates a product, which the employer would not receive if the employee were recovering at home. Supervisors are usually the best source to identify those tasks in their department that

require minimal effort, generating modified duty that can be offered to anyone in the organization.

If accommodations become very involved, it is possible that external sources can be used to fund the accommodations. Some business communities have developed return to work networks, providing each other with modified duty opportunities when their in-house options have been exhausted. In cases where permanent disability has resulted, employers have developed internal training programs to teach an employee new skills to enable them to assume a new position in the organization. This training is usually lasts no longer than three months.

6. Identify modified duty positions to allow timely return to work before an employee is injured

A frequent breakdown in achieving efficient return to work programs is related to the treating physicians. When physicians are not provided with the necessary information, which enables them to understand the injured worker's job duties, they are at a disadvantage in recommending appropriate return to work.

Purpose of Modified Duty

- Encourage Return to Productive Work
- Improve Recovery Process Through Rehabilitation
- Ensure Continuation of Full Wages and Benefits

Modified Duty Must

- Be Temporary
- Be Progressive
- Be Implemented Immediately
- Be a Separate Work Assignment
- Be Reviewed by Administrator
- Be Implemented by Nurse/Physician
- Include Supervisor Follow-Up
- Meet Limitations of Injured Worker
- Include Four Phase Documentation

Suggested Protocols Modified Duty

- Must be Meaningful
- Located in Injured Employee's Own Department
- Time Limit: 6 to 12 months
- Policy for Restricted Duty Should be in Writing and Explained at Time of Hire
- Use Department Specific Work Groups to Identify Light Duty Activities
- Establish a Library of Light Duty Activities
- Present Written or Videotaped Job Descriptions to Treating Physician

If your state allows employers to recommend or require treatment with designated physicians, then you should establish a panel of physicians. If this is not possible, make

certain that the treating physician understands the job requirements, and your willingness to accommodate the employee if needed. Providing this additional knowledge to the physician, whether it is provided through the employer, claims representative, or rehabilitation professional, is invaluable in managing medical costs, obtaining accurate disability evaluations, and effective return to work. Video taped documentation of job duties can be an effective way of relaying this information. Sometimes physicians will also visit your organization if they treat a large volume of your employees. The key is to inform the physician so objective judgments can be made which are in the employee's best interest.

7. Establish a tracking system to monitor treatment provided, lost time, and costs

To make sure your program is working effectively, you must have a system in place to monitor results. There are several factors that will need to be tracked:

- Date of injury
- Injury type
- Accident type
- Unsafe Act
- Unsafe Condition
- Lost time
- Return to work status
- Type of modified duty
- Length of time on modified duty
- Position of injured employee
- Length of time with the organization
- Previous injuries
- Pre-injury job performance & absenteeism
- Age/Sex
- Benefits paid and reserved

Analysis of this type of data can assist in identifying trends indicating:

- High risk job positions
- High risk employees
- Common injuries employees are exposed to
- Need for further employee training
- Physical plant hazards
- Methods for accident prevention
- Incident types occurring with high frequency
- Incident types resulting in severe injuries
- Dollars incurred for each incident type

The most important factor for a successful return to work program is senior management support and supervisor responsibility to bring employees back to work when it becomes medically appropriate. Management should insure that supervisors spend time getting to know and understand each employee, realize the stress each employee experiences on and off the job, and whether the stress is related to the mental and physical demands of the job.

Supervisors should take responsibility for maintaining regular contact with employees, keep records of incidents in their area, implement corrective action, conduct safety inspections, and facilitate interest and suggestions from employees. Accountability for these responsibilities can be accomplished by including them in the supervisors job descriptions.

Review

Managing disability and ensuring return to work is not very complicated, but does require commitment. The organizations that seem to have the most success have the following elements in place:

- Value employees as resources to be protected
- Upper management demonstrates support
- Communicate early and often throughout the disability process
- Develop incentives for supervisors to bring employees back to work
- Maintain a team approach
- Create modified duty positions without delay
- Educate the treating physicians
- Establish a preferred provider panel when possible
- Establish a system for tracking the results of the program's effectiveness

The Common Sense of Helping Injured Employees

1. Maintain contact. Maintain contact. Maintain contact.
2. Never make the injured employee feel guilty. Never.
3. "You want it? You got it.
4. "What more can we do to help?"
5. Listen for feelings, and respond with understanding.
6. Be creative... anything is possible
7. Visit the injured employee at home.... Announced!
8. Pay attention to the family...Listen
9. Explain the process and paperwork to the injured employee
10. Show that you care in everything you do

Physician Panel

Controlling medical costs is no more difficult than controlling any other phase of business operations. Physicians and other medical treatment providers are an integral part of an effective return-to-work program. Providers should be selected based on their understanding of occupational injuries, and assisting with returning an employee to work as soon as medically appropriate to allow recovery on the job without undue risk of re-injury. Medical providers should understand the need for cost control without sacrificing quality treatment.

Communication between the employee, physician, and employer are the basis of effective return-to-work placement. Employers who implement a program of early return-to-work in modified positions are able to reduce total claim costs, thus controlling their future premium costs. Since employees also tend to recover more quickly on the job than staying at home,

the sifter recovery is also ensuring continued productivity, wages, and benefits for the employee.

Purpose of a Preferred Provider

- Provide prompt treatment of an injured worker
- Promote rehabilitation of injured employees
- Minimize individual wage loss
- Promote appropriate return-to-work
- Reducing disability costs

Preferred Provider Selection Criteria

- Immediate availability
- Thorough, objective examination and treatment
- Convenient X-ray facilities
- Open Communication
- Prompt Return of documentation
- Willingness to prescribe modified duty
- Willingness to learn about your scope of operations
- Clinic reputation - ask other area businesses about their experience
- Acceptance of workers' compensation payment

WORKERS' COMPENSATION POLICY AND PROCEDURES

GENERAL INFORMATION

(Agency Name) _____ has an interest in the health and welfare of its employees. It is our intent to ensure quality medical care for all employees that sustain an occupational injury, to provide benefits in compliance with the Pennsylvania Workers' Compensation Act and to enable employees to remain productive by allowing them to return to work in a position suited to their capabilities during the treatment process.

POLICY

It is the policy of (Agency Name) _____ to ensure that employees who sustain an occupational injury or illness and who meet eligibility requirements will receive benefits in accordance with the Pennsylvania Workers' compensation Act. These benefits are financed by the agency through insurance issued by (Insurance Carrier) _____. Under the Act both medical and work loss benefits are provided to injured employees.

PROCEDURES

It is essential that internal communications and reporting procedures within the agency be efficient to ensure compliance with State requirements. Complete reporting of all occupational injuries, illnesses and absences is required in order to submit information to the insurance carrier. (Insurance Carrier) _____. The insurance carrier is responsible for determining eligibility of benefits.

JOB DESCRIPTION

IDENTIFYING INFORMATION

EMPLOYEE NAME: _____
ADDRESS: _____
DATE OF INJURY: _____ **CLAIM NUMBER:** _____
EMPLOYER: _____
CARRIER/AGENT: _____

FUNCTIONAL CAPACITIES EVALUATION

I. IN AN 8 HOUR WORKDAY, INJURED WORKER CAN: (CIRCLE FULL CAPACITY FOR EACH ACTIVITY)

(NUMBER OF HOURS)

a) Sit	1	2	3	4	5	6	7	8
b) Stand	1	2	3	4	5	6	7	8
c) Walk	1	2	3	4	5	6	7	8

NOTE: In terms of an 8 hour workday “Occasionally” equals 1% to 33%, “Frequently” equals 34% to 66% and “Continuously” equals 67% to 100%.

II. ON THE JOB, EMPLOYEE MUST: (CIRCLE LETTER) (A) NOT AT ALL, (B) OCCASIONALLY, (C) FREQUENTLY and, (D) CONTINUOUSLY

a) Bend/Stoop	A	B	C	D
b) Squat	A	B	C	D
c) Crawl	A	B	C	D
d) Climb	A	B	C	D
e) Reach above shoulder level	A	B	C	D
f) Crouch	A	B	C	D
g) Kneel	A	B	C	D
h) Balancing	A	B	C	D
i) Pushing/Pulling	A	B	C	D

III. ON THE JOB, EMPLOYEE CARRIES:

a) Up to 10 pounds	A	B	C	D
b) 11 to 24 pounds	A	B	C	D
c) 25 to 34 pounds	A	B	C	D
d) 35 to 50 pounds	A	B	C	D
e) 51 to 74 pounds	A	B	C	D
f) 75 to 100 pounds	A	B	C	D

IV. ON THE JOB, EMPLOYEE LIFTS:

- | | | | | |
|---------------------|---|---|---|---|
| a) Up to 10 pounds | A | B | C | D |
| b) 11 to 24 pounds | A | B | C | D |
| c) 25 to 50 pounds | A | B | C | D |
| d) 51 to 74 pounds | A | B | C | D |
| e) 75 to 100 pounds | A | B | C | D |

V. ON THE JOB, EMPLOYEE USES FEET FOR REPETITIVE MOVEMENTS AS IN OPERATING FOOT CONTROLS:

RIGHT: Yes___ No___ LEFT: Yes___ No___ BOTH: Yes___ No___

VI. INJURED WORKER CAN USE HANDS FOR REPETITIVE MOVEMENTS SUCH AS:

	SIMPLE	FIRM	FINE
	GRASPING	GRASPING	GRASPING
A. Right	Yes___ No___	Yes___ No___	Yes___ No___
B. Left	Yes___ No___	Yes___ No___	Yes___ No___

VII. DOES JOB REQUIRE:

A. WORKING ON UNPROTECTED HEIGHTS? Yes___ No___

Comments: _____

B. BEING AROUND MOVING MACHINERY? Yes___ No___

Comments: _____

C. EXPOSURE TO MARKED CHANGES IN TEMPERATURE AND HUMIDITY?

Yes___ No___

COMMENTS: _____

D. DRIVING AUTOMOTIVE EQUIPMENT? Yes___ No___

Comments: _____

E. EXPOSURE TO DUST, FUMES, GASES? Yes___ No___

Comments: _____

ADDITIONAL COMMENTS: _____

SIGNATURE OF EMPLOYER: _____ DATE _____

SIGNATURE OF PHYSICIAN: _____

PLEASE RETURN TO: _____

MEDICAL EVALUATION

FUNCTIONAL LIMITATION/CAPACITY

IDENTIFYING INFORMATION

NAME: _____
DATE OF BIRTH _____ DATE OF INJURY _____

NOTE: The information on this form is obtained from the physician to determine, medically, the capacity of the injured worker to perform work. The information should include functional limitations pre-existing the industrial injury and the functional limitations resulting from the industrial injury for which this evaluation is being performed.

