

ORYX

INSURANCE BROKERAGE INCORPORATED

Welcome to the Oryx Insurance.

Enclosed you will find documentation to assist you with reporting information to your claims team. There is a contact sheet which lists the members of your team, a number for reporting claims, and the mailing address for sending all other documentation to your adjuster. If your state requires a medical panel, one will be mailed to you under separate cover.

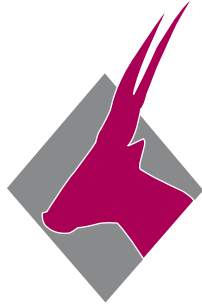
All new claims should be reported utilizing the claim reporting number listed on the contact sheet as soon after the accident/incident as possible to ensure that you and your employees receive the best claims management possible.

We at Oryx Insurance Brokerage believe that in order to provide you with superior claims management we must work together as a team and that includes you.

If, at any time, you have any questions, our adjusters and claims managers are available to assist you.

We look forward to working with you.

Oryx Insurance Brokerage, Inc.
Oryx Insurance Claims



O R Y X
INSURANCE BROKERAGE INCORPORATED

Workers' Compensation Claims Administration
For **Oryx Insurance Brokerage, Inc.** Program
Contacts for New Jersey Claims

Brenda Schirf, Claims Analyst
Ph: 888-239-3909 x3032
Fax: 678-258-8196
bschirf@amtrustgroup.com

Georgia Freeman, Supervisor
Ph: 609-936-3002
gfreeman@amtrustgroup.com

Oryx Insurance Brokerage Contact:
Sydney Gabel, CRIS
Claims Manager
Ph: 607-724-0173
sgabel@oryxinsurance.com

Claim Reporting:
Fax First Report To 1-877-217-0603

All medical bills, forms, etc. should be mailed to:

AmTrust Group
P. O. Box 105010
Atlanta, GA 30348



Welcome to Oryx Insurance!

You are now part of a select group of contractors that are entitled to the industry's best hands-on safety and loss controls services. You will have access to authorized OSHA Outreach Trainers for both Construction and General Industry applications. Our field staff has performed over 5000 construction and general industry safety audits. The Oryx Loss Control staff is trained in identification of workplace hazards and can assist your company to minimize safety incidents.

Enclosed please find information on loss control services provided to the participants of the Oryx construction program. Also enclosed, please find a CD with a complete safety & health program that your company can utilize to initiate a safety program or use to supplement your existing safety & health program.

The Oryx Loss Control Department takes a pro-active approach to your company's safety. We would like to partner with you in your efforts to reduce work-related injuries and illnesses. Within 30 days of entry into the Oryx program, we will contact you to perform an initial survey to evaluate your loss control needs and requirements. The survey will include an assessment of the type of work being performed, an audit of existing safety programs, and an inspection of your facility or an inspection of a jobsite.

Thank you for allowing us to assist you with your loss control requirements and I look forward to working with you in determining how we can best suit your safety needs.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Daniel E. Toussaint, Jr." The signature is written in a cursive style.

Daniel E. Toussaint, Jr.
Director of Safety
Phone: (607) 778-SAFE
benchmark@oryxinsurance.com

SAFETY PROGRAMS REDUCE INJURIES, SAVE MONEY

Implementing a written safety program prevents accidents and injuries, saves lives and safeguards your employees, trade contractors and clients from job site hazards. Implementing an effective safety program reduces your liability and the risk of litigation. An effective safety plan can also help protect your business and bottom line.

Implementing a job site safety plan can:

- Reduce workers' compensation insurance and general liability insurance premiums
- Save you money from OSHA fines and worker compensation claims
- Maintain the quality of your construction specialty
- Uphold your company's good reputation
- Keep your production schedule on track
- Improve employee morale and prevent turnover

Maintaining a good safety record for at least two or three years can reduce a company's workers' comp and general liability insurance (GL) premiums by as much as 40%.

Statistics from OSHA & Bureau of Labor Statistics (BLS):

- 20% of the nation's workplace fatalities occur in the construction industry.
- The construction industry has the highest number of occupational injuries (10%) of all industries.
- The cost of accidents accounts for approximately 6.5% of all construction dollars spent.
- The good news is that contractors with an effective written safety program have 36% lower accident rates, on average.

BE PROACTIVE---TEN STEPS TO SAFETY!

1. Leadership From the Top

The company owner must take an active role in developing and supporting a company-wide safety program and must communicate its importance to all employees. The CEO or owner should write a mission statement stating the company's pledge to support the safety and health of its employees. This should be on the first page of your program.

Among other things, the owner must provide adequate staff and budget to meet the company's safety goals and objectives; hold supervisors accountable for success or failure in achieving specific safety performance and insurance cost control goals; participate periodically in employee safety toolbox talks or other training; and review monthly field safety status reports.

2. A Budget

The average overall cost of a safety program is about 2.5% of direct labor costs. What you spend varies according to the safety resources you have on hand, and what you need. Typical expenses include training, safety equipment, signage and first-aid kits. Don't be afraid to ask all employees if they are volunteers (EMT or volunteer firemen). Most of the civic minded individuals that volunteer for these jobs would be glad to assist at the company level.

