

NEW, LOWER MINIMUM RATES FOR DB

NYSIF[®]

NEW YORK STATE INSURANCE FUND

Workers' Comp.

ADVISOR

nysif.com

October, November, December 2009

Put On Your PPE!

Special Issue:

**Personal Protective
Equipment - a Must
Have in Any Season
for Workers Who
Need to Wear It!**

Pull-Out-and-Post Presentation:

**Smart Workers Don't Ignore
Danger**

**Smart Look - PPE Says You
Care About Yourself and Your
Family**

**Smart Guide to PPE Most Often
Used to Protect Head, Hands,
Feet, Eyesight and Hearing**



Francine James Named Chief Deputy Director



Chairman Robert H. Hurlbut and the NYSIF Board of Commissioners announced the appointment of Francine James to the position of chief deputy executive director and secretary to the board on July 9.

"We are delighted to welcome Ms. James to NYSIF's leadership team," Chairman Hurlbut said. "She will be a great addition, bringing a wealth of knowledge and experience that will make NYSIF an even stronger organization."

Prior to her NYSIF appointment, Ms. James served on Gov. David Paterson's staff as appointments secretary. "I am grateful to her for her service and wish her the best as she takes on a new role at the Insurance Fund," Gov. Paterson said.

Ms. James previously served as assistant first deputy attorney general in the New York State Attorney General's Office, handling managerial, policy and legal issues. She also oversaw the Legal Recruitment and Legal Training bureaus of the office. Prior to that, Ms. James worked for Manhattan DA Robert Morgenthau as an assistant DA for 11 years.

Jean Woodard, Deputy Director for Finance & Administration



The NYSIF Board of Commissioners also announced the appointment of Jean M. Woodard as deputy executive director for Finance and Administration.

Ms. Woodard joins NYSIF after more than two years as assistant secretary for appointments in the Governor's Office. Her previous experience includes seven years as director

of Budget and Fiscal Management, and assistant director for Administration for the NYS Attorney General's Office, and seven years as chief fiscal and administrative officer at NYS Energy Research and Development Authority.

Ms. Woodard has a master's degree in public administration from the Rockefeller School of Public Affairs at SUNY Albany.

Insurance Dept. Approves 4.5% Loss Cost Increase

The NYS Insurance Dept. approved an overall average loss cost increase of 4.5% to become effective on workers' comp. policies with renewal dates Oct. 1, 2009 and thereafter. The revision contains no changes in the loss costs for terrorism, natural disasters and catastrophic industrial accidents.

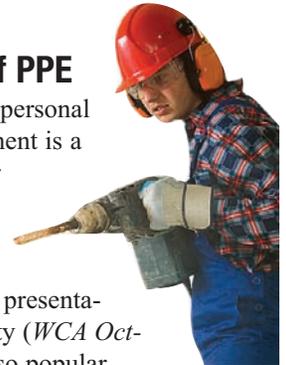
Loss cost changes for individual classifications were based on the most recent loss experience available for each class. Increases and decreases from the current lost costs were actuarially calculated for each class to ensure that the loss cost for each reflects the appropriate level relative to the experience of other classifications.

This Issue

The Power of PPE

Working without personal protective equipment is a risk you and your workers don't want to take.

Our previous pull-out-and-post presentation on back safety (*WCA Oct-Dec '08*) proved so popular we're following it with this issue devoted to PPE. Remove the PPE presentation from the centerfold, then rotate posting the front and back of this informative pull-out in your workplace.



Pages 3-6

NYSIF Changing DB Industry - Again

A New, Lower Rate for Minimum Annual Premium

NYSIF, which lowered disability benefits rates twice by 20% in the past five years, is changing the disability benefits insurance industry again.

Effective July 1, 2009, NYSIF reduced the minimum annual DB premium from \$100 to \$60 for all new and renewing policies. About 20,000 current NYSIFDB policyholders should see their yearly charge drop by the full \$40.

NYSIF also launched a new disability benefits automated quote system at nysif.com to give customers immediate premium quotes, rather than wait for a manual response. "The automated system gives customers an actual estimate and instructions for applying for disability benefits insurance at the time of inquiry," NYSIF Chief Deputy Director Francine James said.

