

The Risk Resource

A publication of the F&P Risk Management Department.

THE ADA AMENDMENTS ACT OF 2008

Courtesy of ZyWave

On September 25, 2008, President Bush signed into law the ADA (Americans with Disabilities Act) Amendments Act of 2008 (the "Act" or ADAAA). The Act carries out the Americans with Disabilities Act's objectives of providing a clear and comprehensive national mandate for the elimination of discrimination and clear, strong, consistent and enforceable standards addressing discrimination by reinstating a broad scope of protection to be available under the ADA which had been narrowed by the courts since the passage of the ADA.

The ADA will be construed in favor of broad coverage of individuals. Employers should be aware of this expansion of who is "disabled" under the Act. In order for employers to avoid liability for violating the Act, it is imperative that employers have legitimate, non-discriminatory reasons for their employment decisions. The Act does not change the definition of employer, so if you have 15 or more employees, you must comply with the ADA and the ADAAA. The Act is effective on January 1, 2009.

"Disability" Under the Act

According to the ADAAA, the definition of disability must be broadly construed in favor of coverage for the individual. The Act also makes it easier for an individual to meet the definition of a person regarded as having a disability.

The ADAAA defines disability as: (1) a physical or mental impairment that substantially limits one or more major

life activities; (2) a record of such an impairment; or (3) being regarded as having such an impairment.

The ADAAA's definition of "major life activities" includes but is not limited to the following: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working and also includes the operation of a major bodily function.



Additionally, the ADAAA sets forth rules of construction regarding the definition of "disability," including that: (1) such term shall be construed in favor of broad coverage of individuals under the Act; (2) an impairment that substantially limits one major life activity need not limit other major life activities in order to be a disability; (3) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and (4) the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of specified mitigating measures. The ADAAA gives the following examples of mitigating measures: medication, medical supplies, equipment or appliances, low-vision devices (not

including eyeglasses or contact lens), prosthetics, hearing aids or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, and the use of assistive technology, reasonable accommodations or auxiliary aids or services or learned behavioral or adaptive neurological modification.

The ADAAA makes clear that no accommodations are necessary if an individual is protected under the Act because they are regarded as having a disability.

Discrimination on the Basis of Disability

The Act prohibits employment discrimination against a qualified individual "on the basis of disability."

...Continued on Page 5

INSIDE THIS ISSUE:

INCENTIVE PROGRAMS	2
CONFINED SPACE RULE	3
EPA PERFORMANCE TRACK	3
AEDS IN THE WORKPLACE	4-5
LOWER WC PREMIUMS EXPECTED IN 2009	5
WAL-MART TRAMPLING	6
IMMIGRATION STATUS	6-7
NEW TEAM MEMBER	7
OSHA 300A POSTING	7
QUARTERLY OUTREACHES	7

CAREFUL PLANNING REAPS REWARDING INCENTIVE PROGRAMS

Courtesy of Safety Jackpot

Safety incentive program design requires careful consideration.

Merchandise awards alone will not make a successful program or create a safety-conscious environment. Programs tend to be much more effective when you build an environment of safety awareness through weekly reinforcement, team building, group interaction, positive peer pressure and constant communication. Also consider how to distribute incentives. Companies favor lottery-style programs that make everyone a winner with gifts that reinforce corporate identity to spark high interest.

Safety-incentive programs can offer rewards for fewer lost-time accidents, but they should emphasize individual performance, and make group results a secondary factor. The peer pressure that results from trying to win a group reward must be applied carefully, because it can lead to injury hiding, if a worker believes he or she will ruin the team's chances for recognition.

In addition, injury hiding can be avoided by emphasizing proactive safety behaviors, rather than recognizing only those that have the fewest lost-time accidents. Proactive behaviors include making suggestions for safer operations, attending a safety meeting or reporting a near miss accident.

However, awarding employees for proactive behaviors usually means more tracking, more measuring and more administration. Perhaps some of your key employees would volunteer to help in this process.

