

Business Side of Safety

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Objectives

- Injury Statistics common measurements of safety performance
- Costs of below average safety performance
- Business Consequences of poor safety performance
- Benefits of investing in Safety

Injury Statistics- How do you compare

Higher than Average

- Increased Chance of OSHA programmed inspection
- Disadvantaged obtaining contracts with certain vendors/companies
- Increased insurance costs

Lower than Average

- Exempted for certain OSHA programmed inspections
- Advantage over competitors when bidding for contracts
- Decreased Insurance Costs

Injury Statistics

- Compare your injury logs with national averages of similar industries
- NAICS code what is yours?
- BLS annual survey of occupational injury and illness incidence rates

Chart 3. Nonfatal occupational injury and illness incidence rates by case type and ownership, 2015

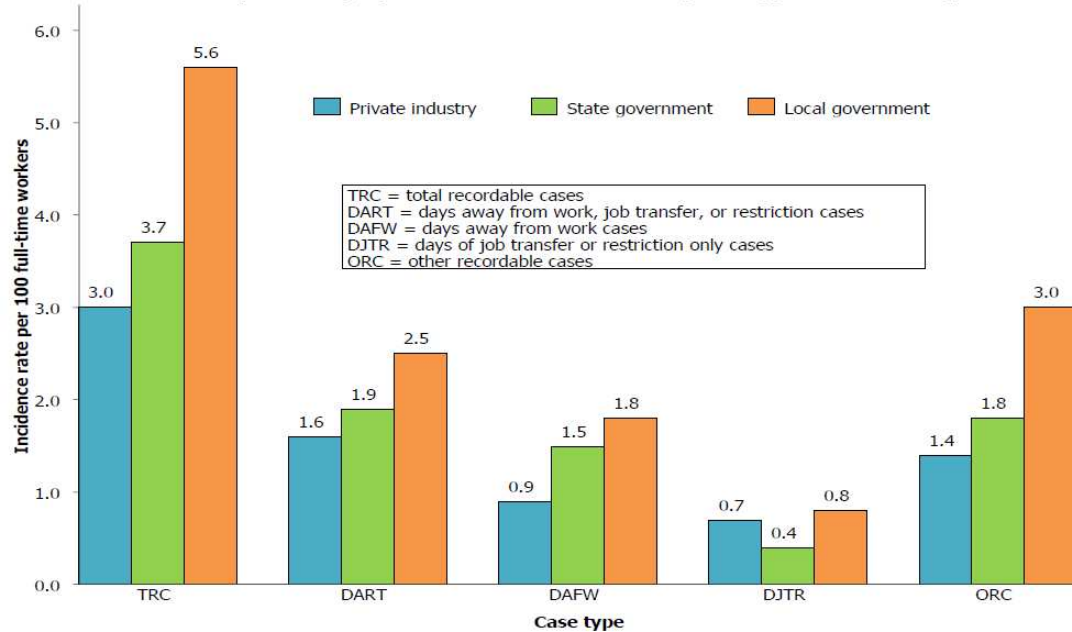
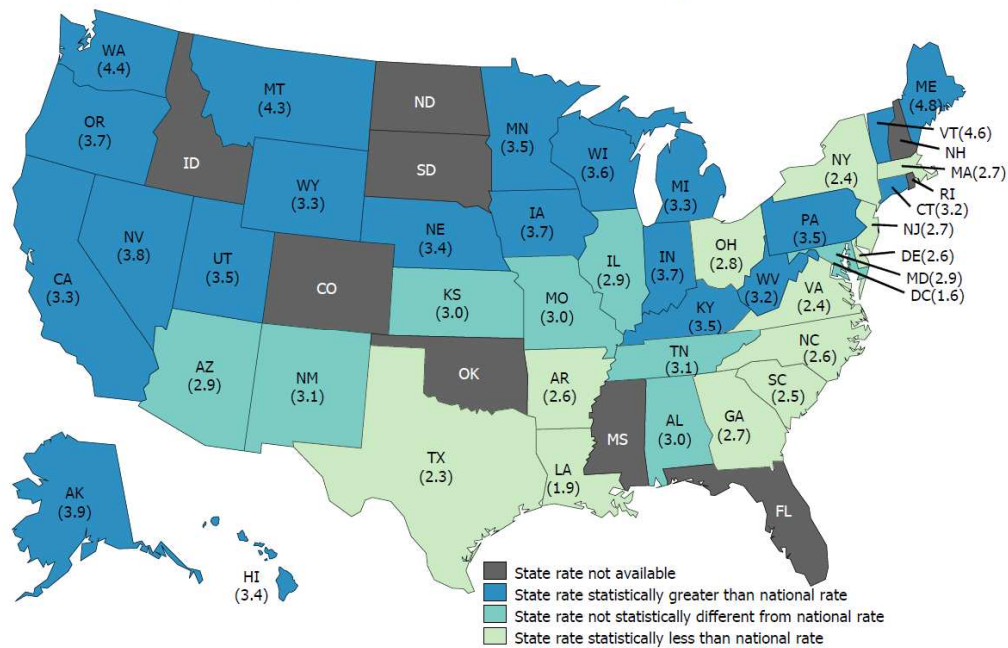


