

# Stark County Safety Council Newsletter

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## STARK COUNTY SAFETY COUNCIL ANNOUNCES PHOTO CONTEST WINNER

BY: JACQUELINE BOLLAS CALDWELL, ESQ.



Above is the winning photo of the Stark County Safety Council's first ever photo contest. The contest challenged everyone with a passion for photography to capture an image of workplace safety and health and share it with the Stark County Safety Council.

**Congratulations to R. G. Smith for submitting the winning photo!**

BWC judges Robin Watson and Steve Hanna selected the winning photograph. *The winning photograph is a great captured moment that tells a powerful story of workplace safety.* All three of the individuals in the picture are wearing safety glasses and hard hats. The individual at the top of the photo is tied off and wearing a harness to comply with fall protection requirements. The individual on the ladder is also wearing fall protection and can safely and quickly respond if his assistance is needed.

Congratulations to R. G. Smith on submitting the winning photo and on implementing safe work practices. It is also fitting that a photo depicting compliance with fall protection standards was chosen as the winner because OSHA recently announced that failure to comply with fall protection is the most frequent OSHA citation.

Contact Jacqueline Bollas Caldwell at 330-244-2864 or at jcaldwell@kwgd.com with any questions regarding the contest.

**Today's Program January 12, 2012**

**Topic: "Who's got your back?"  
Prevention and treatment of  
low back injuries**

**Speaker: Brian Walker, DPT, Senior  
PT & Clinic Coordinator, Mercy  
Sports Medicine**

Spotlight Company

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### ABOUT THE JANUARY SPOTLIGHT CO.

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**Safety Council Mission Statement:** To provide a forum for safety and health information, education and networking in Stark County, through leadership, innovation, facilitation, program, and support, in partnership with other public and private organizations.

## WORKPLACE ACCIDENTS: Minimize Your Liability When A Catastrophic Accident Occurs

By: Hans A. Nilges, Esq., Morrow & Meyer, LLC

Once a catastrophic accident occurs, there will be little time to develop a strategy to protect the company. Within a very short period of time, the company may have to deal with the news media, police and fire officials, officials from various administrative agencies, insurance investigators, relatives of the injured employees, and others. Employers should develop a strategy before a serious accident occurs. While an employer's response will vary depending upon the severity and circumstances of the accident, employers would do well to keep the following in mind:

1. Give immediate attention to the needs of the victims and their families. The employer should be wary of doing anything that could be construed as an admission of fault, but should always demonstrate concern for the well-being of the victim and his or her family. If the company appears callous and disinterested, hard feelings could produce years of costly litigation.
2. Contact legal counsel. Where an employee is killed or gravely injured, immediate legal advice is crucial. Anything you or your employees say about the accident can be used against you. Seemingly harmless statements can be misinterpreted and used against the company. By contacting legal counsel immediately, the employer can reduce the likelihood that it will make a damaging admission of fault.
3. Investigate the accident immediately. Even though an injured worker is covered by workers' compensation, the worker or his family may also file a VSSR or a lawsuit. It is essential to investigate serious accidents immediately and gather facts while they are still fresh.
4. Employers should be prepared to deal with the news media. If an employer remains silent or responds with "no comment," the public may interpret its silence as an admission of fault or a general lack of concern. It is often advisable that the employer issue a short press release, expressing the company's concern for the injured workers and their families. The statement should also set forth other facts which put the company in a favorable light, such as a good safety record.

Despite being a safety-conscious company, accidents still happen. A carefully prepared strategy can go a long way in heading off costly litigation and liability.

*Hans A. Nilges is a Partner in the law firm of Morrow & Meyer, LLC where he represents employers in all aspects of labor and employment law. Mr. Nilges can be contacted at (330) 433-6000.*

### Upcoming Program

February 9, 2012

**Topic:** Wake up and Smell the Coffee:  
*The Impact of Fatigue and Sleepiness in the Workplace*

**Speaker:** Dr. Alan Rudick D.O., Pulmonary and Critical Care Physicians Incorporated and Medical Director, Mercy's Accredited Sleep Center

February  
Spotlight  
Company:



### Robin's Corner

**Q:** Does my employer need to keep the building emergency exit door pathways cleared from ice and snow?

**A:** Yes, OSHA regulation 29 CFR 1910.37(g)(3) and NFPA 5-5.3.9 states that the employer must protect the exit discharge and keep it free of snow and ice. There are some alternatives that could be used; a porch or small roof could be used to prevent the buildup of snow and/or ice; a snow removal company could be contracted for the season to keep emergency exits free from snow and/or ice; or the employer could have designated employees do same thing.

### Save the Dates!

**Mon. Jan 23: Food Service and Restaurant Safety** at the BWC Canton Service Office 8:30-12:00 pm Free. Register at: [www.bwclearningcenter.com](http://www.bwclearningcenter.com)

**March: Ohio Safety Congress & Expo 2012**  
*"Well at Home. Safe at Work"*

Congress: March 27-29

Expo: March 28-29 - Register at [www.ohiobwc.gov](http://www.ohiobwc.gov)

### Important items to make note of:

1. **Semi-Annual Reports** are required to maintain your membership with the SCSC. Reports are due July 15th and January 15th each year.
2. **Don't forget to sign-in.** If you do not sign the "sign-in sheet" your company will not receive credit for attending. This could hurt your company's chances of receiving the BWC's discount.
3. **NOTE: July 1, 2011 began a new 12 month period** for the BWC's rebate program. If your company is eligible, you must attend a minimum of 10 events, with your company's CEO or a senior level manager attending one of these 10, and submit two semi-annual reports. See BWC website for complete rebate details.