

# START WITH SAFETY

VOL. 17, ISSUE 5

MAY 2023



## Jim Greaves

Vice President,  
Risk Services Manager

## John Cornelius

Commercial Lines  
Claims Director

## Carlos Guzman

Sr. Risk Consultant

## Crystal Estrada

Risk Analyst

## Bradley Ellison

Sr. Claims Advocate

## Rebecca Garcia

Claims Advocate

800.399.6059

hubinternational.com  
catto.com

For more information  
email us at  
rmsafety@catto.com

LIVE EVENT

2023  
SAFETY  
ACADEMY

Watch your inbox  
for the next  
quarterly event!

ONLINE EVENT

2023  
VIRTUAL  
TRAINING

Managing OSHA's  
Heat Stress  
Requirements

on May 23, 9am-  
10:30am, click here to  
join the training!

## WORKPLACE VIOLENCE: RECOGNIZING SIGNS AND MITIGATING RISK

Acts of workplace violence can cause injuries or death and quickly become headline news. The statistics are alarming.

There were 5,190 fatal work injuries recorded in the U.S. in 2021, according to the Bureau of Labor Statistics National Census of Fatal Occupational Injuries report. This is an 8.9 percent increase from 2020.

The report showed that work fatalities classified as “violence and other injuries by persons or animals” increased to 761 deaths in 2021 — up from 705 in 2020. “Intentional injuries by the person” — which is the largest subgroup — increased to 718 deaths (10.3 percent) in 2021.

Knowing what signs to watch for and how to respond can help employers maintain a safer, more productive work environment for everyone.

**What does OSHA say?** Workplace violence is a major concern for employers and employees nationwide. Although the Occupational Safety and Health Administration (OSHA) has no specific standard on workplace violence, workers have a right to a safe workplace.

Employers must provide a workplace free of known health and safety hazards. Employees with concerns have the right to speak up about them without fear of retaliation.

This is addressed in the OSHA General Duty Clause SEC. 5. (1) (a) Each employer shall furnish to each of his employees' employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.

Employers risk violating the General Duty Clause if they fail to reduce or eliminate serious recognized hazards. As such, during an investigation, OSHA inspectors would gather evidence to demonstrate whether an employer recognized, either individually or through its industry, the existence of a potential workplace violence hazard affecting employees.

Investigations likely would focus on whether feasible means of preventing or minimizing such hazards were available to employers. Investigators would also look at potential whistleblower retaliation in cases where workers have complained of workplace violence risks or have reported injuries resulting from actual workplace violence.

**How to mitigate risk.** One key to mitigating the risk of workplace violence is to identify and deal with potential problems before they get out of hand. Although many threats don't lead to violence, in almost every incident that takes place, a violent employee exhibits warning signs, or even tells people, like other coworkers or friends, what they're going to do.

There are generally several contributing factors. Workplace violence can be a result of personal issues such as financial, legal, or marital problems; drug or alcohol abuse; or mental or physical ailments. Or it could be caused by work-related factors like job loss, real (or perceived) unequal or unfair treatment, or harassment by coworkers.



Whatever the cause, when workplace violence happens, it is very real and very dangerous. It affects organizations of every size and type. And when it occurs, the repercussions can be severe.

**What are some warning signs?** Sometimes situations escalate from bullying to violence. But what precipitates acts of violence? Are there ways to stop something before it starts? Here are some of the key warning signs that could help alert employers to a potential problem:

1. A good employee suddenly becomes a problem employee.
2. An employee becomes increasingly frustrated, starts lashing out, or picks fights with coworkers.
3. An obsession with weapons.
4. Direct or implied threats.
5. A recent decline in health or hygiene.
6. Signs of alcohol or drug abuse.
7. Intimidating or bullying of coworkers.
8. Recent financial, marital, or legal issues.

**May an employer send an employee for evaluation and treatment?** Under the Americans with Disabilities Act (ADA), employers may make an employee undergo medical inquiries or require medical exams if they have a reasonable belief, based on objective evidence, that a particular employee is unable to perform the job's essential functions because of a medical condition, or will pose a direct threat because of a medical condition.

The ADA does not prevent employers from having workplace conduct rules, and some conduct rules — such as prohibiting violence or threats of violence — may always be enforced, no matter what an employee's disability or limitations are and no matter what job or work environment the employee is in.

Employers should document what objective evidence they have or witness as a basis for such an inquiry or medical exam.

Key to remember: Knowing what signs to watch for and how to respond can help employers maintain a safer, more productive work environment for everyone.



## TEXAS DEPARTMENT OF INSURANCE UPDATES COVID DATA CALL RESULTS

The Texas Department of Insurance Division of Workers' Compensation (DWC) updated COVID-19 workers' compensation claims data, with insurance carriers reporting 98,000 COVID-19 claims and 468 fatalities through February 2023.

DWC put out a data call with 74 selected insurance carriers to gather information on how workers' compensation claims through Dec. 31, 2022.

According to a report put out by DWC this month, more than two-thirds of all claims (70%) involved injured employees who tested positive or were diagnosed with COVID-19. Insurance carriers denied 38% of COVID-19 positive test claims. Despite more than 25,000 denials of COVID-19 claims with positive tests or diagnoses, there were only 239 disputes filed with DWC as of February 5, 2023.

