a quarterly publication from Protective Insurance

Deep vein thrombosis: Are you at risk?

OSHA Overview: Injury & illness recordkeeping

The Shield of Champions



The opioid abuse epidemic:

AMERICA'S SILENTKILLER



- **News & Notes Pg.1**
- **OSHA Overview: Injury & Illness Recordkeeping**
- **Guide to OSHA Recordable Injuries & Illnesses**
- Deep Vein Thrombosis—Are You at Risk? Pg. 4
- Opioids: America's Accidental Killer Pg. 6
- Shield of Champions Pg. 10
- Spotlight on Safety Resources Pg. 12
- The Protective Way of Handling Claims Pg. 14



After reading this issue of **Shield,** we want to hear from you! Do you have a useful resource for educating your drivers that our readers

should know about? Are there topics you'd like to see addressed in future issues? Send your feedback and ideas to shield@protectiveinsurance.com.



You can view every past issue of Shield/The Quill online at protectiveinsurance.com/shield-archive. To request additional hard copies of a particular issue, email your name, company name and address to shield@protectiveinsurance.com.

FMCSA Reports Rise in **Seat Belt Usage Among Commercial Truck & Bus Drivers**

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced in November that safety belt usage by commercial truck and bus drivers rose to a new record level of 85 percent in 2016, a stark increase from just 65 percent usage in 2007.

FMCSA has been conducting the Safety Belt Usage by Commercial Motor Vehicle Drivers Survey per the FMCSA website since 2007 in collaboration with the National Highway Traffic Safety Administration. Each survey has demonstrated a steady increase in safety belt usage.

While FMCSA is overall pleased with the increase, the organization is still vying for 100 percent usage in order to ensure the highest possible standard of safety for all commercial drivers on the road.

In 2016, the survey was administered to nearly 40,000 commercial drivers operating medium-to heavy-duty trucks and buses at more than 1,000 roadside sites nationwide.

For more information and to obtain a copy of the 2016 FMCSA Commercial Motor Vehicle Drivers Safety Belt Fact Sheet, visit http://www.fmcsa.dot. gov/safety/ safety-belt/2016-safety-belt-fact-sheet. ■

Old Dominion Freight Line Delivers Christmas Tree to Vice President

On November 20, Protective Insurance customer Old Dominion Freight Line (ODFL) delivered four 12-foot high Christmas trees from a farm in Washington state to Vice President Mike Pence's residence at the U.S.

Naval Observatory in Washington, D.C.

The trees are from the Hedlund Trees farm in Montesano, WA. Hedlund Trees also supplied Presidents Bill Clinton and George W. Bush with official White House Christmas trees during their respective tenures. Hedlund was chosen as the tree provider following a competition among other Christmas tree farms.

This marks the first time that ODFL has ever handled a Christmas tree delivery for the Vice President's residence. The driver, Preston Mills, has been with ODFL for two decades and was chosen to make the special delivery based on his familiarity with the area and previous experience delivering to the U.S. Naval Observatory.

Gary Plant of Walmart Wins ATA Driver of the Year Award

Gary Plant, a driver with Walmart Transportation,

was presented with the National Driver of the Year Award by the ATA Safety Management Council at the 2017 ATA National Safety Conference in November 2017.

The award, which is sponsored by Protective, is given annually to one driver for significant and career-long professional achievements, a commitment to a stellar safety record and dedication to keeping roads safe. The driver is selected from a pool of outstanding state Drivers of the Year submitted by ATA's affiliated state trucking associations.

Plant has been working as a professional truck driver for 41 years, and has driven 4.4 million safe miles over the course of his career. He has not been involved in a single preventable or non-preventable accident and has never been cited for a moving or traffic violation of any sort.

Dennis Shinault, Director of Loss Prevention Compliance at Protective Insurance, was at the conference to present Plant with the award.



Injury & Illness Recordkeeping

With so much emphasis being placed on CSA scores, FMCSA and DOT compliance within the transportation industry, OSHA compliance is often the furthest thought from most safety directors' minds. For example, if a tractor returns to the shop after a failed roadside inspection due to a brake issue, the primary concern is typically getting the issue corrected and the tractor back out on the road. But does anyone think about whether proper personal protection equipment (PPE) was used to protect the mechanic from possible chemical exposure if brake cleaner was utilized? Is there a safety data sheet (SDS) on file for the brake cleaner? Or for what action needs to be taken if the mechanic was injured while making a repair?