Chart 4. State nonfatal occupational injury and illness incidence rates, private industry, 2015



OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 20 _____

U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OSHA no. 12-15-0174

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases			
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
(G)	(H)	(I)	(J)

Number of Days	
Total number of days away from work	Total number of days of job transfer or restriction
(K)	(L)

Injury and Illness Types	
Total number of ... (M)	
(1) Injuries	(4) Poisonings
(2) Skin disorders	(5) Hearing loss
(3) Respiratory conditions	(6) All other illnesses

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time to review the instructions, search existing data sources, gather the data needed, and complete and review the collection of information. Send comments regarding this burden estimate or any other aspect of this data collection, including suggestions for reducing the burden, to Washington, DC 20503. Do not send the completed form to this office.

Establishment information

Your establishment name _____

Street _____

City _____ State _____ ZIP _____

Industry description (e.g., *Manufacturer of motor truck trailers*) _____

Standard Industrial Classification (SIC), if known (e.g., 3715) _____

OR

North American Industrial Classification (NAICS), if known (e.g., 336212) _____

Employment information (If you don't have these figures, see the Worksheet on the back of this page to estimate.)

Annual average number of employees _____

Total hours worked by all employees last year _____

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive _____ Title _____

Phone _____ Date _____

Injury Statistics

- <https://data.bls.gov/iirc/>

(Number of injuries and illnesses X 200,000)/ Employee hours worked = Incidence rate

- DART column (H+I)
- TRIR column (H+I+J)
- Fatality rate (G)

Small company 10 full time employees ~20800 hours worked
1 recordable injury= TRIR 9.6

Larger company 100 full time employees ~208000
1 recordable = TRIR .96

Injury Rates

- Construction (23) TRIR 3.5
- Manufacturing (31-33) TRIR 3.8
- Wholesale Trade (42) TRIR 3.1
- Transportation and warehousing (48-49) TRIR 4.5
- Health Care and Social Assistance (62) TRIR 4.3
- Leisure and Hospitality (71-72) TRIR 3.5

Workers Compensation

- Experience Rate Modifier (EMR)

- 1.0 is Average (unity)