"Although COVID-19 caused a brief shutdown for some jobs and moved others to remote work, the total number of workers' compensation claims reported to DWC during the 34 months of the pandemic (March 2020 through December 2022) was 16% higher than the 34 months immediately before the pandemic (May 2017 through February 2020)," the report said.

COVID-19 claims spiked in January 2022 (12,532). Only 30 claims were reported in February 2023.

## OSHA IS TURNING UP THE HEAT ON HEAT ILLNESS

OSHA is creating a Nation Emphasis program on Outdoor and Indoor Heat-Related Hazards.

**OSHA Area Offices shall assess the potential for heat-related illnesses, injuries, and deaths where heat-related hazards may exist in indoor work areas or at outdoor work areas on heat priority days when the heat index is expected to be 80°F or higher. Yes, you read that correctly.**

**Employer's Responsibility.** Under the OSH Act, employers are responsible for providing workplaces free of known safety and health hazards. This includes protecting workers from heat-related hazards. This includes training employees, planning work, implementing administrative controls, engineering controls, and understanding the basics of heat stress.

**Basics of Heat Stress.** When the body is unable to cool off by sweating, heat-induced illnesses, such as heat rash, cramps, heat exhaustion, and heat stroke can occur. These illnesses can be serious, sometimes even resulting in death.

**Factors Leading to Heat Stress.** The following are common factors that can all contribute to heat stress:

1. High temperature and humidity
2. Direct sun or heat
3. Limited air movement
4. Physical exertion
5. Poor physical condition
6. Some medications
7. A lack of tolerance for hot workplaces or areas

### Heat Stress Prevention.

1. Know the signs and symptoms of heat-related illnesses; monitor yourself and your co-workers.
2. Block or avoid direct sunlight or other heat sources.
3. Use cooling fans or air conditioning.
4. Take regular breaks in shaded areas.
5. Drink plenty of water or high-electrolyte fluids.
6. Wear lightweight, light-colored, and loose-fitting clothing.
7. Avoid alcohol, caffeinated drinks, and heavy meals.
8. If you detect signs of heat exhaustion, notify a supervisor or appropriate individual with first aid training.

### Heat Rash.

**Symptoms:** Cluster of small red pimples or blisters

**Causes:** Excessive sweating, which leads to clogged pores and, if untreated, to infection

**First aid:** Cleanse and dry the affected area and use calamine lotion or powder to increase comfort.

### Heat Cramps.

**Symptoms:** Painful spasms of leg, arm, or abdominal muscles, heavy sweating, and thirst

**Causes:** Electrolyte deficiencies during or after strenuous physical activity, due to extended periods of intense sweating

**First aid:** The affected individual must stop all activity, sit in a cool place, drink plenty of water or high-electrolyte fluids, and wait for a few hours after the cramps have subsided before engaging in any strenuous physical activities.

### Heat Exhaustion

**Symptoms:** Fatigue, profuse sweating, weak and rapid heartbeat, headaches, nausea, confusion, loss of coordination, muscle weakness, dizziness, or fainting

**Causes:** Dehydration, lack of acclimatization to high temperatures, strain on the circulatory system, and reduced blood flow to the brain

**First aid:** The affected individual must rest in a cool, shaded, or air-conditioned area. First aid includes cooling the affected individual by fanning, misting with water, or applying ice packs. Give cool (not cold) water only if the individual is conscious.

### Heat Stroke

**Symptoms:** Core body temperature exceeding 104° F, hot skin with a lack of perspiration, strong and rapid pulse, nausea, confusion, dizziness, seizures or convulsions, or fainting

**Causes:** Heat exhaustion was left untreated and the body's cooling mechanisms have been exhausted

**First aid:** Heat stroke is immediately life-threatening. Notify a supervisor and follow the emergency action procedure. While waiting for medical personnel to arrive, the individual giving care should take the following measures:

1. Move the affected person to a cool, shaded, or air-conditioned area.
2. Give cool (not cold) water only if the individual is conscious.
3. Cool the individual by fanning, misting with water, or applying ice packs.
4. If necessary, loosen or remove heavy clothing.

**Remember that most heat-related illnesses can be prevented by taking appropriate precautions.** Click here to check out the OSHA website for more information on heat illness prevention!



### EGL Motor ACE Youth ATV's

*Hazard: Risk of Serious Injury, Death*

### Vijayli Imported Pool Drain Covers Lusin Imported Pool Drain Covers Pickloud Imported Pool Drain Covers

*Hazard: Entrapment*

### Vornado Travel Steam Irons

*Hazard: Fire, Burn, Shock*

### DynaDrive Fresh Water Well Pumps

*Hazard: Electric Shock*

### DeWALT, Stanley, Craftsman Fiberglass Sledgehammers

*Hazard: Impact Injury*

### Moen Flo Battery Back-Ups

*Hazard: Fire*

### Luxor Workspaces Audiovisual Carts

*Hazard: Tip-Over, Death*

### BISSELL Cordless Multi-Surface Wet Dry Vacuums

*Hazard: Fire*

### Black Diamond Recon LT Avalanche Transceivers

*Hazard: Loss of Emergency Communication*

### Lil Anglers Fishing Rods, Kid Casters No Tangle Combos

*Hazard: Lead Content*