Mandated by New York State, disability benefits provide temporary partial wage replacement to eligible employees for off-the-job injury or illness, excluding medical care. Employers can opt to pay for the entire cost of DB insurance, or

deduct part of the cost of from employees' wages.

NYSIF designed the new \$60 annual minimum premium for the large share of small-business DB policies in New York.

NYSIF has other ways for DB policyholders to save. DB policies with over \$1,000 in premium may qualify for an annual DB Premium Adjustment Plan credit based on individual claims performance for the current year, regardless of past claims history. Smaller DB policies with less than 50 employees may qualify for an annual Return of Premium Plan credit and may receive a dividend credit based on annual claims performance for all policyholders with less than 50 employees.

Internet users automatically are eligible to qualify for DB premium credits by submitting timely online payroll reports. Online DB payroll reporting is another convenience for customers, along with automated immediate premium quotes.

In 2010, look for NYSIFDB programs and pricing that may be of interest to you and will change the industry once again.

The Power of Personal Protective Equipment

By Gary Dombroff, NYSIF Principal Field Services Representative

What do smart workers have in common with soldiers, firefighters, astronauts, ball players, coal miners, SWAT teams and superheroes? They know better than to ignore danger. They follow the rules of protecting themselves from the hazards they face. They dress properly for the job! And you should, too.

In this article, we're going to look at the most often-used equipment to protect your head, hands and feet. We'll also look at protecting your hearing and eyesight. The main point is that you should always use the necessary personal protective equipment (PPE) when the hazard of your job requires it. You'll be in good company if you do.

GETTING YOUR GUARD UP

Let's start by talking about guarding. For instance, picture a table fan. It's safe to use because there is a guard around the blades—you can't put your fingers into the danger zone. Guarding is great for protecting you from machines, but you can't always put a guard around harmful things like loud noise, chemicals, flying chips or dust. So you have to guard *yourself* by wearing PPE.

Depending on your job, you may need to protect your head from falling objects, keep your fingers safe from wood splinters or sharp metal edges, prevent choking from dust or fumes, avoid electrocution, or save your eyesight from being stolen by a chemical, a flying fragment or intense heat. If you encounter any of these hazards, you probably need PPE.

Medical and lab workers: PPE is for you, too. Healthcare workers need to protect themselves from exposure to numerous chemicals, body fluids, blood and radiation. These days, even a simple dental procedure requires dentists, assistants and hygienists to wear gloves, masks, disposable gowns and face shields.

YOU'VE GOT THE POWER!

No one likes a lecture on what they "have to do." Things like hand, eye or hearing protection may not be your favorite subject. However, besides being required for some jobs, PPE does something terrific—it greatly lowers your chances of getting hurt when you work in hazardous conditions or with dangerous substances.

Given the power of PPE, it's amazing that some workers refuse to use the equipment needed to keep them safe. They are taking the risk that "it won't happen to me." It's a bad gamble.

It can take less than one second to permanently ruin your life, to lose one or more of your fingers, limbs—or senses. Do you want to live without your eyesight or hearing because you didn't take a few seconds to put on your PPE? Electrocutions happen fast, too. Fortunately, it's easy to protect your body—and your life—while on the job.

REMEMBER THESE THREE KEYS TO BENEFIT FROM PPE

- You must have the right type.
- It must fit you correctly.
- You have to wear it when it's needed.



Smart company:

DRESS PROPERLY FOR THE JOB. Police, firefighters—even superheroes—don't gamble with life and limb by not wearing PPE. Neither should you. Isn't your life and health just as important as theirs? If you risk not wearing PPE because you think, "It won't happen to me," it's a bad gamble. The power's in your hands to put on your PPE. Self-respecting workers use it for their own sake and for their families as well.

PPE: From H



What Would This Guy Say?

