



December 2011

News and Views

Winter Warm-Up

Congratulations Safe Schools Ambassadors Grant Winners!



NBSIA is pleased to announce the winners of its Safe Schools Ambassador three year grant program. Congratulations to Crystal, Grange and Sullivan Middle Schools in the Fairfield-Suisun Unified School District who have made the commitment to participate with NBSIA and Community Matters to bring this program to their sites. The SSA program empowers student leaders from the diverse groups and cliques on campus and equips them with nonviolent communication and intervention skills to stop bullying and violence among their peers. Forty students at each site will be selected and trained as Ambassadors for their campus along with ten adult leaders.

The SSA program is focused on an “inside out” approach to changing school climate and relies on the power of students to stop bullying and violence. Students often think they only have two options: to be a bystander and condone the things they see, or to “tell” on their peers. The SSA program provides Ambassadors with the motivation, skills and support to know they have a better option: Ambassadors are taught to intervene to prevent or stop the mistreatment they see.

This program was created in response to the Columbine tragedy and has been implemented in over 850 schools and has trained over 28,000 students and over 4,400 adults in over 30 states. Congratulations Crystal, Grange and Sullivan middle schools for your commitment to expanding student leadership and safety on your campuses!

Welcome New NBSIA Employees!



Ken Hearnberger joined NBSIA in September 2011 as the new Finance Manager, following the retirement of Peggy Kech. He has over 25 years of experience in finance and accounting, a CPA and an MBA. In addition to various finance and accounting roles, he has held positions in line management and IT.

Ken is an amateur wine maker, brewer and cook. Married 33 years, he and his wife enjoy almost anything to do with the outdoors. They have two grown sons.

Michelle Lucas joined NBSIA in August 2011 as the Office Assistant. She previously worked in the private sector for 23 years as a Design-Drafter. She graduated with a Technical Degree in Architectural Computer Aided Drafting.

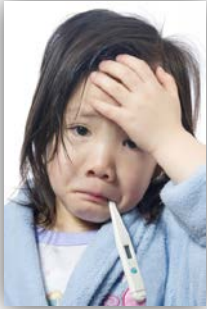


Michelle and her husband of 22 years recently moved to Northern California. She loves animals, golfing and traveling to tropical locations.

You may contact Ken at KenH@nbsia.org and Michelle can be reached at MichelleL@nbsia.org

It's Flu Season—Should You Get Vaccinated?

By: Jeremy Hatch, CPSI, Loss Control Specialist



Winter time is here along with the flu, but should you get a flu shot? Centers for Disease Control (CDC) recommends that everyone six months of age and older receive a yearly influenza (flu) vaccination. By getting your flu vaccination you can prevent flu-related illness, missed school and work. Once receiving the vaccination it takes approximately two weeks for your body to develop an immune response.

Flu activity usually peaks in the U.S. in the months of January and February, but can be very unpredictable. Although there are many flu viruses, the yearly flu vaccine protects against the three main viruses that research suggests will be most common during the season.

The CDC suggests that the following groups receive a flu vaccination:

- People who work in an educational environment with young children.
- Health care workers.
- People 50 years of age and older.
- People of any age with certain chronic medical conditions. (Consult your doctor.)
- Especially children under 2 years old.

There are two types of flu vaccines: the flu shot and a nasal spray. Flu vaccines are available in many convenient locations including pharmacies, health departments, grocery stores and your doctor's office. Prevent spreading sickness by getting your flu vaccine soon!



Holiday School Safety

By: Jeremy Hatch, CPSI, Loss Control Specialist

The holiday season is an exciting time of year at your school sites. However, there are many distractions and activities that could potentially lead to an injury or property loss. Here are a few things to consider while gearing up for this holiday season:

- **Limit Flammable Materials**
Flammable materials, especially paper, should not cover more than 20 percent of classroom walls. (National Fire Protection Agency 101)
- **Do Not Use Candles with Open Flames**
Open flame is never allowed in a school or classroom environment, as regulated by California Fire Code. Plug-in air fresheners are not recommended under the Environmental Protection Agencies Indoor Air Quality guidelines for schools.
- **Check Plug-In Décor for UL Seal of Approval**
Holiday lights and other decorations that require an electrical connection should have a seal of approval label from the Underwriters Laboratories (UL). The seal is a silver holographic image that certifies the product meets safety standards.
- **Use a Power Strip for Multiple Plug-Ins**
If you need additional electrical outlets use a UL approved power strip. Power strips have a built in breaker that can trip if there are faulty electrical devices or power surges. Be sure to place power strips so they do not create a tripping hazard.
- **Always Use a Stepstool or Ladder When Decorating Overhead**
Do not step on chairs, tables or cabinets to access high areas. Falls are one of the leading causes of injury among educators.