Simplified Example

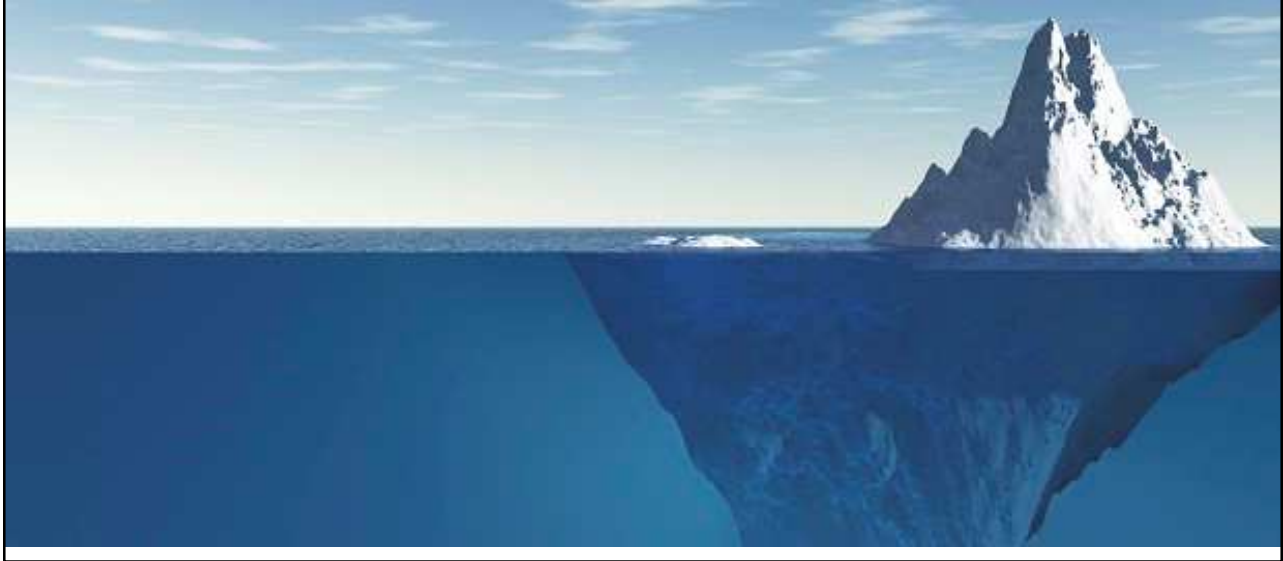
\$1,000,000 subject premium X 1.0 EMR =
\$1,000,000

X 1.2 EMR = \$1,200,000

X 0.8 EMR = \$800,000

Contractors- Some (and growing) companies
may not work with a company with an EMR >1.0
or require an exemption

Cost of Injuries



Cost of Injury

Direct and Indirect Costs

Insured vs Uninsured



Indirect Costs

- Failure to fill orders
- Loss of production for remainder of day
- Time damaged equipment is out of service
- Damage to tools and/or equipment
- Selecting and training a new person
- Lost time by supervision
- Loss of efficiency due to break-up of crew
- Lost time by fellow workers
- Economic loss to the injured person
- Time lost from work by injured person

\$afety Pays Calculator

Direct Costs Indirect Cost Ratio

- \$0 - \$2,999 4.5
- \$3,000 - \$4,999 1.6
- \$5,000 - \$9,999 1.2
- \$10,000 or more 1.1
- "\$afety Pays" uses the sliding scale table to calculate the indirect costs of the injuries and illness.

\$afety Pays Calculator

- The average claim cost estimates are provided by National Council on Compensation Insurance, Inc. (NCCI). The data reflects the average cost of lost time workers' compensation insurance claims derived from unit statistical reports submitted to NCCI for policy years 2009-2011.
- <http://www.osha.gov/dcsp/smallbusiness/safetypays/estimator.html>

Estimated Total Cost

The extent to which the employer pays the direct costs depends on the nature of the employer's workers' compensation insurance policy. The employer always pays the indirect costs.

Injury Type	Instances	Direct Cost	Indirect Cost	Total Cost	Additional Sale (Indirect)	Additional Sale (Total)	
Burn	1	\$ 37,389	\$ 41,127	\$ 78,516	\$ 411,279	\$ 785,160	<input type="button" value="Remove"/>
Strain	1	\$ 33,528	\$ 36,880	\$ 70,408	\$ 368,808	\$ 704,080	<input type="button" value="Remove"/>
Amputation	1	\$ 66,777	\$ 73,454	\$ 140,231	\$ 734,547	\$ 1,402,310	<input type="button" value="Remove"/>

Totals

Estimated Direct Costs:	<input type="text" value="\$ 137,694"/>
Estimated Indirect Costs:	<input type="text" value="\$ 151,461"/>
Combined Total (Direct and Indirect Costs):	<input type="text" value="\$ 289,155"/>
Sales To Cover Indirect Costs:	<input type="text" value="\$ 1,514,634"/>
Sales To Cover Total Costs:	<input type="text" value="\$ 2,891,550"/>

Cost of Hiring

- interviewing
- hiring
- training
- reduced productivity
- lost opportunity costs, etc

What does it Cost?

Cost of a New Employee

- **For entry-level employees, it costs between 30-50 percent** of their annual salary to replace them.
- **For mid-level employees, it costs upwards of 150 percent** of their annual salary to replace them.
- **For high-level or highly specialized employees, you're looking at 400 percent** of their annual salary.

