

## Manager/Supervisor Risk Management

#175–9/17/13

A twice weekly e-mail training for YCPARMIA members

### TOPIC: SAFETY –THE COSTS OF INJURY

We are stating the obvious when acknowledging that the employer's exposures to costs for employee injuries are not limited to workers' compensation benefits. WC benefits are generally limited to medical expenses, wage loss (temporary disability benefits), and diminished productivity (permanent disability). YCPARMIA members are part of a self-insurance pool – there is no insurance – so these costs are ultimately borne by Yolo County's public entities.

It is the other potential, partially hidden, costs that can aggravate the exposure. These include:

- The cost of replacement workers or overtime to cover the missing injured employee.
- Loss of productivity due to temporary work restrictions.
- Lost supervisor time dealing with the restrictions or replacement workers.
- Lost administrative time dealing with the paper/procedural issues tied to a work injury.
- In long periods of disability, the loss of a position that cannot be replaced or is frozen due to budget issues.
- Co-workers forced to carry a heavier load to compensate for the missing or restricted worker.
- Morale problems that arise as the result of resentful co-workers not buying the injury or restrictions.
- Lost team productivity tied to an interrupted work routine.
- A cultural shift where workers draw a conclusion that injuries are expected to happen, or that the employer finds them acceptable.
- Diminished morale/esteem for the injured employee.
- Family and financial problems for the injured worker.

All of these ancillary issues are impacted by a Labor Code restriction on the supervisor/management team. Labor Code 132a prohibits discrimination against workers who are injured in the course and scope of their employment. The employer's intent to discriminate is not needed; a connection between the workers' comp claim and the discrimination is sufficient. The employee's injury can cause the employer all sorts of problems, but the supervisor has to be very careful not to hold the injured worker responsible, or to retaliate in any way, for the injury/benefit costs. Any detrimental action directed towards the injured worker has the potential of running afoul of this provision, so it is essential that the supervisor work closely with their HR department; this is especially true when considering discipline for the actions that led to the worker's injury (i.e. addressing the cause, not the resulting injury).

Next Topic: Safety – Modified Work is not Retaliation