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YOUR DRIVER IS INJURED *IS THIS A WORKERS COMP CLAIM OR AN ACCIDENT BENEFITS CLAIM?*

Drivers are often injured following a motor vehicle accident and sometimes they do not experience the injury or pain for a day or two following the crash. As an employer, following up with your driver is necessary, to provide guidance and information about the claims process.

If your drivers are your EMPLOYEES, the employer is required to submit the appropriate Provincial claim forms to Workers Compensation, within strict timelines. In addition, the employer must provide the injured driver with a copy of the claim form submitted on their behalf and provide the driver with an Employee Claim form to submit on their own behalf.

Each Province has different forms, submission processes and timelines. The base of operations for your Corporation is the Province in which you need to file claims, regardless of where the driver/co-driver lives or where the accident occurred. We have listed the Websites for each Province at the end of this article for your assistance.

Workers Compensation will then investigate both employer and employee submission to make sure there is coverage and that the injuries occurred while the driver was actually in the course of his employment.

But what happens when the drivers are considered “Owner/Independent Operators” or “Self-Employed Contractors”? While these drivers may be listed on your policy, these unique relationships with you may result in an Accident Benefits claim being pursued under your Automobile Policy.

Independent Owners/Operators/Contractors are considered self-employed and often are not required to buy their own Workers Compensation coverage. Typically, they are single operators

and carry no liability insurance or accident benefits coverage of their own because the company they drive for agrees to insure them. Coverage for injuries will be considered under Accident Benefits coverage of YOUR policy. Coverage is available for lost wages, medical benefits, attendant care benefits and a number of other benefits subject to conditions and exclusions that may be applicable.

When reporting any injury claim to Old Republic Canada, it is necessary to advise us of the type of working relationship (Employee or Independent/Owner/Contractor) you have with the driver. Advise Old Republic Canada whether you have Workers Compensation coverage available for the driver and any contractual documentation you have in place with. This helps us assess claim coverage to get the driver on the path to recovery quickly and back on the road driving for you!

<https://www.worksafebc.com/en>
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Submitted by:

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THE FINANCIAL IMPACT OF DISTRACTIONS

Distractions are a high-risk exposure that motor carriers cannot overlook. Incidents like a distracted employee slipping in the shop or losing focus while driving and hitting another vehicle can have a lasting, negative impact on your company's bottom line.

Mobile devices are the top-of-mind culprit these days, but distractions come in many forms and each can lead to the same result: lost revenue, decreased profits, or both. Calculating the financial impact of losses – such as those caused by distractions – cannot be overlooked by motor carriers. According to the U.S. National Safety Council, the average cost of a work-related injury requiring medical consultation is around \$41,000. This includes the direct costs associated with the loss, including wage losses, medical expenses, administrative expenses, etc. Additional indirect costs, such as the cost of training replacement workers, decreases in customer service, and so on can also be added to the loss total. So, where does the money come from to pay for this unbudgeted expense? Insurance may pay for part of it, but what if the company has to pay out of pocket for these expenses? If cash is not readily available, the company has two options: either decrease expenses to create a cash surplus or increase revenue. Decreasing expenses could mean staff reductions, cutting employee benefits, or other unpopular measures that could have negative ramifications (i.e. low morale, higher turnover, etc.). On the flip side, increasing revenue is another option, but how much extra revenue must be generated to pay for an unbudgeted loss? This extra revenue is called Loss Revenue. To calculate Loss Revenue, a motor carrier can follow these simple steps:

1. CALCULATE PROFIT

Formula: Revenue - Expenses = Profit

Example: Suppose for every \$100 of revenue generated, your company pays out \$95 in operating expenses. Your profit is five dollars ($\$100 - \$95 = \$5$).

2. CALCULATE PROFIT MARGIN

Formula: Profit ÷ Revenue = Profit Margin

Example: With a profit of \$5 for every \$100 of revenue, your profit margin is five percent ($\$5 \div \$100 = 5\%$).

3. CALCULATE LOSS REVENUE

Formula: (Cost of Loss x 100) ÷ Profit Margin = Loss Revenue

Example: A \$41,000 loss requires you to generate an additional \$820,000 in revenue to maintain your current profit margin:
($\$41,000 \times 100$) ÷ 5 = \$820,000.

As you can see, proactively addressing distracted walking and distracted driving can help save time, lives, and money. For more information on loss prevention options, please contact your Old Republic Canada safety representative.

CALL TO ACTION

- Train all employees on avoiding distracted walking and distracted driving incidents.
- Track the direct and indirect costs associated with every vehicle and work-related incident.
- Calculate the financial impact of each loss as part of a post-incident review.
- Maintain records on all vehicle and work-related incidents, including an accident register, incident log, reports, and receipts.

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WHY TRAINING FAILS... AND HOW YOU CAN FIX IT

Training is essential to helping any organization meet its business objectives. In fact, the number one requirement of any training effort is that it must hold value for the company. Otherwise, training is a waste of time and resources. From onboarding new employees to conducting road tests with drivers, employee training serves an invaluable purpose and demands proper planning, execution, and follow-up. Unfortunately, this is where training usually fails, especially on the follow-up. Below is a brief list of reasons why training often fails in each of these areas and how you can have better chances of success.