Sometimes workers complain about their PPE—they say it’s heavy or inconvenient, or it looks bad. What would a firefighter say if you told him about a pair of goggles or a hard hat you had to wear, but you didn’t like? A firefighter, who wears and carries more than 60 lbs. of equipment and protective gear, might not be too sympathetic. He’d probably tell you, “Wearing your PPE comes with the job,” as he’s racing, fully-equipped, to the scene of a fire. You wouldn’t catch him enter-

ing a burning building without first protecting himself. Before each “job” he and his squad put on boots, heavy rubber coats, masks protecting eyes, nose and mouth, oxygen supplies and helmets—in addition to carrying fire hoses and tools needed to gain entry and rescue victims. You might argue that your job isn’t as dangerous as a firefighter’s. Maybe not, but you should consider protecting yourself in proportion to a firefighter’s risk. So if just your eyes are at risk, wear your eye protection. If your head is vulnerable, then put on that hard hat. That’s where our look at PPE begins.

STARTING AT THE TOP

A head injury can impair you for life; some are fatal. Wearing a safety helmet or hard hat is one of the easiest ways to protect your head from injury. Hard hats protect against impact and penetration hazards as well as electrical shock and burns.



When to wear head protection:

- If objects might fall from above and strike you on the head;
- if you might bump your head against fixed objects, such as exposed pipes or beams;
- if there is a possibility that your head will have accidental contact with electricity.

The federal Occupational Safety and Health Administration (OSHA) expects the following to wear head protection:

Construction worker	Plumber/Pipefitter
Carpenter	Timber and Log Cutter
Electrician	Welder
Lineman	

How do hard hats protect?

Hard hats protect in two ways. First, the hard, outer shell protects against penetration by falling objects. Second, a shock-absorbing lining with a headband and straps suspends the shell 1 to 1.25 inches away from your head. Adjust straps for correct fit so the hat does not slip, fall off or bind.

Workers should wear the right kind of hat for any work that has an overhead hazard, including working below others who are using tools or working under a conveyor belt. Don’t use metallic hats near electrical hazards. The hat’s brim should face forward for proper protection.

LOOKING AT EYE PROTECTION

Workers exposed to workplace hazards that can harm eyes and threaten eyesight must wear appropriate-fitting eye and face protection. Depending on the job, you may need special goggles, spectacles with side shields, or face shields. Regular eyeglasses or sunglasses are not PPE.



Is this you?

Workers exposed to flying fragments, large chips, hot sparks, acids or caustic liquids, chemical gases or vapors, optical radiation, splashes from molten metal, potentially infected material, or objects, particles, sand, dirt, mists, dust and glare should wear eye protection. Eye/face protection should meet American National Standard Institute (ANSI) standards for specific hazards, should not restrict vision, movement, or interfere with hard hats, earmuffs or other PPE.

Common PPE eyewear:

- **Safety spectacles** — eyeglasses with safety frames made of metal or plastic and impact-resistant lenses; some accommodate side shields or prescription lenses.
- **Goggles** — tight-fitting, completely covers eyes, eye sockets and area immediately surrounding the eyes.
- **Welding shields** — vulcanized fiber or fiberglass with filtered lens; protect against burns, flying sparks, metal spatter, slag chips; lenses have a shade number appropriate to specific light radiation hazards.
- **Laser safety goggles** — protect against intense laser light.
- **Surgical goggles** — protect against blood/bodily fluids; some tasks require laser- or ultraviolet-filtering goggles.
- **Face shields** — transparent plastic extends across entire face from eyebrows to below chin; protect against nuisance dusts and sprays of hazardous liquids.

Head to Toe

WE SAID... PROTECT YOUR HEARING

According to the National Institute for Occupational Safety and Health, "If you have to raise your voice to talk to someone who is an arm's length away, then the noise is likely to be hazardous. If your ears are ringing or sounds seem dull or flat after leaving a noisy place you probably were exposed to hazardous noise."

Noise-induced hearing loss is usually irreversible. This is especially true in construction, an industry with exceptionally high exposure, where 44% of carpenters and 48% of plumbers report hearing loss. The good news: it's fully preventable if workers and employers cooperate to protect hearing.

Noise is measured in decibels (dB). Generally, the louder the noise, the shorter the exposure time before hearing protection is required. Unless you have measurably lost some of your hearing, you can be exposed to a noise level of 90 dB for eight hours a day before hearing protection is required. If noise levels reach 115 dB, such as that produced by a hammer drill, for instance, hearing protection is required after 15 minutes.