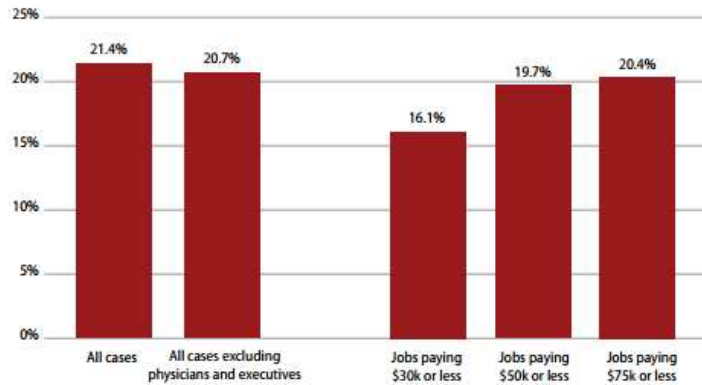
Forbes

Cost of New Employee

- SHRM study
6-9 months of their salary

- CAP study

FIGURE 1
Replacing employees is costly for companies' bottom line
The cost of turnover is remarkably consistent across jobs at different pay levels, except the very highest-paid jobs, 1992 to 2007



Source: Author's analysis of 30 case studies on the cost of turnover from 1992 through 2007.

12 employees

- **Six of these employees were entry level, with an average salary of \$40,000.** It costs, on average, \$16,000 to replace each employee at 40 percent of their annual salary, for \$96,000 total.
- **Four of these employees were mid-level, with an average salary of \$80,000.** It costs, on average, \$120,000 to replace each employee at 150 percent of their annual salary, for \$480,000 total.
- **Two of these employees were senior, with an average salary of \$120,000.** At 400 percent of their annual salary to replace them, you're looking at almost \$1 million, specifically \$960,000.
 - Forbes Magazine

OSHA Penalties

Table 6-1: Maximum Amounts for Civil Penalties

Type of Violation	Penalty Maximum
Serious	\$12,471 per violation
Other-Than-Serious	\$12,471 per violation
Willful or Repeated	\$124,709 per violation
Posting Requirements	\$12,471 per violation
Failure to Abate	\$12,471 per day unabated beyond the abatement date [generally limited to 30 days maximum]

A penalty reduction is permitted in recognition of an employer's effort to implement an effective safety and health management system in the workplace.

A 25 percent reduction for "good faith" normally requires a written safety and health management system

A 15 percent reduction for good faith shall normally be given if the employer has a documented and effective safety and health management system, with only incidental deficiencies.

WORKERS COMPENSATION EXPERIENCE RATING

NCCI Risk Name: [REDACTED] Risk ID: [REDACTED]
 Rating Effective Date: 11/01/2016 Production Date: 05/05/2016 State: MONTANA

25-MONTANA Firm ID: [REDACTED] Firm Name: [REDACTED]
 Carrier: 20028 Policy No. [REDACTED] Eff Date: 11/01/2012 Exp Date: 11/01/2013

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
3724	2.00	.27	212,850	4,257	1,149					
7421	.36	.28	7,435	27	8					
8742	.24	.32	129,734	311	100					
8810	.22	.36	61,981	136	49					
Subject						Total Act Inc Losses: 0				
Policy Total:			412,000	Premium:	18,594					

25-MONTANA Firm ID: [REDACTED] Firm Name: [REDACTED]
 Carrier: 20028 Policy No. [REDACTED] Eff Date: 11/01/2013 Exp Date: 11/01/2014

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
3724	2.00	.27	258,431	5,169	1,396	041000987610	05	0	62,964	16,000
7421	.36	.28	1,241	4	1					
8742	.24	.32	93,539	224	72					
8810	.22	.36	126,974	279	100					
Subject						Total Act Inc Losses: 62,964				
Policy Total:			480,185	Premium:	16,565					

25-MONTANA Firm ID: [REDACTED] Firm Name: [REDACTED]
 Carrier: 20028 Policy No. [REDACTED] Eff Date: 11/01/2014 Exp Date: 11/01/2015

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
3724	2.00	.27	429,413	8,588	2,319					
7421	.36	.28	4,380	16	4					
8742	.24	.32	143,399	344	110					
8810	.22	.36	110,002	242	87					
Subject						Total Act Inc Losses: 0				
Policy Total:			687,194	Premium:	24,900					