If you are considering using a safety consultant to evaluate your sites and develop a program, be sure to include those fees in your budget.

In addition, budget for incentives. Focus on positive aspects of the safety & health program within the company. Have a good system to reward employees for properly following safety procedures. Otherwise, if the program depends solely on reporting injuries, it focuses on the negative.

For every dollar (\$1) spent on loss control and safety within a company, the company can expect a return on their investment between three (\$3) & four (\$4) dollars in savings (insurance premiums, worker productivity and hiring & training replacement workers are examples). **SAFETY PAYS!**

BE PROACTIVE---TEN STEPS TO SAFETY!

3. A Safety Coordinator

Designate a staff person to be responsible for the company's overall safety performance. Among those responsibilities, the coordinator must: personally conduct regular safety audits of the job site and correct hazards; participate in accident investigations making recommendations on how to prevent them in the future; maintain and update any necessary OSHA records and Material Safety Data Sheets; provide every employee with a copy of the company's safety and health program, policies and safe work practices; and ensure that each job site has the necessary safety equipment, information and materials, personal protective equipment, first-aid supplies and emergency telephone numbers. That designated person also should have the authority to stop a project, if necessary.

Insist that your safety coordinator and all supervisory personnel **lead by example**. If rank and file employees witness senior personnel not following known safety & health rules & regulations, the program will never succeed.

4. Employee Discipline.

As hard as it may be, discipline for all offending employees is a must. You must require that all employees and contractors on your job sites follow the safety and health rules. Because there are some legal issues involved in disciplining employees, good documentation of procedures is critical.

In a typical approach to accountability and safety enforcement procedures, it should be understood that failure to pursue the goal of no losses from work-related injuries and illness could result in the termination of employment. Every employee must be held accountable for safety (**including foremen & superintendents**), and this should be reflected in retention, promotions, salary increases, bonuses and other benefits.

Employees who are reprimanded should have the opportunity to correct unsafe work practices and behavior. The reprimand should go into the employee's personnel file. An employee warning about rule infractions should precede any further disciplinary action.

Reprimands can typically be issued for failing to wear proper protective equipment such as safety glasses; performing work in an unsafe manner; violating adopted safe work practices; and behaving in a way that puts others on the job at risk.

BE PROACTIVE---TEN STEPS TO SAFETY!

4. continued

A verbal warning should be given to a worker, sub, vendor or invited guest the first time they violate the safety program, and the safety coordinator should receive a written report from the supervisor on the details of the violation and the resulting discussion. A written reprimand should be issued for the second violation, and a third violation would result in dismissal. Invited guests or customers who repeatedly violate the company safety program should be asked not to return to the job site.

Values

Remember, all specific safety rules & regulations need to be reviewed with employees at the time of initial hire during a new employee orientation. Explain to the employee that **SAFETY IS A CORE VALUE WITH YOUR ORGANIZATION!** Let the employee know that you care & VALUE him or her as a person and their well being is the first priority within the company. By not following specific rules within the company, the offending parties are showing that they do not **VALUE YOU AS AN EMPLOYER!** If termination of an employee is eminent, during the termination process explain to the employee that they (the employee) and the company do not share the same set of **VALUES.** Instead of terminating the employee for disobeying company safety rules, they are being relieved of their duties due to a difference in core **VALUES.** Also, make no mistake, if one employee is dismissed for not sharing the core values of the company, word of the dismissal will spread quickly throughout the organization. All employees will then get the message that safety is truly a **CORE VALUE WITHIN THE COMPANY!**

5. A Written Safety Program

The program must include company-specific job site safety policies, regulations and procedures and other OSHA-specified items including procedures for reporting accidents and unsafe conditions, hazardous material communications and tool safety.

Rather than writing it yourself, OSHA has some boiler plate items that may be useful in initially setting up a safety & health manual within a company. (www.osha.gov) Do not include sections that do not relate to the work being performed within your company. (i.e., if you perform residential framing and you have a section on steel erection in your manual). Keep the manual specific to the tasks at hand. Include all specific sections that will pertain to the work. The task of writing a comprehensive safety & health program can be daunting to some contractors.

BE PROACTIVE---TEN STEPS TO SAFETY!

5. continued

Third party safety & health companies may have the staff that is able to write a specific program to meet the needs of you company. This may be a cost effective alternative to taking on this task yourself. Contact: benchmark@oryxinsurance.com for additional advice on safety & health written documentation & training. The safety & health manual needs to be a living, breathing document that can be updated as rules and standards change. The document **SHOULD NOT** be a paper tiger that sits on a shelf collecting dust.

Copies of the safety manual should be distributed to all your staff members and trade contractors. Have each recipient sign a form that acknowledges their receipt of the manual. This helps reinforce everyone's responsibility to read and use the manual and abide by your company's safety program. Remember, signing a document of understanding does not absolve the employer from absolute liability after the review. Continuous documented training and education needs to follow a review of the safety & health program.

6. **Training**

Make sure new employees receive documented job site safety training as part of their orientation. It's particularly crucial that superintendents receive thorough training in specific job site safety procedures, OSHA regulations and first aid. There are many areas within the OSHA code rule (1926 for Construction, 1910 for General Industry) that require a company to have a "Competent Person (CP)".