Continuous noise occurs when the interval between the maximum noise level is one second or less. Noises *not* meeting this definition are considered impact noises, loud momentary sounds such as that made by powder-actuated nail guns, a punch press or drop hammer. Exposure to this type of noise must not exceed 140 dB.

Employers should first try engineering and work practice controls to lower noise exposure. If these do not lower noise to acceptable levels, employees must wear appropriate hearing protection. **Make sure hearing protection fits well. If not adjusted properly, it will not provide the rated protection.**



Important! Like any other PPE, take good care of reusable hearing protection. Keep it clean to prevent infection or irritation, and replace it when it becomes ineffective. • If you wear other PPE such as hard hats or eye protection, all of your PPE has to function together properly. • Be sure you can hear or see emergency notification alarms when wearing hearing protection. • Stereo headphones are *not* protective devices.



Different kinds of hearing protection:

- **Single-use earplugs** – self forming and, when properly inserted, work as well as most molded earplugs.
- **Pre-formed or molded earplugs** – disposable or reusable, must be individually fitted by a professional.
- **Earmuffs** – require a perfect seal around the ear.

hazard can't be eliminated by other means).

Always wear the correct glove for the job, carefully choosing the type that protect against the specific chemical or physical hazard you face.

Gloves generally fall into these groups:

- **Leather, canvas or metal mesh gloves** — These sturdy gloves protect against cuts and burns. Leather or canvas protect against sustained heat; leather protects against sparks, moderate heat, blows, chips and rough objects. Aramid fiber and various synthetic gloves protect against heat and cold, and are cut- and abrasive-resistant.
- **Fabric and coated fabric gloves** — Made of cotton or other fabric, these protect against dirt, slivers, chafing and abrasions. Not for rough, sharp or heavy materials. Coated fabric provides slip-resistant qualities for tasks ranging from handling bricks and wire to chemical laboratory containers.
- **Chemical- and liquid-resistant gloves** — Always check the package or product literature to determine the gloves' effectiveness against specific workplace chemicals and conditions. OSHA.gov also has a table of gloves and effectiveness against specific chemicals. If you're not sure, check the chemical's Manufacturer Safety Data Sheet (MSDS) for exposure and protection information.

SKIN PROTECTION: A GLOVE STORY

If your skin is exposed to chemicals or pollutants, cuts, abrasions and similar hazards, you need to wear proper protective clothing to prevent injury. Gloves are perhaps the most commonly-used protective garment. Depending on your job you also might need to wear a vest, jacket, apron, coverall, surgical gown, full body "hazmat" suit, or arc flash-resistant clothing.

Employers need to ensure employees wear appropriate protection if a hazard assessment reveals the potential for injury to a worker's hands and arms (if the

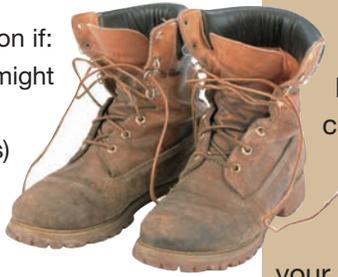


The 'Good and the Useless': Fatal Exposure

Dartmouth College professor Karen Wetterhahn died from exposure to a toxic mercury compound after a few drops spilled on her gloved hand. She didn't know that her latex glove was the wrong type. Said an investigator: "There are dozens of types of gloves and each one is good for certain chemicals and useless for others."

Supervisors Must “Walk the Walk”

If you're a supervisor who selects PPE or enforces PPE rules, you know it's not easy to balance the need for protection with issues of comfort, training and PPE acceptance by workers. **As a supervisor there *is* something that you *can* do to promote PPE usage: wear your own PPE every time it's required!** Let your workers see there are no exceptions when it comes to working safely. Set an example to show workers who don't like their PPE that PPE usage rules are for everyone. Enforce PPE rules for work site visitors, too. **No exceptions means *no exceptions!***

**WHO NEEDS FOOT PROTECTION?**

You should wear foot and/or leg protection if:

- Heavy objects such as barrels or tools might roll or fall onto your feet;
- Working with sharp objects (nails, spikes) that could pierce the soles or uppers of ordinary shoes;
- You are exposed to molten metal that might splash on your feet or legs;
- You work around hot, wet or slippery surfaces;
- You work when electrical hazards are present.