Property & Liability

Weather Hazards - Vacant Buildings

By Colleen Abney, Property and Liability Claims Manager

A proactive approach to “winterize” your site can reduce the potential for costly property damage, along with lost educational time and inconvenience to your staff and students. NBSIA recommends that districts consider the following tips in preparing your sites for winter:



- Plan for proactive inspections of your facilities during severe weather. Don't wait until Monday morning or after the holiday break to discover damage that could have been minimized or prevented if discovered sooner.
- Make simple physical changes to reduce flood/surface water damage, such as installing curbing/berming to redirect water away from buildings and building openings.
- Identify and relocate high-value equipment and important business items out of low-lying areas.
- Monitor and maintain building temperatures at a minimum of 40°F during freeze conditions. Special consideration should be given to sites/buildings that may be closed and heating turned off during holidays and breaks.
- Winterize sprinkler systems according to manufacturer's recommendations
- Know how to turn off the water supply if a pipe bursts. Quick action can minimize damage.

Member Services

Avoid the Holiday Blues



For many people the holiday season is the most exciting of the year—but to others it is a time of sadness and loneliness. Holiday depression is a widespread annual occurrence. This year take control and enjoy the season. [Click here](#) to read an article from WebMD and learn about the top ten triggers for holiday depression and get tips for learning to overcome them.

Employee Assistance Program

Member Matters

Helping Members Balance Their Health, Work and Life



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[Click here](#) to visit Member Matters, the monthly gateway to your EAP's Online Member Services. Articles in this month's newsletter include: "Tis the Season for Healthy Eating", "Get Physical for Your Emotional Health", "20 Tips for Lower Back Care", "Maintaining Family Relationships in Retirement", and "The Sandwich Generation".

Workers' Compensation

An Employer's Duty To Report Cal/OSHA Reporting Requirements for Serious Injuries, Illnesses and Fatalities on the Job

By Kami Liñan, Workers Compensation Manager



We have received several calls lately from our Members that have had a visit from a representative of Cal/OSHA and may have been issued a citation under the California Occupational Safety and Health Act (Cal/OSHA) for failure to immediately report **“serious” injuries, illnesses, and fatalities occurring on the job.** These citations are issued by the Division of Occupation Safety and Health (DOSH) and can result in a minimum civil penalty of \$5,000 per incident for the employer. Accordingly, we are reminding our districts of the reporting requirements.

Reporting of the incident must come from the district employer directly. Insurance carriers and risk management agencies cannot report on behalf of employers.

A **“serious”** physical injury or illness requiring immediate reporting is defined as “any injury or illness occurring in the place of employment or in a connection with employment” that results in:

- Inpatient hospitalization for a period in excess of 24 hours for other than medical observation
- The loss of any member of the body
- Any serious degree of permanent disfigurement
- Impairment sufficient to cause a part of the body or the function of an organ to become permanent and significantly reduced in efficiency on or off the job, including but not limited to, depending on the severity, second-degree or worse burns, crushing injuries including internal injuries even though the skin surface may be intact, respiratory illnesses, or broken bones.

(Labor Code section 6302; section 330(h) of Title 8 of the California Code of Regulations)

The term **“immediately”** means “reporting the incident to the nearest Cal/OSHA enforcement unit office of the DOSH by phone or fax as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.” (Section 342 of Title 8 of the California Code of Regulations.)

This 8-hour reporting requirement applies even if the incident occurs **after hours**, on a holiday or weekend. Additionally, district employer should follow-up with the employees injured on the job to ascertain if the injury has become a reportable one under the applicable Regulation. NBSIA claims staff will attempt to contact your district if we become aware of a reportable incident, therefore it is very important to identify the appropriate personnel to handle OSHA reporting on behalf of the district. Reporting of the incident must come from the district employer directly, as insurance carriers and risk management agencies cannot report on behalf of employers.

