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Insurance Loss Control Association

ILCA E-News

May, 2011

Founded by and dedicated to the professional insurance company loss control representative

Go to the Website and join us: www.insurancelosscontrol.org

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BECOME INVOLVED

Looking for volunteers to serve on the ILCA Board of Directors

Contact Scot Gudenrath at scot.gudenrath@countryfinancial.com or
Betty Ayrton at bayrton@aol.com

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2011 Conference Update

Speakers Continue to Join with ILCA for our Conference

David Ludwin, Product & General Liability Director, from CNA Insurance Co., is confirmed to be speaking on Risk Transfer techniques and methods for the Loss Control rep.

Randall Gooden, President of Randall Gooden International will speak on “The Growing Threat from Product Recalls & Product Liability Lawsuits”

William E. Castle, Todd Associates, Inc. To speak on various liability coverage’s including Insurance, Employment Practices, and Cyber Liability.

R. T. Leight, The Fire Marshall’s Office in Dover, DE to speak on cooking fire protection & NFPA 96 – 2011 Changes

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2011 Conference Update

OSHA – new directive for residential roofing contractors effective 6/16/2011

ANSI /ASSE Z690 Risk Management Standards

Do I Need An Emergency Evacuation Plan?

Gas Saving Tips

Mark Briggs to speak on Workers' Comp topics.

Steve Garvy, CPP, Senior Risk Engineering Consultant for Zurich Serves Corporation to speak on "Bed Bugs"

Chuck Smith, Director, Security/Protective Service, Ohio Health to present "Workplace Violence".

Mike Hard & David Grandshaw will be addressing "Industrial Explosion."

Cheri B. Hass, Esq. – "Drug Testing in the Private Industry"

Fred Bales – "Emergency Services"

Check the Website for a complete Agenda.

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NEW THIS YEAR

A full breakfast will be available to all Conference Attendee's on the Upper Terrace each morning starting at 7AM. Join other attendee's for some great food and networking.

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Membership renewals are due by 7/1/31, be sure you get your dues paid on time.

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Our new sponsor and partner.



ILCA and Pictometry have signed a marketing agreement that offers ILCA members a 10% discount on the basic service, and based on the initial agreement for time purchased, they will add additional time for no charge.

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FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)

New Compliance safety accountability program (CSA)

<http://csa.fmcsa.dot.gov>

OR

<http://ai.fmcsa.dot.gov/sms>

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Residential Fall Protection

DIRECTIVE NUMBER: STD 03-11-002	EFFECTIVE DATE: December 16, 2010
SUBJECT: Compliance Guidance for Residential Construction ENFORCEMENT DATE: June 16, 2011	

WASHINGTON – The U.S. Department of Labor's Occupational Safety and Health Administration today announced a new directive withdrawing a former one that allowed residential builders to bypass fall protection requirements. The directive being replaced, issued in 1995, initially was intended as a temporary policy and was the result of concerns about the feasibility of fall protection in residential building construction. However, there continues to be a high number of fall-related deaths in construction, and industry experts now feel that feasibility is no longer an issue or concern.

"Fatalities from falls are the number one cause of workplace deaths in construction. We cannot tolerate workers getting killed in residential construction when effective means are readily available to prevent those deaths," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. The National Association of Home Builders recommended rescinding the 1995 directive, as did OSHA's labor-management Advisory Committee for Construction Safety and Health; the AFL-CIO; and the Occupational Safety and Health State Plan Association, which represents the 27 states and territories that run their own occupational safety and health programs.

According to data from the department's Bureau of Labor Statistics, an average of 40 workers are killed each year as a result of falls from residential roofs. One-third of those deaths represent Latino workers, who often lack sufficient access to safety information and protections. Latino workers comprise more than one-third of all construction employees.

OSHA's action today rescinds the Interim Fall Protection Compliance Guidelines for Residential Construction, Standard 03-00-001. Prior to the issuance of this new directive, Standard 03-00-001 allowed employers engaged in certain residential construction activities to use specified alternative methods of fall protection rather than the conventional fall protection required by the residential construction fall protection standard. *With the issuance of today's new directive, all residential construction employers must comply with 29 Code of Federal Regulations 1926.501(b)(13). Where residential builders find that traditional fall protection is not feasible in residential environments, 29 CFR 1926.501(b)(13) still allows for alternative means of providing protection.*

Construction and roofing companies will have up to six months to comply with the new directive. OSHA has developed training and compliance assistance materials for small employers and will host a webinar for parties interested in learning more about complying with the standard. To view the directive and for more information, visit http://www.osha.gov/doc/residential_fall_protection.html.