2016 EMR 1.3 \$24,900 * 1.3 = \$32370
 2015 EMR 1.38 \$16,565 * 1.38 = \$22859.70
 2014 EMR .91 \$19,594 * .91 = \$17830.54

EMR Different Company

CODE	DESCRIPTION	ESTIMATED PAYROLL	RATE	ESTIMATED PREMIUM
6216-00	OIL OR GAS LEASE WORK NOC-BY SPECIALIST CONTRACTOR & DRIVERS	\$0.00	\$7.71	\$0.00
6233-00	OIL OR GAS PIPELINE CONSTRUCTION & DRIVERS	\$491,512.23	\$5.70	\$28,016.18
6227-02	CONSTRUCTION OR ERECTION PERMANENT YARD	\$26,979.38	\$4.96	\$1,338.18
8810-01	CLERICAL OFFICE EMPLOYEES NOC	\$97,254.08	\$0.45	\$437.64
Employers Liability				\$327.72
Experience Mod Factor				\$21,686.19
Scheduled Rating Unique Risk Factor				\$-5,180.57
Volume Discount				\$-1,731.27
Terrorism / Catastrophe Premium				\$123.15
Expense Constant				\$170.00
Department of Labor & Industry (DLI) Assessments:				
Workers Compensation Administrative (Admin) Assessment – Assessment Percentage:				1.9775%
Stay at Work/Return to Work (SAWRTW) Assessment – Assessment Percentage:				0.0000%
Subsequent Injury Fund (SIF) Assessment – Assessment Percentage:				0.2084%
TOTAL ESTIMATED COST:				\$46,171.26
PREMIUM MODIFIERS:				
Employers Liability	1.0110	05/24/2016 - 05/24/2017		
Experience Mod Factor	1.7200	05/24/2016 - 05/24/2017		
Scheduled Rating Unique Risk Factor	0.9000	05/24/2016 - 05/24/2017		

CODE	DESCRIPTION	ESTIMATED PAYROLL	RATE	ESTIMATED PREMIUM
6216-00	OIL OR GAS LEASE WORK NOC-BY SPECIALIST CONTRACTOR & DRIVERS	\$0.00	\$6.97	\$0.00
6233-00	OIL OR GAS PIPELINE CONSTRUCTION & DRIVERS	\$545,835.58	\$4.04	\$22,051.76
6227-02	CONSTRUCTION OR ERECTION PERMANENT YARD	\$18,987.95	\$4.08	\$774.71
8810-01	CLERICAL OFFICE EMPLOYEES NOC	\$45,000.00	\$0.36	\$162.00
Employers Liability				\$252.92
Experience Modification Factor				\$-3,951.02
Volume Discount				\$-384.52
Terrorism / Catastrophe Premium				\$121.98
Expense Constant				\$170.00
Department of Labor & Industry (DLI) Assessments:				
Workers Compensation Administrative (Admin) Assessment – Assessment Percentage:				1.9328%
Stay at Work/Return to Work (SAWRTW) Assessment – Assessment Percentage:				0.0000%
Subsequent Injury Fund (SIF) Assessment – Assessment Percentage:				0.3427%
TOTAL ESTIMATED COST:				\$19,651.25
PREMIUM MODIFIERS:				
Employers Liability	1.0110	05/24/2014 - 05/24/2015		
Experience Modification Factor	0.6900	05/24/2014 - 05/24/2015		

Workers Compensation

- Larger injury costs primary are capped at \$16,500
- Injures under \$2001 are fully counted
- Medical only claims get reduced by 70%
 - Return to work programs!!!!!!
 - No indemnity compensation for lost wages

Contractor/Vendor Qualification

Scorecard

D

VARIANCE REQUIRED

[Grading Details](#)

Grade Since 02/02/2017

[View Questionnaire Buckets](#)

Grade Component	Status	Points	Edit
Experience Modifier	Rate is 1.72	0 / 10	
RAVS Written Program	RAVS score is 100	30 / 30	
Safety Questionnaire	Acceptable	20 / 20	
Total Recordable Incident Rate (TRIR)	D = TRIR 1.5+	-100 / 40	
Fatalities	No fatalities in the past 3 years	0 / 0	
Contractor Variance	Score is between 0 and 0	0 / 90	
Total		-50 / 190	

