

ADVISOR

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Fourth Quarter 2012

Taking Care of Caregivers

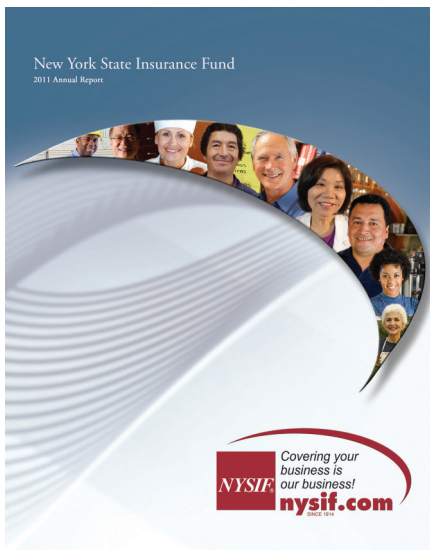


MAKING HEALTHCARE SAFE FOR STAFF / PGS. 3, 4, 5, 8



**THE NEW HAZCOM
STANDARD / PAGE 4**

NYSIF Posts 2011 Annual Report



NYSIF 2011 annual report, available only online at nysif.com.

NYSIF released its 2011 Annual Report, "Covering Your Business is Our Business."

"NYSIF remains firmly positioned today...serving the needs of the people of New York State as originally intended – providing timely indemnity and medical payments for injured workers, and ensuring the availability of workers' compensation and disability benefits insurance at all times for all employers in New York State," NYSIF Chairman Donald T. DeCarlo stated in a message to readers.

NYSIF reported \$1.47 billion in earned workers' comp. premium and \$12.2 million in earned disability benefits premium in 2011.

NYSIF People

Colleen Gardner, Dep. Director,

Chief Executive Deputy Director Dennis J. Hayes announced the appointment of NYSIF Deputy Executive Director Colleen Crawford Gardner on July 9, 2012. Before joining NYSIF's executive team, Ms. Gardner served as NYS Commissioner of Labor and as a member of NYSIF's Board of Commissioners (ex-officio).

"As former head of the New York State Department of Labor, Colleen brings valuable management and budgeting experience with a large organization, along with an extensive knowledge of issues affecting both labor and businesses in New York State," Mr. Hayes said.

Ms. Gardner joined the Department of Labor (DOL) as associate commissioner for Labor Affairs in March 2007. She was confirmed as labor commissioner on March 9, 2010.

At DOL, she led an agency with a combined annual operating and disbursements budget of \$10 billion. Her focus included meeting the agency's mission to vigorously enforce labor laws, level the playing field for law-abiding employers, assist the unemployed, connect job seekers with employers, and provide a pipeline of skilled workers to help New York's businesses



compete in a global economy.

Before joining DOL, Ms. Gardner worked for 23 years for the New York State AFL-CIO as director of Organizing and Community Services. She began her career with the Service Employees International Union Local 32BJ, representing organized building service workers in midtown Manhattan from 1981 to 1983.

She earned a BS from Cornell University School of Industrial and Labor Relations, and a Certificate from Cornell University Employee Assistance Education & Research Program.



Nancy Reuss, CFO

Chief Executive Deputy Director Dennis J. Hayes announced the appointment of NYSIF Chief Fiscal Officer Nancy Reuss.

"Nancy brings a vast amount of professional experience to the Fund from the New York State Division of the Budget, where she worked in all facets of budget management and administration," Mr. Hayes said.

Ms. Reuss brings over 30 years of fiscal management experience to NYSIF's executive team, ranging from developing budgets, to oversight and implementation, from departmental up to the state executive level.

At DOB, she served as assistant chief

NYSIF Workers' Comp. Advisor
October/November/December 2012

2012 Rates Unchanged

In July 2012, Governor Andrew M. Cuomo announced that for the first time in four years, New York State employers will see a reduction in workers' compensation premium rates, which will help NY businesses to remain competitive. Efforts by the governor's administration over the past 18 months to modernize, expedite implementation of the 2007 reforms, improve efficiency, and decrease waste in the workers' compensation system have resulted in no need for a rate increase and a reduction in the NYS assessment charge. Effective Oct. 1, 2012, NYSIF's rates for new and renewal workers' compensation policies remain unchanged from Oct. 1, 2011. NYSIF's loss cost multiplier (LCM) will remain the same at 1.43 for the third straight year.