FUNCTIONAL CAPACITIES EVALUATION

I. IN AN 8 HOUR WORKDAY, INJURED WORKER CAN: (CIRCLE FULL CAPACITY FOR EACH ACTIVITY)

(NUMBER OF HOURS)

a) Sit	1	2	3	4	5	6	7	8
b) Stand	1	2	3	4	5	6	7	8
c) Walk	1	2	3	4	5	6	7	8

NOTE: In terms of an 8 hour workday “Occasionally” equals 1% to 33%, “Frequently” equals 34% to 66% and “Continuously” equals 67% to 100%.

II. INJURED WORKER IS ABLE TO: (CIRCLE LETTER) (A) NOT AT ALL, (B) OCCASIONALLY, (C) FREQUENTLY and, (D) CONTINUOUSLY

a) Bend/Stoop	A	B	C	D
b) Squat	A	B	C	D
c) Crawl	A	B	C	D
d) Climb	A	B	C	D
e) Reach above shoulder level	A	B	C	D
f) Crouch	A	B	C	D
g) Kneel	A	B	C	D
h) Balancing	A	B	C	D
i) Pushing/Pulling	A	B	C	D

III. INJURED WORKER CAN CARRY:

a) Up to 10 pounds	A	B	C	D
--------------------	---	---	---	---

- | | | | | |
|---------------------|---|---|---|---|
| b) 11 to 24 pounds | A | B | C | D |
| c) 25 to 34 pounds | A | B | C | D |
| d) 35 to 50 pounds | A | B | C | D |
| e) 51 to 74 pounds | A | B | C | D |
| f) 75 to 100 pounds | A | B | C | D |

IV. INJURED WORKER CAN LIFT:

- | | | | | |
|---------------------|---|---|---|---|
| a) Up to 10 pounds | A | B | C | D |
| b) 11 to 24 pounds | A | B | C | D |
| c) 25 to 50 pounds | A | B | C | D |
| d) 51 to 74 pounds | A | B | C | D |
| e) 75 to 100 pounds | A | B | C | D |

V. INJURED WORKER CAN USE FEET FOR REPETITIVE MOVEMENTS AS IN OPERATING FOOT CONTROLS:

RIGHT: Yes___ No___ LEFT: Yes___ No___ BOTH: Yes___ No___

VI. INJURED WORKER CAN USE HANDS FOR REPETITIVE MOVEMENTS SUCH AS:

	SIMPLE GRASPING	FIRM GRASPING	FINE GRASPING
A. Right	Yes___ No___	Yes___ No___	Yes___ No___
B. Left	Yes___ No___	Yes___ No___	Yes___ No___

VII. RESTRICTION OF ACTIVITIES – FOR EXAMPLE: BEING AROUND MOVING MACHINERY, DRIVING AUTOMOTIVE EQUIPMENT, OOTHER RESTRICTIONS REQUIRED BY THE PHYSICAL IMPAIRMENT.

COMMENTS: _____

SIGNATURE OF PHYSICIAN: _____ DATE _____
 PLEASE RETURN TO: _____

PERSONNEL PHILOSOPHY STATEMENT

It shall be the philosophy of _____ (agency name) _____ to value its employees as important resources in accomplishing its mission to provide services. Each individual employee has a critical role and _____ (agency name) _____ will do whatever possible to provide a safe working environment.

This will be accomplished via supervisory training, inservices training focused upon safety in the workplace, monitoring of hazards, elimination of defined hazards, and encouraging awareness of safe procedures. _____ (agency name) _____ is also committed to rendering medical treatment to employees who are injured in the workplace.

_____ (agency name) _____ will do whatever it can within its resources to help facilitate the rehabilitation of injured employees, as all employees do have an important place at _____ (agency name) _____.

RETURN TO WORK POLICY

It shall be the policy of _____ to take appropriate action to bring employees who are injured in the line of duty, back to work as soon as it is determined to be a medically sound decision. _____ believes that it is important to aid an injured employee's rehabilitation by providing opportunities for returning to work at the earliest time possible.

_____ will make arrangements to accommodate, where possible, the return to work of an injured employee by one or more of the following means:

- 1. ALLOWING THE EMPLOYEE TO RETURN TO WORK ON A PART TIME BASIS OR UNDER MODIFIED HOURS.**
- 2. ASSIGNING DEFINED MODIFIED DUTIES TO THE EMPLOYEE BASED UPON THE NEED OF THOSE DUTIES AND THE MEDICAL CAPABILITY OF THE EMPLOYEE.**
- 3. ASSIGNING AN EMPLOYEE TO A DIFFERENT DEPARTMENT OR LOCATION THAN THE EMPLOYEE'S ORIGINAL ASSIGNED LOCATION IF APPROPRIATE MODIFIED DUTIES ARE NOT AVAILABLE AT THE EMPLOYEE'S ORIGINAL LOCATION. IT SHALL BE UNDERSTOOD THAT THIS REASSIGNMENT SHALL BE WITHIN A REASONABLE GEOGRAPHIC DISTANCE TO THE EMPLOYEE.**

The above outline action shall be temporary measures not to last more than a three-month period. If, at the end of three months, an employee is not medically ready to assume his/her original position, an evaluation will take place involving input from the employee, the treating physician, management of _____ and the Workers' Compensation Claims Management Company. Based upon this evaluation, a plan of action will be developed to determine how to proceed to continue to facilitate the total rehabilitation of the employee. If it is determined that the employee will not be able to assume his/her original position, an appropriate course of action will be taken on a case by case basis in accordance with the applicable Workers' Compensation Law.

IDENTIFYING EARLY RETURN-TO-WORK OPTIONS

The identification of Return-to-Work (RTW) options can be done by having a supervisor in each work area identifying tasks that could be targeted for the injured worker. The supervisor should thoroughly evaluate the job by reviewing the physical demands, environment, hazards and protective equipment.

Options to be considered are:

1. RTW old position – no modifications/same department.
2. RTW old position – with modification/same department. Modifications related to work station redesign or work schedule.
3. RTW new position – same trade/same department/same company. Example: Home Healthcare worker providing partial care services to a consumer.
4. RTW new position – new trade/same department/same company. Example: Home Healthcare worker conducting intake assessments on new referrals.
5. RTW new positions – new trade/different department/same company. Example: Home Healthcare worker leading living skills groups in day treatment program.
6. RTW new positions – new trade/different department/same company with retraining. Example: Home Healthcare worker through company or short-term outside retraining stays with the same company performing medical supply ordering/buying.
7. Permanent part time position through which a worker can become gradually reconditioned to return to his/her prior work. Depending upon the company, part-time schedules can range from 20-32 hours per week. This should be for a specific period of time.
8. Temporary part-time position through a worker can be become gradually reconditioned to return to his/her prior work. These are positions related to: seasonal work (i.e., budgeting positions that are exclusively used for seasonal increases in business); special contractual work (i.e., budgeted positions that are used for special projects); the composition of miscellaneous tasks to provide temporary work, weekly/monthly contractual services that involve janitorial or maintenance work; and working between departments as a “float” to provide assistance in areas that are short of personnel. This should be for specified period of time.
9. Other alternatives (for a specified period of time).
 - a. Part-time permanent or temporary positions that a worker can perform at the main facility, a branch or regional office.

- b. Return to old (prior) position on a trial basis under medical supervision.
- c. Return to old (prior) position on a part-time basis with an established program to increase worked hours over a specific period of time.

NOTICE TO EMPLOYEES

Your employer is providing for you benefits under the Workers' Compensation Act of Pennsylvania through _____ Insurance Company. Claims will be handled by: _____
_____ (insert insurance company name) _____

REPORTING REQUIREMENTS

All employees who sustain a work related injury **MUST** report the injury **IMMEDIATELY**. After a work related injury has been reported, the proper contact for all claims information is :

COMPANY: _____

ADDRESS: _____

NAME _____ **PHONE:** _____

REMEMBER, IT IS IMPORTANT TO TELL YOUR EMPLOYER ABOUT YOUR INJURY IMMEDIATELY.

MEDICAL TREATMENT

Any employee who sustains a work related injury must treat with one of the designated health care providers set forth below, for a period of ninety (90) days form the date of first treatment:

1) Name: _____ Phone: _____
Addr: _____

2) Name: _____ Phone: _____
Addr: _____

3) Name: _____ Phone: _____
Addr: _____

4) Name: _____ Phone: _____
Addr: _____

5) Name: _____ Phone: _____
Addr: _____

6) Name: _____ Phone: _____
Addr: _____

After (90) days you are permitted to continue treatment with a designated provider, or to begin treatment with a non-designated provider of your choice. However, if you elect to treat with a non-designated provider, please be advised that your medical bills will be paid only if: (a) you notify your employer of this action of choice within five (5) days of your first visit to the non-designated provider and (b) your provider files the reports as required. These reports must be filed within ten (10) days after your first visit to the new provider and at least once a month thereafter, for as long as the treatment continues.

Please note that failure to treat with a designated provider for the first ninety (90) days shall relieve the employer of the responsibility for the payment of medical bills incurred during that period. Also, failure of any non-designated provider to provide reports shall relieve the employer of the responsibility for payment of medical bills until the appropriate reports are filed.

REQUIREMENTS FOR EMPLOYER'S LIST OF HEALTH CARE PROVIDERS

1. There must be at least 6 health care providers on the list, but there may be more than 6 listed.
2. At least 3 of the health care providers on the list must be Physicians.
3. No more than 4 of the health care providers on the list may be coordinated care organizations (CCOs).
4. The names, addresses, phone numbers and areas of medical specialties of all health care providers must be included on the list.
5. The health care providers on the list must be geographically accessible and must have specialties that are appropriate based on the anticipated work-related medical problems of the employees.
6. Your employer must specify on the list if any of the health care Providers on the list are employed, owned or controlled by your employer or its workers' compensation insurance company.

NOTE: Your employer's list of health care providers must meet all of the above requirements. If the list does not meet all of these requirements, you do not have to choose a provider from the list. Instead, you have the right to seek medical treatment with any health care provider of your choice.

