



# STARK COUNTY

## S A F E T Y C O U N C I L

A committee of the Canton Regional Chamber of Commerce

# news

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StarkCountySafetyCoun-

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### SO YOU HAVE AN AUTOMATED EXTERNAL DEFIBRILLATOR (“AED”)- - WHAT NEXT?

By Jacqueline Bollas Caldwell, Esq.

Automated external defibrillators can be subject to both state and federal law, so you should review both. State law will always be applicable, so you need to review the state law where the AED is being used. Under Ohio law, R.C. §3701.85 provides that each person who possesses an AED shall do all of the following:

- Require expected users to complete successfully a course in automated external defibrillation and cardiopulmonary resuscitation that is offered or approved by the American Heart Association or another nationally recognized organization;
- Maintain and test the defibrillator according to the manufacturer’s guidelines;
- Consult with a physician regarding the above two requirements;
- If automated external defibrillation is not performed as part of an emergency medical services system, or at a hospital, activate an emergency medical services system as soon as possible.

R.C. §3701.85 also provides that a person who possesses an automated external defibrillator may notify an emergency medical services organization of the location of the defibrillator.

In addition, R.C. §2305.235 provides that except in the case of willful or wanton misconduct, no person shall be held liable in civil damages for injury, death, or loss to person or property for providing training in automated external defibrillation and cardiopulmonary resuscitation. In addition, R.C. §2305.235 also provides that except in the case of willful or wanton misconduct, or when there is no good-faith attempt to activate an emergency medical services system in accord with R.C. §3701.85, no person shall be held liable in civil damages for injury, death, or loss to person or property, or held criminally liable, for performing automated external defibrillation in good faith, regardless of whether the person has obtained appropriate training on how to perform automated external defibrillation or successfully completed a course in cardiopulmonary resuscitation.

In sum, state and federal law provide requirements in connection with use of AEDs, and you should review these provisions in connection with your AED use. There are also federal guidelines for use of AEDs in federal facilities and many state, local and professional societies have issued AED position statements that may be helpful in connection with adopting a policy for use of AEDs.

*If you need any additional information, please feel free to contact Jacqueline Bollas Caldwell of Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A. at: 330-244-2864 or jcdawell@kwgd.com.*

*NOTE: This general summary of the law should not be used to solve individual problems since slight changes in the fact situation may require a material variance in the applicable legal advice.*

### 2013 “Safety, Health & Human Resource Fair”

Sponsored by:

The Stark County Safety Council

11:00 a.m. – 1:00 p.m.

See list of exhibitors next page

**Fair Food \* Fun \* Door Prizes**  
**(Grand Prize- \$250.00 Visa Gift Card)**

Coming Next Month

October 10, 2013

**Not Just Another Day on the Job!**

**Speaker: Tom Schmidt**

**AultCare**

The single page report by OSHA (Inspection Number 101287555) for the Boyle-Midway Plant located at 220 7th Street SE, Canton, Ohio 44702 was opened on 6/26/1987 and closed on 2/1/1989. Four employees are mentioned on the report. There were three fatalities. Tom Schmidt was the fourth employee. We invite you to hear the rest of the story at the Stark County Safety Council October 14<sup>th</sup> luncheon series.

October  
Spotlight  
Company:



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**Stark County 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.*



# Thank You to Our 2013 Safety, Health and Human Resource Exhibitors

A.S.A.P. Advertising	ProTech Security
Advanced Waste Services	Quest Recovery and Prevention
Amerisafe Services	Qualified Safety
AultCare	RETTEW
AultComp MCO	RiskControl360
Aultman Blood Center	Ryan Alternative Staffing
AultWorks Occupational	Safety Resources Company of Ohio
Best Glove	Sign*A*Rama
Black, McCuskey, Souers & Arbaugh	Silco Fire & Security
Boggs Chiropractic	Staley Technologies
Canton Charge	Stark County Human Resources Association
Canton Regional Chamber of Commerce	Stark County Safety Council
Chocolates by Erin	Stark Safety Consultants
C-Mor Safety Eyewear	Stauffer Gloves & Safety
CorVel Ohio MCO	Sunpro
Embassy Healthcare/Oakhill Manor	Sunrise Massage Therapy
EverStaff	Superior Search Group
Harrison Paint Company	The Connection
Hear Inc.	The Learning Service
Integrity Technical Services Inc.	The Repository
Intensity Rehab LTD	Tough Equipment
Janco Service Industries	US HealthWorks
Malone University	US Safety Gear
Mercy Work, Health & Safety	Veolia Environmental Services
Nationwide Hostetler Insurance	Western & Southern Financial
Professional Placement	Wet Surface Solutions
Ohio Bureau of Worker's Compensation	

# ROBIN'S CORNER

By Robin Watson, Ohio BWC Representative

## Q: What is Industrial Hygiene?

A: Industrial hygiene is generally defined as the science dedicated to the anticipation, recognition, evaluation, communication and control of hazards in, or arising from, the work place that may result in injury, illness, impairment, or affect the well being of workers and members of the community. These hazards are divided into the categories biological, chemical, physical, ergonomic and psychosocial.