Rate is greater than or equal to 0.00 but less than or equal to 0.70	10
Rate is greater than 0.70 but less than or equal to 0.80	8
Rate is greater than 0.80 but less than or equal to 0.90	6
Rate is greater than 0.90 but less than or equal to 1.00	4
Rate is greater than 1.00	0

Total Recordable Incident Rate (TRIR)

Status	Points
A = TRIR 0 to 0.5	40
B = TRIR 0.5 to 1.0	35
C = TRIR 1.0 to 1.5	30
D = TRIR 1.5+	-100

Lawsuits and Lawyers

- If you were injured because of your employer's **intentional or egregious conduct**, you might be able to bring a personal injury lawsuit against your employer. (really rare in MT)
- If your employer does not carry workers' compensation insurance, you might be able to sue your employer in civil court or collect money from a state fund.

Lawsuits

Delivery worker sues Chico Hot Springs

Delivery worker sues Chico Hot Springs

Published by Enterprise Staff on Tue, 08/16/2016 - 3:00pm

A Sysco Food employee is suing Chico Hot Springs Resort for negligence after he suffered injuries while making a delivery to the popular Pray swimming resort in 2011.

Barrett Browning and his wife, Jessica Browning, of Yellowstone County, filed a lawsuit against Chico Hot Springs, claiming the resort was negligent when Barrett was not warned that a trap door was third party or Chico employee, and he fell 8 feet while making a Sysco delivery Sep 15, 2011.

Worker sues PPL over injury

CLAIR JOHNSON *Of The Gazette Staff* Mar 15, 2002

f t e p h

A Forsyth man seriously injured when a handrail broke and he fell 16 feet while inspecting a pipe at the PPL Montana power plant in Colstrip is suing the company.

BRIEF

Injured worker sues GC on \$1.4B Falcons stadium

AUTHOR
Kim Slawsky
[@kimslawsky](#)

PUBLISHED
July 8, 2016

Dive Brief:

- A worker who said he was hurt while trying to move a 42-foot metal shoring tower at the Falcons new \$1.4 billion Mercedes Benz stadium is suing a general contractor, HRM Self Perform LLC, along with other companies and individuals involved with the project, claiming "permanent and continuing" injuries, WKIA reported.

Reputation Damaged

BP Settles Last Explosion Suit

The amount remains undisclosed in the case of the woman whose parents died in the refinery blast.

disclosed amount, but the settlement also called for London-based BP to continue to release documents related to the case and to donate millions to schools and medical facilities, including one where victims were treated after the March 2005 explosion.



Severe Violator Enforcement Program

Tarnishing Reputations

- Of the 463 currently on the list, 118 remain, but their business was adversely affected so much that either the worksite/workplace closed (49), employer went out of business (23), or operation cited has been discontinued at the worksite/workplace (46). Although correlation does not beget causation, landing on this list seems to have more than just the monetary cost of citations.

ROI Calculator - Scissor Lift/Aerial Lift - Per Project (Print Preview)

02/03/17

Print Close

Project Description: Use each type of equipment for the same 32 tasks over 8 months

Main Page

<http://www.safecalc.org/project>

	Mobile Tower	Scissor Lift/Aerial Lift
Cost to purchase or lease & maintain	\$ 1,140.00	\$ 3,695.00
Cost to train & deploy	\$ 2,037.60	\$ 1,018.80
Worker productivity	\$ 18,040.40	\$ 2,866.65
Injury costs	\$ 575.00	\$ 315.00
Total cost	\$ 21,793.00	\$ 7,895.45

Comparison

Mobile Tower is \$13,897.55 more expensive than Scissor Lift/Aerial Lift

Notes

This example compares the time required to use a Mobile Tower to that required to use a Scissor Lift (a type of Aerial Lift or Aerial Work Platform (AWP)), on a project lasting 32 weeks. While the cost to purchase the Scissor Lift is more than the Mobile Tower, the Scissor Lift requires fewer work-hours to assemble/disassemble/position and ascend/descend from than the Mobile Tower. In addition, estimated injury costs associated with the Scissor Lift are lower than that for the Mobile Tower. As a result, the Scissor Lift is more cost effective than the Mobile Tower. For additional information on the underlying assumptions used for this example, see the Crown House Technologies presentation and case study "Joint problem solving - working at height up to 4.5m," Health and Safety Executive; 11/09, which can be found in the help icon for "Number of hours per worker" under "Worker productivity." Click on any section you want to alter.

