

# Educating your supervisors

Do your supervisors understand why good workers' compensation practices matter? Guidelines for discussion. Practices that work.

Your supervisors are ambassadors of your safety culture and spark plugs that energize it.

When accidents happen, they are crucial to lessening the impact on productivity and injury-related business costs.

But have you talked with your supervisors about the safety culture you want your organization to be striving for and their pivotal role in getting there? Or about their role in the outcomes of work injuries?

If not, they probably aren't tuned in to good workers' compensation practices or why they matter. Even some of your most competent supervisors may think the things done to control workers' compensation costs are things that consume valuable time, divert resources, and run at odds with production goals.

That's a distorted view you need to correct. When it comes to communicating with your supervisors, one of the most important things you can do is convey the importance of good workers' compensation practices. It's not just because of the work comp focus. It's because they are practices that show concern for employees, and in the end they help the supervisor manage staff with greater effectiveness.

Bottom line for supervisors: Good workers' compensation practices directly impact staff productivity. The bigger picture: They help keep the organization's business costs down.

Help your supervisors understand that. Talk with them about how the steps to prevent injury are well worth the effort. Even one accident can eat up supervisor time in dealing with the event, working with the injured employee, reassigning work loads, and finding temporary help.

Productivity in the supervisor's unit may slip. Human resources and other departments may need to spend additional time, for instance in reporting the workers' compensation claim. The medical and indemnity costs of the claim ultimately will impact the organization's workers' compensation premium.

Clear the way for supervisors to make injury prevention a dynamic aspect of how their units' work gets done. Conveying the many faces of safety should be a natural part of the two-way communications they engage in with staff during the normal course of daily work.

## Preventing injury

Some injury prevention steps to reinforce with supervisors, depending on your type of business:

### Risky behaviors

Be watchful for them. More accidents are caused by unsafe behavior than unsafe equipment. Supervisors need to be able to recognize work habits and behaviors that invite injury and to make it a practice to "scan" for them. The follow-up step, of course, is to talk with the employee to change how he works. Deal with an employee's risky behavior as a performance issue.

### Risk-free work areas

Look for and eliminate hazards or risks in the physical conditions of work areas. As a fundamental of loss control, there really shouldn't be any question these days whether a supervisor in manufacturing, construction or other labor-intensive work performs this as a formal part of his or her job.

Instead, the question has more to do with how

diligent the supervisor is, whether he is sufficiently trained to know what to look for, knows this is a company priority, and has permission and time to make it happen effectively. (For more, see SFM's "Workplace analysis" CompTalk available through the "Resource catalog" at [www.sfmic.com](http://www.sfmic.com).)

Supervisor responsibilities here can be supplemented by company programs that invite

**Big picture.** Help your supervisors understand the big picture: where work injuries and workers' compensation fit in our organization's financial picture and overall human resources strategy.

**Prevention.** Have supervisors treat risky employee behaviors as they would other work performance issues. Guide for and expect safe behaviors. Keep an eye out for physical hazards and take care of them.

**Injury response.** Assure that supervisors see the clear path on what to do when an injury happens: get emergency treatment; report promptly; steer clear of retaliatory responses; preserve critical evidence; make the experience a learning opportunity by analyzing its cause; stay in contact with the employee post-injury.

**Return-to-work.** Help supervisors see their role in controlling your overall workers' compensation costs by helping to identify restricted-duty assignments or job modifications to facilitate return-to-work and actively support it for that employee with his or her coworkers.

employees to come forward with observations and solutions to safety issues. Employee involvement is often an eye-opening way for supervisors to ferret out safety issues. Plus, it helps supervisors build the right attitudes about safety.

### **Training**

It's the mantra of loss control professionals. Hopefully, especially if you have staff performing physical labor, you're already doing some forms of employee training. Supervisors of course have a big role in that, including training employees one-on-one on tools, equipment, job tasks and the safety practices involved. Good training by supervisors helps wring out risky behaviors in the way employees work.

A quick word about back injuries. They're the most common work injury, expensive to treat and costly in lost workdays. A supervisor of anyone doing lifting needs to know the techniques of safe lifting and be able to train an employee on it.

### **Safety talks**

Discussing safety in group settings can take many forms. One good practice, depending on your business, is having supervisors conduct monthly safety meetings with their employees. Consider providing your supervisors periodically with safety topics and talking points they can discuss with staff. Resources for helping you come up with ongoing topics are available through the internet, trade associations and SFM loss prevention representatives.

Some employers, especially those in construction, have supervisors or foremen discuss safety issues with employees prior to starting work at a new job site. Whatever your method, regular safety talks by supervisors can become a visible element of your organization's safety culture and a way for you as an employer to convey to employees practical information that helps them avoid accidents.

# Best practices after an injury occurs

Three “best practices” to pass along to your supervisors, any of which can substantially affect the cost of a claim and its impact on your workers’ compensation premium:

## Help preserve evidence

Don’t disturb things that may be useful in a third-party subrogation case. SFM may be able to recover part or all of the cost of a claim if liability falls on a third party, such as an equipment manufacturer or another contractor involved on a job.

To assist SFM in pursuing a civil claim against a third party, the supervisor should (1) take pictures documenting the scenario and (2) be sure any equipment involved in the injury is secured.

