

# SHIELD

a quarterly publication from Protective Insurance

**How to mitigate unconscious bias**

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**International Roadcheck 2022**

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**Driving in construction zones**



# CLAIMS ANALYSIS

**2021 most reported accidents  
and injuries**

SPRING 2022

 **PROTECTIVE**  
INSURANCE



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- # NEWS & NOTES
- Summer Break Time!

Schools will be out for summer break soon which means more children will be out and about and more vacation drivers will be on the roads. Defensive driving is especially important during this time of year. Ask your Protective representative for training and materials on this important subject!
- Operation Safe Driver Week to Focus on Speeding

Operation Safe Driver Week—an annual campaign conducted by the Commercial Vehicle Safety Alliance (CVSA)—will take place from July 10-16. This year’s focus will be on speeding.
- The National Highway Traffic Safety Administration's (NHTSA) annual traffic crash report showed that speed-related fatalities increased by 17%.
- The total number of crashes and traffic injuries has declined, but the fatal crashes increased by 6.8%, according to NHTSA. In 2020, 38,824 lives were lost in traffic crashes nationwide, which is the highest number of fatalities since 2007. Consequently, officers will be targeting speed during the Operation Safe Driver Week.
- Here are some simple reminders that you can share with drivers in preparation for Operation Safe Driver Week:
- Follow all traffic laws.
  - Wear your seat belt at all times.
  - Obey all posted speed limits.
  - Never use your cellphone while driving.
  - Avoid driving impaired by alcohol or drugs.
  - Practice safe driving habits at all times.
- 
- Boyle Transportation inducted into inaugural Best Fleets to Drive For Hall of Fame

During Truckload 2022: Las Vegas, the Tuckerload Carriers Association's (TCA) annual meeting, TCA recognized eight fleets entering its newly-launched Best Fleets to Drive For Hall of Fame.
- Among those honored was Protective Insurance customer Boyle Transportation. When asked about the honor, Andrew Boyle said, “At Boyle Transportation, we invest in great people who perform exceptionally well for our clients. As a result, our clients have a great experience and want to continue doing business with us.”
- “We value a professional driver's time; regardless of how many miles they are assigned each week, our people are afforded a guaranteed weekly salary for doing things right, not fast. Between guaranteed income and guaranteed schedule, we remove the two biggest stresses in a professional truck driver's work life. That enables them to rise up and perform at a higher level.”
- Currently in its 14th year, Best Fleets to Drive For is an annual survey and contest that recognizes the North American for-hire trucking companies who provide the best workplace experience for drivers. Fleets are evaluated against a range of different criteria, including programs for drivers, driversatisfaction, and results in safety and retention. The top scoring participants are named Best Fleets to Drive For.
- Expanding on that recognition, the Hall of Fame, sponsored by EpicVue, identifies carriers who have been named a Best Fleet for 10 consecutive years, or 7 consecutive years plus an overall award.

“Congratulations to the eight fleets who have earned this prestigious honor,” shared TCA President John Lyboldt. “It’s important that we applaud the efforts of those companies who go above and beyond for their professional truck drivers year after year.”
- The fleets entering the 2022 Best Fleets Hall of Fame are Bison Transport Inc., Winnipeg, Manitoba; Boyle Transportation, Billerica, Massachusetts; Central Oregon Truck Company, Redmond, Oregon; FTC Transportation, Oklahoma City, Oklahoma; Grand Island Express, Grand Island, Nebraska; Halvor Lines, Superior, Wisconsin; Nussbaum Transportation Services, Hudson, Illinois; and Prime Inc., Springfield, Missouri.
- Source: CCJdigital.com
- ## Protective Marketplace
- A new vendor, in a new category of service, has joined the Protective Marketplace.
- PressurePro, the company founded by the pioneer of tire pressure monitoring systems (TPMS), offers products with a wide range of applications. Learn more on the Marketplace from the PressurePro product card.
- ## WEBINARS
- The April webinar featured GPS Trackit and their AI-based dash cam video solution. View the recorded webinar to learn how fleets are deploying this technology to protect themselves from fraudulent claims.
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# OSHA OVERVIEW



## U.S. Department of Labor announces proposed rule to update powered industrial trucks standard for general industry and construction.