OSHA compliance should be a primary objective for every fleet. Fines quickly add up and, depending on the severity of the violation, OSHA has the authority to shut down an operation. In fact, one fleet was fined \$8,000 for inadequate and incomplete recordkeeping, which happens to be one of the most common OSHA violations. Under the OSHA recordkeeping regulation (29 CFR 1904), employers are required to prepare and maintain records of serious occupational injuries and illnesses using the OSHA 300 Log.

What needs to be recorded?

Injuries are recordable if they result in the following:

- Death
- Days away from work
- Restricted work
- Transfer to another job
- · Medical treatment beyond first aid
- Loss of consciousness
- Work-related diagnosed case of cancer
- · Chronic irreversible diseases
- Fractured or cracked bones/teeth or punctured eardrums.

The chart on the next page lists what you do and don't have to record. Tear it out and display it in your office for quick reference.

How do I track days away from work or restricted work activity?

Count the number of calendar days the employee was on restricted work activity or was away from work as a result of the recordable injury or illness. Do not count the day on which the injury or illness occurred in this number. Begin counting days with the day immediately following the day the incident occurs. If a single injury or illness involved both days away from work and days of restricted work activity, enter the total number of days for each. You may stop counting days of

restricted work activity or days away from work once the total of either or the combination of both reaches 180 days.

If a physician or licensed health care professional recommends that the employee return to work but he or she stays home, you must end the count of days away from work on the date the worker was recommended to return. If the employee leaves your company for a reason unrelated to the injury or illness, such as retirement or to take another job, you may stop counting days away from work.

What is considered a work-related accident?

If an event or exposure in the work environment caused or contributed to the resulting condition or significantly aggravated a pre-existing condition, it is work-related. The work environment includes not only the physical location but also the equipment or materials used.

As a friendly reminder, Protective Insurance would like to point you towards OSHA's recordkeeping requirements found in 29 CFR 1904, specifically the requirement to post an annual summary. This summary, known as the OSHA Form 300A, should be completed and posted no later than Feb. 1 of the year following the summarized year. OSHA requires this posting to be placed in a conspicuous location and to remain in place until April 30.

For more information, visit www.osha.gov/recordkeeping/index.html or contact Owen McLean in Loss Prevention & Safety Services at omclean@protectiveinsurance.com or (317) 636-9800 x2695.





The risk for DVT increases if a person has more than one of the above listed risk factors. The symptoms of DVT are related to obstruction of blood returning to the heart and causing a backup of blood in the leg.

THE SYMPTOMS OF DVT TYPICALLY INCLUDE:

- Pain
- Leg tenderness
- Swelling
- Warmth
- Redness

Not all of these symptoms have to occur to indicate DVT. One, all or none of these symptoms may be present. The symptoms may also mimic an infection or cellulitis of the leg.

However, the risk of DVT can be minimized with several lifestyle changes. Drivers can combat DVT by losing excess weight, ceasing a smoking habit, exercising regularly and maintaining a healthy lifestyle of fresh, nutritious food and mindful movement.

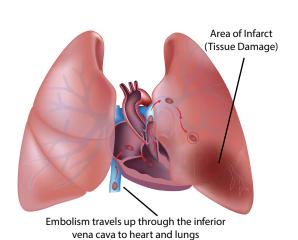
Compression stockings, which can be purchased at drug stores, may also be helpful in preventing future DVT formation in those with a previous history of a clot. Check with your doctor for proper size and fit. Drivers should also wear loose, comfortable clothing and avoid short, tight socks if possible.

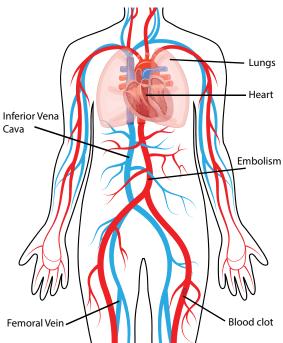
It is strongly recommended that drivers stop, get out and walk around as much as they can while on the road. A good general rule of thumb is to get out of your truck for five minutes every 1 – 2 hours. But don't just walk around—take advantage of your mobility and stretch your legs and calves while you are out of the cab. The objective is to get and keep your blood flowing in your legs.