Don’t be like the supervisor who was so production-focused-at-all-costs that—true story—he had a chopping machine cleaned up and back in production shortly after it was the cause of a tragic loss-of-limb accident, hampering SFM’s ability to build a subrogation case.

A supervisor struggling to meet production obligations may not be able to afford much additional downtime after dealing with an accident, but he at least should be aware that an injury situation may involve legal considerations and that a call to the organization’s claims coordinator or

other leadership person might be prudent before altering potential evidence.

## Anticipate questions

Help your supervisors anticipate and prepare for questions the injured employee may ask. One example: An employee is injured, knows he will be home recuperating a few days, and asks whether he will have to use sick leave or will receive a full paycheck.

The answer: Under Wisconsin state law, if an injured employee under doctor’s order misses fewer than seven days from work, then he is not entitled to receive workers’ compensation wage-replacement benefits for the first three lost workdays. Benefits are based upon a six-day work week. Saturdays are included. Sundays are excluded unless Sundays are regular workdays. If lost time goes beyond the seventh day and into the eighth, then the first three days must be paid. Whether and how the employee is paid for those three days is up to you the employer, and it’s a good idea for you to establish a wage payment policy covering this situation.

Even if a supervisor can’t explain the details of this so-called “three-day waiting period” or your organization’s policy, the supervisor at least should be aware of the three-day concept and be able to refer the employee to

someone else in your organization for straight answers. Injured off-work employees who can’t get straight, knowledgeable answers from their employers about their compensation get nervous and sometimes do things that unnecessarily complicate claims.

## Don’t retaliate

You as an employer know that terminating an injured employee who is receiving workers’ compensation benefits is more likely to multiply your problems than diminish them. But your supervisors probably are less aware particularly of the potential legal consequences of their actions. A couple of “do’s” and “don’ts” to explain to them:

Don’t do retaliatory things. Even if frustrated by an employee’s current or prior performance, don’t threaten or retaliate in response to a claimed injury or in a way that can be construed as being in response to it. State law prohibits retaliatory actions, and you could have a difficult-to-defend lawsuit on your hands.

Do deal with personnel problems right away and before they become entangled in any workers’ compensation claims.

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## To-do’s when an injury occurs

When an employee is injured, the supervisor should be able to activate a mental checklist of immediate to-do’s:

### 1. Get the employee the appropriate medical

care: 911, an emergency facility, or your designated clinic.

### 2. Report the injury to your organization’s claims coordinator.

Supervisors need to know in advance who that is. They also need to know they must report the injury to their

claims coordinator right away—ideally the same day it happened. The urgency of reporting is driven by state-imposed deadlines.

**3. Be prepared to give the claims coordinator all the necessary information:** When and where the injury happened. Names of witnesses. Equipment being used. Body part injured. Nature of injury. Clinic referred to. On-site emergency care administered.

You can use the enclosed wallet-size “Supervisor work injury response cards” to help remind supervisors of the three steps to follow when an employee is injured.

Your supervisor may also have a role in analyzing the accident in order to learn from it and make corrections so it doesn’t happen again. A resource the supervisor may find useful is the SFM “Accident analysis” *CompTalk* available through the “Resources catalog” at [www.sfmic.com](http://www.sfmic.com).

### Returning the employee to work

You know you can reduce your workers’ compensation costs by getting injured employees back on the job as soon as they’re medically able. You know from statistics you’ve read that the longer an employee is off work, the less likely he is to return.

Help your supervisors understand that, too. Help them understand the bigger financial picture and how it can be impacted in a positive way by their involvement in return-to-work.

Your organization’s claims coordinator or human resource people probably have the biggest responsibility in making return-to-work happen. But your supervisors can take steps that support

what they are doing and help make return-to-work successful.

One is accommodating the employee’s medical restrictions. They’re sometimes seen as a pain in the neck. Talk with the supervisor about his role in helping to find or create temporary lighter-duty tasks, altering work hours, or whatever else will enable the employee to return within medical restrictions. A supervisor who understands the bigger picture, sees his role, and is encouraged to think resourcefully will make the time and effort to work toward the best long-term results for the returning employee.

Caution against pushing or allowing the employee to do more than the restrictions permit. Patience and persistence will pay off, whether in a successful return to work for a good employee or in accountability for a marginal one.

### Supervisors as assets

You as an employer should think about how effectively you are using your supervisors to control business costs relating to work injuries. How do you communicate with them about workers’ compensation practices? Do they understand that good workers’ compensation practices help, not hinder, the performance and productivity of their staffs? Do they know what those practices are?

Those who do will be able to bring additional value to their units and to your overall organization.

*Supervisor*  
**Work injury response card**

Direct the employee to the proper medical care. If an emergency, call 911. If not, direct your employee to this clinic:

\_\_\_\_\_ Phone \_\_\_\_\_

**Report the injury to your claims coordinator immediately.** This is the person in your organization responsible for handling work injuries:

\_\_\_\_\_ Phone \_\_\_\_\_

**Provide information.** Your claims coordinator will need the information listed on the back of this card.

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**Be prepared to tell your claims coordinator:**

- Injured employee's name and job title
- Date and time injury occurred
- Where the injury occurred
- How the injury occurred
- Equipment being used
- Body part(s) injured
- Nature of injury
- Clinic referred to
- On-site medical treatment administered

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