NYSIF modifies its LCM by the discounts, dividends and other cost savings plans we offer qualified employers based on their loss experience, payment history, safe work practices and compliance with the Workers' Compensation Law. In addition, NYSIF must apply the Experience Modification that the New York Compensation Insurance Rating Board sets for all employers based on their individual loss experience.

NYSIF's gender-neutral premium rate for disability benefits policies also remains the same for the third straight year at \$24.75 per person, or \$0.14 per \$100 of payroll. **See Page 6 to apply for a NYSIFDB policy.**

budget examiner for Transportation, Environment, Energy and Economic Development since September 2007, managing budget development and implementation for the unit's programs. She also oversaw the integration of the Banking and Insurance departments into the Department of Financial Services in October 2011, and represented the budget director as a full voting member of the Dormitory Authority of the State of New York Board.

Prior to that, she served as a principal budget examiner and section head for the Energy, Environment, Regulatory/Revenue section from 1998, managing fiscal oversight of all environment and energy executive agencies and public authorities, with annual budgets of more than \$1.7 billion and more than 8,000 employees.

She earned a BS in political science from the College of the Holy Cross in Worcester, Massachusetts.

Making Healthcare Safe for Staff

Healthcare workers, particularly among nursing and residential care facilities, continue to have one of the highest rates of injury and illness among industries measured by days away, restricted work activity and job transfer (DART) rates nationwide. The most recent U.S. Department of Labor statistics showed that workers in the healthcare and social assistance industry suffered more work-related lost time injury and illness in 2010 than any other sector, including construction and manufacturing.

The private industry national DART rate for 2010 was 1.8. For nursing home and residential care employers within North American Industrial Classification System (NAICS) codes 6231, 6232 and 6233, the national DART average was 5.6, 3.9 and 4.7, respectively. As a result, the federal Occupational Safety and Health Administration (OSHA) announced a [National Emphasis Program](#) (NEP) for targeting and programmed inspections of nursing and residential care facilities for NAICS codes 623110, 623210 and 623311 for establishments with a DART rate of 10.0 or above.

OSHA said the NEP will focus on prevalent hazards in nursing and residential care, specifically ergonomic stressors related to resident handling; exposure to blood and other infectious materials; exposure to tuberculosis; workplace violence; and slips, trips and falls. OSHA reported that overexertion and slips, trips and falls accounted for more than half of all reported cases with days away from work within this industry in 2010. Notable was an increase in nonfatal injuries and illnesses among healthcare support workers, specifically nursing aides, orderlies and attendants, whose days away from work due to musculoskeletal disorders increased by 10%.

NYSIF Online safety resources at nysif.com offer a wide-ranging list of free material covering overexertion, blood-borne pathogens and infectious diseases, workplace violence, and slips, trips and falls. These are suitable for safety training programs to help prevent injury and illness for hospital, nursing home, other healthcare, and social assistance staffs, and for healthcare maintenance, housekeeping, and laundry and kitchen operations.

Safety Basics Healthcare Series

NYSIF's free online resources feature our [Safety Basics Healthcare Series](#) covering

patient handling in detail, from lifting, repositioning and transfers, to bathing and toileting, plus [healthcare industry packages](#) (see page 4) that include electrical, chemical and fire safety.

Two of NYSIF's 38 titles in the *Safety Basics Healthcare Series*

Workers' Compensation & Disability Benefits Specialist since 1914
Then...Now...Always™


SAFETY BASICS Healthcare Series

Lateral Transfer

Activity: Resident Handling

Description: Gurneys with transfer devices

When to Use: Transferring a partial or non-weight bearing resident between two horizontal surfaces, such as a bed to a stretcher or gurney in supine position.