WORKERS' COMPENSATION CHECKLIST

1. **Are your employees classified correctly?** Yes___ No___
The most hazardous job functions are the most expensive.
Ensure that as few as possible are classified in these positions.
2. **Is there any doubt about any classification? Challenge it.** Yes___ No___
A few inaccurate classifications may result in excessive premiums. Make sure you agree with all classifications and challenge those you don't agree with.
3. **Do you have a physician panel posted?** Yes___ No___
Designate and post a panel of at least 6 providers based on their understanding of occupational injuries, and assisting with returning an employee to work as soon as medically appropriate. They should also understand the need for cost control without sacrificing quality treatment.
4. **Are all employees aware of their rights and duties?** Yes___ No___
State law requires injured employees to treat with one of the medical providers on the panel for a period of 90 days. If the employee treats with a provider not listed, the employer will **not** be responsible for the expenses incurred.
5. **Do you have a relationship with employee's doctor?** Yes___ No___
In the early stages of the claim, ask for authorization to contact the doctor. A rapport with the doctor will give you a better idea of the employee's prognosis.
6. **Do you work with the claims adjuster?** Yes___ No___
Develop a close relationship with your agency and insurance company's claims person to encourage candid discussions. If employee accuses employer of wrongdoing in handling the claim, it is important for the claims adjuster to believe your side of the story.
7. **Are the facts backed up with written proof?** Yes___ No___
Don't adjust any case until you've documented employee's average weekly wage or number of days missed (employee and his attorney will provide facts favorable to employee's case).
8. **Are all work-related injuries reported?** Yes___ No___
All work related injuries (including minor injuries) should be reported accurately and on a timely basis. The action taken should also be recorded. Injury reporting requirements should be posted and reaffirmed.

9. **Do you cooperate with employee and his/her lawyer?** Yes___ No___
Respond promptly. Nothing is more suspicious or causes more bad feeling than an employer that stonewalls an employee.
10. **Do you look at employee's other benefits?** Yes___ No___
An employee who is claiming work-related disability may be collecting short or long-term disability benefits. Explore the financial implications of a claim against these policies versus a claim against your workers' compensation policy.
11. **Do you consider benefits wages?** Yes___ No___
If you provide your employees with a generous benefit package, don't let the monetary portion of it increase the employee's average weekly wage.
12. **Do you retrain injured workers?** Yes___ No___
Good workers are difficult to replace. Retrain former workers familiar with your operations. It can shorten the learning process.
13. **Do you review claims for assignment to rehabilitation?** Yes___ No___
Review should be scheduled no later than 90 days after injury. An employee who is out of work longer is less likely to return.
14. **Do you frequently contact workers in rehabilitation?** Yes___
No___
Make frequent contacts to determine when injured employees are physically capable to return to work. Ensure the injured worker is following medical advice.
15. **Do you monitor alternative medical treatment?** Yes___ No___
A close eye should be kept on employee's treatment visits with acupuncturists and other practitioners of alternative medicine. It's often difficult to gauge when treatment is actually helping an employee.
16. **Do you seek objective medical help?** Yes___ No___
Get to know the doctors in you area who specialize in orthopedic and neurological problems. The best doctors to have involved in a case is the doctors who tell it like it is and won't embellish the extent of an employee's disability, nor gloss over serious problems.
17. **Is the treating doctor aware of the employee's duties/job description?** Yes___ No___
Doctors should have a detailed understanding of the employee's duties and also be familiar with all limited-duty jobs the employee could be returned to prior to complete recovery.

18. **Do you encourage employees to maintain a safe workplace?** Yes___ No___
 Establish procedures for incident reporting including incidents that do not result in injuries. Consider suggestions and encourage anonymous tips and complaints. Anonymous tips can be effective in determining potential problems.
19. **Are safety procedures/emergency telephone numbers posted?** Yes___ No___
 Post safety procedures and emergency phone numbers near phones and workstations.
20. **Do you document safety training ?** Yes___ No___
 Designate and instruct safety coordinators to keep accurate records of all safety training as well as extraordinary events.
21. **Do you properly train all new employees?** Yes___ No___
 Orientation procedures should be completed and documented before allowing new employees to operate machinery alone.
22. **Are managers and departments heads held accountable?** Yes___ No___
 All managers/department heads should share in the responsibility for reducing compensation claims, especially preventable claims. Responsibility extends to safety training, procedures and policies.
23. **Do you speak everyone's language?** Yes___ No___
 Workers must be able to understand safety materials. If workers have limited ability to understand English, translate materials to their native language(s).
24. **Are you dealing with repetitive stress claims?** Yes___ No___
 Claims for repetitive motion are increasing. Some remedial steps are: modifying worker's equipment, job task or work processes, performing a work station or job analysis, and buying new equipment.
25. **Do you have a return-to-work policy?** Yes___ No___
 Take appropriate actions to bring employees who are injured back to work as soon as it is determined to be a medically sound decision. In many instances, the sooner the employee returns to work, even on a restricted scheduled or duty, the faster they will return to full duty.
26. **Do you offer light-duty jobs/modified-duty?** Yes___ No___
 Allow employees to return to work on a part time basis/modified hours. Assign defined modified duties based upon the need of those duties and the medical capability of the employee. Make the employee feel he/she is legitimately back to work and

contributing to the company's well being.

27. **Are your employees educated about workers' compensation?** Yes___ No___
Make sure your workers understand how the system works, particularly the limitations of awards and the fact that employers are generally immune from other liability.
28. **Do you challenge questionable claims?** Yes___ No___
Let employees know all frivolous or seemingly fraudulent claims will be vigorously challenged. Don't let employee know of your suspicions until you have hard evidence. Call your insurer about fraud suspicions.
29. **Do you have an inflexible policy for use of company vehicles?** Yes___ No___
Establish a policy where workers who use company vehicles are not allowed to deviate from appointed duties. Injuries resulting from accidents while employees deviate from duties are usually not compensable.

12. Disaster Plan

KEY COMPONENTS

- Mission Statement
- Authority
- Basic Procedures
- Job Description – Facility Disaster Coordinator
- Emergency Water Plan
- Bomb Threats/Terrorism
- Evacuation Plan
- Flood Procedures
- Hurricane/Tornado Procedures
- Fire Procedures
- Power Failure
- Gas Leaks
- Hazardous Materials

MISSION STATEMENT

The disaster plan has been developed for the purpose of setting forth methods of reacting to various disasters and then through simulated drills and instructions, to prepare visitors, personnel and others, when feasible, to take measures which prevent loss of life and injury to personnel, visitors and neighbors and to protect the buildings and equipment. This plan is developed in preparation for either an internal or external disaster.

A major disaster affecting a large number of employees may occur at any time. In any type of disaster, lives can be saved if everyone is prepared for the emergency and knows what action to take when it occurs.

Employees will be required to review this entire plan while being oriented and will receive periodic training on this plan to ensure complete preparation in the event of a disaster.

The safety of all people depends on every employee knowing his/her duties during a disaster. The **ONLY** time to learn these procedures is **BEFORE** a disaster occurs, and to avoid a greater disaster, through understanding of the procedures is essential.

It is important that the elements of the plan are shared with the local emergency services. e.g., Fire Department, Police Department, etc.. Share and keep current the “line of authority” names and phone numbers. Make sure they are also aware of where your primary and back-up command post locations are.

AUTHORITY

Overall authority and direction is with the President or his/her substitute. However, the Fire Department and Civil defense Authorities may and should direct certain activities because of their knowledge and expertise in disaster situations.

The following is an example of a line of Authority in disaster situations:

1. President
2. Chief Business Officer
3. Risk Manager
4. Director, Physical Plant Facilities
5. Director of Security
6. Data Processing Manager
7. Marketing/Public Relations Manager
8. Maintenance Director

The highest ranking ON DUTY person from the above list will be in charge and handle the emergency. If the emergency is severe enough to involve the Fire Department, the Fire Marshall will assume authority to direct necessary activities. The highest ON DUTY person will assume the title and job description of Facility Disaster Coordinator.

The following persons are to be called if the primary person in authority is not on duty and a disaster/emergency situation occurs:

- | | |
|--|---------------------|
| 1. President | Name & Phone number |
| 2. Chief Business Officer | Name & Phone number |
| 3. Risk Manager | Name & Phone number |
| 4. Director, Physical Plant Facilities | Name & Phone number |
| 5. Director of Security | Name & Phone number |
| 6. Data Processing Manager | Name & Phone number |
| 7. Marketing/Public Relations Manager | Name & Phone number |
| 8. Maintenance Director | Name & Phone number |

Calls to the above individuals are to be made immediately after students, staff and visitors are removed from the immediate danger.

EMERGENCY COMMAND CENTER/HEADQUARTERS

1. Identify the personal protective equipment and vehicles needed.
2. Identify a primary and secondary location.
3. Furnish and equip the locations:

PPE

Emergency power

Up-to-date documents such as telephone listings

Office supplies
Personal necessities
A communications system including paging, telephone, cell phones and radio systems
Provisions for a runner service in the event of the communication system failure

BASIC PROCEDURES

It is essential that all personnel become thoroughly familiar with the disaster plan and practice it as much as possible.

Remember:

1. Saving a life comes first
2. The preservation of property is secondary
3. Panic is the greatest danger in most disasters
4. Panic, like a disease, can spread rapidly
5. Never Shout "Fire"
6. Don't alarm others by excited motions
7. Appear calm and move with assurance
8. Prevention is the best guarantee against disaster
9. Early detection and prompt reporting means early control
10. Know evacuation routes and above all KNOW WHAT TO DO IN AN EMERGENCY
11. A disaster may preclude the use of the elevator
12. The command post location is on (indicate location)
13. The fire alarm system DOES contact Alarm Company who will contact the Fire Department.
(If this is not the case, indicate procedure)

TRAINING

Some typical areas of concern, which should be covered in any training, include:

- Fire fighting techniques
- Use of personal protective equipment
- Hazardous materials release
- Crowd control
- Media interaction
- Management of the incident

Training should be provided:

- After initial development of a disaster plan
- When there is a new employee
- When a new member joins the emergency response team
- When the plan is revised
- When new equipment is introduced

- When a drill shows lack of reaction efficiency
- Periodically, or at least once a year

Training plans should be documented and combine both classroom and hands-on experience.