The U.S. Department of Labor announced a Notice of Proposed Rulemaking by the department’s Occupational Safety and Health Administration (OSHA) to improve worker safety and health by ensuring the agency’s general industry and construction industry rules reflect current industry practice and state-of-the-art technology.

The proposed rule will update the design and construction requirements for OSHA’s powered industrial trucks standards for general industry and construction, including fork trucks, tractors, platform lift trucks, motorized hand trucks, and other specialized industrial trucks powered by an electric motor or an internal combustion engine.

Under the proposed rule, OSHA will update its general industry and construction standards for powered industrial trucks by adding references to the latest design and construction requirements published by the American National Standards Institute in conjunction with the Industrial Truck Standards Development Foundation.

The first standard for powered industrial trucks took effect in 1971, based on industry consensus standards in 1969. Since then, national consensus standards have been updated several times.

In addition to updating the design and construction requirements for future manufactured powered industrial trucks, the proposed rule will also address equipment manufactured before the effective date of the final rule.

This proposal is part of a series of regulatory projects by OSHA to update nearly 200 consensus and industry standards to reflect the current versions of consensus and national industry standards.

Submit comments online, identified by Docket No. OSHA-2020-0008 at the Federal eRulemaking Portal, regulations.gov. The deadline for submitting comments is May 17, 2022.

Source: OSHA.gov

# Driving in construction zones

In November of 2021, a bipartisan infrastructure bill was signed into law providing \$550 billion in new federal investment in roads, bridges, mass transit, water infrastructure resilience, and broadband. This spending is expected to increase highway and bridge construction by six percent in 2022.

This much-needed investment is good news for America and America’s truck drivers. Share these tips to help all of your drivers navigate construction zones safely.

- » **EXPECT THE UNEXPECTED** in any work zone along any road, major or minor. Normal speed limits may be reduced, traffic lanes changed, and people and vehicles may be working on or near the road.
- » **OBEY THE FLAGGER’S DIRECTIONS.** In addition to other warning signs, a “Flagger Ahead” warning sign may be posted in the work zone. When you see this sign, stay alert and be prepared to obey. In a work zone, flaggers have the same authority as a regulatory sign and a police officer directing traffic. You can be cited by police for disobeying their directions.
- » **MERGE AS SOON AS POSSIBLE.** You may see flashing arrow panels and “Lane Closed Ahead” signs. Don’t wait until your lane is closed to merge. If everyone cooperates, traffic moves more efficiently. Motorists can help maintain traffic flow and posted speeds by moving to the appropriate lane at first notice of an approaching work zone. Lane blocking is illegal, and violators will be cited.
- » **LEAVE EXTRA FOLLOWING DISTANCE BETWEEN YOU AND THE VEHICLE IN FRONT OF YOU.** The most common crash in a highway work zone is the rear-end collision. The amount of space required to provide adequate stopping time will increase the faster you’re driving. Remember, your commercial driver’s license manual says one second is required for every 10 feet of your vehicle’s length.
- » **KEEP A SAFE DISTANCE** between your vehicle and traffic barriers, construction equipment, vehicles, and workers. Just like you, highway workers want to return home safely after each day’s work. Watch for inattentive motorists and highway workers.
- » **OBSERVE THE POSTED SIGNS** until you see the one that says you have left the work zone. Some work zones, like painting, road patching, and mowing, are mobile, moving down the road as the work is finished, so you may not see the workers immediately after you see the warning sign.
- » **EXPECT DELAYS, PLAN AHEAD, AND TRY AN ALTERNATE ROUTE.** Regardless of the length of your trip, prepare for some sort of road construction. Often, highway agencies will suggest a detour to help you avoid the work zone entirely.
- » **ALWAYS WATCH THE TRAFFIC CONDITIONS ONE MILE DOWN THE ROAD** to better prepare for slowed or stopped traffic and traffic pattern changes you’re approaching.





