

# PRIME + COR

## For Construction Industry Employers Recognizing Your Efforts - New Incentive Program Will Save Employers Money

All employers in the Province have already received information from the Workplace Health, Safety and Compensation Commission (WHSCC) on the new Employer Incentive Program PRIME (Prevention + Return-to-Work + Insurance Management for Employers/Employees). PRIME is a new two part incentive program that places increased emphasis on healthy and safe workplaces and early and safe return-to-work. Both the *Practice Incentive* and the *Experience Incentive* components of this program provide a financial incentive to improve your practices in the above areas.

In 2002, WHSCC revamped its assessment system to more fairly calculate the industry base rate and has further enhanced the system with PRIME. This new program will recognize and reward employers who demonstrate good prevention and return-to-work practices and consistently favourable claims experience. At the same time, it will address persistent, poor accident performance.

The *Practice Incentive* provides a 5% **refund** (of average assessments) to employers who meet established criteria in the areas of occupational health and safety and return-to-work. The *Experience Incentive* will provide additional refunds to employers whose claims costs are lower than their annual, individual target (provided by WHSCC and based on NIC Code and past performance). Employers who exceed their target (that is, WHSCC has to pay out more in claims costs on their behalf than anticipated) will have a surcharge levied.

*COR certified construction companies (in good standing) will automatically qualify for the 5% Practice Incentive*

This program will be phased in over three years, during which employers will be required to demonstrate continuous improvement. The first *Practice Incentive* refunds will be issued in 2006, based on 2005 practices. Part two of the program, the *Experience Incentive*, will be implemented in 2006, for refunds (or surcharges) in 2007. Practices in your workplace TODAY will have an impact on your refund in 2006 and 2007.

This Bulletin will provide you with the resources and information you need, as a construction industry employer, to meet the PRIME *Practice Incentive* criteria. By meeting this criteria in 2005, you will see a 5% refund on your average assessments in early 2006.

To qualify for a refund, construction industry employers **MUST** have a Letter of Good Standing issued by the NLCSA under the COR Program. By 2007 you must have a Certificate of Recognition to qualify for a refund.

# Where Do I Start?

The first part of this two part program will be phased in over three years with the first practice year being 2005. Based on your efforts during this year you may be eligible for a 5% refund on your average assessments in 2006.

You may be asking yourself “what do I have to do to achieve this refund?”. In order to help you understand the necessary items we have provided a list that highlights each of the required components of the practice incentive program. **Remember if you are already an active COR Company in good standing you should have all of these components in place. If you are not active - call us to find out how you can begin this process and receive the reward you are entitled to for your efforts.**

## Part 1 – Practice Incentive

***COR certified companies (in good standing with the NLCSA) will automatically qualify for a 5% refund.*** If you are not COR certified, the following checklist will help you ensure you are ready to receive a 5% refund in 2006.

**1. You must have a valid Letter of Good Standing under the Certificate of Recognition ( C O R ) Program.**

If you are not already involved in the COR Program, this Letter of Good Standing can be obtained by participating in the COR training. Contact the NLCSA, or visit our website at [www.nlcsa.com](http://www.nlcsa.com), to find out when this training will be offered in your area. Training location and dates are also listed on the last page of this bulletin. If you are already involved in the COR Program, but do not have a valid Letter of Good Standing, contact the NLCSA to find out what you need to do to update your status.

**2. You must have an Occupational Health and Safety (OHS) Policy and a Return-to-Work Policy.**

These can be separate policies or combined into one document. These policies must be prominently displayed in your workplace and communicated to all workers. Sample policies are included in this document, can be downloaded from the NLCSA website, or obtained by contacting the NLCSA.

**3. You must have a trained Health and Safety Committee, Health and Safety Representative or Workplace Health and Safety Designate.**

Whether you require a **Committee, Representative or Designate** depends on the number of workers at your workplace. Generally, the following applies to provincially regulated workplaces.