Points to Remember: Two caregivers are required to perform this type of transfer. Additional assistance may be needed depending on resident status, e.g., for heavier or non-cooperative residents. Motorized height-adjustable gurneys with built-in slide boards are preferred to those adjusted by crank mechanism to minimize physical exertion required by caregiver.

Always ensure that lifting device is in good working order before use and is rated for the load weight to be transferred. Ensure wheels on equipment are locked. Ensure transfer surfaces are same level and at caregiver's waist level to avoid extended reaches and back flexion.

Safety Basics Healthcare Series Information is extracted directly from OSHA safety materials. For additional information consult www.osha.gov

Workers' Compensation & Disability Benefits Specialist since 1914
Then...Now...Always™


SAFETY BASICS Healthcare Series

Cleaning Rooms (Wet Method)

Activity: Housekeeping

Description: Work methods and tools to clean residents' rooms with water and chemical products

When to Use: When cleaning with water and chemical products; mopping; and using spray bottles.



For hand tool use: Alternate leading hand; avoid tight static grip and use padded non-slip handles.

For all cleaning: Use chemical cleaners and abrasive sponges to minimize scrubbing force. Use kneepads when kneeling. Avoid bending and twisting. Use extension handles, step stools or ladders for overhead needs. Use carts to transport supplies. Carry only small quantities and weights of supplies. Maintain all equipment regularly. Ventilation of rooms may be necessary when chemicals are used.

Mopping: Alternate styles frequently (e.g., push/pull, figure 8 and rocking side to side). Use rubber-soled shoes in wet areas to prevent slipping. Wheeled buckets should have functional brakes. Use dry mop vs. wet mop to minimize back strain.

Cleaning wheelchairs: Push wheelchair up a ramped platform to perform work at waist height. Spray bottles: Use trigger handles long enough for the index and middle fingers. Avoid using the ring and little fingers.

Safety Basics Healthcare Series Information is extracted directly from OSHA safety materials. For additional information consult www.osha.gov

New York State Insurance Fund
www.nysif.com

CHECK THIS OUT

Want to know if you really run a safe facility? Then check out NYSIF's Safety Checklist for [Nursing Homes/Healthcare Facilities](#). This three-page checklist spans the gamut of hazards found in healthcare settings: *Bloodborne Pathogens, Fall Prevention, Fire Safety, Chemical/Pharmaceutical Safety, Back Safety/Patient Transfer, Electrical Safety, Ergonomics, First Aid, Laundry Staff, Kitchen Staff and Compressed Gas Cylinder Safety.*





WCA 3Q '12 provides extensive coverage of nysif.com safety resources for download; start using them now

New Safety Packages

As reported in *WCA 3Q '12* (left), nysif.com has pre-packaged safety materials specific to various industries and topics. Designed for NYSIF safety groups, any business may download the materials for any safety training initiative. Go to [Safety & Risk Management>Safety Resources](#). Here's one example of a package for nursing homes, hospitals and healthcare facilities:

Safety Matters

Bloodborne Pathogens &
Needlestick Safety
Hazard Communication
Fire Safety
Personal Protective Equipment
Avoiding Slips, Trips & Falls

Safety Posters

Clean Up Spills
Proper Disposal of All Sharps
Electrical Safety
Avoid Office Injuries
Handle All Chemicals Safely
Eye Protection

Safety Basics

Chemical Safety
Chemical Safety (MSDS)
Fire Safety
Preventing Infectious Diseases
Workplace Violence Prevention
Safe Lifting Techniques
Safety Lifting - Planning the Lift
Office Ergonomics

Safety Cop

Address MSDs Now
Have Evacuation Plan Ready

Safety Checklist

Nursing/Convalescent Home

Global System for New HazCom Rules

The chemical safety rules are changing. Do you and your employees know the latest Occupational Safety and Health Administration Hazard Communication Standard? Modified in May 2012, the HCS or HazCom 29 CFR 1910.1200 now aligns with the international Globally Harmonized System of Classification and Labeling of Chemicals (GHS).