Reward Consistently

According to Michael LeBoeuf, management consultant, begin with one question: What behaviors do we want to reward? The thesis of his book, *The Greatest Management Principle in the World*, is "the things that get rewarded

get done." This is a simple axiom, yet day-to-day practices and unwritten codes-of-behavior can reward undesirable behaviors. In one example, an official goal might be company loyalty yet the highest salaries may go to the newest employees or those that threaten to quit.

Offer Meaningful Incentives

Meaningful incentives are tied to specific behaviors or results. They are also timely and appropriate to the level of accomplishment. "An employee who completes a two-year project should be rewarded in a more substantial way than the one who simply does a favor for you," writes Bob Nelson in *1,001 Ways to Reward Employees*. To boost the impact of an incentive, give it soon after the goal has been met.

Customize incentives to your company. What works for one company might not work for others. Company cultures differ radically; and successful incentives will, too. Before you choose an incentive, consider the demographics of your employees, including age, rate of turnover and geographic location. Nelson suggests that you distribute a "reinforcer survey" to find out what rewards your employees want. Incentive programs thrive on employee input.



Keep It Simple

Joan Klubnick, author of *Rewarding and Recognizing Employees*, notes that managers and supervisors often fail to give recognition for a simple reason: They don't know what to say. Klubnick

offers basic guidelines for recognition that can be used every day.

1. Thank the employee by name.
2. State specifically what the employee did to earn recognition.
3. Explain how you felt about this behavior.
4. State how the behavior added value to the company.
5. Thank the person again by name.

5 Keys to an Effective Safety Incentive Program

1. *Use more than just a carrot.* Use an entire campaign to promote your program, building teamwork and interaction with your employees. Build in smaller prizes everyone can win and toss in grand prize awards that the program builds up to.
2. *Use frequent reinforcement.* Establish a weekly award vehicle. For example, use points and a trading component, such as game cards. Use a flexible point vehicle to reward/award for weekly prevention behaviors to discourage underreporting.
3. *Award merchandise rather than cash.* Give an employee a \$20 bill and where is it spent? At the grocery store or maybe the gas station. Will the employee even remember? Develop a game-based program and build trophy value by offering a choice of merchandise items that employees value.
4. *Promote the program.* Posters, caps, balloons, newsletters, flyers, parties and drawings grab employee's attention. Dare to be different!
5. *Make everyone a winner.* The initial reaction is that including as many employees as possible will cost more. Run the numbers and you will find the return on investment is far greater than the expense.

Incentive Program ROI

Use the following steps to determine the return on investment (ROI) for your incentive program.

1. Determine the cost for your company's average incident/accident. In addition to increased worker's compensation premiums, include downtime, cost of employee replacement, time of training the replacement, production loss, direct medical costs and property damage.
2. Run the figures. Calculate your break-even point for the incentive program. It may be 8 percent, 12 percent, or even 25 percent but with a well-designed incentive program, thousands of our clients have seen an average accident reduction of 61.9 percent. State specifically what the employee did to earn recognition.

Visit www.safetyjackpot.com and www.wellnessjackpot.com for more information on incentive programs.

OSHA PROPOSES CONFINED SPACE RULE FOR CONSTRUCTION

Courtesy of J.J. Keller and Associates

OSHA has proposed a rule to protect construction employees from confined space hazards. The difference in employees and worksite characteristics between the construction industry and the general industry prompted OSHA to develop a rule that varies substantially from the general industry rule.

The proposal takes a step-by-step approach. First, the employer determines whether there is a confined space at the jobsite. If there is a confined space, the employer next determines if there are existing or potential hazards in the space. Where hazards exist, the employer then classifies the space according to the physical and atmospheric hazards found in it. The proposed requirements for each type of confined space are tailored to control the different types of hazards.