# LET THE DATA GUIDE YOUR TRAINING

Knowing how and why your employees are getting injured can help you put a plan in place to decrease the number of injuries. Looking at the statistics from our Claims department helps us analyze injuries occurring on the job. More than half of all injuries reported were a strain, sprain, or tear. **What’s the most common cause of those strains, sprains, or tears? Lifting!**

The good news is that there are simple techniques we all can use to lift safely and reduce injuries. Free resources, including a video with safe lifting techniques and a handout with these tips, are available on the Protective website at [protectiveinsurance.com/loss-prevention/resource-library](https://protectiveinsurance.com/loss-prevention/resource-library).

### BEFORE THE LIFT:

- Stretch and warm up before lifting. Limber muscles are less likely to pull or tear.
- Test the weight by moving a corner of the object and decide if you can handle it alone or if you need help.
- Divide a heavy load into several smaller loads when possible.
- Make sure you have enough room to lift safely.
- Inspect your intended path of travel for obstacles or other possible hazards. Make sure you have a clear path, can see where you’re going, and have a clear area to set down the object.
- If possible, avoid walking on slippery, uneven surfaces while carrying any load.
- Don’t rely on a lifting belt to protect your back. When used improperly, they can damage your back.
- Position yourself so that you do not have to stretch to lift the load.
- If a package is above your shoulders, tilt the package in a way to minimize lifting above your head, where applicable.
- Do not reach with your arms outstretched to carry any measurable weight. This decreases the optimal carrying weight and increases the risk of injury to the shoulders and back.

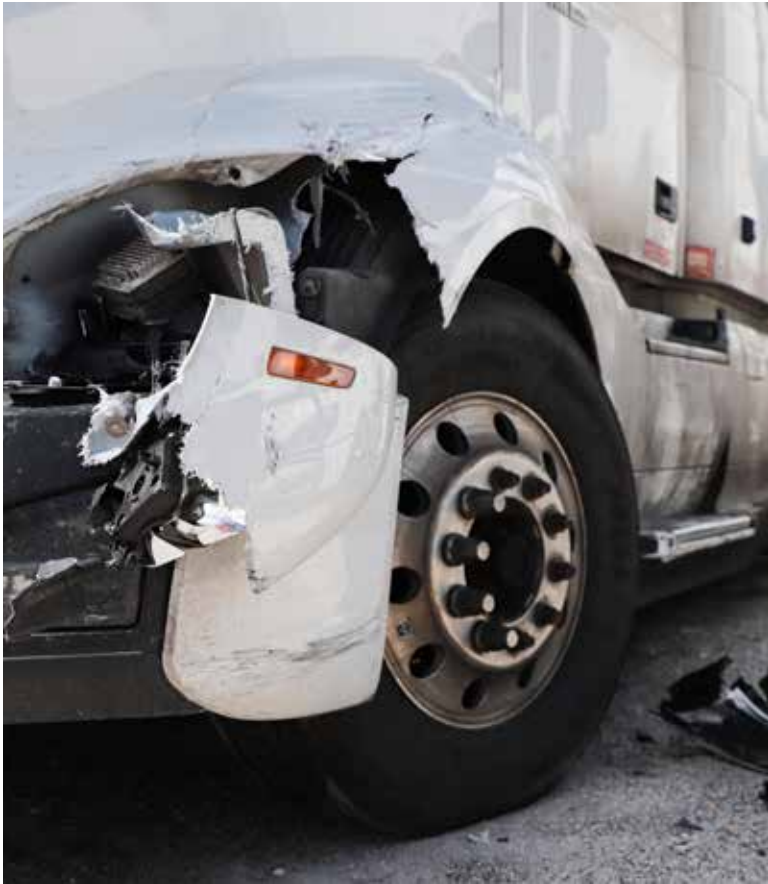
### DURING THE LIFT:

- Get a firm footing. Stand with your feet close to the object and center yourself over the load.
- Place your feet shoulder width apart with one foot slightly forward of the other.
- Bend at your knees, not your waist, to get your legs ready to support the load. This is the single most important part of lifting.
- Grip the object firmly with the palms of your hands around the corners of the object.
- Let your leg muscles do the work. They’re stronger than any other muscle in your body.
- Straighten your legs to lift straight up in a slow, smooth motion.
- For greater strength and stability, lift and carry the object near your waist.
- Move your feet when you change directions. Turning with your upper body can causes strains.
- Do not arch your back. This makes the nerve roots open to pinching and cause strains in weaker muscles.
- Bend your knees again as you lower the load.
- Take small breaks between lifts if you’re lifting a number of items.

An analysis of vehicle accidents shows that the most common loss type involves a single vehicle that does not collide with others. This type of loss results from running off the roadway, striking a building, jackknifing, or overturning the vehicle. The causes behind this type of loss are many, but driver training and technology can make a difference.

Drive down distractions with tools such as LifeSaver for Fleets and SafeDrivePod. These technologies block cellphone use while a vehicle is in motion. Both are available from the Protective Marketplace at [marketplace.protectiveinsurance.com](https://marketplace.protectiveinsurance.com).

Driver training options in the Marketplace are offered by Driving Dynamics, Infnit-I Workforce Solutions, and Instructional Technologies. Protective customers also have access to J.J. Keller videos for free. These are great for those who manage their own training program. Ask your Protective representative for details.



## OSHA injury and illness recordkeeping and reporting requirements

### RECORDKEEPING REQUIREMENTS

Many employers with more than 10 employees are required to keep a record of serious work-related injuries and illnesses. (Certain low-risk industries are exempted.) Minor injuries requiring first aid only do not need to be recorded.

This information helps employers, workers, and OSHA evaluate the safety of a workplace, understand industry hazards, and implement worker protections to reduce and eliminate hazards—preventing future workplace injuries and illnesses.

### MAINTAINING AND POSTING RECORDS

The records must be maintained at the worksite for at least five years. Each February through April, employers must post a summary of the injuries and illnesses recorded the previous year. Also, if requested, copies of the records must be provided to current and former employees or their representatives.

### SEVERE INJURY REPORTING

Employers must report any worker fatality within eight hours and any amputation, loss of an eye, or hospitalization of a worker within 24 hours.

### ELECTRONIC SUBMISSION OF RECORDS

The Injury Tracking Application (ITA) is accessible from the ITA launch page, where you can provide the agency your OSHA Form 300A information. The date by which certain employers are required to submit to OSHA the information from their completed Form 300A is March 2 of the year after the calendar year covered by the form.

Visit [osha.gov](https://www.osha.gov) for more information.

## Celebrate Distracted Driving Awareness Month in April

The National Highway Traffic Safety Administration works to reduce the occurrence of distracted driving and raise awareness of its dangers. This risky behavior poses a danger to everyone on the road.

Driver distraction is a specific type of driver inattention. Distraction occurs when drivers divert their attention from the driving task to focus on some other activity. Often discussions regarding distracted driving center around cellphone use and texting, but distracted driving also includes other activities such as eating, talking to other passengers, or adjusting the radio or climate controls.

A distraction-affected crash is any crash in which a driver was identified as distracted at the time of the crash.

- Nine percent of fatal crashes, 15 percent of injury crashes, and 15 percent of all police-reported motor vehicle traffic crashes in 2019 were reported as distraction-affected crashes.
- In 2019 there were 3,142 people killed and an estimated additional 424,000 people injured in motor vehicle crashes involving distracted drivers.
- Six percent of all drivers involved in fatal crashes in 2019 were reported as distracted at the time of the crashes.