<u>Number of Workers</u>	<u>Requirement</u>
50+	OHS Committee, all members trained
10-49	OHS Committee, co-chairs trained
5-9	Worker Health and Safety Representative (trained)
Less than 6	Worker Health and Safety Representative (trained) <u>or</u> where impractical, a Workplace Health and Safety Designate (trained)



# Where Do I Start?

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If you are federally regulated, the following applies:

<u>Number of Workers</u>	<u>Requirement</u>
300+	Policy Health and Safety Committee (all members trained)
20+	Workplace Health and Safety Committee (all members trained)
1-19	Health and Safety Representative (trained)

Training for Committees, Representatives and Designates is available from the NLCSA. OHS Committees must also meet the reporting requirements (minutes) set out in legislation. If you are unsure how these requirements apply to your workplace(s), please contact the NLCSA for clarification and assistance.

#### **4. You must have an Injury Reporting System.**

This is a written process which outlines the steps to be followed in the event of an injury in your workplace. (See enclosed poster.)

In addition, WHSCC forms must be available in the workplace (paper copy or online). These forms include:

- (a) Form 6 – Worker’s Report of Injury
- (b) Form 7 – Employer’s Report of Injury, and
- (c) Early and Safe Return to Work Plan Form (or an alternate form acceptable to WHSCC)

#### **5. You must have an Occupational Health and Safety Program.**

The OHS Program elements will be phased in over three years and will depend on the number of workers at the workplace.

If you have less than 10 workers, you will have already addressed the OHS Program requirements for 2005 by meeting items 1-4 (above).

If you have 10 or more workers, you will be required to implement:

- (a) Basic orientation for all workers (covering the OHS and Return- to -Work components for year 1)
- (b) Workplace Inspections Policy and Procedure
- (c) Accident/Incident Investigation Policy and Procedure
- (d) Joint consultation on Return-to-Work as it relates to injury reporting and Return-to-Work policies.

The COR training will provide all relevant examples and sample policies and procedures for the OHS Program.



# Where Do I Start?

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6. **If you are a LARGE PRIME assessment employer (paying, on average, greater than \$54,000 in assessments), you will need a Retrun-to-Work (RTW) Program.**

The requirements for a RTW Program will also be phased in over three years. For 2005, you will need to implement:

- (a) RTW Planning/Protocol
- (b) Joint consultation mechanism on RTW plan and Protocol.

If you are a LARGE PRIME assessment employer, the NLCSA will work with you, individually, to provide assistance to meet these requirements. Within the coming months, you will be contacted by an NLCSA Representative to make the necessary arrangements.

More details on the above can be downloaded on the NLCSA website under PRIME checklists.



This is your injury reporting poster.  
Tear out and place in a prominent place  
at the worksite.

# In case of an Injury at Work

## Here's what to do...

### INJURED WORKERS...

- 1 Get first aid, if necessary.
- 2 Report the injury/incident before leaving the workplace (if possible) to:

*For a copy of applicable forms, please contact person designated by employer*

- 3 Seek timely medical treatment and advise doctor you were hurt on the job.
- 4 Bring the Doctor's Report of Injury (Form 8/10) back to your employer as soon as possible (the next working day).
- 5 Complete a Worker's Report of Injury (Form 6) and submit to the Workplace Health, Safety and Compensation Commission (the Commission) as soon as possible by faxing toll free to 1-800-276-5257 or (709) 782-1302.

### EMPLOYERS...

- 1 Transport your injured worker to appropriate medical care.
- 2 Complete an Employer's Report of Injury (Form 7) and submit to the Commission (within three days).
- 3 Complete an Employer Incident Report Form and keep it at your workplace.
- 4 Determine the cause of injury and take action to prevent further injuries.
- 5 Work with your injured worker to develop an Early and Safe Return-to-Work plan and submit to the Commission (within five days of receiving the Doctor's Report of Injury – Form 8/10).
- 6 Provincially regulated employers must report "serious injuries" [*see OHS Act, s.54(3)*]. Call the Accident Reporting Line 709-729-4444 or toll free during normal business hours at 1-800-563-5471.
- 7 Federally regulated employers must report "serious occurrences" [*see Canada Labour Code Part II, Part XV, s.15.5*]. Call (709) 772-5022 or after hours call collect 0-506-851-6644.

