

SAFETY IS NO ACCIDENT NEVADA COUNTY SAFETY PROGRAM

REASON FOR INVESTIGATION

The Grand Jury, as an advocate for the public and aware of the skyrocketing insurance costs, is concerned as to what policies are in place and the procedures followed that will ensure the safety of Nevada County employees.

The Nevada County Employee's Safety Orientation manual states:

“Everyone benefits from a safe and healthy work environment. At the County of Nevada, we are committed to preventing accidents, reducing occupational injuries and illness, and complying with laws and regulations governing workplace safety. To achieve these goals, the County has adopted this Injury and Illness Prevention Program (IIPP). The IIPP is mandated by Title 8 California Code of Regulations section 3203.”

BACKGROUND

California Senate Bill (SB) 198 mandates that employers be accountable for the occupational safety and health of their employees. SB 198 was passed, and chaptered into the Insurance and Labor Code on October 2, 1989. Beginning July 1, 1991, Labor Code Section 6400 requires every employer to provide “a safe and healthful workplace for his/her employees.” The California Code of Regulations (CCR) requires every California employer to have an effective injury and illness prevention program in writing that must be in accord with Title 8 CCR Section 3203 of the General Industry Safety Orders. The required elements within the regulation provide specific criteria by which Cal-OSHA will evaluate the program: “The regulation contains the elements in a format that requires the designation of a responsible person (or persons) and a system for: (1) communicating with employees on matters concerning safety and health; (2) identifying and evaluating workplace hazards; (3) implementing procedures for injury/illness investigation; (4) mitigating hazards; (5) training employees; and (6) maintaining records.”

METHOD OF INVESTIGATION

The Grand Jury reviewed the IIPP section of the Nevada County Safety Program, the county safety survey, safety committee meeting attendance for 2002 - 2003, the county web-based safety-training program, and the county injury and claims records for the past three years. The Grand Jury also attended a county safety committee meeting.

Interviews were held with the County Executive Officer (CEO), a representative of the Human Resources Department (HR), the County Risk Manager, the Head of the Probation Department, the Public Defender, the Court Administrative Officer, a representative of Adult and Family Services (AFS), the Sheriff, the Assessor, the Head of the Planning Department and the County Clerk-Recorder.

FINDINGS

1. The Risk Manager's responsibilities are to oversee the purchase of General Liability and Worker's Compensation insurance and review the County's claims.
2. The Risk Manager, in the role of Safety Officer, is responsible for coordinating the monthly Safety Meetings and annual safety inspections of each department using a State designed, generic checklist.
3. Records indicate there is consistently less than 100% attendance at these county safety meetings. In addition to these county safety meetings, individual departments are required to hold monthly safety meetings, however some departments are not in compliance.
4. In accordance with the 1991 California Labor Code, section 6400, Nevada County has a safety manual titled the Nevada County Safety Program. The manual is updated as needed.
5. Nevada County has a web based safety-training program that started in 2003. This is a self-study program with 106 safety programs. Some subjects are also available in Spanish. County employees can go online and study safety programs pertinent to their job. At the time of the Grand Jury investigation, over 600 employees had registered for the safety courses with over 300 employees completing one or more of the subjects.
6. As part of the new employee orientation process, new employees are required to review the IIPP. Additional and ongoing safety training is the responsibility of the department heads.
7. The County has a claims review system in place. This review begins with the department safety officer then progresses through managers, supervisors, department heads, risk manager, and finally the CEO.
8. The County participates in a statewide insurance pool with other counties of similar population as a cost containment measure.
9. Worker's Compensation claims that average \$1,417,872 annually have been paid over the last three years. The number of injuries resulting in claims has averaged 147 per year.

over that same period. (These figures do not include the shooting incident of January 9, 2001.)

Incurring costs and numbers of Claims per Year for Worker's Compensation

Worker's Compensation	2000-2001	2001-2002	2002-2003
Incurring Costs of Claims	\$2,045,612	\$1,084,530	\$1,123,474
Number of Claims	175	132	134

10. Over the past three fiscal years, the General Liability and Excess Liability premiums have increased from \$5,004 to \$296,787.

	Insurance Premiums Paid		
Insurance Programs	2001-2002	2002-2003	2003-2004
General Liability and Excess Liability	\$5,004	\$105,966	\$296,787
Worker's Comp	\$1,691,876	\$2,006,396	\$2,768,746

11. Because of the increase in claims and losses, the County lost dividends and credits from the insurance pool that totaled \$156,226 over the same three-year period.

CONCLUSIONS

1. Safety is no accident. Employee safety is not now, but deserves to be, a high priority in Nevada County.
2. The County Executive Officer and department heads must set the tone and communicate their support for a safe work environment and a safe workplace.
3. The fact that the Risk Manager also performs the functions of Safety Officer dilutes the effectiveness of the Risk Manager in each of these critical areas.
4. Given the part-time approach to safety in Nevada County, the Grand Jury noted a sense of indifference to the safety program within some departments.
5. With the creation of a full time County Safety Officer, more attention could be given to identifying the relevant factors responsible for the fairly constant number of work related injuries per year. The Safety Officer could then tailor safety awareness programs to mitigate these factors and achieve a reduction in the yearly-incurred costs of claims.

RECOMMENDATIONS

1. The Board of Supervisors should direct the County Executive Officer to make compliance with the Safety Program a performance goal of every county employee and to actively promote a safe work environment and workplace.
2. The BOS should direct the CEO to establish and fund a full time position of Nevada County Safety Officer.
3. The BOS should ensure that the safety checklist is updated to address the specific needs of each department.

REQUIRED RESPONSES

The Board of Supervisors - August 16, 2004