**Share these tips with your drivers to keep them safe!**

### AVOIDING DISTRACTIONS

- Do not drink alcohol before driving.
- Do not read or write while driving. Complete driver paperwork while the vehicle is stopped and parked in a safe area.
- Do not try to type, text, or read messages on a computer or satellite communication system while driving. Pull off the road at a safe and legal parking location to perform these tasks.
- Get adequate sleep before any trip. Fatigue decreases attention and reaction time.
- Avoid taking any medication that can cause drowsiness, either before the trip or while driving. Be sure to read the label carefully. Consult with your physician regarding alternate medications that do not cause drowsiness.
- Review driving directions and maps and check traffic and weather conditions before your trip.
- Clean and adjust all mirrors for best all-around visibility before starting the vehicle.
- Pre-select and pre-load your favorite music before driving.
- Turn off cellphones. Pull off the road in a safe and legal place when making or receiving a call on a cellphone. Even hands-free devices have proven to be driving distractions that cause collisions.
- Clear the vehicle of unnecessary objects.
- Become familiar with the location and use of in-cab controls before you start driving.
- Postpone eating and drinking until the vehicle is safely stopped. Many collisions have occurred by just “getting a sandwich out of the cooler” while driving.
- Avoid being distracted by billboards or other forms of non-driving-related signs.
- Be observant of pedestrians, but do not let them be a distraction to your driving.
- Always keep your emotions under control when in stressful driving situations.
- Look for these same distractions in other drivers and give them plenty of room. Drive defensively.
- Plan for and expect the unexpected, and always leave yourself an out.

**April is National Distracted Driving Awareness Month. Protective Insurance customers have access to discounted resources that can help reduce distracted driving in fleets.**

LifeSaver Mobile and SafeDrivePod are tools that block cellphone use while the vehicle is in motion. Inward-facing camera solutions can be programmed to trigger when risky behaviors such as cellphone use or not wearing a seat belt are detected. Check out RMJ Technologies, Ventra Technology, Surfsight, and Pro-Vision for options. All of these are available on the Protective Marketplace at [marketplace.protectiveinsurance.com](https://marketplace.protectiveinsurance.com).





# International Roadcheck 2022

The Commercial Vehicle Safety Alliance (CVSA) will hold its International Roadcheck event May 17 – 19, 2022. During the annual event, certified inspectors conduct compliance, enforcement, and educational initiatives targeted at various elements of motor carrier, vehicle, and driver safety. Since the program first began in 1988, more than 1.4 million inspections have been conducted.

This year’s International Roadcheck will focus on wheel ends, which include the wheels, rims, hubs, and tires on commercial motor vehicles. Violations involving those components historically account for about one quarter of the vehicle out-of-service violations discovered during International Roadcheck, and past International Roadcheck data routinely found wheel-end components in the top 10 of vehicle violations.

Wheel-end components support the heavy loads carried by commercial motor vehicles, maintain stability and control, and are critical for braking, keeping the vehicle safely on the road. Failure of these components may lead to a catastrophic crash. It’s crucial for commercial motor vehicle drivers to check wheel-end components during pre- and post-trip inspections. The driver’s observations during the inspection are the first step in detecting a wheel-end or wheel-bearing problem. In addition, identifying wheel-end problems before they cause downtime may save drivers and motor carriers from expensive emergency roadside towing and repairs.

During International Roadcheck, inspectors will primarily conduct the North American Standard Level I Inspection, a 37-step procedure that includes an examination of driver operating requirements and vehicle mechanical fitness. Steps 15 and 18 focus specifically on the wheels, rims, and hubs of a commercial motor vehicle.

Drivers may also find abnormal or uneven tire wear, see or smell smoking or extremely hot hubcaps (too hot to touch), notice smoke from a wheel end, feel wheel vibration or wobbling, or hear noise. Increased stopping distance or decreased braking power, abnormal side pulling when braking, wheel lock-up, or skidding are all signs that your wheel ends may need maintenance or replacement.