The following information concerning the incident should be obtained and reported to the DOSH office:

1. Time and date of accident.
2. Employer's name, address and telephone number.
3. Name and job title, or badge number of person reporting the accident.
4. Address of site of accident of event.
5. Name of person to contact at site of accident.
6. Name and address of injured employee(s).
7. Nature of injury.
8. Location where injured employee(s) was (were) move to.
9. List and identify other law enforcement agencies present at the site of the accident.
10. Description of accident and whether the accident scene or instrumentality has been altered.

(Section 342 of Title 8 of the California Code of Regulations)

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A listing of the Division of Occupational Safety and Health (DOSH) offices can be accessed online at <http://www.dir.ca.gov/DOSH/DistrictOffices.htm>.

A poster summarizing these and other job safety and health protection responsibilities must be posted at the District office and each work site/school site. It can be obtained from the DOSH or accessed online at http://www.dir.ca.gov/DOSH/dosh_publications/shpstreng012000.pdf.

2011 Legislative Session Ends with Minor Changes to WC System

By Kami Liñan, Workers Compensation Manager

It is the end of another legislative year ending with the Governor's review, signing or veto the work of the California Legislature. This year there was more smoke than fire in the final analysis with the Governor showing concern over the potential expenses bills might carry and also encouraging a broader negotiated result to modifications of the system rather than piecemeal changes.



Bills Signed by Governor Brown Effective 1/1/12

- AB 335 by Assemblymember Jose Solorio (D-Santa Ana) – Workers' compensation: notices.
Requires Administrative Director (AD) to revise some DWC forms. Eliminates need to send Supplemental Job Displacement Voucher by certified mail at end of Temporary Disability (TD).
- AB 378 by Assemblymember Jose Solorio (D-Santa Ana) – Workers' compensation: pharmacy products.
Provides imposition caps on Compound drugs @ 83% of generic for lowest price generic equivalent until AD adopts fee schedule.
- AB 1168 by Assemblymember Richard Pan (D-Sacramento) – Workers' compensation: vocational expert fee schedule.
Requires the AD to adopt a fee schedule for Vocational Rehabilitation expert testimony by January 1, 2013.
- SB 684 by Senator Ellen Corbett (D-San Leandro) – Workers' compensation insurance: dispute resolution: arbitration clauses.
Would allow California employers to arbitrate disputes under insurance policies that arise in California using California law even where the policy may have been written in a different state and provides for arbitration of disputes using another states law.
- SB 826 by Senator Mark Leno (D-San Francisco) –Workers' compensation: data reporting requirement: administrative penalties.
Provides for imposition of administrative penalties where a claims administrator violates reporting requirements regulations.

Bills Vetoed by Governor Brown:

- AB 211 by Assemblymember Gil Cedillo (D-Los Angeles) – Workers' compensation: permanent disability benefits. A veto message can be found [here](#).
This bill would have modified the provisions for providing the Supplemental Job Displacement Voucher from after the Permanent Disability Award till the end of TD. It would also have change the voucher amount to a flat \$6000 rather than a structured amount based on the level of PD.