Under 29 CFR 1926.501(b)(13), workers engaged in residential construction six (6) feet or more above lower levels must be protected by conventional fall protection (i.e., guardrail systems, safety netsystems, or personal fall arrest systems) or other fall protection measures allowed elsewhere in 1926.501(b). However, if an employer can demonstrate that such fall protection is infeasible or presents a greater hazard, it may implement a fall protection plan meeting the requirements of 1926.502(k). The fall protection plan's alternative measures must utilize safe work practices that eliminate or reduce the possibility of a fall. The plan must be written and be site-specific. A written plan developed for repetitive use for a particular style/model home will be considered site-specific with respect to a particular site only if it fully addresses all issues related to fall protection at that site. For purposes of determining the applicability of section 1926.501(b)(13), the term "residential construction" is interpreted as covering construction work that satisfies the following two elements: (1) the end-use of the structure being built must be as a home, i.e., a dwelling; and (2) the structure being built must be constructed using traditional wood frame construction materials and methods. The limited use of structural steel in a predominantly wood-framed home, such as a steel I-beam to help support wood framing, does not disqualify a structure from being considered residential construction.

Background. The fall protection requirements for residential construction are set out in Subpart M at 29 CFR 1926.501(b)(13), which requires fall protection (usually conventional fall protection, i.e., guardrail systems, safety net systems, or personal fall arrest systems) for work 6 feet or more above lower levels, except where employers can demonstrate that such fall protection systems are infeasible or would create a greater hazard. Although the standard does not mention personal fall restraint systems, OSHA has previously stated that it accepts a properly utilized fall restraint system in lieu of a personal fall arrest system when the restraint system is rigged in such a way that the worker cannot get to the fall hazard. (

Under 1926.501(b)(13), the employer need not use conventional fall protection if it can demonstrate that doing so is infeasible or would pose a greater hazard. Instead, in that situation, the employer must develop and implement a written, site-specific fall protection plan meeting the requirements of 29 CFR 1926.502(k). A note to 1926.501(b)(13) explains that "[t]here is a presumption that it is feasible and will not create a greater hazard to implement at least one of the . . . [required] fall protection systems. Accordingly, the employer has the burden of establishing that it is appropriate to implement a fall protection plan . . . in lieu of implementing any of those systems."

Residence Requirement.

To fall within the definition of "residential construction," the end-use of the building in question must be as a home or dwelling. This comports with the plain meaning of the term "residential" in the text of 1926.501(b)(13) and is consistent with OSHA's original intent in promulgating that provision.

Wood Frame Construction Requirement.

To fall within the definition of "residential construction," the building in question must be constructed using traditional wood frame construction materials and methods. All of the comments received during the original Subpart M rulemaking that suggested feasibility problems with conventional fall protection dealt with wood framing work. (59 FR at 40693-40695.) Therefore, the term "residential construction" in 1926.501(b)(13) was designed to apply only to the construction of homes using traditional wood frame construction materials and methods. This includes the construction of otherwise covered residences if there is limited use of structural steel in a predominantly wood-framed home, such as a steel I-beam to support wood framing.

- A. In accord with the discussion above, and for purposes of the interpretation of "residential construction" adopted herein, "traditional wood frame construction materials and methods" will be characterized by:

Framing materials: Wood (or equivalent cold-formed sheet metal stud) framing, not steel or concrete; wooden floor joists and roof structures.

Exterior wall structure: Wood (or equivalent cold-formed sheet metal stud) framing or masonry brick or block.

Methods: Traditional wood frame construction techniques.

Citation Policy.

- A. If an employer is engaged in residential construction, but does not provide guardrail systems, safety net systems, personal fall arrest systems, or other fall protection allowed under 1926.501(b), a citation for violating 1926.501(b)(13) should be issued unless the employer can demonstrate the infeasibility of these protective measures or the existence of a greater hazard. If the employer demonstrates infeasibility or a greater hazard, the CSHO must determine if the employer has implemented a fall protection plan meeting the requirements of 1926.502(k). Part of that determination will be based on whether the employer has instituted alternative measures to reduce or eliminate fall hazards.
- B. Under STD 03-00-001, the employer was not required to have a fall protection plan that was written and site-specific. With the cancellation of STD 03-00-001, fall protection plans under 1926.502(k) must be written and site-specific. If the fall protection plan is not written, site-specific, or otherwise fails to meet the requirements of 1926.502(k), the violation should be cited as a grouped citation of 1926.501(b)(13) and 1926.502(k). A written plan developed for repetitive use for a particular style/model home will be considered site-specific with respect to a particular site only if it fully addresses all issues related to fall protection at that site.
- C. See CPL 02-00-111, Citation Policy for Paperwork and Written Program Requirement Violations, November 27, 1995, for additional guidance when citing violations of the requirement for a written fall protection plan in 1926.501(b)(13) and 1926.502(k).

Outreach.