Vehicles that successfully pass a North American Standard Level I or Level V inspection without any critical vehicle inspection item violations may receive a CVSA decal. In general, a vehicle with a valid CVSA decal will not be reinspected during the three months while the decal is valid. Instead, inspectors will focus their efforts on vehicles without a valid CVSA decal.

During the 2021 event, 20.9 percent of the vehicles and 5.5 percent of the drivers receiving a Level I inspection in the U.S. were placed out of service (OOS). The top five vehicle and driver violations are shown in the charts to the right.

## During an inspection of wheel ends on a commercial motor vehicle, inspectors will:

- Check for cracks or unseated locking rings, studs, or clamps.
- Check for bent, cracked, or broken rims on the inside and outside wheel rims.
- Check for exposed fabric or cord.
- Check spoke wheels for cracks across spokes and in the web area or slippage in the clamp areas.
- Check the hub for lubricant leaks, missing caps, or plugs.
- Check the inner wheel seal for leaks.
- Check the tire and valve stem for leaks.
- Check for proper inflation, cuts, and bulges on all tires, including the inside tire on a dual set.
- Check for regrooved tires on the steering axle.
- Check tread wear and measure major tread groove depth.
- Inspect the sidewall for improper repairs, such as tire plugs.
- Check for tire contact with any part of the vehicle.
- Check for markings on the tire that would exclude its use on a steering axle.
- Check for debris between the tires.
- Check for tires touching one another or any part of the vehicle
- Check for loose, broken, missing, or damaged wheel fasteners and elongated stud holes.

## TOP FIVE OUT OF SERVICE VIOLATIONS

### VEHICLE

Category	Number	Percentage
<b>Brake systems</b>	<b>2,564</b>	<b>26.5%</b>
Tires	1,804	18.6%
Lights	1,367	14.1%
Brake adjustment	1,203	12.4%
Cargo securement	1,192	12.3%

### DRIVER

Category	Number	Percentage
<b>Hours of service</b>	<b>1,203</b>	<b>41.5%</b>
Wrong class license	565	19.5%
Other*	482	16.6%
False logs	427	14.7%
Suspended license	132	4.6%

\*Examples of “Other” driver violations include operating without the required operating authority, expired or no medical certificate, operating a commercial motor vehicle while ill or fatigued, driving while prohibited in the Drug and Alcohol Clearinghouse, etc.

Details on what to expect during an inspection are available on the CVSA website at [cvsa.org/inspections](https://cvsa.org/inspections).



## How to mitigate unconscious bias

The default visual for an individual in a leadership role has long been a white, able-bodied, cisgender male. Rather than examining the skills needed, we assume an individual who fits this profile is capable simply based on how one looks.

Our brains are designed to be efficient, says Jodi Ecker Detjen, a managing partner with Orange Grove Consulting and MBA Academic Program Director at Suffolk University. For instance, when you walk into a room to grab a jacket, you don't focus on the furniture or papers lying about. Instead, you concentrate on finding your jacket. "Our brains learn quickly that some things are not important," Detjen says.

While this ability boosts efficiency, it also can lead to assumptions and biases. Many are inaccurate.

That's where unconscious bias comes in. As we become socialized, we learn the many social biases regarding how people look, including their gender, race, age, and whether they have a visible disability. "Our brain takes shortcuts," Detjen says, and assumes people who look a certain way will also act a certain way. Often, these assumptions are unexamined and therefore unconscious.

For instance, the default visual for an individual in a leadership role has long been a white, able-bodied male.

Rather than examining the skills needed, we assume an individual who fits this profile is capable simply based on how one looks, Detjen says. As a result, job candidates who don't fit this mold often must work extra hard to prove their competence.

The impact of these implicit and often inaccurate assumptions compounds over time, says Melanie Miller, an inclusion strategist and an expert in strategic diversity and inclusion. In some instances, men may start with higher salaries, even if they are no more qualified than their female peers. Then, if future employers use a woman's previous wages to set her new salary rather than focusing on the value she brings to the position, her initial lower starting salary holds back her earning power indefinitely.

