

# Views

Handle Your Business With

**KARE**

The Kentucky Chamber Program  
Underwritten by Allmerica Insurance

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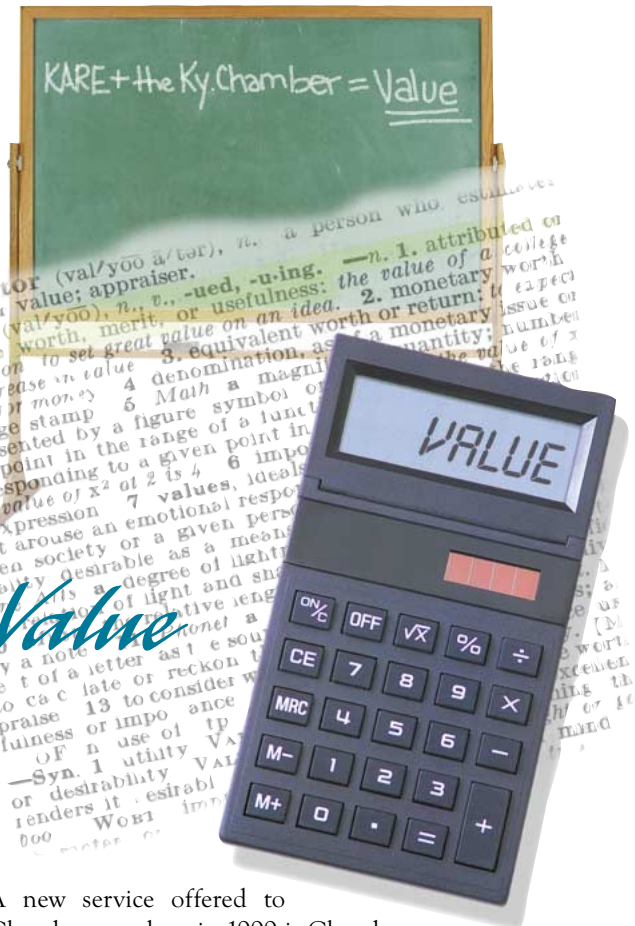
Association sponsored insurance programs, like KARE, offer added value beyond the insurance coverage itself. By supporting the Kentucky Chamber of Commerce, KARE insureds also have access to other valuable benefits and services offered by the Chamber. Taking advantage of these discounted services can save time and money and help you avoid costly encounters with regulatory agencies.

Jim Ford, director of seminars and publications for the Kentucky Chamber, and his staff have been producing a variety of practical seminars and workshops for several years. "Our OSHA courses are some of the most popular offerings. They provide attendees with hands-on information and ideas for complying with the intricate requirements mandated by OSHA. Our course instructors consistently receive high customer satisfaction ratings," says Ford. William Stapleton of Bud's Produce agrees, "I've attended at least 20-30 [non-Chamber] seminars, and this one was the first time I've felt I've really gotten my money's worth! Fantastic job!"

Recently, Ford and his staff unveiled a new program designed to save Chamber members even more money when they attend multiple seminars and workshops. The program allows members who pre-purchase seminars and workshops to receive additional discounts of up to 25% off the existing member price. "Companies who sent representatives to three or four programs last

Kentucky with an emphasis on the essential information every employer should know. According to Jim Ford, "This guide will walk you through the claims process and provide you with all the forms required by the Department of Workers' Claims, including a summary showing when and how to use each form."

Another popular survival guide offered by the Chamber is *Understanding Human Resource and Personnel Law Issues*. This book is unique in that it offers guidance on both state and federal human resource and personnel law issues. Comprehensive, yet understandable, it provides examples and suggestions to help readers comply with the myriad issues in this complex field.



## KARE + The Kentucky Chamber = Outstanding Value

year can step up to five or more seminar programs without over-extending their budget this year," says Ford. Courses slated for 1999 include OSHA 10 and 30-Hour Voluntary Compliance, Forklift Safety, Workers' Compensation/Loss Prevention, Electrical Safety/Lockout Tagout, and Environmental Permitting.