JOB DESCRIPTION - FACILITY DISASTER COORDINATOR

1. The Facility Disaster Coordinator becomes the obligation of the highest ranking on duty person. The Facility Disaster Coordinator has complete authority of the facility during the disaster, including decision making and instruction of personnel, until person of higher authority arrives. Before transfer of authority is assumed/released, verbal face to face contact must be made to assure smooth transition between the highest ranking ON DUTY staff member and arrival of a higher authority (such as the President, Fire Chief, Fire Marshall or Police Chief).
2. The Facility Disaster Coordinator will establish a command post and shall man that post or designate an appropriate staff member to man it in his/her absence.
3. At a time of disaster, the Facility Disaster Coordinator must confirm that all Fire and Police Departments have been notified and are aware of the command post site.
4. The Facility Disaster Coordinator will assign a staff member to be posted at each access door of the building to direct fire and police personnel to the disaster area and to restrict access into the building of any visitor UNLESS their specific purpose is to aid in the disaster resolution.
5. Once the disaster location has been established, the Facility Disaster Coordinator will proceed to that location to assess the severity of the disaster so they can further instruct staff in appropriate actions to take.
6. The Facility Disaster Coordinator will notify other Department supervisors where to direct their staff and how each individual will be best utilized to insure staff and visitor safety.
7. Once the type and severity of disaster has been assessed, the Facility Disaster Coordinator will make one of the following decisions:
 - A. To use staff to abate the disaster if there is no other treat of injury.
 - B. Maintain fire and smoke barriers until further decision is made.
 - C. Evacuate personnel from area of disaster to safe area or another building.
 - D. Evacuation of personnel off the premises.
8. The proceeding may change due to higher authority personnel who arrive or a change in the assessed severity/increased severity of the disaster.
9. The Fire Marshall, Fire Chief, President or Risk Manager are the only individuals having the authority to evacuate residents off the premises.
10. In the event of a total evacuation, all facility staff will take direction from the Fire Marshall or his designee and will follow the municipal Emergency Procedure Plan.
11. In the event of a total evacuation, the Facility Disaster Coordinator will supervise the removal of personnel from the building.
12. Once the disaster has been resolved and it is safe for return to building, continuation of normal routines, the Facility Disaster will announce an "All Clear" so that all staff and visitors are assured of disaster resolution.

13. The Facility Disaster Coordinator will write a summary of the event after the disaster has been resolved. This summary will be used for analysis and upgrading disaster procedures.

EMERGENCY ACTIONS AT THE TIME OF DISASTER

- Sound the alarm
- Notify public authorities
- If necessary, evacuate personnel other than members of the disaster control team
- Shut off gas, utilities, or machinery if warranted
- Man fire extinguishers, hoses, and other protective equipment if warranted
- Apply first aid and assist the injured

OUTSIDE AGENCIES EMERGENCY PHONE NUMBER LISTING

Police _____
Fire Department _____

Fire Marshall _____
Asst. Fire Marshall _____
Electric Company _____
Gas Company _____
Water Company _____
Department of Health _____

MEDICAL SERVICES

Medical Director _____
Ambulance _____
Hospitals _____
Oxygen _____
Pharmacy _____
X-Ray _____
Laboratory _____
Poison Control _____

VENDORS

Maintenance (call first, if a maintenance problem) _____
Electrical Repair _____
Telephone/Communications _____
Plumbing Repair _____
Water Company _____
Bottled Water _____
Heating _____
Air Conditioning _____
Snow Removal _____
Fuel Supplier (oil, gas, coal) _____
Security/Alarm Company _____
Locksmith _____
Elevator Repair _____
Refrigeration _____

A LIST OF DEPARTMENT HEADS SHOULD ALSO BE COMPILED AND POSTED ALONG WITH THE ABOVE.

THE DISASTER AGREEMENT WITH OTHER AGENCIES SHOULD BE PLACED IN THE MANUL.

EMERGENCY WATER PLAN

In the event there is no water available to the institution, the following steps will be taken:

1. The Facility Disaster Coordinator will contact the Director of Physical Plan, President, Business Manager, Risk Manager, or Facilities and Maintenance Director. If it is an external problem, the utility company will be contacted to report the problem. If it is due to an internal problem, the Director of Physical Plant Facilities and President will jointly decide if the problem necessitates implementation of the emergency plan. Repair work is to begin as soon as possible.
2. The Facility Disaster Coordinator will contact their bottled water vendor who will provide bottled water for drinking and cooking.
3. The Facility Disaster Coordinator will contact the Fire Department and request a tanker of non-potable water be delivered to an institution parking lot. This will be used for resident bathing and flushing toilets and general cleaning. It will **not** be used for drinking.
4. A staff member will be appointed by the Facility Disaster Coordinator to manually flush toilets on an as needed basis using the non-potable water. The toilets will be flushed by pouring water directly into them.
5. A staff member will be appointed the Facility Disaster Coordinator to make “Fire Watch Rounds” throughout the buildings until water is restored. Fire watch rounds will consist of visually checking every room and storage area to insure that there is no fire.
6. If the water loss is due to an internal problem, the water will be useable as soon as service is restored. If the water loss is due to an external problem, the water will not be used once service is restored **until** the Water Company indicated the water has been tested and is approved for consumption.

BOMB THREAT

THIS PROCEDURE SHOULD BE COMMUNICATED TO ALL PERSONNEL AND A COPY ACCESSIBLE AT ALL PHONES LISTED FOR THE FACILITY IN THE PHONE BOOK.

Procedure when receiving a threatening call regarding bombs.

1. Get as much information as possible. Encourage the caller to talk. If possible, have another staff person listen to the conversation on another extension. Ask the caller to repeat the message. Obtain the following information if possible:

When will bomb explode?
 What type of bomb is it?
 Where is it located?

Why was bomb set?
 What does it look like?

2. Note time call was received.
3. Note the time the caller hung up.
4. Immediately after the call is complete (or during phone conversation if you can take notes without being obvious to caller) write down key words or phrases to help you recall the conversation details so you can make a full report.

5. Call the President or the President's Designee.
6. Call the local Police and Fire Department.
7. FOLLOW INSTRUCTIONS ISSUED BY THE PRESIDENT/PRESIDENT DESIGNEE, LOCAL POLICE, OR FIRE DEPARTMENT.
8. Complete a Bomb Threat Telephone Procedure Reporting form as soon as possible. The sooner this form is completed, the more accuracy the form will contain. Complete the form as much detail as can be recalled from the conversation. Report FACTS ONLY. Record conversation word for word if possible.
9. Get a description of the caller and background noises recorded in writing. Include the following type of information:

Sex of caller and approximate age
 Tone of voice and Accent
 Frequently used words
 Background noises - machinery, traffic, other people talking, children, coins being put into telephone, etc.

10. PREVENT PANIC. DO NOT TELL ANYONE ABOUT THE BOMB THREAT EXCEPT those individuals in #5 and #6 above unless otherwise directed.

BOMB THREAT TELEPHONE PROCEDURE

Procedure: LISTEN! DO NOT interrupt the caller EXCEPT to ask:

When will it go off? _____
 What type of bomb is it? _____
 What does it look like? _____
 Where is it planted? _____
 What floor is it on? _____
 Why was bomb placed? _____

ACTION TO TAKE IMMEDIATELY AFTER CALL:

CALL PRESIDENT OR HIS/HER ALTERNATE AT _____ (PHONE #)
 CALL LOCAL POLICE AND FIRE DEPTS. AT _____ (PHONE #S)
 COMPLETE BALANCE OF FORM

Person Receiving Call _____ Time of Call _____
 Caller's Identity _____
 Sex: Male _____ Female _____
 Age: Under 20 years _____ 20-30 years _____ 30-40 _____
 40-50 years _____ 60+ years _____

Voice Characteristics:
 Loud _____ Soft _____ Fast _____ Slow _____
 High Pitch _____ Deep _____ Accent _____

Frequently used words _____
Other _____

Origin of Call:

Local _____ Long Distance _____ Phone Booth _____
Internal (inside building) _____

Manner:

Calm _____ Angry _____ Rational _____
Irrational _____ Coherent _____ Incoherent _____
Deliberate _____ Emotional _____ Laughing _____

Background Noises: (Describe any background noises heard)

PROCEDURE FOR SEARCH FOR BOMBS

The president or President's Designee, Police Chief or Fire Marshall will determine where the Command Post will be located. A telephone should be available at the Command Post. This individual will assume the title and job description of the Facility Disaster Coordinator.

The main electric services and emergency generator should be disconnected. The main gas valve should be shut off.

All Department Heads will assist in the bomb search. They will report to the Command Post. If Department heads are not available in the building the highest-ranking staff person in the building will appoint search team members.

Search the most accessible areas first:

Outside Areas: Check in trash cans, vehicles, behind shrubs, etc.

Inside Areas: Begin at exits and work inward. Include the loading dock area, mechanical room, storage areas, rest room, lobby area and behind and underneath furniture, etc.

Search Technique: Stand quietly in the center of the room with eyes closed and listen for a clock device. You do this only for approximately 15 seconds.

Then, while still standing in the center of the room, visually search the room by rotating three complete turns. On the first turn, check all items from floor level to waist level. On the second turn, check items waist level to top of head level. On the third turn, check top of head level to ceiling. Change direction of rotation each turn to avoid dizziness. Complete the room search by checking hidden areas such as closets and bathrooms.

After room has been searched, it should be marked with a piece of masking tape on the door above the doorknob and the door is to be left open. A Piece of tape approximately 4” to 6” is to be used so it is easily recognizable.

If a BOMB is located, DO NOT TOUCH IT! Notify the Command Post is immediately and wait for further instructions.

PROCEDURE FOR EVACUATION DUE TO A BOMB THREAT

The Fire Marshall, Fire Chief, President (or his/her designee) and the Risk manager are the only individuals having the authority to evacuate personnel off the premises.

If evacuation is ordered, a satisfactory explanation must be given. Announcing that the bomb threat has been received may cause extreme panic. It is not the intention the deceive anyone or to minimize the seriousness of the situation. If the individual in charge feels it would be detrimental to announce/inform individuals of a bomb threat, the ONLY other acceptable explanation for evacuation purpose would be to indicate there was a gas main leak. That would permit the windows and doors to be left open thereby minimizing the danger of an explosion because the blast would be less confined.

Before personal items – such as purses, brief cases, etc. – are removed from building, they will be checked by a staff person, policemen, or fireman. The individuals assigned to be posted at the access doors will be fully aware of the situation and will be responsible to check all personal items of everyone exiting the building.

No one will be permitted access into the building unless they are staff members assisting in the evacuation process or police and fire crew members/officials.

In the event of a total evacuation, the Facility Disaster Coordinator will supervise the removal of personnel from the building.

Once the disaster has been resolved and it is safe for return to the building/continuation of normal routines, the Facility Disaster Coordinator will announce an “All Clear” so that staff and visitors are assured of disaster resolution.

FLOOD

In the event of a flood, the following procedures will be followed:

If floodwaters have not yet reached the premises but appear imminent:

1. If necessary, evacuate personnel and unnecessary staff.
2. Relocate all equipment and other property to a higher floor or out of the expected flood plane.