OSHA will begin enforcement activities on or after June 16, 2011. OSHA will publish a notice in the Federal Register giving notice that STD 03-00-001 has been rescinded and new compliance guidance has been issued. Prior to the effective date, OSHA will undertake various outreach efforts. A press release from the Office of Communications will also be published to notify the public of this policy change. OSHA will also present a webinar explaining the change in policy contained in this directive. Using the information from webinar, regional and area offices will conduct appropriate outreach efforts.



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The ANSI/ASSE Z690 Risk Management Standards

Vocabulary for Risk Management ANSI/ASSE Z690.1-2011

This standard provides the definitions of generic terms related to risk management. It aims to encourage a mutual and consistent understanding of, and a coherent approach to, the description of activities relating to the management of risk and the use of uniform risk management terminology in processes and frameworks dealing with the management of risk. This standard is intended to be used by:

- o Those engaged in managing risks;
- o Those who are involved in activities of ISO and IEC; and
- o Developers of national or sector-specific standards, guides, procedures and codes of practice relating to the management of risk.
- o Those seeking principles and guidelines on risk management

Risk Management - Principles and Guidelines ANSI/ASSE Z690.2-2011

This standard provides principles and generic guidelines on risk management. This can be used by any public, private or community enterprise, association, group or individual and is not specific to any industry or sector. This can be applied throughout the life of an organization and to a wide range of activities, including strategies and decisions, operations, processes, functions, projects, products, services and assets. In addition, this standard can be applied to any type of risk, whatever its nature, whether having positive or negative consequences.

It is intended that this standard be utilized to harmonize risk management processes in existing and future standards. It provides a common approach in support of standards dealing with specific risks and/or sectors and does not replace those standards. This standard is not intended for the purpose of certification.

Risk Assessment Techniques ANSI/ASSE Z690.3-2011

This standard is a supporting standard for ANSI/ASSE Z690.1, Vocabulary for Risk Management, (ISO 31000:2009), and provides guidance on selection and application of systematic techniques for risk assessment. Risk assessment carried out in accordance with this standard contributes to other risk management activities. The application of a range of techniques is introduced, with specific references to other national and international standards where the concept and application of techniques are described in greater detail. This standard is not intended for certification, regulatory or contractual use.

Do I Need An Emergency Evacuation Plan?

Almost every business under OSHA regulations is required to have an emergency action plan (EAP).

If fire extinguishers are required or provided in your workplace, and if anyone will be evacuating during a fire or other emergency, then OSHA's [29 CFR 1910.157](#) requires you to have an EAP.

The only exemption to this is if you have an in-house fire brigade in which every employee is trained and equipped to fight fires, and consequently, no one evacuates

Six Requirements of Your Emergency Action Plan

At a minimum, the plan must include but is not limited to the following elements:

1. Means of reporting emergencies
2. Evacuation procedures and emergency escape route assignments
3. Procedures to be followed by employees who remain to operate critical plant operations before they evacuate
4. Procedures to account for all employees after an emergency evacuation has been completed
5. Rescue and medical duties for those employees who are to perform them
6. Names or job titles of persons who can be contacted for further information or explanation of duties under the plan

Fires: Deciding When to Fight or Flee

Probably, the most frequent emergency most organizations will face is a fire. Prior to fighting any fire with a portable fire extinguisher you must perform a risk assessment that evaluates the fire size, the fire fighters evacuation path, and the atmosphere in the vicinity of the fire.

Is the fire too big? The fire is limited to the original material ignited, it is contained (such as in a waste basket) and has not spread to other materials. The flames are no higher than the firefighter's head.

Is the air safe to breathe? The fire has not depleted the oxygen in the room and is producing only small quantities of toxic gases. No respiratory protection equipment is required.

Is the environment too hot or smoky? Heat is being generated, but the room temperature is only slightly increased. Smoke may be accumulating on the ceiling, but visibility is good. No special personal protective equipment is required.

Is there a safe evacuation path? There is a clear evacuation path that is behind you as you fight the fire.

Man Made Emergencies: Armed Subjects, Active Shooter Situations

An active shooter is a person who appears to be actively engaged in killing or attempting to kill people. These situations are dynamic and evolve rapidly, demanding immediate deployment of law enforcement resources. If you find yourself involved in an active shooter situation, try to remain calm and use these guidelines to help you plan a strategy for survival:

1. If an active shooter is outside your building, proceed to a room that can be locked, close and lock all the windows and doors, and turn off all the lights; if possible, get everyone down on the floor and ensure that no one is visible from outside the room. One person in the room should call 911, advise the dispatcher of what is taking place, and inform him/her of your location; remain in place until the police gives the "all clear". Unfamiliar voices may be the shooter attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that they are being issued by a police officer.
2. If an active shooter is in the same building you are, determine if the room you are in can be locked and if so, follow the same procedure described in the previous paragraph. If your room can't be locked, determine if there is a nearby location that can be reached safely and secured, or if you can safely exit the building. If you decide to move from your current location, be sure to follow the instructions outlined below.
3. If an active shooter enters your room, try to remain calm. Dial 911, if possible, and alert police to the shooter's location; if you can't speak, leave the line open so the dispatcher can listen to what's taking place. Normally the location of a 911 call can be determined without speaking. If there is absolutely no opportunity for escape or hiding, it might be possible to negotiate with the shooter; attempting to overpower the shooter with force should be considered a very last resort. If the shooter leaves the area, proceed immediately to a safer place and do not touch anything that was in the vicinity of the shooter.
4. Regardless of circumstances, if you decide to flee during an active shooting situation, make sure you have an escape route and plan in mind. Do not attempt to carry anything while fleeing; move quickly, keep your hands visible, and follow the instructions of any police officers you may encounter. Do not attempt to remove injured people; instead, leave wounded victims where they are and notify authorities of their location as soon as possible.

Man Made Emergencies: Dealing with Bomb Threats

Instructions: Be calm and courteous.

Listen, do not interrupt caller.

1. Name of Operator:
2. Time:
3. Date:
4. Callers Identity: Male / Female / Adult / Juvenile
5. Origin Of Call: Local / Long Distance / Booth / Internal
6. Specifics About Bomb:
 1. Keep Caller Talking If Caller Is Agreeable To Further Conversation.
 2. Ask Questions Like:
 - When Will Bomb Go Off?
 - What Is Your Present Location?
 - Location Of Bomb?
 - What Is Your Name And Address?
 - What Kind Of Bomb?
 - How Do You Know So Much About The Bomb?
 3. Did Caller Appear Familiar With Plant Or Building By His/Her Description Of Bomb Location?
 4. After Call Is Taken, Notify At Once A Member Of The Emergency Control Committee

Dr. Isabel Perry prescribes solutions to reduce risk, costs and increase production for all types of organizations. Dr. Perry is an Orlando, Florida based Safety Professional with over 20 years of broad-based safety experience including: safety speaker, safety consultant, expert witness, and former safety executive at a Fortune 50 company. Her clients include many multinational firms. Dr. Perry can be contacted at: Isabel@TheSafetyDoctor.com, phone: 407-291-1209.

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Simple Gas Saving Tips

Basic maintenance and subtle changes to driving habits can add up to reduced fuel consumption.



As fuel prices continue to rise, many drivers are looking for ways to improve the gas mileage of their vehicles and stretch each tank as far as possible. Fortunately, there are a number of tips and tricks that have been proven effective time and again that you can use to help squeeze a few more miles out of each drop of gas.

The U.S. Department of Energy maintains an extensive website at www.fueleconomy.org/feg/drive.shtml dedicated to helping American drivers maximize their gas mileage. One of the most effective methods of improving fuel economy is to change your driving habits in a number of small, but important areas. First, it's important to make sure that your car isn't carrying anymore of a load than necessary. This means that you should clear out your trunk or hatch area of any items that might have accumulated there over time. This can include sports equipment, old toolboxes and even snow scrapers that have hung around well into the summer months. Every 100 pounds that you can pull out of your cargo area can save you as much as two percent on your fuel bill.

Another driving tip involves momentum and smoothness. Gasoline engines are most efficient when maintaining a constant speed, which is why fuel economy typically goes up during highway driving. Keeping your speed as consistent as possible on the freeway, by avoiding speed-ups and slow-downs, will go a long way toward extending the range of your tank of gas. Around town, where stops are unavoidable, gradual acceleration versus stomping on the gas from streetlight-to-streetlight will have a similar effect on lowering fuel use. In both cases, it's also important to keep in mind that slower speeds equal reduced gasoline consumption. You might be able to get away with not getting a ticket, but you can never escape the extra fuel used by high rpm driving.

Properly maintaining your car can also help reduce your gas use. Underinflated tires can rob you of as much as 3.3 percent of your automobile's fuel mileage rating, according to U.S. Department of Energy figures. Matching your tire inflation to the number listed on the door sticker is a great way to help save gas. Using the correct viscosity oil for your engine – and changing it at the factory recommended intervals – can additionally play an important role in keeping your motor running at peak efficiency. Information on correct viscosity is located in your owner's manual. If you can't find it there, visit your dealership's service department and ask the experts.

While a two to three percent increase in fuel economy might not sound like much, using each of these tips in conjunction with each other over the course of a year can add up to hundreds of dollars in savings at the gas pump. With the summer gas price surge just around the corner, every little bit of extra fuel efficiency can help keep more money in your pocket.

These tips are sure to help, but it's all for naught if your car isn't running at its peak efficiency.

Thanks to our vendors and sponsors!

Please visit the ILCA Website. Follow the links to our Vendor Directory for info about these companies and their services:

To our sponsors, thank you so much! Your assistance and support are greatly appreciated!



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