Unconscious bias also damages its victims' emotional health, Miller says. At work, most employees want to focus on doing their best job and meeting their goals. "Instead, they're dealing with the headwinds of these stereotypes," she says.

On top of this are the challenges of "intersectionality," Miller notes. This refers to the layers of bias women of color or those with a disability or who are older often face.

## DEALING WITH UNCONSCIOUS BIAS

How can women handle others' unconscious bias? In the moment, you might tell the person making an inaccurate, disparaging comment to cut it out. You also may try to educate him or her on the impact, Miller says. For instance, if your job allows you to provide for your family, let the individual know that. Humor is another option, Detjen says. A quick retort can prompt an individual to rethink his or her assumptions.

Detjen also recommends asking questions. Force them to explain how they reached the idea that, for instance, women drivers are taking jobs from more qualified men. Not only are you helping to dispel myths, but your response shows you'll respond when others exhibit bias.

To be sure, these actions require women and people of color to take on the work of educating others about their biases. The benefit is that over time, many people should start to rethink their assumptions.

Another step is to stick together, Detjen says. Build coalitions with other women drivers to create safe spaces for each other. Also follow your company's policy, Miller says. Often this will require reporting instances of harassment or bias.

Of course, to be effective, the company policy requires leadership that is willing to say such behavior is not acceptable, Miller says. To help encourage leaders to act as role models, show the business impact of bias. Given the ongoing shortage of drivers, eliminating a group of qualified individuals—especially when women tend to be safe drivers—makes no sense, Miller explains. Also offer to start a women's network or host events to help educate men on ways they can be allies.

These can be difficult conversations, especially for women who have been told not to make waves or to learn to live in a man's world. However, if this is your passion, these talks can ensure that you can continue to do what you love in an environment that's freer of bias, Miller notes.

## ADDRESSING YOUR OWN BIAS

Along with confronting others' biases, it makes sense to address our own. While you may not be able to stop an assumption from popping into your mind, you can control what you do with it. One remedy is to "flip the script," Miller says. Ask yourself if you'd think the same about a person if he or she was a different gender or race.

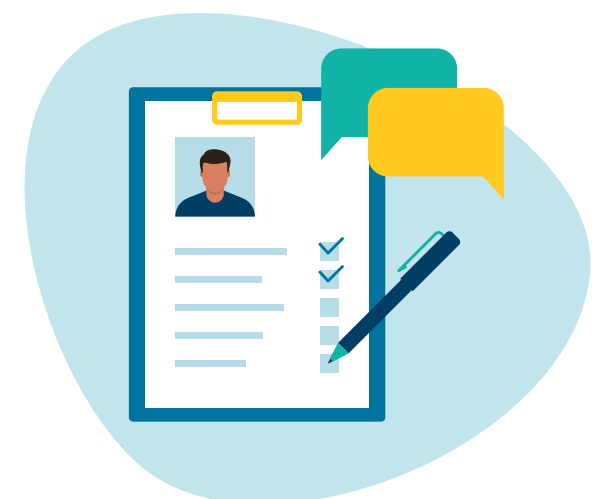
"Be more self-reflective," Detjen says. Consider how you might think differently.

And if you make a mistake? First, apologize, Detjen says. Then examine the assumptions you made and how you might have handled the situation differently. As your thoughts change, your behavior likely will change, as well.

"Then, it starts to get fun," Detjen says. "You can reach out, have conversations and connect."

Source: *Women in Trucking*

*Ask yourself if you'd think the same about a person if he or she was a different gender or race.*







# Workers’ compensation and post-traumatic stress disorder

Post-traumatic stress disorder (PTSD) is a mental health condition that can develop in people after they experience a very stressful, scary, or distressing event. Since mental health disorders can significantly impact someone’s ability to work, employees diagnosed with PTSD from a work-related cause may look to file a workers’ compensation (WC) claim to receive coverage for associated medical bills and lost wages.

While PTSD has long been an occupational issue—particularly among first responders—the COVID-19 pandemic has put a spotlight on the potential for workers to contract PTSD from their employment, especially in the health care field.