The four classifications are:

- Isolated-Hazard Confined space (IHCS)
- Controlled-atmosphere confined space (CACS)
- Permit-required confined space (PRCS)
- Continuous system-permit-required confined space (CS-PRCS)

Some of the proposed requirements duplicate provisions of the general industry rule; but most address the unique characteristics of confined spaces in construction. OSHA says that the construction industry experiences higher employee turnover rates and worksites are continually evolving with the number and characteristics of confined spaces changing as work progresses. Multiple contractors and controlling contractors are found more often at construction worksites and OSHA believes that many contractors who perform construction work in sewer systems are unfamiliar with the hazards associated with these work sites.

COLORADO BUSINESSES JUMP ON EPA PERFORMANCE TRACK Facilities go beyond regulations to protect the environment

Courtesy of the E.P.A.

(Denver, Colo. - October 21, 2008)

Four Colorado facilities have signed up to go above and beyond environmental requirements as partners in the U.S. Environmental Protection Agency's (EPA) National Environmental Performance Track Program. The new Performance Track members include: Firestone Building Products in Aurora; LifeSpan Technology Recycling in Denver; Intel's TEC1 facility in Fort Collins; and Xanterra at Rocky Mountain National Park.

"Colorado's Performance Track partners are taking a systematic approach to environmental results," said Mary Byrne, EPA's Performance Track coordinator in Denver. "These are facilities that are finding ways to reduce resource use and improve operating efficiencies for the benefit Colorado's natural environment, and its business environment."

The four facilities announced today are among 14 Colorado Performance Track members that are looking for ways to continuously improve environmental performance in areas such as energy use, pollution emissions, and waste reduction and recycling.

For example, Intel's TEC1 Fort Collins design center is looking to reduce total energy use by nearly 50 percent by upgrading the ventilation system in their 20,000 square-foot facility. LifeSpan Technology is improving its recycling program and is implementing a green purchasing policy that will ensure that office supplies contain recycled-content materials. Firestone Building has committed to reducing energy use and waste generation and is looking at alternative uses for its dust brick waste. Xanterra assumed operation of a 22,000 square-foot gift shop and cafe along

Trail Ridge Road in Rocky Mountain National Park in 2007. The company plans to reduce the amount of propane used in heating the facility and has committed to a rigorous recycling program that will include composting food waste.

Both public and private individual facilities may apply for Performance Track membership, with some companies having multiple facilities in the program. EPA also provides a Corporate Leader designation for companies and public agencies that exhibit policies and behavior at a corporate level that are associated with environmental excellence and are substantially committed to Performance Track. Performance Track members represent a wide range of sectors, including the public sector, electronics, chemical products, pharmaceuticals, and rubber and plastics.

To earn membership, Performance Track applicants must demonstrate and commit to maintaining a strong record of environmental compliance, set three-year goals for continuous improvements in environmental performance beyond legal requirements, have internal systems in place to manage environmental impacts, engage in community outreach, and consistently report results.

Performance Track facilities typically set four specific goals for environmental improvement. Since the 2000 launch of the program, membership has grown to 548 members in 49 states and Puerto Rico, and members have set more than 4,000 goals to benefit the environment. As a result, Performance Track members have reported greenhouse gas reductions of 310,000 metric tons of carbon dioxide equivalent, reductions in nitrogen oxides of 13,000 tons, and reductions of hazardous waste of 52,000 tons.

More about Performance Track members:

<http://www.epa.gov/performance-track/round16PTFacilities.htm>



AEDS IN THE WORKPLACE: ARE THEY WORTH IT?

Courtesy of ASSE

Headlines are powerful:

- Loves Park Man Revives Heart Attack Victim at Track with AED
- Off-Duty Ohio Police Officer Uses
- Grocery Store AED to Save Woman
- SIU Student Saved with AED
- Springdale, AR, Man Helps Save Life at Golf Tournament
- Torrington, WY, Locals Help Save Life of Golfer
- Zanesville, OH, AED Saves a Life
- Pittsfield, MA, Woman Saved at Work
- Grayslake, IL, Bystanders Save Cardiac Arrest Victim in Gym

These are great stories of people saved with a simple, easy-to-use automated external defibrillator (AED) that forward-thinking risk and safety managers saw as an important lifesaving tool for the workplace.