The Kentucky Chamber also offers a library of business resource guides at discounted prices to members. The newest publication is the *Kentucky Workers' Compensation Handbook*. Covering nearly 300 pages, this book provides an overview of workers' compensation in

A new service offered to Chamber members in 1999 is Chamber On-Line. This high-tech service will utilize the power of the internet to bring real time information to members across the Commonwealth. "Chamber On-Line will be

*continued on page 2*

While most Kentucky employers and their employees are mandatorily subject to Kentucky's Workers' Compensation Act (the "Act"), the law provides for a few options ("elections" or "rejections") to allow individuals to choose whether or not they wish to be covered.

## "Opting In" and "Opting Out" of Workers' Compensation

by George Rupert  
Executive Director,  
Ins. Mgt. Institute

### Opting In

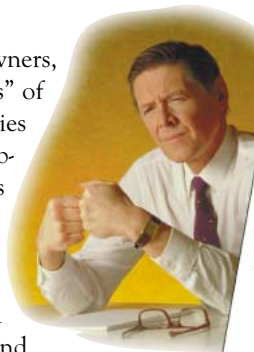
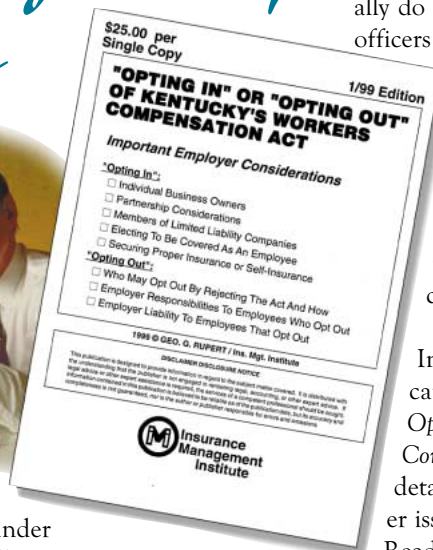
Individual business owners, partners, and "members" of limited liability companies are not mandatorily subject to being covered as employees under the Act and must elect, or "opt in" in order to be covered for their own occupational injuries and to enjoy the same benefits that are mandatorily afforded to their employees under the Act. Most insurance companies will issue an endorsement to an insurance policy that specifically lists the individuals who have so elected to be covered as individual business owners, partners, or members of limited liability companies.

### Opting Out

Any employee who is mandatorily subject to the Act may "opt out" by rejecting the Act through the execution

of a Form 4 Rejection Notice and giving it to his/her employer. The employer is then required by the Act to file the rejection form with the Department of Workers' Claims. Executive officers of small corporations often reject the Act to save paying premiums on themselves, and their insurance carrier will issue an endorsement excluding the officer for both workers' compensation and employer's liability coverage. Insurance consultants generally do not recommend that executive officers of corporations reject the Act, as it will usually leave the executive completely without coverage for occupational injury and illness. Most health insurers exclude coverage for work-related injuries and illnesses subject to a workers' compensation law.

The Insurance Management Institute makes available a publication entitled *Opting In and Opting Out of Kentucky's Workers' Compensation Act* that explains in detail the many important employer issues surrounding this decision. Readers may obtain a complimentary copy by contacting the Institute by email or at the telephone number listed below. ■



George G. Rupert is the Executive Director of Insurance Management Institute of Venice and Ft. Myers, FL, and Ashland and Lexington, KY, an independent fee-for-services insurance and risk management consulting firm that does not engage in the sale of insurance products, but specializes in providing services to employers and associations of employers on Workers' Compensation and Employer's Liability, 24-hour Integrated Benefits, Employment Practices Liability, and Alternative Markets programs. The Institute can be reached at [grupert@aol.com](mailto:grupert@aol.com) and at 941/480-9039.