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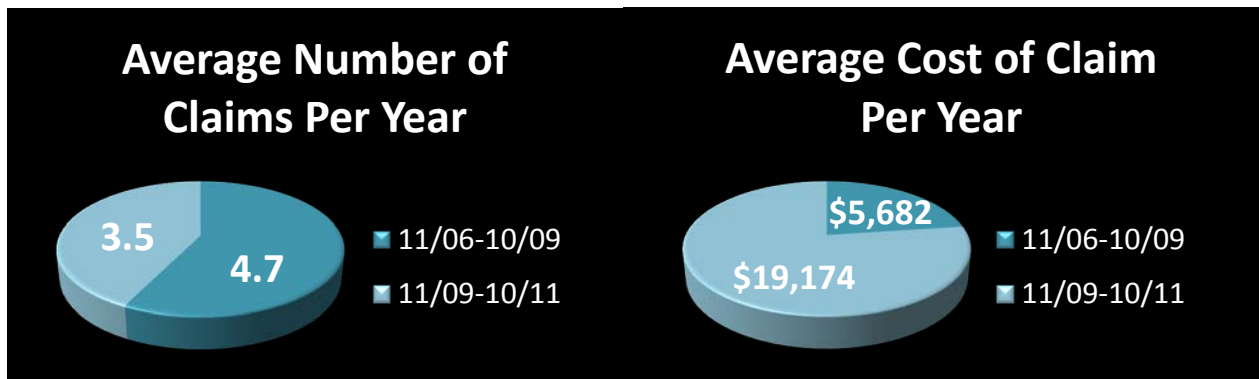
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- AB 584 by Assemblymember Paul Fong (D-Mountain View) – Workers' compensation: utilization review.
This bill would have required physicians performing UR services be licensed to practice medicine in CA. The bill would have created different standards for WC UR than the same services in Group health. The Governor was aware of the effort to impose this unique requirement in WC and did not consider a need to have different approaches in WC than from the rest of the health care industry.
- AB 947 by Assemblymember Jose Solorio (D-Santa Ana) – Workers' compensation: temporary disability payments. A veto message can be found [here](#).
This bill would have extended the time for payment of TTD beyond the 104 limit in Labor Code § 4656 where the employee underwent surgery and the period of TD extended beyond the 104 weeks. This bill was amended near the end of the session to limit it to post-surgical cases in an effort to limit the potential expense attached to the changes to Labor Code § 4656. As originally drafted it would have effectively eliminated the 104/week limitation on TTD. The recent amendments provided significant limitation on the extension of TTD but the Governor appeared concerned the amendments such as this should be part of an overall effort to modify the system and rather than piecemeal changes.
- AB 1155 by Assemblymember Luis Alejo (D-Salinas) – Workers' compensation.
This bill would have interposed additional language in Labor Code § 4663 ostensibly to prevent discrimination on the basis of “immutable characteristics” such as race, gender, sexual orientation etc. The Governor’s message indicated the law already recognized similar protections and this provision would have potentially generated additional unnecessary litigation increasing employer costs with little corresponding additional protection to employees.

BY THE NUMBERS

\$19K

...the average cost of a seasonal (Oct-Feb) slip, trip and fall claim due to weather hazards in the past 2 years.



Be aware of hazards in your area—keep those dollars in the classroom!

NBSIA offers **safety tips** and **training** to our members.

For more information you can contact Jeremy Hatch, Loss Control Specialist at (707) 428-1830x129 or JeremyH@nbsia.org.



Happy Holidays

*Wishing you warmth and
joy this holiday season.*

*From the staff of
NBSIA*

CALENDAR OF EVENTS

<u>Date</u>	<u>Event</u>	<u>Location</u>
Dec 13	Supervisors Academy	NBSIA Large Conference Room
Dec 22-26	Winter Holiday	NBSIA Office Closed
Jan 2	New Year's Day Observed	NBSIA Office Closed
Jan 10	Supervisors Academy	NBSIA Large Conference Room
Jan 16	Martin Luther King Jr. Day	NBSIA Office Closed
Jan 26-27	NBSIA Annual Board Planning Meeting	Napa, CA
Jan 31	Supervisors Academy	NBSIA Large Conference Room
Feb 8	Risk Management Committee Meeting	NBSIA Large Conference Room
Feb 20	Presidents Day Holiday	NBSIA Office Closed
Feb 28	Supervisors Academy	NBSIA Large Conference Room
Feb 29	NBSIA Executive Committee Meeting	NBSIA Small Conference Room

CONTACT US

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After Hours Emergency Pager: (707) 428-0824, option 5

Phone: (707) 428-1830

Fax: (707) 428-1848

General Administration and Member Services

Jan DeGracia	Executive Director	Ext. 105
Suzanne Dillman	Member Services Manager	Ext. 106
Colleen Abney	P/L Claims Manager	Ext. 103
Jeremy Hatch	Loss Control Specialist	Ext. 129
Amanda Quiralte	Member Services Coordinator	Ext. 127
Ken Hearnberger	Finance Manager	Ext. 113
Lyn Fortaleza	Accounting Technician	Ext. 115
Maria Cantera	Data/Fiscal Analyst	Ext. 116
Heather Eichen	Administrative Assistant	Ext. 104
Michelle Lucas	Office Assistant	Ext. 101

Workers' Compensation

Kami Liñan	W/C Claims Manager	Ext. 110
Felecia Lawson	W/C Claims supervisor	Ext. 124
Doris Manuzon	Claims Examiner	Ext. 111
Anna Socarras	Claims Examiner	Ext. 122
Lily Chin	Claims Examiner	Ext. 109
Mimi Tsang	Claims Assistant	Ext. 108
Jennifer Hearne	Claims Assistant	Ext. 119
Veronica Hudley	Claims Assistant	Ext. 107
Christine Trockey	Return to Work Coordinator	Ext. 121