Then there is this headline in the June 20, 2008, *New York Times* Health section:

“Could a defibrillator have saved Tim Russert? A nagging question has emerged in the wake of the death of NBC’s Tim Russert. Where was the defibrillator?”

The call for widespread distribution of AEDs in workplaces is still met with resistance and doubt. This article examines several myths surrounding these devices. First, the basic AED suitable for an office building, construction site, factory floor or warehouse is discussed. These AEDs are most often used in what is referred to as public access defibrillation (PAD) programs.

Sudden Cardiac Arrest or Sudden Cardiac Death

Estimates vary, but the most commonly used is that more than 350,000 people die from sudden cardiac arrest (SCA). The average nationwide survival rate is estimated at 3 to 5% - the same it has been for more than 30 years.

Unfortunately, survival from SCA depends on early defibrillation (an electrical shock to the heart). That shock should be delivered within 3 to 5 minutes of the onset of the event—a timeframe that cannot be met by calling 9-1-1 and waiting for paramedics to arrive. Brain death is thought to begin in 4 to 6 minutes unless effective cardiopulmonary resuscitation (CPR) is begun immediately. However, CPR alone will not bring the victim back to life.

In Russert's case, the *New York Times* article reports. “According to Washington physician Dr. Michael Newman, who was Mr. Russert's doctor, NBC had a portable defibrillator on site; however, it is not clear how soon after the collapse it was retrieved. Just as paramedics were arriving, NBC employers were preparing to use it, Dr. Newman said. Instead, EMS workers took over, defibrillating Mr. Russert three times before his arrival at Sibley Memorial Hospital.”

“In an interview, Newman said he did not know the exact amount of time between Russert's collapse and the first effort at defibrillation; however, he said it was ‘significant--more than you would want.’”

Cost of AEDs

Five or 10 years ago, AEDs were expensive. Today, however, the most basic models cost \$1,150 to \$1,595 each. Most retailers offer package prices for

multiple purchases, so AED deployment for multiple locations costs less. Wall-mounted boxes or racks, first-aid kits, signage and training increase this cost.

When considering the cost of an AED, be aware of the ongoing costs, not just the initial investment. Those costs are not just for the unit, but for the items that need replacing. For example, electrode pads must be replaced every 2 to 5 years, depending on the manufacturer. On average, they cost \$38 to \$149, with higher priced pads containing a CPR feedback feature.

AEDs run on non-rechargeable batteries. Battery life ranges from 3.5 to 5 years, and cost \$75 to \$349.

AED warranties range from 3 to 7 years. As a rule of thumb, look at the 5-year costs combined, then divide that cost by 5 years to estimate the operating cost over that time. This amounts to very little. Dividing that amount by the number of employees protected gives the benefit cost per employee.

Finally, look for a vendor that sells multiple brands. A company that sells more than one brand will help guide you through the selection process. A company that sells only one brand will paint a picture that makes its brand superior and others relatively inferior.

AEDs use voice commands to guide the rescuer through the defibrillation process. However, how the units prompt the rescuer through the process and how the units support CPR may differ.

Liability

None of this discussion should be construed as legal advice. A company and its corporate attorney should examine the state of location's Good

REGULATORY NEWS- LOWER WC PREMIUMS EXPECTED IN 2009

*Courtesy Quinlan Workers'
Compensation Bulletin*

Colorado employers should see lower premiums for workers' comp insurance due to an expected 16 percent decrease in loss costs in 2009.

Loss costs—the average cost of lost wages and medical payments of workers injured during the course of their employment—are a significant factor, although not the only factor, used to establish each employer's actual workers' comp premium. Each employer's deductible selection and actual loss experience also affect its premium.