3. The Facility Disaster Coordinator will assign individuals to turn off all electrical equipment.

After the flood:

1. Communicate alternate contingency plan. If phones are out, post fliers.
2. Establish temporary location. This might involve the rental of another facility and equipment.
3. Establish a flood "Update" process to keep personnel current. Flier, mailings and newspaper adds may meet the need.
4. Implement plan to re-establish telecommunications in stages. Acquire cellular phones for temporary communications.
5. Implement transportation plan to take personnel to and from new location.
6. Salvage and repair flooded properties.

HURRICANE PROCEDURES

Before a hurricane strikes

Once a hurricane warning for the immediate vicinity has been issued, all personnel will assist in hurricane preparations.

1. Take masking tape and with all windows using an "X" pattern to minimize the effect of shattering glass.
2. As it becomes obvious that the storm is approaching, all windows will be closed by appointed staff members and the blinds and drapes will be closed.
3. Sit personnel down in the hallway along wall (try to maintain one wall to be used as a clear passageway).
4. DO NOT go near windows. Stay out of area with large amounts of glass such as the lobby, lounges and dining room.
5. In the event of a power failure, shut off the breaker panels.
6. DO NOT go outside.
7. Have flashlights and extra batteries readily accessible.
8. Follow further instructions of the Facility Disaster Coordinator.

TORNADO WARNING

When a tornado warning is issued, each employee must be prepared to follow these preparations remembering personnel safety is the first concern.

1. Close windows on the side of the storm. Open windows on the opposite side of the building approximately 6" to equalize air pressure and prevent blowing glass.
2. Pull all window shades to minimize damage from broken glass.
3. In the event of a power failure, shut off the breakers at the breaker panels.

4. DO NOT go near windows. Stay out of areas with large amounts of glass such as the lobby and lounges and dining room.
5. DO NOT go outside.
6. Have flashlights and extra batteries readily accessible.
7. Follow further instructions of the Facility Disaster Coordinator.

FIRE SAFETY

An effective fire safety plan should include the following:

1. Fire drills involving practice evacuation of patients if possible
2. Department/unit specific fire safety plans
3. Evacuation plans for involuntary clients or individuals in seclusion
4. Evacuation routes posted for both immediate areas and remote areas including information regarding:
 - a) location of pull boxes
 - b) location of fire extinguishers
 - c) exit routes
 - d) designated areas for refuge or gathering
 - e) any special considerations
5. Assign staff responsible for clearing the building and shutting off the alarm

WHAT TO DO IN CASE OF FIRE

These steps are to be followed in the event of a fire emergency:

1. Remove personnel from immediate danger
2. Sound the fire alarm
3. Report to supervisor (Fire Captain) for further direction

The following information will help you carry out these steps successfully:

1. **Remove personnel from immediate danger:**
 - Keep calm – don't panic or yell "FIRE"
 - Take personnel in danger to safe area
 - Close door immediately after removing personnel, do not be concerned with open windows
 - Remember: closed doors will prevent flashovers
2. **Sound Alarm:**
 - Be familiar with location of fire alarm boxes – knowing where they are will save precious time!

- A call will be made to be sure alarm has been received by dispatcher
- Usual response time of fire company is 3-4 minutes

3. **Report to supervisor (Fire Captain) for further direction**

- Supervisor is in complete command until Fire Company arrives
- Supervisor will call dispatcher to confirm alarm (give location of fire)
- Supervisor will designate someone to meet fire trucks
- Supervisor must remember to send key with designated person to unlock front door and back doors if fire occurs after doors are locked

Facts to be remembered when evacuating

Remember: Never use elevators (act as chimney where smoke and gasses accumulate, if power fails you will be trapped)

Remember: To keep calm and reassure personnel as they are being evacuated to insure their cooperation

LOCATION AND OPERATION OF FIRE ALARM BOXES

1. All fire alarm boxes are posted on evacuation plans located in all areas
2. There is a fire box located by the (i.e. stair exits and in all hazardous areas)
3. The fireboxes do not call the fire department. The Alarm Company is notified when the alarm sounds. They will immediately call the facility. If the facility does not answer the phone in 2 rings, they will immediately call the Fire Company.
4. The fire bells will ring a code indicating the location of the fire. Code signals are attached (attach copy of code signals)

LOCATION AND USE OF FIRE FIGHTING EQUIPMENT

Located throughout the building are all Class A-B-C fire extinguishers. Classes A-B-C may be used on any type of fire.

OTHER EQUIPMENT

1. Automatic sprinkler system
2. Automatic audio-visual fire alarm system (bells and lights)

EVACUATION PLAN

1. Location of all fire fighting equipment should be placed on plan
2. If there is a sprinkler system, a separate plan should be designed indicating location of main valve, zone valves and other features and functions of the sprinkler

BUILDING EVACUATION PROCEDURE

All routes are shown on floor plans that are posted in all areas, all floors

These routes may change due to locations of fire/disaster: therefore, use the nearest exit avoiding the fire/disaster as directed by the supervisor and/or Facility Disaster Coordinator

During evacuation, the following rules must be maintained:

1. First evacuate personnel in the immediate area of disaster (room adjacent to and across from the disaster)
2. Never evacuate personnel across the line of fire: should the disaster be located in the middle of the wing, personnel must be evacuated in either direction, but always directed away from the fire.

If the disaster does not require total evacuation, then personnel can be moved to an area of the building, which is smoke free and fire safe; horizontal, or below fire floor, never above it. Facility Disaster Coordinator will designate such areas. A staff member will be assigned to stay with personnel to avoid panic and re-entry into the disaster area.

EVACUATION SITE

In the event of an institution evacuation, the institution would implement the Disaster Plan, which coordinates efforts of the city, Red Cross, and all other emergency management services including, but not limited to transportation.

Personnel would be transported to (insert facility name). As a secondary evacuation site, the facility has a pre-arranged agreement with (insert facility name).

EVACUATION ROUTE

Evacuation for all floors, wings, etc., should be posted in all areas and floors.

Copy of the same should be placed in this manual (insert page).

These floor plans shall include:

Evacuation routes

Fire alarm box locations

Fire fighting equipment locations

Main water source

Main electrical source

Fire doors

Main gas source

Any other items or equipment related to disasters

Floor plans of the building should be placed on the following pages indicating various exit routes.

POWER FAILURE

In the event of a power failure, the following procedures will be followed:

1. The Facility Disaster Coordinator will assign individuals to turn off all electrical equipment that is not run by battery backups.
2. All air conditioning switches will be turned off.
3. The elevators will be checked to make sure there is no one inside. The elevator will stop where it is when the power is lost and lock off.
4. The Facility Disaster Coordinator will call the Electric company (in addition to notifying the appropriate persons as stated in the Facility Disaster Coordinator Job Description) to find out what caused the power failure.
5. The emergency generator will provide sufficient power to permit normal direct care routine to continue. Flashlights are available on each floor.

EMERGENCY GENERATOR

Indicate on this page what emergency generator will operate. For example:

The emergency generator will provide power to the following areas:

FIRST (1st) FLOOR

Halls
Kitchen
Exit Lights
Fire Alarm

SECOND AND THIRD (2ND & 3RD) FLOORS

Halls
Exit Lights
Call System
Fire Alarm
Select Outlets (Indicated by Red outlet covers)

STUDENT UNREST

- Consider retention of outside counsel to develop the college's analysis and explanations and communication strategy.
- Communicate frequently and clearly.
- Allow for controlled discussion of issues, with all constituents represented.
- In times of strike, secure vital and confidential records.
- Limit access to staff offices, computer systems and admission records.
- Invest in adequate locking mechanisms.

- Keep doors to offices locked when not in use.
- Focus on shared goals – use media to bring emphasis to the big picture rather than single emotional events.

GAS LEAKS

The Facility Disaster Coordinator will notify the Gas Company in addition to notifying the Fire and Police Departments.

In the event of a gas leak or disruption to the gas service, the Disaster Plan for Internal Disaster will be followed EXCEPT the windows and doors will be left open.

PERSON DISCOVERING THE GAS LEAK

1. Alert people in immediate danger.
2. Immediately notify supervisor of location of gas leak.
3. Return to the gas leak area and begin evacuation of personnel in room immediately adjacent to the gas leak to an area of safe refuge. Once the adjacent rooms are vacated, open the windows and the room doors. Mark doors with an “X” to indicate the room is vacant. This will prevent possible injury. **Make sure** check closets and bathrooms before you label the room as vacant.

SUPERVISOR

1. Immediately notify Fire Department and gas company by telephone:
 - Give name of facility
 - Give location of gas leak
2. Immediately notify the Facility Disaster Coordinator of the location of the gas leak.
3. Direct staff on that floor to complete normal procedures and also direct staff to instruction set forth by Facility Disaster Coordinator, which may include:
 - Relocation of personnel
 - Total evacuation
 - Assign staff to post at door to meet and direct the Fire Department or gas company to location of the leak.

FACILITY DISASTER COORDINATOR

1. Immediately confirm notification of Fire Department and gas company and notify Police Department. If phones are not working, specify an employee to leave premises and notify Fire Department.
2. If possible, immediately report to area of gas leak for evaluation of disaster.
3. Give direction for fire department and/or evacuation.
4. Proceed with prearranged disaster plan, through instructions of Fire Department chief, assign areas of responsibility to staff members that have not already been assigned.

5. After primary safety to personnel has been secured, notify proper persons of authority in the administration, depending on the title of person acting as Facility Disaster Coordinator.

ALL OTHER STAFF

1. Immediately report to floor or area normally assigned to.
2. Open all windows, doors. Turn off air conditioners and heaters.
3. Report to supervisor for further instruction which may include the following:
 - Evacuation of personnel to a safe refuge
 - Evacuation of all personnel away from the building

DISASTER PREPARDNESS KIT

KIT COMPONENTS

First Aid Kit (with components listed below)

Adhesive Bandages
Adhesive Tape (roll)
Ammonia Inhalants
Antiseptic Hand Cleanser/Soap
Antiseptic Wipes
Burn Cream

Instant Cold Packs
Large Dressing Pads
Medium Dressing Pads
Oval Eye Pads
Povidone Iodine Wipes
Rescue Blanket

Combine Pad
Contents Card
Disposable Gloves
Elastic bandages
Eye Irrigation Solution
First Aid Cream
First Aid manual
Flexible Fabric Bandages
Forceps (tweezers)

Resuscitator Mask
Scissors
Small Dressing Pads
Sting-Relief Pads
Stretch Bandages
Tourniquet
Triangular Bandages
Tylenol Tablets
Wire Splint

Spill Kit (with components listed below)

Cleaning Towels
Disinfectant (bleach)
Gloves
Goggles
Hazardous Materials (HAZMAT) bags
Instant Antiseptic Hand Cleanser

Other Components

Carrying Case
Cellular Telephone
Disposable Flashlight w/Batteries
Duct Tape
Emergency Blanket
Emergency Manual
Flashlight w/Batteries

Food Rations
Paper Towels
Radio w/Batteries
Toiletries and Cleaning Supplies
Water Rations
Weather Band Portable Radio
Wet Wipes

13. Americans with Disabilities Act

The Americans with Disabilities Act was signed into law on July 26, 1992. The law prohibits employers from discriminating against an applicant or employee on the basis of a disability. As of July 1994, employers employing 15 or more workers are covered under the act. In order to understand the ADA, employers must understand its various components.