Safety footwear must meet American National Standard Institute compression and impact performance standards. Different footwear protects in different ways. Check the product's labeling or consult the manufacturer to make sure the footwear will protect you from the hazards you face.

Foot and leg protection includes **leggings, metatarsal (instep) guards, toe guards, combination foot and shin guards** and **safety shoes with impact-resistant toes and heat-resistant soles that protect against hot work surfaces common in roofing, paving and hot metal industries. Crush resistance, and metal insoles to protect against puncture wounds, are needed for construction work.**

Special purpose shoes:

Conductive shoes – *conductive shoes reduce risk of static electricity buildup that could produce sparks, explosion or fire. Never wear conductive shoes when exposed to electrical*

shock hazards. Non-conductive shoes – *Non-conductive shoes prevent you from being electrocuted. Never wear Non-conductive shoes in explosive or hazardous locations. Foundry shoes* – *insulate feet from extreme heat.*

Gary Dombroff, WCP/CSC

S a f e t y C o p

WCA Safety Cop Gary Dombroff has over 29 years' experience as a NYSIF safety specialist and is one of a handful of people in New York State who holds dual designations as a Workers' Comp. Professional (WCP) and Certified Safety Consultant (CSC).

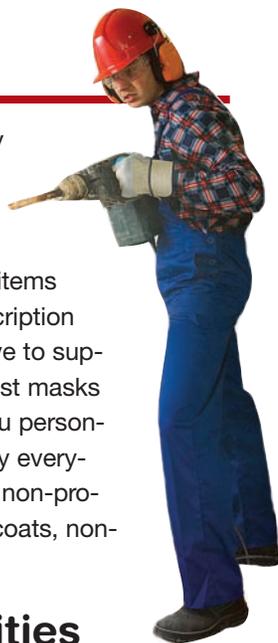
**Who pays for PPE?**

A 2008 federal Occupational and Safety Health Administration (OSHA) rule requires employers to pay for PPE exclusively used on the job.

Exceptions: If employers let you wear items such as steel-toed safety shoes or prescription safety glasses off the job, they don't have to supply them for free. This also applies to dust masks worn voluntarily, and to any PPE that you personally own. Employers don't have to supply everyday clothing such as work shirts, pants, non-protective uniforms, regular outerwear, raincoats, non-safety gloves or regular sunglasses.

Employer responsibilities

OSHA requires employers to assess workplaces to determine if hazards are present that require PPE. If so, they must



select appropriate, properly-fitting PPE, train employees in its proper use and maintenance, and require them to use it. **More resources:** Employers and employees can find PPE resources under *Safety & Risk Management* at

nysif.com and also at osha.gov.

The wrap-up: W.I.I.F.M?

After everything we've discussed, you might still ask, "What's in it for me?" Just this: Your full and uninterrupted use of whatever you're protecting—your eyesight, hearing, fingers, toes and your ability to make a living. **Remember, using PPE to save life or limb is this simple:**

- You must have the right type.
- It must fit you correctly.
- You have to wear it when needed.

Need more incentive? **Think about this:** *No amount of money will replace your ability to enjoy life if you're impaired because you didn't wear your earplugs, goggles, gloves or hard hat.*

Have You Visited nysif.com Lately?

If it has been a while since you visited our web site, look at what's happening at nysif.com recently, including these NYSIF online services and features:

95 Years of Service to New York

NYSIF is celebrating 95 years of service by recognizing our earliest customers, starting with our original NYSIF policyholders who have been with the Fund since 1914.

In thanking our long-time policyholders, NYSIF is posting names and logos of their businesses on nysif.com and, if they have a web site, offering a link to their sites. We'll also be happy to post a compliment or two such as the one printed here (r).