The revised standard classifies chemicals according to their health and physical hazards, and establishes consistent container labels and safety data sheets (SDS) for chemicals, whether made in the U.S., or imported.

The revised HCS will "benefit workers by reducing confusion about chemical hazards in the workplace, facilitating safety training and improving understanding of hazards, especially for low literacy workers," according to the OSHA. The federal agency estimates the new rules will affect over five million workplaces and 40 million workers. Employers can be certain that chemical safety will remain a high OSHA enforcement priority.

DATES TO REMEMBER

The revisions will be implemented in stages. Phase one of the revisions must be completed by December 1, 2013. By then, all employers who use, handle, or store hazardous chemicals must train affected employees about the new formats for labels and safety data sheets.

Your hazard communication programs can include both existing and new labels and data sheets during the transition period, but must fully comply with all GHS-modified HCS rules by June



1, 2016. (Chemical manufacturers must comply by June 1, 2015.)

WHAT'S HAZARDOUS?

The first step toward compliance is establishing whether your business uses any hazardous chemicals. The HCS definition of "hazardous": any chemical that presents a physical hazard or a health hazard. Under HCS, a chemical is "any element, chemical compound, or mixture of elements and/or compounds," so almost any product is a "chemical."

Hazardous chemicals may pose a physical hazard (fire, explosion) or a health hazard (poisons, irritants, carcinogens), or both. Examples include compressed gases, flammable liquids, corrosives, oxidizers, neurotoxins, and lung and skin irritants. The GHS-modified definitions of hazard now provide specific criteria for classification of physical and health hazards, as well as classification of mixtures.










OSHA lists chemicals always considered hazardous (see "OSHA Guidance for Hazard Determination" listed resources, pg. 8). These include suspected or confirmed carcinogens listed by the National Toxicology Program, the International Agency for Cancer Research, or regulated by OSHA.

WHAT'S NOT?

Substances not considered hazardous under the HCS include:

- Food or beverages sold, used, or prepared in a grocery store, restaurant, or drinking place, and foods for personal consumption by employees; cosmetics for retail sale to consumers or intended for employee use; tobacco or tobacco products;

HCS Pictograms and Hazards

Health Hazard  <ul style="list-style-type: none"> • Carcinogen • Mutagenicity • Reproductive Toxicity • Respiratory Sensitizer • Target Organ Toxicity • Aspiration Toxicity 	Flame  <ul style="list-style-type: none"> • Flammables • Pyrophorics • Self-Heating • Emits Flammable Gas • Self-Reactives • Organic Peroxides 	Exclamation Mark  <ul style="list-style-type: none"> • Irritant (skin and eye) • Skin Sensitizer • Acute Toxicity (harmful) • Narcotic Effects • Respiratory Tract Irritant • Hazardous to Ozone Layer (Non Mandatory)
Gas Cylinder  <ul style="list-style-type: none"> • Gases under Pressure 	Corrosion  <ul style="list-style-type: none"> • Skin Corrosion/ burns • Eye Damage • Corrosive to Metals 	Exploding Bomb  <ul style="list-style-type: none"> • Explosives • Self-Reactives • Organic Peroxides
Flame over Circle  <ul style="list-style-type: none"> • Oxidizers 	Environment (Non Mandatory)  <ul style="list-style-type: none"> • Aquatic Toxicity 	Skull and Crossbones  <ul style="list-style-type: none"> • Acute Toxicity (fatal or toxic)

New HazCom Standard labels include a signal word, pictogram and hazard statement in accordance with Globally Harmonized System rules

- Certain kinds of lumber, wood or wood products not treated with hazardous chemicals, where the only hazard they pose is the potential for flammability;
- Drugs, such as tablets or pills, in solid, final form for direct administration to the patient; pre-packaged drugs for sale to consumers in a retail establishment, and first-aid supplies;
- Hazardous wastes regulated by the Environmental Protection Agency (EPA); also, hazardous substances being removed or remediated in accordance with EPA regulations.