"The drop in loss costs will push many workers compensation premiums down," Colorado Insurance Commissioner Marcy Morrison said in a statement. "If every insurer implemented the decrease without other adjustments, the overall savings to Colorado consumers would be as much as \$152 million."

Although many employers will see a savings in their workers' comp premiums compared to last year, the ultimate savings may be smaller than the maximum projection because rate filings will be made by individual insurers before the loss cost reduction goes into effect on Jan. 1, 2009. Next year's loss cost reduction is based on a continuing decrease in the number of claims filed in 2007.

"Workers compensation insurance rates have declined 43.4 percent since 2000," Morrison said, pointing out this year's reduction is part of a continuing trend. "I'm pleased to announce this is the seventh decrease during the past eight years. This is good news on several fronts. It means that workers are having fewer injuries and fewer claims are being filed, which can be attributed to a safer work environment and the efforts of employers to provide safe working conditions. It also shows that the Colorado market is stable."

Samaritan Act, sometimes referred to as the Cardiac Survival Act, which the federal government passed in 2000. That legislation is designed to act as an umbrella for state Good Samaritan Acts.

Second, look at what might be called the standard of care. Many legal authorities claim that the pendulum of liability is now about not having an AED as part of a medical emergency response plan.

Liability may not lie with having the AED unit. Any organization that deploys an AED program should have a carefully considered plan that merely begins with the acquisition of an AED. The plan's cornerstone should include a clearly defined AED maintenance program. The American Heart Association's AED Implementation Guide is an excellent resource.

Maintenance is a relatively simple process, especially since all AEDs run a self-check and show either a visual sign (red blinking light) and/or a verbal sound (beep). However, someone must still check the AED periodically. Some companies offer a free reminder service to alert the facility when electrodes or batteries are about to expire.

Training is a vital part of a successful AED plan. Be sure to train enough people to ensure that at least one or two are always on hand. Also, company-wide awareness of AED placement is recommended so everyone knows where the device is located. Many companies run short manufacturer-supplied videos of the AED in action so that non-trained personnel are comfortable using one if needed.

Life & Death

Time is of the essence. SCA can strike anyone, anywhere at any time. Calling 9-1-1 is always the first step, but response times, even for nearby fire/rescue stations, are not within the time-frame for successful early defibrillation. Successes seen in the stories listed at the beginning of this article and hundreds like them started with someone realizing the importance of having an AED.

ADA Amendments Act

...Continued from Page 1

Current law prohibits employment discrimination against a qualified individual with a disability because of the disability. The Act also prohibits the use of qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the covered entity, is shown to be related to the position and is consistent with business necessity.

Rules of Construction

Section 6 of the Act declares that nothing in the Act: (1) alters the standards for determining eligibility for benefits under state worker's compensation laws or under state and federal disability benefit programs; (2) alters the requirement to make reasonable modifications in policies or procedures, unless such modifications would fundamentally alter the nature of the goods, services, facilities, or accommodations involved; or (3) provides the basis for a claim by an individual without a disability that the individual was subject to discrimination because of the individual's lack of disability.

What Should Employers Do Now?

These amendments may require employers to provide more accommodations to more of their workforce. Specifically employers should:

1. Start training supervisors and managers about the new rules;
2. Review existing protocols and make sure that they conform to the new definitions;
3. Review job descriptions and ensure job functions are spelled out;
4. Make sure that supervisors pass along disability related questions to HR, and
5. Consult with an employment attorney about how these changes will affect your company specifically.

Note from F&P: We are still concerned about the impact on claims that the new amendment poses therefore we have an educational outreach planned for February 20th to cover this issue.

WAL-MART TRAMPLING DEATH TRIGGERS CALLS FOR INVESTIGATION, COMPENSATION

Courtesy of BNA

The United Food and Commercial Workers Union (UFCW) has called for an investigation into the Nov. 28, 2008 trampling death of a Wal-Mart employee in Valley Stream, N.Y.