*Employer Information*

# Policies

As an employer, you are required to have policies in your workplace governing occupational health and safety and early and safe return-to-work. You may write two separate policies, or combine them.

A policy is a clear written statement that demonstrates your commitment to each of these areas. We have provided some guidance on how to write your policies.

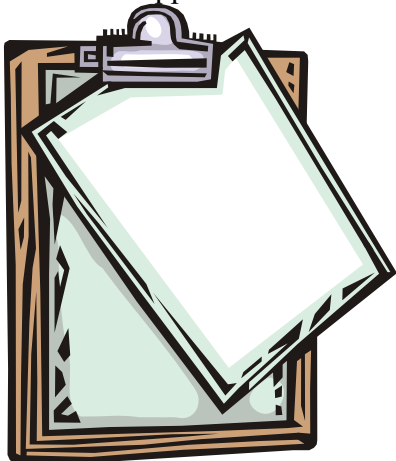
## Occupational Health & Safety (OHS) Policy

**An OHS policy is required under provincial OHS legislation (Section 36.2 of the OHS Act, Section 4.1 of the OHS Regulations) and under federal OHS legislation (Section 125.(1)(ii) of the *Canada Labour Code*, Part II).**

### Your policy must:

- Be written in consultation with your health and safety representative/designate or committee
- State your health and safety related goals.
- State the activities required to support these goals and the roles and responsibilities necessary to ensure the activities are implemented
- Be posted in a prominent area (physically and/or electronically)
- Be signed by the highest level of management
- Be dated, reviewed every year and updated as required

Employers are responsible for their employees and have a legal and moral obligation to provide for their safety and well-being. Having an OHS policy in place will help you meet this responsibility. It also makes good economic sense. Costs related to workplace accidents and incidents can be avoided when the goals outlined in an OHS policy have been applied.



## Return-to-Work (RTW) Policy

**Your RTW policy is similar to your OHS policy. It must:**

- State your commitment to ESRTW after an accident or injury
- Include a reference to communicating with the employee during the return-to-work process
- Include a reference to Section 89 of the *Workplace Health, Safety and Compensation (WHSC) Act*
- State the organization's commitment to protecting confidential information
- Outline roles and responsibilities of the parties involved in RTW: employer, injured worker, health care providers, co-workers, WHSCC and, where appropriate, union and RTW representatives
- Include a reference to the Hierarchy of RTW according to the Commission's *Policy RE-18 Hierarchy of Return to Work and Accommodation*
- Be posted at all worksites (physically and/or electronically)
- Be signed by the highest level of management
- Be dated, reviewed every year and updated as required

Employers who have a re-employment obligation under Section 89.1 of the *WHSC Act* must also reflect that obligation in their RTW policy.

Employers are responsible for ensuring their employees get back to work as quickly and safely as possible after a workplace accident or injury. Having a RTW policy in place will help you meet this responsibility. It also makes good economic sense by helping you to reduce your workers' compensation costs and return your workplace to maximum productivity levels.

**These are sample OHS and RTW policies. You may edit these policies to suit your workplace and maintain and update them as noted previously.**

### Sample OHS policy

I, (business/organization owner/president/CEO, etc.) of (business/organization name) am ultimately responsible for workers' occupational health and safety at the workplace. I will strive to protect workers from injury and illness related to work; and I will provide the resources necessary to keep the workplace healthy and safe. To fulfill this commitment (business/organization name) will make every effort to provide and maintain safe and healthy workplaces by following industry standards and complying with OHS legislation. In keeping with OHS legislation, a healthy and safe workplace will be created in consultation and cooperation with management and workers, in particular the health and safety representative/designate or committee.

Supervisors will be held accountable for the health and safety of employees under their supervision. Responsibilities include ensuring machinery and equipment are safe and established safe work practices are followed. To protect their health and safety, employees must receive an OHS orientation and specific work task training.

Every employee must protect his/her health and safety and the health and safety of other employees by following legislative requirements and safe work practices and by reporting unsafe conditions they observe.