Drivers can also perform safe exercises while seated in their cab to get blood circulating within the legs. Bending and straightening your feet, legs and toes or pressing the balls of your feet against the floor every 30 minutes or so are all excellent ways to keep the blood flowing.

IF YOU EXPERIENCE ANY OF THESE WARNING SIGNS, IMMEDIATELY SEEK MEDICAL ATTENTION:

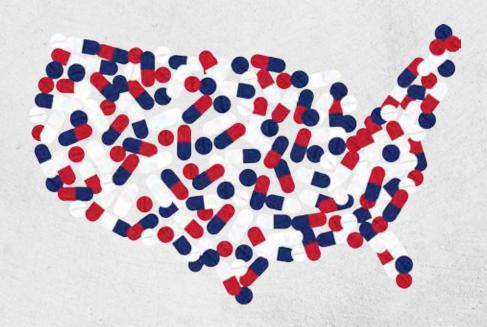
- · Sudden, unexplained shortness of breath
- · Chest pain and trouble breathing or coughing
- Fainting, dizziness or lightheadedness
- · Coughing up blood
- Rapid pulse/heart rate/breathing





OPIOIDS

AMERICA'S ACCIDENTAL KILLER



The medicine that you were prescribed as a painkiller might temporarily relieve your pain—but then it might kill you.

Sadly, this is how opioid addiction begins for many people. Opioids, which are chemically-synthesized substances that produce morphine-like effects to relieve medical pain, are highly addictive—and oftentimes overprescribed. Many people do not realize that they are at risk or have an opioid addiction until it is too late.

According to the U.S. Surgeon General, today nearly 21 million Americans are living with substance abuse disorder, and 75 percent of these Americans are employed. Workers with substance abuse disorders miss nearly 50 percent more work days than their peers, and healthcare costs for employees who misuse or abuse prescription drugs are three times higher than that for an average employee.

Perhaps most harrowing of all, the number of individuals who fatally overdose on opioids each year has overtaken motor vehicle crashes as the leading cause of unintentional death among adults in the United States.

The opioid crisis in America is reaching an epidemic, and it's affecting truck drivers.

How do opioids and trucking relate? Sitting behind the wheel of a vehicle for hours on end day after day, year after year can lead to poor circulation, arthritis, back pain and joint disease. It is not uncommon for doctors to prescribe or over-prescribe opioids in order to combat the pain. However, these types of prescriptions are not synonymous with chronic pain. You may also be prescribed a potentially addictive painkiller for procedures such as standard dental work.

Truckers using opioids is of particular concern. If they are using opioids on the job, then this does not just affect the driver, but everyone on the roads. Side effects of opioid use that can affect driving include drowsiness, slowed reaction time, reduced coordination and blurred vision—all effects that can majorly hamper a driver's ability to maneuver a vehicle safely and effectively.

On Nov. 13, 2017, the U.S. Department of Transportation (DOT) Office of Drug and Alcohol Policy and Compliance announced that it would begin testing truck drivers and other "safety-sensitive" transportation employees for four prescription opioids,

including hydrocodone, hydromorphone, oxymorphone and oxycodone. This is in addition to the substances on the existing DOT drug-testing panel. All employers regulated by the DOT are now required to begin testing for all of these substances as of Jan. 1, 2018.

While this is a positive step forward, there are still other steps employers should take in order to protect themselves and their employees from opioid abuse.

HOW TRUCKING FLEETS CAN COMBAT THE DANGERS OF OPIOIDS

ENACTING A STRONG COMPANY DRUG

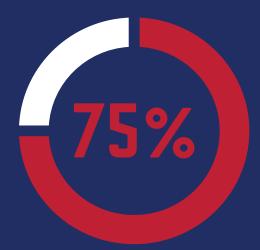
POLICY is a critical first step in reinforcing a lack of tolerance for opioid abuse in the workplace. As noted before, with 75 percent of illegal drug users in the U.S. being employed, you cannot afford to sweep the issue of opioid usage under the rug. A drug policy demonstrates a vested interest in employee safety and a healthy work environment.

INCLUDE OPIOIDS ON YOUR NON-DOT DRUG TEST PROGRAM. Although the DOT's addition of four prescription opioids to its drug-testing panel is a positive change forward, it is not a bad idea to include them on your company testing program as well—especially for opioids that are not included on the DOT's testing panel.