"This incident was avoidable," Bruce Both, president of UFCW Local 1500, said in a Nov. 28, 2008 statement. "Where were the safety barriers? Where was security? How did store management not see dangerous numbers of customers barreling down on the store in such an un-safe manner? This is not just tragic; it rises to a level of blatant irresponsibility by Wal-Mart."

Both demanded an investigation "by all levels of government."



Jdimytai Damour, a temporary worker, was taken down by a rush of some 2,000 shoppers who had been waiting for the store to open. He was taken to a local hospital and later pronounced dead.

Hank Mullany, senior vice president and president of Wal-Mart's Northeast division, said in a Nov. 28, 2008 statement that store officials, expecting a large crowd, erected barricades, added extra third-party security and additional staff, and worked with the Nassau County Police.

But Patrick Purcell, UFCW's director of special projects for Local 1500, said Wal-Mart's remarks were "cold and heartless." "If the safety of their customers and workers was a top

priority, then this never would have happened," Purcell said in a statement. He called upon the company to compensate the families financially for their injuries and losses.

Ron Hayes, a former special adviser to the Senate Health, Education, Labor and Pensions committee and current executive director of family advocacy group, the FIGHT Project, told BNA Dec 1, 2008 that Wal-Mart must step forward and claim responsibility for Damour's death.

"Of course the fatality could have been prevented," Hayes said. "If you've got a crowd like that outside, you should have the city police there and all the reinforcements possible. Somebody should have been standing in front of the door holding them back when the door was open. And Wal-Mart had to know, if people were standing in line all night, that there was a potential [for violence]."

At press time, local police were reportedly reviewing videotape of the event to identify suspects, but had not come up with any new information.

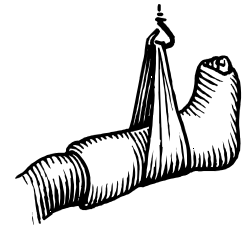
IMMIGRATION STATUS - DOES EMPLOYER HAVE TO PAY FOR MEDICAL CARE AFTER UNDOCUMENTED WORKER'S RETURN TO HOMELAND?

Courtesy of Quinlan Workers' Compensation Bulletin

The employer of a worker, who was hurt while working in the United States illegally, had to pay the expenses of treatment by a Mexican doctor after the worker's return to his homeland, according to a Florida appeals court.

The case involved Arreola, an undocumented worker who illegally entered the United States from Mexico.

While working in Florida, he was struck by a car. He sustained a serious injury to his right leg, requiring 12 surgeries and a protracted hospitalization.



Several months later, Arreola moved to Texas where an orthopedic Surgeon recommended another operation. He never had the recommended surgery, however, because he returned to Mexico to live with his family.

A few months later, Arreola sought medical treatment by one of three orthopedic surgeons in his hometown in Mexico, but the employer did not authorize any physician in Mexico to treat him.

Eventually, Arreola went to a hospital in his hometown, where he was evaluated by an orthopedic surgeon. That doctor's diagnosis was similar to the specialist in Texas, and he said the chances of Arreola returning to work were poor.

Through a representative, Arreola filed for workers' comp benefits in Florida, asking authorization for continued medical care in Mexico.

The employer argued that the law required it to pay for medical care "only when it was provided by a physician" as that term was defined under Florida workers' comp law. According to the employer, the definition of *physician* did not include doctors outside the United States who did not meet the same national requirements and qualifications to practice in the United States. Since the doctor in Mexico was not licensed under Florida law or under the laws of any other state in the United States, the employer argued the doctor in Mexico did not qualify as a *physician* and it wasn't required to pay for his services.

Siding with Arreola, the workers' comp judge ordered the employer to provide authorization for the doctor in Mexico to provide him with ongoing care that was reasonable, medically necessary, and related to the industrial accident. Later, a workers' comp judge also ordered the employer to pay Arreola partial disability benefits. The employer appealed.

DECISION: Affirmed.

The employer had to pay for Arreola's medical care by the doctor in Mexico. The court also affirmed the award for partial disability benefits.