Contractors will be required to meet legislative requirements and follow (business/organization name's) policies and procedures regarding health and safety.

Health and safety is an integral part of this firm's every day business. It is in the best interest of all to join together and put into practice health and safety principles in all work activities.

This OHS policy will be reviewed on an annual basis and revised as necessary.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

### Sample Return-to-Work policy

XYZ Corporation is committed to assisting workers who have been injured on the job to return to work in a timely and safe manner.

The company will fulfill this commitment by contacting the worker as soon as possible after the injury and offering employment that is consistent with the worker's functional abilities. Job options will be identified and offered using the Workplace Health, Safety and Compensation Commission's Hierarchy of Return to Work as identified in WHSC Policy RE-18 and in accordance with section 89 and 89.1 of the *Workplace Health, Safety and Compensation Act*.

All members of the organization including supervisors, co-workers, and the union are responsible for actively participating and cooperating in the return to work process when required. Where necessary the company will seek input and advice from other parties involved in the RTW process including the Workplace Health, Safety and Compensation Commission and external health care providers.

Any personal information received or collected that can lead to the identification of an injured worker will be held in the strictest confidence. Information of a personal nature will be released only if required by law with the approval of the worker who will specify the nature of the information to be released and to whom it can be released.

This statement will be reviewed at least annually and may be updated or changed as required.

Signed: \_\_\_\_\_  
Date: \_\_\_\_\_

# What Comes Next?

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## Part Two – Experience Incentive

The second component of PRIME is the *Experience Incentive* and it will start in 2006. However, what you do (or don't do) in your workplace today, could effect your refund (or surcharge) in 2007. **In addition, in order for a company to qualify for a refund in Part II, they must have met all the applicable criteria set out in Part 1 (Practice Incentive).**

Taking into account your past assessments, in early 2006 WHSCC will assign your company a predicted claims costs range (that is, the amount of money that they anticipate paying out, on your behalf) for 2006. This will include any active claims for injuries that occurred in 2004 and 2005 and any anticipated claims for 2006. If your total claims costs for 2006 fall below the predicted range (ie WHSCC paid out less, on your behalf, than they had anticipated), you will receive a refund. The reverse also applies – if your actual costs exceed your individual predicted range, you will be required to pay a surcharge.

WHSCC can provide additional details on this *Experience Incentive* including:

- how your target is calculated
- how the costs are applied, including “caps” on any individual claim
- how the refunds are calculated

WHSCC has established a **PRIME Response Team** who can help you ensure you save money on your assessments. Contact them at:

St. John's	709-778-2922
Grand Falls-Windsor	709-489-1600
Corner Brook	709-637-2700
Toll Free	1-800-563-9000

Website                      [www.whscc.nf.ca](http://www.whscc.nf.ca)



# Certificate of Recognition

## Training Schedule

### *Corner Brook*

April 4th - 8th;  
May 9-13; August 8 - 12;  
November 7-11

### *Gander*

June 27 - June 30  
July 18 - 22  
October 10 - 14  
December 12-16

### *St. Anthony*

April 11th - 15th;  
July 11 - 15;  
September 26-30;  
November 21-25

### *Happy Valley/Goose Bay*

April 18th - 22th;  
September 19-23;  
June 13-17  
November 28-December 2

### *St. John's*

April 25 - 29;  
May 30 - June 3;  
July 4 - 8;  
September 26 - 30;  
October 24-28;  
November 21-25.

### *Grand Fall-Windsor*

May 2 - 6;  
September 12-16;  
November 14-18

### *Clarenville*

May 16-20;  
August 29 - September 2;  
September 19-23;  
December 5-9.

### *Stephenville*

June 6 - June 10;  
October 31 - November 4

### *Labrador City*

May 30 - June 3;  
August 15 -19;  
October 24-28;  
December 5-9.

Please call 709-739-7000 or Toll Free 1-888-681-SAFE(7233) to register or visit [www.nlcsa.com](http://www.nlcsa.com). The NLCSA offers a wide variety of Occupational Health and Safety training. Demand courses are available please inquire.



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