## KARE/KCC Value (continued...)

an extension of our current communication efforts, which include our monthly newspaper, fax alerts, as well as one-to-one communication between the staff and members. "We're very excited about its great potential," says Jim Simpson, senior vice president of marketing and member services.

The Chamber also offers members a long distance telephone discount savings program through Eclipse Telecommunications, a Mission, Kansas-based telecommunications company. According to Simpson, "The Eclipse program is able to offer fixed rates as low as 7.4 cents per minute, a rate that is saving some members as

much as 48%." How is it done? The answer lies in the Chamber's group buying power. With 3,000 members representing more than 450,000 employees, the Chamber can generate the high volume usage required to lower the individual cost of this service.

The Kentucky Chamber of Commerce offers outstanding value to its diverse membership, from a fully insured workers' compensation program to high quality seminars and long distance discounts. For more information on Kentucky Chamber programs and services, contact the Chamber at 502/695-4700. ■





The Kentucky Chamber of Commerce produces the following seminars, workshops, and publications, unless otherwise noted. For more information, call 502/695-4700.

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### OSHA 10-Hour Program

February 3-4, Lexington | February 9-10, Louisville

This two-day workshop will provide participants with an intensive review of current OSHA topics. Upon completion of the program, participants will receive a Federal OSHA 10-Hour Card, which will demonstrate your company's efforts toward voluntary compliance with the OSHA standards and will be useful during an OSHA inspection. Cost: \$495 for Kentucky Chamber members and \$595 for non-members.

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### Y2K: Beyond Information Systems Seminar

February 25, Louisville | March 4, Lexington

The Y2K crisis is real... are you ready? This one-day seminar will help you prepare for the myriad of problems, including frequently overlooked legal issues anticipated by Y2K experts as the 21st century begins. Cost: \$299 for Kentucky Chamber members and \$399 for non-members.

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### FMLA and Wage & Hour Seminar

March 3-4, Lexington | March 18-19, Louisville

Day One of this program is designed to help you manage and deal with specific FMLA issues, such as the inter-relationship of the FMLA, the ADA, and workers' compensation. Day Two will give you a comprehensive update on federal and state wage & hour laws and regulations. Attendees may attend either or both courses. Cost: Kentucky Chamber members - \$299 for one day or \$399 for both days; non-members - \$399 for one day or \$499 for both days.

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### 8th Annual Environmental Symposium

March 30-31, Cincinnati

This is the largest environmental conference held in the region, featuring 40 interactive workshops, 90+ exhibitors, and nearly 1,000 attendees. Each attendee will receive a comprehensive handout containing the proceedings from every breakout session. For more information, contact the Manufacturer's Education Council at 614/229-7990.

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### Kentucky Workers' Compensation Handbook

This comprehensive guide contains nearly 300 pages of user-friendly information to help you understand and comply with Kentucky's workers' compensation laws and regulations. All forms required by the Kentucky Department of Workers' Claims are included, along with a summary of when and how to use each form. Cost: \$57 for Kentucky Chamber members and \$76 for non-members.

# KARE

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## KARE Safety Manual Now Available on Disk

The model KARE safety program is now available to KARE insureds on computer disk. Topics addressed in the model program include safety management administration, effective record keeping, dealing with blood borne pathogens, fleet safety, hazard communications, and how to create a light duty policy program.

The model safety program is free to all KARE insureds and may be obtained on disk or in printed form by contacting Jerry Binkley or Ken Blanton at 502/429-5997 or 800/781-7808. ■





In the Fall edition of *KARE Views*, the Kentucky Fatality Assessment and Control Evaluation (KY FACE) Project\* reported on Kentucky's most dangerous jobs. In this issue, KY FACE zeroes in on the industry division of manufacturing. Our analysis is

KY FACE is located at the Kentucky Injury Prevention and Research Center (KIPRC) in Lexington. Staff members are available to present occupational fatality and prevention information to interested groups, and written materials are available by request.