A competent person as defined by OSHA is; "one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

A competent person shall also have a direct working knowledge of the code rule for their areas of competency. (i.e. a competent person for fall protection in construction needs to understand and be able to put into practice elements of 29 CFR 1926 subpart "M" for Fall Protection). Based on the knowledge of the CP, they should be the employee in charge of training for their area(s) of expertise.

BE PROACTIVE---TEN STEPS TO SAFETY!

6. continued

Many areas within OSHA code rules require the employer to supply training for employees. The individual performing the training needs to be well versed in the area. All trainers need to understand the material to be disseminated to the employee(s). It is highly recommended that trainers take an OSHA outreach 10 or 30 hour safety class. This will give the training employee the information necessary to adequately teach the new or transferred employee the essential information about their job. Document all activity in regards to safety and health. As far as OSHA is concerned, if it is not documented, it did not happen! The more safety & health education your employees receive at initial hire, the safer employee base your company will have.

In addition to formal training, weekly training at the facility or site is recommended. Weekly safety talks or “Toolbox Talks” are an excellent way to administer safety & health education to employees on a weekly basis. Talks should be done as early in the week as possible and be pertinent to the work at hand. As always, document this segment of your safety training as well. By reinforcing the safety message with Toolbox Talks, employees are constantly reminded of the value of safety within your organization.

OSHA is an important training resource, as well. OSHA has many online training aids that can be downloaded for use at no cost (www.osha.gov). Your local OSHA area office is willing to consult with you to coordinate training for your company. In addition, consult with your insurance carriers.

7. A Modified or Early-Return-to-Work Program

This program allows an injured worker to do light or transitional duty (driving trucks until he has recuperated enough to install roofing, for example) as soon as a physician agrees that the worker can return to the work site.

Early return to work keeps employees alert and in responsible ownership of their jobs. Early return to work will also lessen the burden on your workers compensation carrier, and may save you money in premiums.

BE PROACTIVE---TEN STEPS TO SAFETY!

8. Trade Contractor Compliance

An important part of your program is choosing subs that care about safety. Pre-qualifying subs, evaluating their safety history and requiring a safety and health program and workers' compensation is one way to help keep your insurance and safety and health costs low.

Stress to your trade contractors that they must abide by your company's safety program. If they don't, they could endanger everyone on your job site and make you liable for OSHA citations. Unless all prerequisite documents are signed and in place, and insurance coverage for the subcontractor (and the subcontractors subs as well) are in place and documented, do not let the subs enter your site or start their portion of the work.

Insist that all subcontractors take part in documented Toolbox Talks. If you are having a talk on a safety item that has relevance to all workers on site, insist that the subs attend the talk. If not, insist that the subs perform a talk (documented) that has a direct relationship to the work and services they are providing.

Another way to evaluate a potential subcontractor is an OSHA history. All OSHA citations are part of the public domain. On the OSHA web page look for "Inspection Data", then click on "Statistics". Once this is opened, click on "Establishment Search". All opened & closed inspections & citations are available for review.

9. Measurement and Evaluation

Periodically review your safety program with a safety committee consisting of your company's safety administrator, superintendents, project managers and several field crew members. You may also want to ask trade contractors for their suggestions on how to fine-tune your safety program and its elements. A safety & health program needs to be continuously evolving. Always strive for "zero" safety incidents.

By tracking incidents, (injuries & near miss activity) trends will develop over time. Once you see a particular trend starting, put action and education plans in place to reduce the likelihood of repeat incidents. Involve the employees in the evaluation process. This empowers workers and gives them a greater sense of pride in their work. Get suggestions to remedy safety concerns from the employees. Employees know the job and know the hazards. They also may have ideas on how to make the process better. Utilize them as a resource!

BE PROACTIVE---TEN STEPS TO SAFETY!

10. Consistency

The elements of a safety program must work together. Implementing a single element isn't as good as putting a comprehensive program in place, but it's a start.

If you already have a job site safety program, be consistent in its application. Don't stop and start your program. Work at the program on a day to day basis. Your programs should not just sit on a shelf collecting dust. A safety & health program is a working document to be utilized day in and day out.

If you do not have an existing program in place, don't delay! Take the first step on the road to a safe workplace, increase employee productivity & morale and cost savings for your company!

FOLLOWING THESE 10-POINTS WILL ASSIST YOU IN FORMULATING OR UPGRADING YOUR SAFETY & HEALTH PROGRAMS.

In today's fast paced business environment, understanding the safety needs of your company can equate to:

- **FEWER LOST TIME ACCIDENTS**
- **LOWER EXPERIENCE MODIFIERS**
- **HIGHER PRODUCTIVITY**

The Oryx loss control team has over 30 years experience in industrial and construction safety and loss control. For more information on the 10 steps mentioned or any other loss control measures, please feel free to contact me to discuss how we can build on your existing safety program.

Daniel E. Toussaint, Jr.

Director of Safety

Phone: (607) 778-SAFE

benchmark@oryxinsurance.com