For truck drivers, it is especially important for safety managers to **STAY ABREAST OF THEIR EMPLOYEES' HEALTH**, especially post-surgery or injury. Make sure that

21 MILLION

AMERICANS ARE
LIVING WITH
SUBSTANCE
ABUSE



OF THESE

AMERICANS

ARE EMPLOYED



WORKERS WITH
SUBSTANCE
ABUSE MISS
NEARLY 50%
MORE WORK

your employees are keeping you in the loop regarding what they are doing for pain management, including any painkillers that they may be taking. Of course, you will want to be mindful of HIPAA and personal privacy laws. This extra knowledge can be the difference between a fleet full of safe drivers versus a fleet with even just one driver that is taking or addicted to painkillers. Educate your drivers and workers so they understand what questions to ask their doctors when pain management is required, and that they should tell physicians about their job responsibilities.

In many cases, prescription pain medication is only needed for one or a few days. After that, most pain can be managed with over-the-counter medications that will not affect safe work or driver performance. Consult your doctor. In all states, driving under the influence of prescription pain medication is illegal. When driving or working while taking pain medications, individuals do not always comprehend the safety errors and misjudgments they are committing that may put themselves and others in jeopardy.

TRAIN YOUR SUPERVISORS TO SPOT THE FIRST SIGNS OF DRUG MISUSE VIA REASONABLE SUSPICION TESTING.

Conduct a drug and/or alcohol test when you have reason to believe that an employee is misusing opioids or another prohibited substance. It is a best practice to have at least two properly trained and qualified supervisors witness the conduct on each shift where drivers are supervised. In addition to improving personal safety, having at least two properly trained and qualified

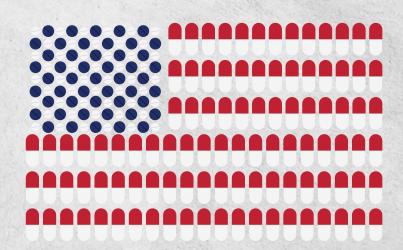
supervisors provides several advantages, including helping to prevent accusations of harassment and providing justification that the test is more valid due to multiple individuals documenting and witnessing the suspicion.

EDUCATE YOUR WORKERS TO ENSURE PROPER DISPOSAL OF LEFTOVER

PAINKILLERS so that they do not take them if they don't need them or allow them to fall into the wrong hands. You can request a Stericycle pill return envelope from http://safety.nsc.org/stopeveryday-killers-supplies.

Above all else, it is crucial to recognize the impact of prescription drugs on the bottom line. A fleet devoid of drivers addicted to painkillers is a safer fleet. You will minimize claims and litigation fees from collisions and accidents, along with workers' compensation and healthcare costs for employees. Your employees will miss less work, leading to an increase in driver productivity and efficiency. Above all else, you will be making major strides forward in improving your company's safety culture, leading to a more profitable bottom line and happier, safer employees.

The opioid crisis is affecting everyone's safety. Help your drivers recognize the unsafe driving performance in other drivers that are under the influence so they can "steer clear" to avoid a crash.



PERHAPS MOST HARROWING OF ALL, THE NUMBER OF INDIVIDUALS
WHO FATALLY OVERDOSE ON OPIOIDS EACH YEAR HAS OVERTAKEN
MOTOR VEHICLE CRASHES AS THE LEADING CAUSE OF UNINTENTIONAL
DEATH AMONG ADULTS IN THE UNITED STATES.



The American Trucking Associations' (ATA) National Truck &

Industrial Safety Contests recognize the extraordinary safety

accomplishments of motor carriers across the United States

by operation type and size. Carriers are judged on their safety records relative to others within their classes of competition. Safety records are determined from the carriers' vehicle collision rates or lost workday case rates.

Protective was proud to sponsor the 2017 National Driver of the Year Award, which was given to **Gary Plant of Walmart Transportation.**

We congratulate all of our customers who were recognized for their commitment to safety.