Does the HSC consider consumer chemicals, such as cleaning agents, hazardous? Not if they are used in the workplace for the purpose intended by the manufacturer or importer, and “the use results in a duration and frequency of exposure that is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.” (See listed resources, pg. 8).

For an introduction to hazard communication basics, see [“What’s Lurking In That Container?” \(WCA Oct-Dec ’11\)](#) at [nysif.com>About NYSIF>Workers’ Comp Advisor](#).

LABELING

Labels are the first thing workers see when using a chemical. Container labeling is a major component of the GHS-revised HCS. Manufacturers and importers must label each hazardous chemical in conformance with the GHS. Labels will include a harmonized signal word, pictogram and hazard statement for each hazard class and category.

Labels must also provide precautionary statements and convey information in English. Other languages can supplement the English warnings and instructions. Labels must identify the

material, give appropriate hazard warnings, and show the name and address of the producer.

Label data should reflect the chemical’s Safety Data Sheet (SDS). Make sure you have the corresponding SDS for each chemical. Begin replacing old Material Safety Data Sheets (MSDSs) with new SDSs.

Employees must know how to use and store chemicals safely when they are not kept in their original containers. Instruct workers not to mix incompatible chemicals in personal-supply containers (to prevent decanting chlorine bleach into a container used for ammonia, for example). Label all transfer containers with the same common, or trade, name on the original chemical container. A proper training program should cover these points.

SAFETY DATA SHEETS

The HCS requires that the chemical manufacturer, distributor, or importer provide Safety Data Sheets (SDSs, formerly Material Safety Data Sheets or MSDSs) for each hazardous chemical. The name of the sheet, its contents and layout now follow the GHS format. The information is largely the same as the MSDS, except the SDS has a consistent, user-friendly, 16-section format.

The SDS includes information about the properties of each chemical; physical, health and environmental health hazards; protective measures; and safety precautions for handling, storing and transporting the chemical. As with labels, the SDS must be in English. Employers of workers who speak other languages may add the information in their languages, as long as the information is presented in English as well.

OSHA requires that SDS preparers provide specific minimum information as detailed in Appendix D of 29 CFR 1910.1200.

See page 6

Get a No-Obligation Quote on the Best Disability Benefits Rates in Town

Cut and mail your completed request for a NYSIF disability benefits insurance premium quote to the address on the bottom of the form (below), or visit nysif.com to request a quote.



NYSIF Disability Benefits Insurance Quote Form

Business Type: Corporation, Sole Proprietor, LLC, Partnership, Domestic, NFP, other (explain) _____

Employer (Business Name) _____

Business Address: Street / Suite / Apt. _____

City or Town _____ State _____ Zip / Postal Code _____

Contact: First Name _____ Last Name _____

Telephone _____ Fax _____

E-mail _____

STATUTORY disability insurance claim benefits equal $\frac{1}{2}$ the average weekly wage of the employee, up to a maximum weekly claim benefit of \$170, for 26 weeks (if required) within a 52 week period.

ENRICHED disability insurance claim benefits equal $\frac{1}{2}$ the average weekly wage of the employee, for the selection of coverage at the maximum weekly claim benefit for 26 weeks (if required) within a 52 week period.

Choose either: **STATUTORY**, or **ENRICHED** benefit coverage.
If choosing **ENRICHED**, select the maximum weekly benefit coverage (check one):
 1.5=\$255, 2=\$340, 2.5=\$425, 3=\$510, 4=\$680, 5=\$850

Enter the total number of your male and female employees working in New York State:
 Male Female

Enter the total annual wages of your male and female employees working in New York State limited to \$17,680 per person for **STATUTORY** coverage. For **ENRICHED** coverage, enter the total annual wages of your male and female employees working in New York State limited to the selected level of coverage times \$17,680 per person: **\$17,680** x1.5 = \$26,520, x2 = \$35,360, x2.5 = \$44,200, x3 = \$53,040, x4 = \$70,720, x5 = \$88,400.