## SIGNS OF PTSD

Anyone can develop PTSD at any age, and according to the National Center for PTSD, about six out of every 100 people will have PTSD at some point in their lives. To be diagnosed with PTSD, symptoms in adults

generally must last for more than a month and be severe enough to interfere with relationships, work, or other components of daily life. While symptoms of PTSD typically begin within three months of a traumatic incident, they can sometimes begin years later. The duration of the illness varies by individual and, in some cases, can become chronic.

## Some signs of PTSD include:

- Having flashbacks of the traumatic event, bad dreams, and frightening thoughts
- Staying away from places, events, or objects that are reminders of the traumatic experience
- Being easily startled, feeling tense, and/or having angry outbursts
- Having negative thoughts, feeling guilt or blame, and/or losing interest in enjoyable activities

## STATE LEGISLATION

WC benefits eligibility requirements for PTSD vary between states. The pandemic has accelerated the rate at which many state legislatures have been considering establishing or expanding the eligibility for WC benefits to those suffering from work-related PTSD.

However, since it can be difficult to objectively measure mental health conditions or prove they were caused by employment, obtaining WC benefits can be an uphill battle for workers in some instances.

## WC benefits are more likely to be rewarded if:

- The worker can prove the mental health condition was caused primarily by their work
- A mental health professional diagnosed the condition
- The mental health condition stems from a work-related injury or unusually traumatic event
- The worker is a first responder

Jurisdictions may operate under one of three standards regarding psychological and mental injuries, each carrying its own burden of proof.

## These standards are:

### PHYSICAL/MENTAL

Jurisdictions that operate under this standard require a worker who seeks to have a psychological injury recognized as work-related to prove that their work-related physical injury caused the mental condition.

### MENTAL/PHYSICAL

The worker must establish that a work-related psychological stimulus caused a resulting physical injury.

### MENTAL/MENTAL

The burden of this standard is much higher for cases in which a worker is required to establish that a psychological stimulus caused a mental injury.

As health care workers and first responders continue to carry a heavy burden of the COVID-19 pandemic, states are passing legislation to protect their well-being under the mental/mental standard. Eligibility requirements for receiving PTSD-related WC benefits are expanding, so certain occupational groups may see an impact on overall WC costs.

Since PTSD can have serious medical, psychological, and emotional consequences, seeking the advice of a qualified professional may be necessary

## EMPLOYER SUPPORT

To minimize the number of WC claims, employers should proactively minimize psychiatric stress while providing support to employees who suffer from mental health issues. Since employees may choose not to divulge their mental health concerns to their employers, it’s important for employers to have the resources available to anyone who may need them. Employers should cultivate a work climate and culture that supports and encourages help-seeking behavior, including treatment for mental health conditions. Since there is no one-size-fits-all solution to managing an employee with PTSD, employers must remain flexible and be open to feedback.

## They should be sure to:



### Maintain a dialogue

People with PTSD may feel embarrassed to ask for help, so employers should take the initiative to learn how they can best support them.



### Meet their needs

Ask what changes could be made to improve their work environment, and then implement those changes.



### Deal with problems promptly

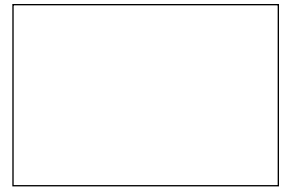
Deal with issues as soon as they arise to help workers complete their tasks successfully.



### Provide team training

Raise awareness of PTSD and its symptoms within the workplace and encourage workers to be patient and sensitive to their colleagues’ needs.





# ACCESS TO EXPERTS *and resources*



Our Safety Services Specialists can create a tailored risk-mitigation plan for your fleet. The Loss Prevention Resource Library, Protective Marketplace and Vendor Referral Network are just a few of the safety-focused resources we provide to our customers.

TO LEARN MORE, VISIT:  
**[protectiveinsurance.com](http://protectiveinsurance.com)**