ATA National Truck & Industrial Safety Contest Results

Central Freight Lines, Inc. • Fort Worth, TX

Thomas Weeks, Director of Safety

3rd place General Commodities LTL/Local,

Between 10 – 100 Million Miles

Daily Express, Inc. • Carlisle, PA

Kristin Smith, Vice President of Risk Management

2nd place Heavy Hauler, Unlimited Miles

D.M. Bowman, Inc. • Williamsport, MD

Barry Wertz, CSS, Director of Risk Management & Safety

1st place General Commodities LTL,

Up to 1,000 Employees

1st place Tank Truck,

Unlimited Employees

1st place Flatbed,

Unlimited Employees

2nd place General Commodities/Truckload,

Between 301 – 1,000 Employees

3rd place General Commodities LTL/Local,

Up to 10 Million Miles

3rd place Flatbed/Line-Haul,

Under 10 Million Miles

3rd place Flatbed/Local,

Unlimited Miles

FedEx Express, US Ops Division • Memphis, TN

Thomas E. Lopez, Director of Corporate Safety

1st place General Commodities LTL/Line-Haul,

Up to 10 Million Miles

3rd place Miscellaneous Fleets/Local,

Unlimited Miles

3rd place General Commodities LTL,

Up to 1,000 Employees

FedEx Freight, Inc. • Harrison, AR

Rodney Myers, Managing Director of Safety

3rd place General Commodities LTL,

Over 5,000 Employees

FedEx Ground Package System, Inc. •

Moon Township, PA

Kimberly Whigham, Managing Director of Safety

3rd place Miscellaneous Fleets, Unlimited Employees

Lester R. Summers, Inc. • Ephrata, PA

Steven K. Freysz, CDS, Director of Safety

1st place Heavy Hauler, Unlimited Miles

2nd place Flatbed/Line-Haul, Under 10 Million Miles

2nd place General Commodities LTL/Line-Haul,

Between 10 – 100 Million Miles

2nd place General Commodities LTL/Local,

Between 10 – 100 Million Miles

Pitt Ohio • Pittsburgh, PA

Jeff Mercadante, CDS, Vice President of Safety

1st place General Commodities LTL,

Between 1,001 – 5,000 Employees

Titan Transfer, Inc. • Shelbyville, TN

Jon Wildish, Senior Director of Risk Management

3rd place General Commodities Truckload/Line-Haul,

Between 50 – 100 Million Miles

ATA Improvement Awards

These awards are given to each carrier that reduced its collision rate or lost workdays from the preceding year. Special recognition is given to the carrier in each division that achieved the greatest reduction.

TRUCK SAFETY IMPROVEMENT CERTIFICATES

Central Freight Lines, Inc.

General Commodities/LTL

D.M. Bowman, Inc.

General Commodities/Truckload General Commodities/LTL Tank Truck (Division Winner)

FedEx Custom Critical, Inc.

General Commodities/Truckload

FedEx Freight, Inc.

General Commodities/LTL

FedEx Ground Package System, Inc.

Miscellaneous

Lester R. Summers, Inc.

Flatbed

Miscellaneous

Old Dominion Freight Line, Inc.

General Commodities/LTL

INDUSTRIAL SAFETY IMPROVEMENT CERTIFICATES

D.M. Bowman, Inc.

General Commodities/Truckload Flatbed (Division Winner) Tank Truck (Division Winner)

FedEx Express — AGFS Division

Miscellaneous (Division Winner)

FedEx Express, US Ops Division

General Commodities/LTL Miscellaneous

FedEx Freight

General Commodities/LTL

Pitt Ohio

General Commodities/LTL

Transportation Security Council Awards

The ATA Transportation Security Council's **Excellence in Security Award** honors the company that sets the standard for the industry in its ability to protect its employees, property, trucks and cargo.

Old Dominion Freight Line, Inc.

SPOTLIGHT ON SALES OF LIGHT ON SOURCES

At Protective, we are always interested in partnering with innovative vendors that share our commitment to keeping drivers and fleets safe. The following vendors provide high-quality products and services that have helped many of our customers improve their safety operations. Check them out below!

SR MAX SLIP-RESISTANT SHOES

It is well-known that slips, trips and falls make up a majority of general workplace accidents. But did you know that they are also the leading cause of workplace deaths, per OSHA?

With these numbers in mind, Protective wants to help you avoid slips, trips and falls in the workplace. An easy and effective way to do so is by wearing slip-resistant shoes.

We are proud to partner with industry leader SR Max to provide a discount on their comprehensive selection of slip-resistant shoes. SR Max offers over 200 styles of shoes from familiar brands, with many styles meeting uniform and dress code requirements for drivers.