The profession of industrial hygiene uses strict and rigorous scientific methodology and often requires professional experience in determining the potential for hazard and evaluating exposures or risk in workplace and environmental studies.

Industrial Hygienists work to minimize exposures through the implementation of controls. The preferred method of control is the elimination of the chemical, which can sometimes be achieved by the substitution of a less hazardous material. Another method to reduce exposure is the use of an engineering control, such as local mechanical exhaust systems or enclosures that isolate the chemical from the worker. In some cases an administrative control, such as the rotation of workers through a position to minimize the exposure to any single worker, is implemented.

The use of personal protective equipment (PPE) such as gloves, goggles, hearing protection, or respirators may be recommended. The use of PPE is the least preferred method due to the diligence required to ensure effectiveness.



The Industrial Hygienist, through a site visit, can:

- Identify health & safety problems in the workplace
- Conduct worksite sampling to ascertain exposure levels to chemicals, metal

fume, dusts, silica, noise, etc.

- Develop and /or recommend corrective measures to eliminate hazards and prevent future problems.
- Assist in developing mandated health & safety programs
- Consult on design of engineering controls and work practices
- Interpret safety data sheets (SDS)

## UPCOMING SCSC EVENTS & DATES

- Sept. 26—Confined Spaces Seminar 8 a.m.** (registration at 7:30 a.m.) at the Canton Regional Chamber. Register at [StarkCountySafetyCouncil.org](http://StarkCountySafetyCouncil.org)
- October 8—48th Annual Fire Prevention Breakfast 8:00 a.m.** (registration at 7:15 a.m.) Skyland Pines. Fee. Register at [StarkCountySafetyCouncil.org](http://StarkCountySafetyCouncil.org)
- October 31—CEO Breakfast 7:30 a.m.** (registration at 7:00 a.m.) Skyland Pines featuring Stephen Buehrer, CEO, Administrator Ohio BWC. Fee. Register at [StarkCountySafetyCouncil.org](http://StarkCountySafetyCouncil.org)
- Nov 5—OSHA Required Hazard Communication Training 8:00 a.m.** (registration at 7:30 a.m.) at Canton Regional Chamber. Fee. Register at [StarkCountySafetyCouncil.org](http://StarkCountySafetyCouncil.org).
- March 25-27, 2014 Annual Safety Congress** at the Greater Columbus Convention Center.

## Safety Council Officers & Contributing Members

- Chairman:** Deb Schlabach  
([dschlabach@aaultcompmpco.com](mailto:dschlabach@aaultcompmpco.com))
- Vice Chair:** (Chris Zabel [czabel@USSafetyGear.com](mailto:czabel@USSafetyGear.com))
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Steve Hanna  
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# It is Important to Understand Worker's Comp Rating

Bob Nicoll, Program Manager  
CareWorks Consultants Inc.

Stark County Safety Council Steering Committee member

**O**ne of the reasons that workplace safety is so important is that workers' compensation claims can affect employers' premium rates and therefore their profitability. For this reason it is very important that employers educate themselves so that they understand the BWC rating process. An employer's premium ultimately is determined by the type of work performed, how safe their employees perform it and how much they pay their employees to perform their jobs.



The BWC assigns manual classifications based on the type of work their employees perform. Each manual classification has a base premium rate based on the risk or hazard of that particular occupation. But claim costs then determine whether the base premium rate is increased or decreased.

Each year BWC sets a dollar amount of expected claim losses for each employer. This amount is called the Total Limited Loss (TLL). The employer's expected claims/TLL are then compared to the employer's claims costs to determine the employer's Experience Modifier (EM). The EM is a multiplier that is applied to the base premium rates to determine whether they will be increased or decreased. The bottom line is if claims exceed the TLL/expected claims the base rates are increased and if claim costs are less than expected they are decreased.

The Total Limited Loss (TLL) is a very important number that every employer should know in order to manage their workers' comp program. It is the benchmark that determines whether an employer is penalty rated or eligible for group rating and if eligible for group rating what group discount they will qualify for. I recommend that you contact your Third Party Administrator/TPA to obtain your TLL and experience claims costs.

It is important to understand that claims impact premium. Workplace safety is important but when a claim does occur timely and efficient claim management is essential. Communication with your Third Party Administrator/ TPA and Managed Care Organization/MCO is important. If you have any questions regarding rating or group rating please contact me at 330.418.1824.