



THE UPDATE

WINTER 2018

VOLUME 4

Illinois Counties Risk Management Trust

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MARCH: ETHICS AWARENESS MONTH

ICRMT Online Featured Courses

Ethics in the Workplace

This course equips employees with the information, training and problem-solving skills they'll need to make ethical decisions, even when the right decision isn't popular.

Ethical Decision Making

Every day, you make thousands of decisions. In fact, some estimate you make around 35,000 decisions a day. Many of these decisions are rather simple ones. Others are not so easy. Learn about what it takes to make ethical decisions on the job, including how to use organizational values as a personal guideline, how to dissect tough ethical dilemmas, and how ethical decision making benefit you.

Law Enforcement Ethics

Ethics encompasses a number of issues for law enforcement officers and every officer, at some point in time, wonders if honesty really is the best policy. This course, through the use of scenarios, shows law enforcement officers how to make the best decisions when faced with ethical dilemmas.

For more information contact Derek Madeira at 630.203.5164 or derek.madeira@ipmg.com

The ICRMT Update is a publicized quarterly newsletter distributed by the Illinois Counties Risk Management Trust to communicate relevant issues of importance to local officials and employees





Return Them to Work or Not? That IS the Question

By Steve Murdock of Inman & Fitzgibbons, Ltd.

It is a question we are often asked, both generally and specifically, in our business of defending employers before the Illinois Workers' Compensation Commission. "We have an employee who just presented us with a restricted duty release for which we can probably find accommodation; must we?" "We have an employee who just got a release to work with a 40-lb lifting limit, and we'd like to bring him back to work. What do we need to do, and should we?" It is also the subject of debate between workers' compensation defense attorneys and claims handlers versus labor and employment law attorneys and Human Resources personnel. So, should you return employees with temporary restrictions to work or not? Well, in classic response, "it depends." All cases rest on their own facts, so we'd need to know all of the facts. But for the vast majority of cases, with rare exception, you will receive a resounding, "yes."

Let us begin by saying that there can and should be, to the extent that your employment agreements allow, a distinction between employees under restrictions for non-occupational conditions and those under restrictions due to an occupational injury. This is not discriminatory practice to distinguish the two. Employers that can provide reasonable accommodations for employees with temporary restrictions have a finite, if any, accommodating work available. Those accommodations should be reserved for occupational injury employees because accommodations for those employees has a direct impact on the employer's business interests in the form of cost reductions on the underlying workers' compensation claims. This distinction should be outlined in the employer's return to work policy.

This leads us to the next point: if an employer does not have a return to work policy, the employer needs to get one. Why? Indemnity benefits continue to be one of the driving costs for Illinois workers' compensation claims such that a 2013-2016 study by the Workers' Compensation Research Institute (WCRI) found that Illinois' average work comp claims cost per claim is about 21% higher than the median due in part to the fact that Illinois' average indemnity benefits per claim are higher than most states.

The longer and more lost time benefits paid to Illinois employees, the higher the cost for the claims. It's simple math. Reduce the lost time benefits paid on a claim, and you will reduce the cost of the claim. The policy needs to be in place to make sure employees have knowledge of it and to see that it is implemented uniformly across all workers' compensation claims.

If the math is that simple, then why not accommodate an employee with temporary restrictions? The most common reason we hear is that it is just not available. Perhaps the second most common response is that the employer simply does not want to provide accommodations and have to essentially babysit accommodated employees. Other reasons include concerns of the impact of those accommodated employees on productivity and morale or that "our union employee agreement does not permit it." Most of this can be categorized as a simple lack of creativity and a misunderstanding as to how a return to work policy works and that they can be tailored to fit the specific needs of the employer.

We encourage employers to have this discussion and to provide temporary work accommodations for their employees who have been released with temporary restrictions. Why return to work? First, industry reports indicate that the longer an employee is out of work from an occupational injury, the less likely that employee will return to work. There is some data suggesting that an employee off work for more than six months has a less than 50% chance of ever returning to work for that employer. While this may be preferred by some employers for some employees, the simple fact is the cost of the claim increases significantly when the employee is not able to return to work. Second, the studies also show that the vast majority of injured employees actually want to return to work rather than stay home on disability. In this age of negativity and the impression that "all employees" want to game the system, this fact may be hard to believe. But experience in practice has shown that this is true – the vast majority (let's say 80-85%) of employees just want to get back to "normal," and this includes a normal work routine.