A. Basics of the Americans with Disabilities Act

Part One: A disabled person, under the ADA, must have:

- A physical or mental impairment that substantially limits one of life's major activities.
- Have a record of having a disability.
- Be regarded as having a disability.

A person who meets one of these criteria is considered disabled and covered by the act, provided that the person is a qualified individual.

Part Two: A qualified individual must:

- Meet the skill, experience, education and other job requirements.
- Be able to perform the essential job functions of the position with or without reasonable accommodation.

As long as a disabled person, regardless of the disability, meets the standard requirements of the position, he or she must be given an equal opportunity to hold the position. It is advised that these specifications and requirements be updated as technology and other relevant factors dictate. The questions you may be asking yourself are now **1) What are the essential job function? 2) How can I separate essential from marginal functions? 3) What is a reasonable accommodation?**

Part Three: Essential job functions and reasonable accommodation:

- Essential job functions are the primary duties that an employee must perform in a particular position.

This is the key aspect of the legislation that the courts look at in any discrimination case. It can provide the employer with an excellent defense against action brought about by any discharged employee or applicant. If a person, for any reason, can not perform the essential job functions, he or she does not have to be considered for a position. This defense only works if the employer takes the time to consider what the job functions are, preferably by asking current employees in each position to list and rate the various functions of their job. As with specifications and requirements, job functions do change over time and must be updated as the need arises.

- Reasonable accommodation is a change in the workplace that allows an otherwise qualified individual to perform the essential job functions., provided that doing so does not create an undue hardship for the employer.

- Undue hardship is an action that requires significant cost or disruption to a company given its size, available resources and the nature of the operation. The cost is compared to the budget of the company not the salary of the individual.

B. How is the size of a company determined?

As state earlier, companies with 15 or more employees are required to comply with ADA legislation. In most cases, identifying size is as simple as counting the number of people on the payroll, but what about companies with different entities. There is a four-step process that the National Labor Relations Board uses to determine the size of a company.

- Interrelation of operations
- Common management
- Centralized control of labor relations
- Common ownership or financial control existing among the several entities.

If an organization with several entities is viewed as employing 15 or more people, based on these criteria, then it will be required to follow the policies of the Americans with Disabilities Act.

C. Disabled and Qualified employees:

1. An employee's inability to perform his former job or one particular job did not qualify as an impairment that substantially limited one of like's major life activities i.e. work.
 - A person is not a "qualified individual" if his condition only limits his ability to perform one job. He must be able to perform a class of jobs or a broad range of jobs in various classes as compared to the average person having comparable training, skills and ability.
2. A person is not qualified for his pre-injury job if that person can not perform the essential job functions. He is only qualified for jobs that are consistent with his training, education, experience and medical restrictions.

D. Reasonable Accommodation:

1. Employers are not required to view all employees with disabilities as suffering from a limitation, "To do so would be a form of discrimination"
2. If an employee fails to request an accommodation from an employer, the employer can not be held liable for failing to provide one.
3. Employers can't discriminate against people because they are associated with a disabled person, but the employer does not have to provide a reasonable accommodation because this only implies to "qualified individuals with disability"
4. Employers are not required to provide "literally everything the disabled employee requests"

5. Employers are not required to provide the best possible accommodation. The only requirement of the employer is that an accommodation be provided that enables the employee to perform the duties of the position.
6. Employees must make a “reasonable reciprocal effort” to cooperate with the employer’s attempts to make a reasonable accommodation.
7. Employers are not required to create a new light duty or permanent position as a way to satisfy the reasonable accommodation requirement. If such a job exists, an employer could satisfy the requirement by placing a disabled employee in the position.
8. Further Reasonable Accommodations may include; removal of architectural barriers, accessible entrances: doors and walkways, accessible bathrooms and, accessible shelves and counters.

E. Reassignment:

- Reassignment only applies to employees, not job applicants
- As stated earlier, new positions do not have to be created, but if a position will be opening in the near future, an employer may fill the position with qualified disabled person, so long as no undue hardship is created as a result of the wait.
- Can assign to a lower position, if no equal openings are available.
- Don’t have to keep the same pay rate.
- Consider only after reasonable accommodations have been unsuccessful.

F. Workmen’s Compensation:

- An employee who claims “total disability” in order to receive Social Security benefits can’t file a suit under the ADA claiming to be a “qualified person”
- Employers are not permitted to discriminate on the basis of a disability when it comes to fringe benefits, but it may establish eligibility requirements that apply equally to all employees.
- Employers may require their employees to work a certain number of hours if they are to remain eligible for health insurance benefits, even if a worker has a work related disability. The only requirement is that the condition be applied to all employees.
- The ADA does not prevent insurers from providing equal cash benefits to persons with equal disabilities even if one of the persons is more” disabled” then the other.
- Employers are not required to provide greater protection for people with work related disabilities then those with non-work related disabilities.
- ADA only applies to discrimination against disabled persons when compared to non-disabled persons.

G. Why should I comply with the ADA?

Most companies view the Americans with Disabilities Act as something that has to be followed. This prevents managers from seeing the true advantages of complying with the ADA. Aside from the legal and financial verdicts the courts may impose on employers, evidence supports the believe that the ADA may actually lower costs and increase moral.

- Eligible businesses may claim a tax credit of up to 50% for the costs associated with ADA compliance. If an employer complies, he or she will have “an employee with higher moral, better productivity, and ability to do the job.

10 STEPS TOWARDS ADA COMPLIANCE

1. Review job descriptions and distinguish the difference between essential job functions and marginal job functions.
2. Establish policies for handling reasonable accommodation requests.
3. Make sure that medical examinations are job related and consistent with business necessity. Identify the people that will perform the exams and to make sure that the exam is job related. Also, provide the medical personnel with job descriptions so that the employee can be evaluated properly.
4. Ensure that any medical information, especially documents that identify disabilities, is kept separate from the employee’s personal file.
5. make sure that fringe benefits, such as a health insurance, are equally accessible.
6. Ensure that all employer-sponsored activities are communicated to all employees. If additional auxiliary aids are needed, then they must be used.
7. Review policies for promotions and in-house transfers to eliminate any from disability discrimination.
8. Review policies regarding compensation, layoffs, absences etc. to ensure that discrimination does not exist.
9. Review performance evaluation forms and procedures to eliminate discrimination.
10. Make all training programs accessible to employees with disabilities.

14. The Family Medical Leave Act

Another important piece of legislation that employers must become aware of is the Family Medical Leave Act. The FMLA entitles employees to take a leave of absence in order to care for a sick or disabled family member. Just like the Americans with Disabilities Act, the Family Medical Leave Act will prove to be costly to employers if they fail to familiarize themselves with its policies.

A. Basics of the act:

The FMLA grants employees twelve weeks of unpaid leave in order to care for someone, other than the employee that suffers from a Serious Health Condition. The twelve weeks of leave need not be consecutive and re renewed every twelve months. In order to qualify for the coverage, the employee must have been employed by the company for one year or 1,250. hours.

B. Serious Health Condition:

A serious health condition is defined as “any illness, injury, impairment or physical/mental condition that involves:

- incapacity connected with inpatient care.
- three days absence from normal activities coupled with continuing treatment under the supervision of a health care provider.
- continuing care for a chronic or long term condition that, if left untreated, would likely result in a period of incapacity of more than three days.
- prenatal care

C. Other characteristics of the Family Medical Leave Act:

- Employers are required to maintain the employees’ benefits during the leave period.
- When an employee returns to work, he or she is entitled to same job or one that pays a similar salary and benefits.
- Employee are guaranteed the leave regardless of its affects on the employer’s operations.
- If positions are reclassified during an employee’s leave an employer may move the employee to a newly created position provided that the reclassification is unrelated to the leave.

D. Revision of the Family Medical Leave Act:

In 1993, the act was changed in order to cover employees with temporary disabilities not covered by the Americans with Disabilities Act. The revision entitles employees to leave if they are unable to perform the essential job functions because of a temporary disability. The ability to perform the essential job functions must still be consistent with current job descriptions. Also, the FMLA allows employees to take the leave even if they have workers’ compensation.

E. Damages under the Family Medical Leave Act:

The courts are trying to ensure that all business follow the policies of the FMLA. In order to accomplish this monumental task, justices around the country are making damages for noncompliance quite severe.

Under the act employees are eligible for:

- damages equal to the amount of lost wages, salary, employment benefits and other compensation that was denied as a result of the violation.
- if the employee did not suffer the above losses, he or she may be eligible for the amount of any actual monetary losses caused by the violation. The amount is equal to twelve weeks of salary.
- if the employer is found to have intentionally violate the FMLA, the employee would be able to receive the amount of actual damages incurred plus interest (double damages).
- employee may receive equitable relief such as reinstatement or promotion.

15. Sexual Harassment

By now most people have some general knowledge about sexual harassment. The media, television and movie industry, and national exposure of the Clarence Thomas/Anita Hill hearings have been influential in educating people about the existence of sexual harassment. Although most people know what it is, very few take the time to consider how big the problem has become. Consider these statistics. A report from Canada on nurses, violence and sexual harassment discovered some startling statistics. Of the 45,000 members of the Quebec Federation of Nurses,

90% were victims of physical and verbal abuse

68% suffered physical violence

45% were victims of sexual harassment

Do these statistics scare you? They should. Other industries are not immune to the problem. In fact, every industry and business, regardless of size, is subject to these same problems.

Sexual Harassment is not a new phenomenon in the workplace. It is not some “here today gone tomorrow” type of problem. Sexual harassment has existed in the business world ever since men and women began working together. And, as more women enter the workforce, the problem will only grow unless something can be done to correct it immediately. This is no easy task. For many people, sexual harassment is a way of life. The numbers are astronomical, but underestimated. Numerous cases go unreported because of fear or acceptance. Unless this is corrected, sexual harassment cases will continue to increase and business will be forced to pay the bill. The next time you make a seemingly innocent comment, think. The next time you feel that your company doesn’t have a problem, think. The next time you are placed in an unpleasant situation, think. The problem can only be corrected if you do something about it.