ROI Calculator - Welding Helmet - Per Worker (Print Preview)

02/03/17

[Print](#) [Close](#)

Project Description: Each welding helmet is used for the same tasks for 1 month

Main Page

	Passive Lens	Auto-darkening Filter
Cost to purchase or lease & maintain	\$ 37.50	\$ 163.50
Cost to train & deploy	\$ 0.00	\$ 0.00
Worker productivity	\$ 1,220.60	\$ 732.36
Injury costs	\$ 1,375.00	\$ 0.00
Total cost	\$ 2,633.10	\$ 895.86

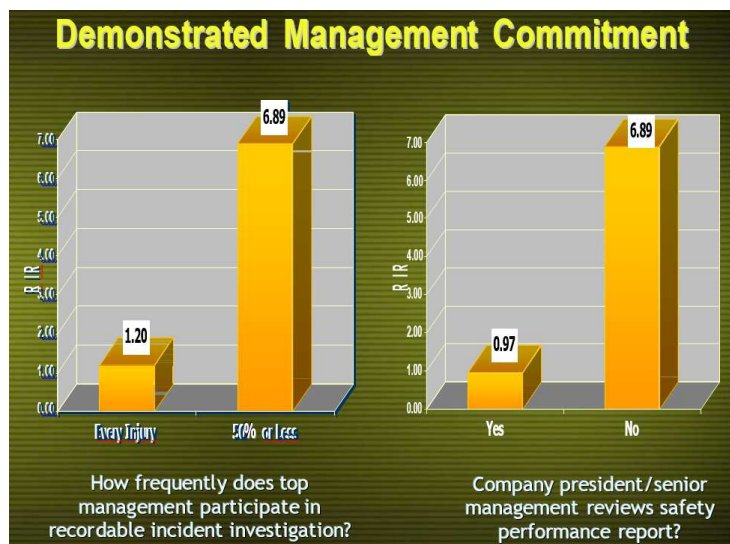
Comparison Passive Lens is \$1,737.24 more expensive than Auto-darkening Filter

Notes

This example compares a pipefitter using a welding helmet with a passive lens to one using an active lens with an auto-darkening filter to perform the same tasks, for one month. As this example shows, the cost of the helmet with a passive lens is less than the cost of the helmet with an auto-darkening lens, however, because of productivity differences the overall cost for the auto-darkening lens is less. The productivity estimates are based on a timed test conducted and recorded by 3M of an experienced welder using both types of helmets. This video can be found in the help icon for "Number of hours per worker" under "Worker Productivity." Click on any section you want to alter.