\$ _____ \$ _____
Total limited annual male wages Total limited annual female wages

Annual quote estimates are based upon standard premium rates. Additional information will be required to complete NYSIF's application for disability insurance, which may affect this quote. A current three-year disability insurance claims history is required for employers with 15 or more employees.

Go online to nysif.com and "Request a Quote" for disability benefits, fax this quote to 518.437.5278, or mail this quote to:

NYSIF Disability Benefits
15 Computer Drive West
Albany, NY 12205

Your NYSIF Rep. _____

NYSIF DB Quote Form (Rev. 6_10)

Customer Appreciation



Village of Tully - 95 Years



Foam Products Inc.
75 Years

Amato Home Improvement Inc.
75 Years



Methodist Hospital, Brooklyn - 75 Years

Global HazCom Standard

From 5

SDS preparers may also include additional information in various sections.

An up-to-date SDS for each chemical must be available at all times to workers on all shifts. Employees who might need an SDS must know its location. Emergency response and spill-containment teams, for example, must have this information. Companies with many SDSs may use software to manage them, but information availability requirements still apply. Train your workers in how to find the information they need to work safely.

Until June 1, 2016, both old- and new-style labels and SDSs may be present in the workplace. OSHA considers this acceptable, and employers are not required to maintain two sets of labels and SDSs for compliance purposes.



Corning Rubber - 85 Years

NYSIF

Customer Appreciation

In spring 2012, NYSIF representatives across the state visited customers to present plaques in recognition of their many years as NYSIF policyholders, some of whom – we are happy to say – proudly still had NYSIF plaques from previous years on display!



Town of Duanesberg - 85 Years



Blueberry Boulevard LLC - 85 Years



Kneses Tifereth Israel - 80 Years



Brighton Presbyterian Church - 80 Years



Great Lakes Paper Fibres Corp. 80 Years



South Huntington Water Dist. - 80 Years



Pak Wik Corp. - 75 Years



Miller-Clark Animal Hospital 75 Years



General Plating LLC - 75 Years



Roger Smith Hotel - 75 Years



Town of Alden - 75 Years



United Contractors of Utica - 50 Years

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Business office contact information www.nysif.com

Send WCA comments to jmesa@nysif.com



A NYSIF 'U' REFRESHER

NYSIF's education and information series for employers.



Healthcare Industry and HazCom Safety Resources

Download nysif resources at nysif.com>Safety
& Risk Management>Safety Resources.

■ nysif.com

Group Resources: [Healthcare Maintenance/
Housekeeping Facilities/Laundry Operations](#)

[Healthcare Facilities: Kitchen Safety](#)

[Nursing Homes/Hospitals/Healthcare Facilities](#)

Safety Basics: [Chemical Safety](#); [Preventing
Infectious Diseases](#)

Safety Matters: [Bloodborne Pathogens &
Needle-Stick Prevention](#)

Safety Checklist: [Nursing/Convalescent Home](#)

Safety Posters: [Proper Disposal of Sharps](#); [Lab-
Chemical Handling](#); [Lab-Protect Your Vision](#)
[Safety Basics Healthcare Series](#)

■ www.osha.gov

OSHA Publications

[Hazard Communication Safety Sheets](#) (new); [Standard Labels](#) (new);
[Standard Pictogram](#) (new); [Cleaning Chemicals and Your Health](#) Poster (new);
[Protecting Workers Who Use Cleaning Chemicals](#)

HazCom

HCS/HazCom 2012 Final Rule highlights <http://www.osha.gov/dsg/hazcom/index.html>

Hazard Determination: <http://www.osha.gov/dsg/hazcom/ghd053107.html#process>

Hazardous Chemical list: <http://www.osha.gov/dsg/hazcom/ghd053107.html#c>

Carcinogen list: <http://www.osha.gov/dsg/hazcom/ghd053107.html#d>



More on HazCom: [WCA Oct-Dec '11](#)

[If you have a question for NYSIF 'U' e-mail jmesa@nysif.com]