PRE-TRAINING PLANNING

Training events are often conducted with the trainer's preferences in mind rather than the learner's preferences. The trainer acts as a lecturer, telling the audience what he or she thinks they need to know, not what the learners deem important. This approach does a disservice to the learners and the organization because no one wants to sit through a class listening to material one already knows or that is not applicable to the job.

- **FIXES TO CONSIDER:** When planning a training event, have clearly defined learning objectives. Identify the audience and its learning preferences beforehand. Tailor the content and environment to suit the learners, and above all, make it fun and engaging.

COURSE DELIVERY

All learners are different. Each person has different motivations for learning something new, and receives and processes new information differently than others. The challenge for trainers is to utilize multiple delivery modes to make the training appealing to a variety of learning styles.

- **FIXES TO CONSIDER:** Try a blended learning approach by incorporating multiple delivery methods, such as facilitation, hands-on activities, role plays, etc. Allowing learners to share their experiences is very effective, also.

POST-TRAINING FOLLOW-UP

Follow-up is the most important phase of training. More time should be spent after the learning event following up with learners and their supervisors to ensure the training is being put into practice on the job. According to Hermann Ebbinghaus's theory on the "forgetting curve," more than 70% of learning is forgotten within 24 hours after the training if it is not reinforced.¹

- **FIXES TO CONSIDER:** Communicate expectations with supervisors before the training to get their support. Afterwards, follow up with supervisors and learners to ensure the new knowledge or skill is being used on the job. The reinforcement aids retention and helps ensure the training was a success.

¹Retrieved from <https://examstudyexpert.com/ebbinghaus-forgetting-curve/>

CALL TO ACTION

- Before each training event, determine how the training supports the company's business objectives.
- Clearly define the learning objectives and target audience in the planning phase.
- Incorporate blended learning delivery methods to appeal to multiple learning styles.
- Follow up with learners and supervisors to ensure the new knowledge/skill is being used on the job.

Submitted by:

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IMPROVE EMPLOYEE SITUATIONAL AWARENESS

Human error is a common cause of preventable work-related injuries and vehicle crashes. When an employer, who recognizes that employees are ultimately responsible for their behavior on the job, finds that the root cause of an incident involves an employee's poor decision-making, the employer may be frustrated and feel powerless. Yet, despite these head-scratching incidents, employers must persevere and continue to manage this risk. One way to reduce the risk of human errors is by focusing on improving employee situational awareness.

Situational awareness involves a person's ability to 1) perceive that a hazard exists in the immediate area, 2) comprehend the meaning of that hazard, and 3) project that danger to him or herself (i.e. Will stepping on that ice patch cause me to slip and injure myself?). Of these three, an employee's failure to perceive a hazard is arguably the most frustrating for employers. Failing to perceive a hazard is often the result of being distracted, and incidents involving distracted walking and distracted driving continue to occur despite increased regulations, enforcement, and awareness efforts. This is why our Value-Driven® Driving and Value-Driven® Life safety videos on our Learning Library stress avoiding distractions. When a worker loses focus on the task at hand – be it walking, driving, etc. – bad things can happen. Unfortunately, distractions are everywhere in life and continually vie for an employee's attention. From talking or texting on a cell phone while walking in the shop or adjusting the radio while driving, any activity that distracts an employee from his or her primary task decreases that employee's ability to perceive hazards. To counter this, here is a brief list of ways to promote situational awareness with employees.

ACCOUNTABILITY

Ultimately, it is the employee's responsibility to do the right thing and make a conscious decision to put distracting activities aside to focus on the task at hand. With that said, operations staff can hold employees accountable. Correct unsafe behaviors when they are observed. Also, do not allow operations staff members to create distractions for workers.

TRAINING

Practice observation techniques with employees and create scenarios to help workers identify hazards. For example, train drivers to get out and look (GOAL) before backing the truck, then observe them performing this task to reinforce the positive behavior.

MONITORING

Monitor SMS for potential situational awareness issues. A violation for distracted driving would be easy to identify. However, if a driver is cited for driving while ill or fatigued, this type of violation directly relates to distracted driving. Also,

be intentional about observing employee behaviors, like during a driver's pre-trip inspection. These observations create an opportunity to praise good work or correct mistakes.

Note: These lists are not intended to be all-inclusive.

CALL TO ACTION

- **Create a call-in schedule with drivers to ensure they are not interrupted during driving periods.**
- **Monitor SMS regularly for violations and counsel the offending driver.**
- **Train employees on the dangers of distracted walking and distracted driving.**

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2021 ANNUAL CVSA ROAD CHECK: MAY 4TH - 6TH

Fleets, ensure your drivers and vehicles are well prepared.

Commercial Vehicle Safety Alliance (CVSA) International Roadcheck will take place May 4-6. Over that 72-hour period, commercial motor vehicle inspectors in jurisdictions throughout North America will conduct inspections on commercial motor vehicles and drivers.

During International Roadcheck, inspectors primarily conduct the North American Standard Level I Inspection, a 37-step procedure that includes two main inspection categories: an examination of driver operating requirements and vehicle

mechanical fitness. This year, inspectors will focus on one driver operating requirement category (hours of service) and one vehicle mechanical fitness category (lighting).

For more information on International Roadcheck, visit www.roadcheck.org.

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