NYSIF Original Policyholders

- Weinman Bros. Jewelers (NY, NY)
- Maple Grove Cemetery (Worcester)
- Witherbee and Whalen (Canton)
- Warwick Valley Dispatch
- Sleepy Hollow Cemetery

A New Quote System for DB

NYSIF developed a new disability benefits automated quote system that is a time saver for NYSIF customers and staff. "The system provides the user with an actual estimate and instructions for applying for NYSIF disability benefits insurance at the time of inquiry," NYSIF Chief Deputy Director Francine James said. (**Lower Minimum DB Rate; see pg. 2**) Previously, disability benefits underwriters responded manually to each web quote inquiry. Now underwriters can process applications with greater efficiency. Click on [Get A Quote for Disability Benefits](http://nysif.com) at nysif.com to use the automated system to receive an immediate quote for DB.

eCHECK a Choice for 17,000

Policyholders made more than 17,000 payments with NYSIF eCHECK in its first year of use, discovering the free, quick and easy way to pay workers' comp. and disability benefits premiums at nysif.com by electronic funds transfer from their bank accounts.

Policyholders prefer using eCHECK by more than 3-to-1 over making credit card payments, which incur service fees. In addition to saving money and the hassle of writing and mailing a check, eCHECK can save policyholders from late payment cancellations.

Any NYSIF policyholder can use eCHECK. Click on [Pay Your Bill](http://nysif.com) and enter your policy number, premium amount, bank account and bank routing number. The system issues a printable receipt. Policyholders also can pay by eCHECK by phoning **877-309-6028**.



'This is our 95th year...with NYSIF. We are proud of, and pleased with, that long and cordial partnership and grateful for the substantial, reliable service the Fund has provided for nearly a century.'

—original NYSIF policyholder

Provider EOB is State-of-Art

Medical providers who submit bills electronically to NYSIF and retrieve an electronic Explanation of Benefits will see an expanded EOB at nysif.com. NYSIF Chief Deputy Director Francine James said the upgrades, part of NYSIF's online medical bill inquiry system available to all providers, "are a real time saver for doctors, their billing staffs and for our own personnel—and by including more information on-screen NYSIF is introducing a state-of-the-art system for workers' comp. medical bill inquiries." NYSIF debuted EOB for providers in 2007, and followed with allowing providers to submit bills electronically. EOB upgrades are based on the most frequently asked questions received from doctors' billing offices.

Don't Miss a Single Issue



Award Winner

WCA July-Sept '08 (I), featuring a cover story on Vestal, New York's National Pipe and Plastics, recently won a communications award from the American Association of State Compensation Insurance Funds in the best newsletter category. Don't miss a single issue of the *Advisor*. Go to nysif.com to download current and previous editions.

Governor **David A. Paterson**
Chairman **Robert H. Hurlbut**

NYSIF

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Workers' Comp. Advisor

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NYSIF People



NYCA to Honor Tom Gleason

NYSIF Deputy Executive Director Thomas Gleason will be honored by the New York Claim Association (NYCA) on Saturday, December 12, 2009 at the Harvard Club of New York for excellence in service to the insurance industry.

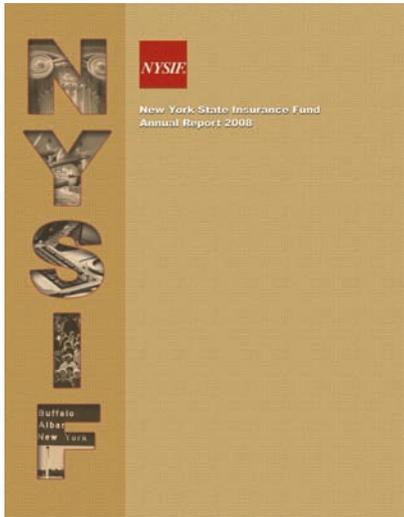
NYCA, celebrating its 95th year, is dedicated to the advancement of education and ethics in the insurance industry.



New York Fed Selects Denis Hughes

The Federal Reserve Bank of New York named Denis M. Hughes as its chairman on August 24, 2009.

Mr. Hughes, president of the New York AFL-CIO, serves as a NYSIF commissioner. He has been a director of the New York Fed since January 2004 and deputy chairman since January 2007.



Available Online

NYSIF 2008 annual report is available online at nysif.com for downloading.

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