A. What is sexual harassment?

Sexual harassment is defined as unwanted sexual behavior. It can consist of remarks, looks, gestures, kissing, touching, and constant date requests. That friendly pat or that persistent request for an after work dinner date or those dirty jokes may now get employees and employers into trouble. Another important issue is that of a hostile work environment. This is defined as “situations where the workplace is permeated with discriminatory intimidation, ridicule, or insults that is sufficiently severe or pervasive to alter the terms or conditions of employment and that actually creates an abusive work environment.” Times have changed. What was once viewed as innocent may now be viewed as harassment punishable by firing, fines and public ridicule. Take a close look at your work environment. Do any of these activities take place? If so, corrective actions should be taken. Remember, you can easily become the center of media blitz.

B. Is there any other type of sexual harassment?

Employees and employers are not the only people that commit sexual harassment. Customers and other non-employees can also get you into trouble. The law states that employers may be

responsible for the actions of non-employees if the employer knows to should have known about the conduct and fails to take immediate corrective action. The client that brings millions of dollars of revenue into your business may be the very person that causes millions of dollars to leave in the form of fines.

C. If people don't like the way they are treated, why don't they do something about it?

This seems like a logical solution. But, unfortunately, the problem of sexual harassment is much more complex. In order to understand the rational behind people's motives, you must understand what motivates them to respond a certain way. In other words, put yourself in their shoes. The main cause of employee inaction is fear.

- fear of retaliation
- loss of privacy (victim is usually blamed)
- fear of losing job
- useless effort (nothing will be done)
- unwillingness to hurt the person doing the harassing
- boss is usually the cause of the problem

Another problem is with the victim's attitude towards the situation. In order to suppress the negative emotions caused by harassment, many people try to:

- minimize the situation; "It really wasn't that bad." "I am making a big deal out of nothing." "He really didn't mean to say that."
- blame themselves; "I must have said or did something to bring that on."

D. What is needed to prove sexual harassment in a court of law?

For sexual harassment, the courts look at four basic criteria.

1. Does a business, service or professional relationship exist?
2. Were sexual advances made that were unwelcome? Did they continue after being asked to stop?
3. Can plaintiff terminate relationship without undue hardship?
4. Has/Will loss of damage occur as a result of the termination?

For hostile work environment, the courts look at the following to determine severity:

1. frequency
2. was the action threatening or humiliating?
3. does it interfere with job performance?

If found guilty, a company can be forced to pay thousands or even millions of dollars in damages.

E. Solutions to the problem.

1. Determine whether or not a problem exists with employees and employers. This could be done by way of interviews, surveys or just by conscientious observance of the workplace. Remember two important facts:
 - nice people do cause problems
 - most cases go unreported
 1. 1 in 10 don't report
 2. 85% have frequently witnessed a harassing act.
2. Establish strong management support. Especially upper level management.
3. Create specific policies covering every aspect of the problem from beginning to end.
4. Establish and communicate complaint procedures.
5. Establish policies regarding the handling of complaints.
 - interview all parties
 - asses incident
 - review records
 - take action
6. Establish training programs.
 - change attitudes and behaviors
 - early warning system

Employers can protect themselves from lawsuits if these procedures are established and properly implemented.

Policy Statement

A written policy statement regarding sexual harassment follows logically from top management support and should precede any training efforts. The policy should explicitly address sexual harassment and should be more specific than a general anti-harassment or non-discrimination policy.

The statement has a two-fold purpose: (1) to demonstrate management's understanding of the issue as well as commitment to eliminating the problem; and (2) to establish and make known the procedures for handling instances of sexual harassment. It should include the elements below. A sample policy follows.

1. Purpose of the policy.
2. Legal definition of sexual harassment.
3. Behavioral definition of sexual harassment.
4. Importance of the problem.
5. How employees should handle instances.
6. How the organization will handle instances.
7. Disciplinary action.

Sample Policy Statement

1. **Purpose:** This policy is intended to set forth this organization's position as it relates to sexual harassment.
2. **Legal Description:** Sexual harassment is a form of sex discrimination and is an "unlawful employment practice" under the VII of the 1964 Civil Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitutes sexual harassment when:
 - It is part of manager's or supervisor's decision to hire or fire
 - It is used to make other employment decisions like pay, promotion or job assignment.
 - It interferes with the employee's work performance.
 - It creates an intimidating hostile work environment.
3. **Behaviors, which can constitute sexual harassment:** Sexual harassment is defined as deliberate or repeated behavior of a sexual nature, which is unwelcome. It can include verbal behaviors such as unwanted sexual comments, suggestions, jokes or pressure for sexual favors; non-verbal behavior such as suggestive looks or leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone's body.

Some specific examples of inappropriate or illegal behaviors include:

- Negative or offensive comments, jokes, or suggestions about another employee's gender or sexuality.
 - Obscene or lewd sexual comments, jokes, suggestions, or innuendo
 - Slang, names, or labels such as "honey, sweetie, boy, girl" that others find offensive.
 - Talking about or calling attention to another employee's body or sexual characteristics in a negative or embarrassing way.
 - Laughing at, ignoring, or not taking seriously an employee who experiences sexual harassment.
 - Blaming the victims of sexual harassment for causing the problems
 - Continuing certain behaviors after a co-worker has objected to that behavior.
 - Displaying nude or sexual pictures, cartoons, or calendars on any company or organization property.
4. **Importance of the Problem:** Sexual harassment negatively affects morale, motivation, and job performance. It results in increased absenteeism, turnover inefficiency, and loss of productivity. It is inappropriate, offensive, and illegal, and it will not be tolerated in this organization.

5. **Employee Procedure:** This organization will take an affirmative role in protecting its employees from sexual harassment. Should an instance of inappropriate behavior occur, it is the employee's responsibility to bring concerns to the attention of management. This includes employees who think they are the recipients of sexual harassment as well as those who believe they have witnessed another employee being harassed.

If you believe you are being sexually harassed, take action immediately by:

- Identifying the offensive behavior to the harasser and request that it stops.
 - Discuss your concern immediately with a supervisor, manager, personnel official or other employee authorized to deal with description complaints such as the EEO counselor or Affirmative Action Representative.
6. **Organizational Procedure:** When a supervisor or manager is notified of alleged harassment, he/she will promptly investigate the complaint. The investigation may include interviews with the directly involved parties, and where necessary, employees who may have observed the alleged harassment or who may be similarly situated with the complaining employee and who may be able to testify to their experiences with the accused employee.
 7. **Disciplinary Action:** Complaints and causes of sexual harassment will be dealt with promptly. An employee who sexually harasses another employee will be disciplined as in any other case of serious, illegal employee misconduct.

If the investigation shows that the accused employee did engage in harassment, the supervisor will take appropriate action which will include a warning that any continued harassment may result in a negative employment action, such as suspension or termination. Additional actions, which may be taken, include verbal and/or written reprimands, a letter to the employee's file, or an employee transfer, where warranted.

8. **Questions or Concerns:** It is our intention to make this organization an enjoyable place to work for all employees and we will proactively seek to identify areas on concern and take appropriate action.

If an employee has questions or concerns regarding this policy, they should talk with their supervisor or the person authorized to deal with discrimination matters.

Complaint Procedures

The purpose of any grievance procedure is to provide the means for getting complaints out into the open—a way to bring problems to the attention of those who can help solve them. Such procedures help increase the organization's chances of dealing with the problem internally before complaints are made to an external agency. Grievance procedures should be in place before the training program is undertaken.

Because of the nature of sexual harassment problems, procedures should be flexible, offering more than one route to the complaining employee. Procedures must be designed and communicated so that employees realize complaints and questions are welcome and not discourage.

It is often advisable for the sexual harassment complaint procedure to be different in design from other procedures in the organization. The usual practice of having the supervisor as the first contact may present problems. In many cases the supervisor is either the actual harasser, the alleged harasser or friend of the actual or alleged harasser. Studies show that the supervisor is often perceived as a weak link in the sexual harassment complaint procedure.

It is preferable to allow employees the option of complaining to the supervisor or any of several other designated individuals, who no particular order assigned. The designated people must be perceived as credible, objective and sensitive to the problem of sexual harassment. Including a woman who meets these criteria as one of the complaint contacts is often helpful.

16. Violence in the Workplace

There is no denying that violent crimes are plaguing American society. For many, the thought of sitting on the front steps talking with a neighbor is foreign. Violence is so common in many areas that residents become immune to the sounds of gunshots and sirens. Nothing comes as a surprise; not even murder. Unfortunately, most people fail to realize the magnitude of the problem until it is too late. They think that violence only happens to other people. The important thing to remember is that violent crimes are not isolated to a particular area. Nor are they associated to a particular group. It is not a black problem or a white problem. It is not a poor problem or a rich problem. It is everyone's problem. Violence does not discriminate on the basis of race, age, sex, income or religion. It happens everywhere. The workplace is no exception. Violent crimes are dramatically increasing in the workplace. Statistics show that 1 in 6 violent crimes occur in the workplace. A person has a 1 in 4 chance of being attacked on the job.

Do you still think that you are safe? Do you still feel that the problem can't happen in your company? Remember that violence does not discriminate. Money or a fancy title will not protect you from the harsh reality of life. The world is a violent place. This does not mean that people have to become prisoners in their own offices. You don't have to disrupt everyone you meet. In most cases, a few simple prevention matters can solve the problem of workplace violence. The first step towards this prevention, though, is acceptance. When employers finally admit that they are susceptible to workplace violence, they will become more likely to take corrective actions to prevent such an occurrence from happening. The extra time and money you spend to prevent violence in your workplace may just save a life. In fact, the life you save may be your own.

A. Why are violent crimes in the workplace rising?

This following list are causes for the increase in violent crimes in the health care and social service industry. Although some are industry specific, many can be associated with every industry.

1. more weapons
2. increase in release of acute or chronically mentally ill patients
3. availability of drugs and money at hospitals
4. unrestricted movement of the public in hospitals
5. low staff levels
6. isolated work with clients
7. sole work in secluded areas
8. lack of training
9. poor lighted parking areas

As a manager, it is your duty to identify these and other causes of work place violence. The lives of your coworkers depend on you prompt and through understanding of the problem.