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Finally, return to work accommodations can and should be an integral part of the post-injury rehabilitation process. The accommodations help provide the employee with a positive outlook on the recovery process by a sense of being welcomed back to work and a gradual “return to normal.” It also encourages both physical and emotional recovery from the injury by allowing a gradual reintegration into the employee’s work duties as opposed to the employee kept off work for months, during which the employee may be mentally and/or physically inactive, then being released in a day to go back to work full-duty and full-speed. Going from zero to full-speed may be good for your car, but for people it raises the risk of injury or re-injury.

For some, the question is not open for discussion. We hope that this is based upon an informed business decision and not based on fear, misunderstanding or simply a lack of thought about the question. For others, it has simply not been a question on the radar. Finally, for others, it is something open for discussion. We encourage all employers to take some time to ask, “Return Them to Work or Not?” Then go through the process to make an informed decision on the question.

There is not enough space in this article to outline all of the options that should be considered in creating a return to work policy and what should be included in that policy. That would require an entire article or more in and of itself. IPMG has terrific resources and personnel trained to work with employers in going through this question, thinking through the concerns and issues raised in asking the question and assisting in answering those questions and helping employers develop effective return to work policies, and in turn save employers money.



Did you know that you can report claims online?

IPMG’s proprietary online incident reporting and tracking program, In-Sight, allows clients to report and track their claims online with 24/7 access to risk management consultants.

Working in Extreme Temperatures?



This course has been developed in accordance with OSHA’s 29 CFR 1910.120 regarding personnel exposed to temperature extremes. Topics include illnesses resulting from hot and cold temperature exposure, first aid measures, steps to avoid illness, factors that affect the body’s ability to withstand temperature extremes, and measures to prevent injuries related to temperature extremes.

Staying Safe Online



Are your employees still falling for phishing schemes? Phishing remains the single biggest threat to information security, and if your employees continue to take the bait, it’s time you addressed the problem with training that directly targets the kinds of behaviors that need to change. This engaging course helps people identify the ways that scammers attempt to get into their system and it offers practical advice and practice on avoiding phishing attempts on all kinds of devices.

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Badge of Health

By Kimberly Gaston MD, DC
IPMG Field Clinical Services Director

When evaluating the landscape of opportunity for reducing group health and Worker's Compensation cost for self-funded counties and municipalities, it is evident that focusing on police and firefighter health is a pragmatic approach.

First responder's obesity and overweight population ranges between 71% and 89% based on BMI and waist circumference, as compared to the general public at 65%. The morbidity and mortality rates of first responders are greater principally in the areas of cardiovascular disease, diabetes, cancer, and suicide.

The consequences of poor health include vulnerability to on duty injury, illness and disease, loss of respect by the public at large, lost productivity and lost time at work.

Essential functions of the job for first responders include cardiovascular endurance (such as running up the stairs or sprinting longer distances), anaerobic power (such as lifting patient on a cot or in hand to hand combat), flexibility (to perform common tasks such as bending), and neuromotor skills (for fighting a fire or using weapon).

Research indicates there are many benefits to having a physically fit uniformed personnel, including greater strength and stamina, weight reduction, lower cholesterol and blood pressure, and decreased risk of death, injury, or disability from disease.

Fit and active employees have a 40 to 70% less absenteeism than non-fit employees, reduced Worker's Compensation claims and job turnover, as well as improved productivity and agency loyalty. All of these benefits reduce spending of the agency's healthcare dollars.

IPMG has specifically coined a program to address the severe consequences that our first responders and agencies have faced over the past few years. We call it the "Badge of Health."

Key components to the Badge of Health include:

- Developing a leadership team for successful implementation
- Health screenings with lab work to address any particular areas that are out of range and could be an immediate health risk or to identify emerging health risks for participants
- One-on-one consultations by a licensed healthcare provider so employees are empowered to take action on their health goals
- Assistance in developing an agency fitness program
- Assistance with improving health of employees who suffer with obesity or chronic conditions such as diabetes and hypertension
- On-site or webinar based educational programs to help drive improved culture
- Assistance with job descriptions that include the physical demands of the job

In closing, agencies that have engaged in the Badge of Health program have seen a significant reduction in their Worker's Compensation claims and overall group health care costs. Programs are customizable to the meet agency needs.