Florida law recognized the right of undocumented workers to workers' comp coverage for work-related injuries. Given that right, it would not make sense to limit authorized medical treatment for a worker injured in Florida to a physician licensed in Florida—or anywhere else in the United States because it would prevent them from receiving medical care for clearly compensable injuries upon their return to their home country. Florida law does not prohibit an injured worker from moving from his pre-injury Florida residence and receiving treatment outside Florida.

Furthermore, state administrative rules provide that health-care providers rendering services outside the state of

Florida were not required to be certified in order to provide services under Florida workers' comp law. The rule specifically contemplated that physicians not licensed under Florida law may render services under state workers' comp law.

NEW RISK MANAGEMENT TEAM MEMBER!

We would like to welcome another new employee to the F&P Risk Management Team, Kemp Nussbaum. Kemp will be a great resource to our general industry clients. Welcome aboard!

W. Kemp Nussbaum, CHSP Senior Risk Management Consultant

Kemp joins us from Palmer & Cay (now Wachovia Insurance Services) in Savannah, GA. Kemp has over 21 years of Risk Consulting experience in General Industry, specializing in Healthcare, Manufacturing, Public Entity, and Hospitality sectors. He has the CHSP (Certified Healthcare Safety Professional) designation, and has extensive experience in cost containment strategies.

OSHA 300A Posting Due

The deadline for you to tabulate your annual OSHA Log Summary (OSHA Form 300A) is **February 1, 2009**. This should be posted in a common area with other notices to employees.

The summary must list the total number of job-related injuries and illnesses that occurred in calendar year 2008 and logged on the OSHA 300 Form. If your company had no recordable injuries or illnesses in 2008, you must still post the form with zeros on the total line. All establishment summaries must be certified by a company executive. And don't forget to leave the summary posted until April 30, 2009.

Employers with ten or fewer employees and employers in certain industry groups may be exempt from federal OSHA injury and illness recordkeeping and posting requirements. To determine if you are exempt please go to <http://www.osha.gov/recordkeeping/ppt1/RK1exempttable.html>.

To access the recordkeeping forms please go to <http://www.osha.gov/recordkeeping/new-osa300form1-1-04.pdf>. If you have any questions or need assistance please call our office.



Please Mark Your Calendars... F&P's 2009 Quarterly Risk Management Outreaches

ADA Amendments of 2008 & Their Effect on Workers' Compensation
Friday, February 20, 2009, 8:00—10:00 a.m., Fort Collins Marriott

~

Two additional quarterly outreaches to be announced

~

F&P's 12th Annual Risk Management Symposium
Tentative Date—October 2, 2009
Location TBD, more information to come!



UPCOMING EVENT

**F&P RISK MANAGEMENT
QUARTERLY OUTREACH:
ADA Amendments of 2008 &
Their Effect on Workers' Compensation**

**Friday, February 20, 2009
8:00—10:00 a.m.
Fort Collins Marriott**

Plan to join us for education, networking, and breakfast. Please RSVP to Michelle Sandberg at michelle.sandberg@fpinsurance.com or (970) 506-3253 by Friday, February 13th. More information to come.



About F&P's Risk Resource

The Risk Resource is published quarterly by Flood & Peterson Insurance, Inc. and is committed to providing current information to assist our clients in achieving their risk management goals. If you have any questions, or suggestions, regarding this newsletter please contact the Editorial Board:

Managing Editor: Mike Mitchell,
Technical Editors: Tesla Hall, Kemp Nussbaum,
Bernie Roma, and Debby Somer
Layout & Design Editor: Michelle Sandberg

Send new items and photos to:

The Risk Resource

c/o Flood & Peterson Insurance, Inc.
4687 West Eighteenth Street
Greeley, Colorado 80634
Fax: (970) 506-6835

Telephone: (970) 506-3253

E-Mail: michelle.sandberg@fpinsurance.com



4687 West Eighteenth Street
Greeley, CO 80634