B. Elements to an effective security program.

Once you understand your company's risk, you can plan to take corrective actions. The sooner this can be done the better. Violence is a time bomb waiting to explode. You don't know when and you don't know where. The damages can be as minor as two employees fighting to something as serious as murder. The problem will not go away by itself. It must be dealt with immediately. Failure to act can result in the lost of lives. Can you live with these consequences? If not, the following steps will help companies identify and defuse potential problems.

1. establish strong management and employee support
 - a) management must
 1. communicate concern for employee safety
 2. assign responsibility to employees and managers
 3. allocate authority and resources to the proper people
 4. create a system of accountability
 5. counsel all employees and staff members
 6. support recommendations of committees
 - b) employees must
 1. understand and follow the established safety procedures
 2. actively participate in complaint/suggestion procedures
 3. report any and all incidents
 4. participate in committees
 5. continue education on topic of workplace violence

Without the cooperation of management and employees, any attempt to prevent workplace violence will be in vain.

2. Perform work site analysis
 - a) establish a task force so that problems can be identified and changes recommended.
 1. records for the company should be reviewed to identify problems within the organization
 2. the industry should be monitored so that trends can be identified
 3. employees should be surveyed
 4. security should be reviewed
3. Establish prevention and control procedures based on the work site analysis.
4. Train and evaluate all employees, including management.
 - a) It takes seconds to commit a crime. A moment of indecision may cost people their lives.
5. Maintain accurate records and continually evaluate the program.
 - a) Changing conditions in the industry, company or society as a whole may make your program outdated. Constant monitoring is needed to avoid gaps in your security program.

Now that you are aware of the problem, are you going to act immediately or take a wait and see attitude? Before you answer, remember that lives hanging the balance. The solutions are there, but they will only work if you take the initiative and implement them. Workplace violence is a serious problem. The power to correct the situation is in your hands.

Policy Statement on Workplace Violence

It is Company's Name's policy to promote a safe environment for its employees, customers, service providers and the general public. Company's Name is committed to working with its employees to maintain a work environment free from violence and threats of violence.

Though incidents and threats of violence at Company's Name are infrequent, they do occur. Some of these instances have involved behavior that was perceived as "threatening" to the physical or well-being of others, including harassment or intimidation in the form of oral or written statements, gestures or expressions that communicated a direct threat of physical harm. This type of behavior constitutes serious misconduct and we have treated it as such.

Violence and threatening behavior in our workplace will not be tolerated, i.e., all reports of such incidents will be taken seriously and will be dealt with appropriately. Individuals who commit such acts are subject to disciplinary action, including removal, and may be subject to criminal penalties.

We need you help to implement this policy effectively and maintain a safe working environment. Do not ignore threatening, harassing or intimidating behavior. If you observe or experience threatening, harassing or intimidating behavior, report it immediately to a supervisor or manager. Supervisors and managers who receive such reports should seek advice from the Employee Relations Office at phone number regarding the incident and initiating appropriate action. (PLEASE NOTE: threats or assaults that require immediate attention by security or police should be reported first to security at phone number or to police at 911).

I am committed to supporting all efforts necessary to deal with reports of violent or threatening behavior. In addition, we will be looking a how well our efforts work in resolving these problems. If you have any questions about this policy statement, please contact _____ at phone number.

Signature of Company President

17. Wrongful Termination

It was not long ago that workers were working in horrible conditions. The hours were long and the work was dangerous. Employees had very little rights. In fact, they were at the mercy of the employers. The boss had the right to fire employees at will. There did not need to be a reason. There did not have to be any type of warning. All managers had to do were say the word and the case was closed. No rebuttal was allowed. The employee was simply out of a job. Times have changed considerably since then. Over the years, various pieces of legislation have been passed to protect employees' rights. Laws against discrimination and poor working conditions have made the work environment friendlier towards employees. The pressure is now on management to comply with the employment laws. They regulate not only working conditions, but also the very nature of employment. Employees are now classified under different categories of employment. Managers should know what category their employees fall under in order to avoid lengthy litigation proceedings and stiff fines. Do you know how to classify your employees? If not, clear your calendar and get out your checkbook. The next few months could be very expensive.

A. What is Employment at Will?

Employment at will simply means that an employer can, at any time, fire an employee with or without just cause. Employment at will policies are not as strong as they once were. In order to protect employees' rights, various laws were passed to minimize the power of managers using these policies. Major exceptions to the rule are:

- Statutory prohibitions - employers are not permitted to fire employees because of their age, sex, national origin or disability.
 - Some states prohibit the firing of employees because of a marriage or pregnancy.
- Violation of public policy - employers are not allowed to fire employees because they refuse to break the law or want to exercise an established right. Managers must allow employees to:
 - Assert their employment rights.
 - Voice safety concerns.
 - Refuse to take part in illegal activities.
 - Report illegal activities of the employer.
- Breach of contract - employers are not allowed to breach an oral or written employment contract.

Despite these exceptions, employment at will still gives managers a considerable amount of power over employees. As long as managers work within the rules, employees can still be fired without having their case heard. In certain situations, though, employees are given protection against immediate dismissal. If employees can prove that they have a right to a particular position, they will be protected by the courts from employers' actions.

B. Property Interest

The fourteenth amendment of the United States says that no state shall deprive a person of life, liberty or property without due process of law. Due process means that a person has the right to respond to any and all charges that affect their life, liberty or right to property. Employees gained momentum in 1985 when the Supreme Court ruled that due process will cover an employee's property interest in employment. An employee is given a property interest in employment either by an oral or written contract. These contracts are legally binding and guarantee an employee a position. In essence, that employee owns that position as long as the contract has not been violated or has not expired. With this type of employment, employees are granted the right to defend their actions. Did something you say or do create a property interest for an employee?

C. How do I protect myself from wrongful termination suits?

Managers can protect themselves from serious suits and litigation as long as they are careful with what they say and do in relation to employees. In order to minimize risk, managers should:

- Identify employees entitled to due process.
- If possible, avoid creating a property interest in employment.
- Understand requirements of due process.
 1. Employees are allowed to be reassigned without due process, but if there is a reduction in pay or position, the employee has a right to due process.
 2. Disciplinary actions involving supervisors for five or more days require due process.

If managers can establish guidelines in dealing with employees, they will decrease their chances of being sued. The guidelines should be similar to the following:

1. Specify rules of employment
 - Handbooks and applications are legally binding contracts and should be treated as such. Avoid saying anything that could be interpreted as a contract guaranteeing employment.
 - State "at will" policies clearly
 - List all "good causes" for dismissal. Avoiding some may imply that an employee can not be fired for that reason.
2. Be honest with employees when they are being investigated for a rule violation. Inform them of these results of the investigation and warn them of the consequences of noncompliance.
3. Put the employees on notice.
 - Progressive discipline should be used in most cases.
 - Have employees sign any written notice.
 - Use all available options (demotions, counseling, suspension)
4. Discharge as a last resort.
 - Write down all reasons for discharge.
 - Inform employee of reasons for dismissal

- Providing a good reference to a fired employee may be grounds for a wrongful termination suit. Tell only last title held, pay, and length of employment.

18. Patient Rights

Designated to protect the fundamental human, civil, constitutional and statutory rights of each patient, laws have been enacted giving patients the right to impartial access to treatment regardless of race, religion, gender, sexual orientation, ethnicity, age or disability. Therefore, your agency should have a system in place to:

- Inform each patient and/or his/her family, guardian or custodian of the rights and responsibilities of patients.
 1. Written form given to client.
 2. Designate responsible staff member.
- Allow for the filing of grievances and the objective review of grievances in a timely manner.
 1. Grievance forms should be developed to maintain consistency of information gathered.
 2. Grievance procedures should be formulated and easily available to clients.
 3. Grievance review committees should be established prior to grievances being filed.
 4. Grievance management should be consistent.
- Respect and maintain the confidentiality of clinical information (see client records)
- Orient new staff and train existing staff on patient rights and confidentiality
 1. Patient rights and confidentiality should be covered during company orientation.
 2. Review your agency's position during in-house training sessions with current employees.
 3. Information and training should be given to all staff, regardless of level.
- Monitor and evaluate your organization's system for protecting and supporting patient rights.
 1. Include questions on patient's rights in any satisfaction questionnaires your agency uses.
 2. Monitor staff attitudes and actions concerning patients in employee reviews.

19. Seasonal Variance Programs

Providing a safe workplace for your employees and your customers is essential to the profitable management of your business.

This handy checklist will help you develop a winter safety plan for your buildings, walkways and parking lots. This list should be shared with all employees who are responsible for helping you maintain a safe workplace. Use it as a reminder to concentrate on the areas of your business most vulnerable to snow and ice damage. When the weather is at its worst, a daily review of each item on this checklist is important.

Roof

- Engage a structural engineer to verify that the roof can support the addition of equipment or routine roof repairs. Determine that the integrity of the roof has not been compromised since original roof design and construction.
- Check for uneven disbursement of flat roof gravel.
- Pre-arrange with a snow removal contractor for service at prescribed snow level.

After each snow storm check for:

- Accumulation of snow/drifts.
 - Drains/gutters/down spouts congestion.
 - Ice build-up.
 - Ponding. *
 - Gravel shift (for flat roofs). *
- *check these items weekly.

Awnings/Carports/Gutters

Check for damage or weak points in the structure including:

- Cracks.
- Twisted/bent metal.
- Separation from building.
- Debris accumulation.

Parking Lots/Sidewalks

If the parking lot or sidewalks are under your maintenance, make arrangements NOW for snow removal with an outside snow removal contractor for both sidewalks and parking lots. You'll be asked to indicate the snow level for work to begin.

After each snow storm:

- Clear parking lot as often as necessary to allow traffic to flow.
- Salt parking lot as often as necessary to help prevent slips and skids.
- Clear sidewalks before workers begin to arrive for work, and again before they leave for the day.
- Salt sidewalks, steps and entrances to help prevent slips and falls.

Unheated Structures

- Set up temporary heat supply.
- Check building temperature and maintain at a level to prevent freezing.
- Insulate building pipes to protect against freezing.

NOTE: If you have auxiliary buildings that are not normally heated, also provide heat source to help keep the structure intact during cold weather.

Remember, it is important that every business have a Snow Removal plan. Your plan should be in writing and include the following information:

- Pre and post snowstorm activities.
- List of emergency contractors and insurance company phone numbers
 - Suggested emergency contractor list:
 - Snow removal (sidewalks, driveways, roofs)
 - Plumber
 - Electrician
 - Tree removal
 - Roofing
 - Sprinkler repair
 - Gutter repair
 - HVAC
- Equipment-materials available for snow removal (include names of those trained to use equipment, if applicable).
- Schedule and assignments (outline in detail).

NOTE: Give all the appropriate personnel a copy of the plan.