What to Do

Construction Industry Institute (CII) study



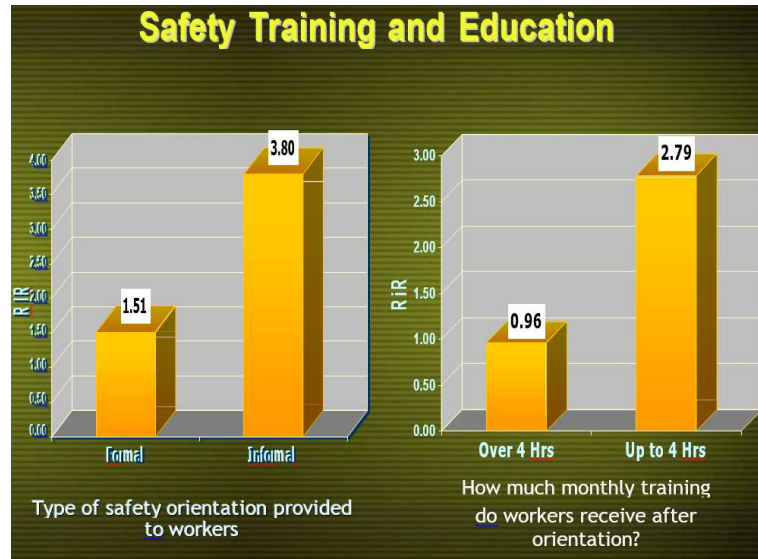
What to Do



What to Do



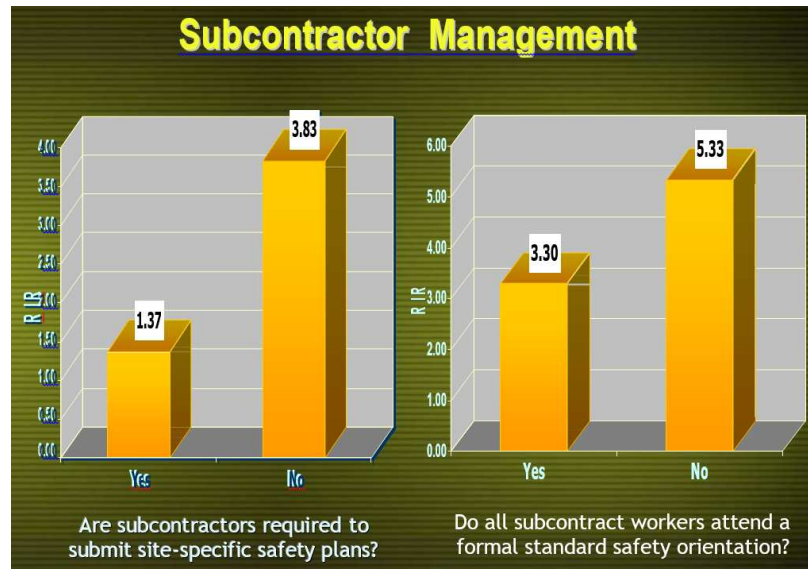
What to Do




What to Do



What to Do





WORKERS COMPENSATION EXPERIENCE RATING

Risk Name: [REDACTED]

Risk ID: [REDACTED]

Rating Effective Date: 11/01/2016

Production Date: 05/05/2016

State: MONTANA

25-MONTANA

Firm ID: [REDACTED]

Firm Name: [REDACTED]

Carrier: 20028

Policy No. [REDACTED]

Eff Date: 11/01/2012

Exp Date: 11/01/2013

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Policy Total:			412,000	18,594						

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 2015 EMR 1.38 \$16,565 * 1.38 = \$22,859.70
 2014 EMR .91 \$19,594 * .91 = \$17,830.54

Workers Comp costs....still adding up

6294+7470+1490+2988

\$ 18,242

10% profit

\$182,426 sales

EMR Different Company

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6233-00	OIL OR GAS PIPELINE CONSTRUCTION & DRIVERS	\$491,512.23	\$5.70	\$28,016.18
8227-02	CONSTRUCTION OR ERECTION PERMANENT YARD	\$26,979.38	\$4.96	\$1,338.18
8810-01	CLERICAL OFFICE EMPLOYEES NOC	\$97,254.08	\$0.45	\$437.64
Employers Liability				\$327.72
Experience Mod Factor				\$21,686.19
Scheduled Rating Unique Risk Factor				\$-5,180.57
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Subsequent Injury Fund (SIF) Assessment - Assessment Percentage:				0.2594%
TOTAL ESTIMATED COST:				\$46,171.26
PREMIUM MODIFIERS:				
Employers Liability				
Experience Mod Factor				
Scheduled Rating Unique Risk Factor				

CODE	DESCRIPTION	ESTIMATED PAYROLL	RATE	ESTIMATED PREMIUM
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8227-02	CONSTRUCTION OR ERECTION PERMANENT YARD	\$18,987.65	\$4.08	\$774.71
8810-01	CLERICAL OFFICE EMPLOYEES NOC	\$45,000.00	\$0.38	\$162.00
Employers Liability				\$252.92
Experience Modification Factor				\$-3,951.02
Volume Discount				\$-364.52
Terrorism / Catastrophe Premium Expense Constant				\$121.96
Department of Labor & Industry (DLI) Assessments:				\$170.00
Workers Compensation Administrative (Admin) Assessment - Assessment Percentage:				1.9329%
Stay at Work/Return to Work (SAWRTW) Assessment - Assessment Percentage:				0.0000%
Subsequent Injury Fund (SIF) Assessment - Assessment Percentage:				0.3427%
TOTAL ESTIMATED COST:				\$19,651.25
PREMIUM MODIFIERS:				
Employers Liability				
Experience Modification Factor				

Over a three year period I'm estimating > \$60,000 due to workers comp rates

Discussion ?

Aaron Stulc
 Director
 Montana Safety Services Council
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