To access this discount, please call our Loss Prevention & Safety Services department at (800) 644-5501 x7341, or email us at **lossprevention@protectiveinsurance.com**. We will then provide you with a link to the SR Max online store and a username and password.



IMPACT SOLUTIONS ONLINE TRAINING

What is one of the most critical aspects of an excellent driver? A strong, solid training program. Impact Solutions exists to help you train and retain your drivers with the most comprehensive training and development program in the trucking industry.

Not just limited to new driver orientation, Impact's program also includes ongoing development via monthly training, along with training for corrective action.

Hundreds of customers have increased their safety rating, company productivity and profitability and MPG with the help of Impact. Additional benefits include a reduction in turnover and lower training costs, along with increased training efficiency.

We've subsidized this program so it can be offered to our customers at a substantial discount. For more information and to access the program, please contact the Impact Solutions team at **info@impactsolutions.co**.



LYTX DRIVECAM®

Reducing unsafe driving behaviors while improving fleet performance tends to be top-of-mind for fleet owners and safety directors.

Save time, money and lives with Lytx DriveCam® while gaining insight into driving behaviors. The DriveCam® program is a video-based driver safety program that leverages the power of video, predictive analytics and a cloud-based platform.

You'll see the ROI of DriveCam® manifested in many ways, from improvements in driver safety to exonerating drivers from false claims. Best of all, DriveCam® will help you significantly reduce collisions and related costs.

How does it work?

- 1. Lytx technology captures events that could be caused by risky driving
- **2.** Lytx uploads events via a wireless network
- 3. Events are reviewed, analyzed and scored
- 4. Coach accesses secure online site for events, dashboard and scores
- 5. Coach reviews information, events and scores with driver
- **6.** Driver returns to the field with improved skills

Our partnership with Lytx enables us to provide preferred pricing for the monthly cost of the program. To learn more, please contact Megan Hails at (858) 380-3076 or **mhails@lytx.com**.





Claim resolution can be costly, inefficient and all-around frustrating. At Protective, we've dedicated ourselves to ensuring that our claims process isn't that way.

We want to help you resolve claims as efficiently as possible, because we know that your time is valuable. That's why we've assembled a team of dedicated claims experts, why every level of our Claims Department all the way up to executives are in the same office, and why we don't believe in taking shortcuts or scaling back on personalization to get the job done.

Here's what you can expect in the event that you have a claim.

Expert Claims Service

Each adjuster is a skilled subject matter expert within the coverage areas of your policy. With our adjusters averaging 10 years of experience, our Claims Department has seen it all and can react quickly and professionally. Despite our experience, we don't like to remain complacent. We undergo continuous training and education to ensure that we maintain a high knowledge base and skillset to better serve you.

Centralization

We like to talk about the fact that we are in one single office, because it truly makes a difference. Every single level of management works out of our corporate headquarters in Carmel, Indiana. What does this mean? We can maintain a consistent, efficient process since we don't need to communicate across different time zones or offices. Our claim adjusters have caseloads that are far smaller than the industry average, enabling them to give you personalized attention and swift service. And, our managers see and touch every single claim—meaning that you'll always have multiple experienced eyes on your claim.





(continued from pg. 16)

Designated Claims Units

At other insurance companies, adjusters have a plethora of responsibilities that can leave little time to focus on the claims at hand. At Protective, we've created dedicated units for review and evaluation of outside counsel expenses, special investigations, subrogation and salvage, and resolution. This allows our adjusters to focus on providing you with high-level customer service and leveraging the help of these units to resolve your claim and maximize recovery.

The results speak for themselves—since its inception in 2008, our Subrogation & Salvage unit has recovered over \$70,000,000 total in losses. In 2016, our legal bill reviewers within our Cost Containment Unit reduced legal bills by over 10 percent.

Nurse Case Managers

Through our Nurse Case Manager (NCM) program, we staff in-house RN-BSNs. Our nurses help to ensure appropriate and cost-effective medical treatment, facilitate return-to-work programs, and review surgery and narcotic requests. And because you have enough on your plate, we do not bill you for these services, nor are they added to your claim. Our nurses are here to support you and ensure that your claimants get back up on their feet as quickly (and safely) as possible. ■