There is never a charge for KY FACE materials or services. ■

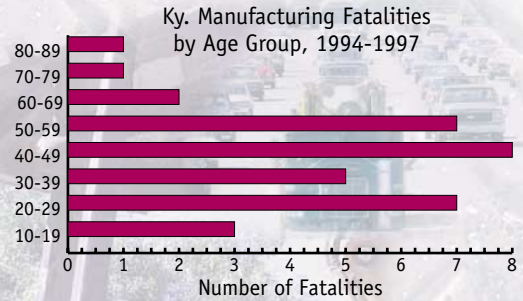
# Manufacturing Fatalities in Ky.

based on classification according to the Standard Industrial Classification Manual, 1987. (Note: Since KARE currently has no clients in logging or sawmill industries, these categories were omitted.)

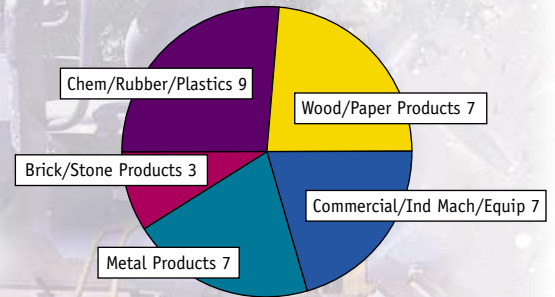
During 1984 through 1997, there were a total of 34 fatalities in Kentucky's manufacturing industries. Victims' ages ranged from 19 through 81, with a mean of 42. Twenty-nine were males, and five were females. Of the 34 fatalities, 29 occurred in western and central Kentucky; only five occurred in the eastern portion of the state.

Many of these deaths may have been prevented. Examples of some prevention strategies that could have helped include:

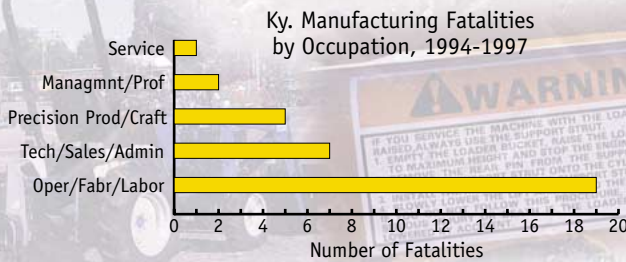
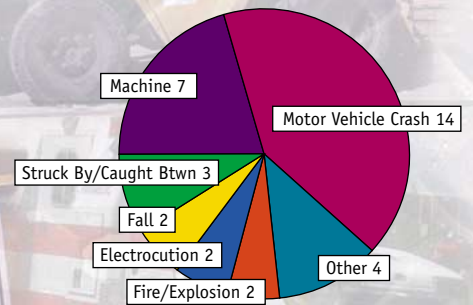
- Motor Vehicle Crashes (MVCs): Employers should require workers to use seatbelts when operating motor vehicles or other mobile equipment.
- Machines: Mobile equipment (e.g. front-end loaders, bulldozers, and tractors) should always be equipped with rollover protective structures (ROPS) and seatbelts, and seatbelt use should be required. On stationary machines, machine guarding should always be provided to protect operators and other workers from hazards such as those created by point of operation, ingoing nip points, rotating parts, or flying chips and sparks. (Examples: barrier guards, tripping devices, electronic safety devices, etc.\*\*)



Ky. Manufacturing Fatalities by Industry Category, 1994-1997



Ky. Manufacturing Fatalities by Cause, 1994-1997



\*KY FACE is funded by National Institute for Occupational Safety and Health (NIOSH) Cooperative Agreement Number U60/CCU409879. To contact KY FACE, call 606/257-4955 or 800/204-3223. You can also visit its Web site (<http://www.kiprc.uky.edu>) for prevention information and detailed reports of occupational fatalities.  
 \*\*Occupational Safety and Health Standards for General Industry. 1997. 29 CFR Part 1910. Chicago: CCH Incorporated



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