

Virtual Oryx Education Center

2020 ONLINE SCHEDULE



**We are Now Hosting Safety Classes,
Toolbox Talks, and Information Sessions
Online!**



ORYX

INSURANCE BROKERAGE INCORPORATED

AN AMYNTA COMPANY



Across the United States and the world, educators, businesses, and communities are making daily shifts in operations in response to the COVID-19 pandemic.

a useful resource. Policyholders who fall under the payroll protection plan may find it useful to utilize Oryx’s Virtual Education Center for their employees that are sitting idle waiting for work to resume.

We will be having weekly Tuesday Toolbox talks and many of our classes will now be online.

Over the next 6 months, we will continue to enhance the Virtual Learning Library and survey for improvements. Our goal is that our online safety training will afford our policyholders with less downtime, improved productivity and increased employee involvement.

For questions on Oryx’s new Virtual Education Center or to request classes tailored specifically for your operations, contact your assigned Loss Control Representative directly, or call the Education Center at **315.930.3413**, or email edcenter@oryxclaims.com.

Thank you for being a client of Oryx Insurance Brokerage, Inc. Stay Safe.

Thomas A. Pasquale
President & CEO

To slow the spread and to continue providing Safety Awareness and Education, Oryx Insurance Brokerage, Inc. is transitioning our Education Center to a virtual learning environment. This decision was made to assist our clients in overcoming obstacles and for Oryx Insurance Brokerage, Inc. to continue leading the construction industry with Safety Awareness and Education. We feel it is our responsibility to provide our construction clients with the safety training needed to remain safe on the job.

For some of our policyholders this transition will be seamless, but others not accustomed to learning remotely will require some adjustments in workstyle, culture and use of technology. We are a phone call away to provide any assistance needed.

We hope that the construction clients who have been forced to delay projects or not having the ability to provide safety education to its employees find this to be

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Tuesday Toolbox Talks

Free for Oryx Clients

MAY 2020

May 5	9:30am–9:45am	Fall Protection	REGISTER
May 12	9:30am–9:45am	Electrical Safety	REGISTER
May 19	9:30am–9:45am	Common Sense Awareness Discussion	REGISTER
May 26	9:30am–9:45am	Slips, Trips and Falls	REGISTER

JUNE 2020

June 2	9:30am–9:45am	Excavation Awareness	REGISTER
June 9	9:30am–9:45am	Struck-by Hazards	REGISTER
June 16	9:30am–9:45am	Job Site Emergency Action Plans	REGISTER
June 23	9:30am–9:45am	Ladder Safety	REGISTER
June 30	9:30am–9:45am	Heat Exhaustion	REGISTER

If you have questions or need assistance registering, send an email to edcenter@oryxclaims.com or call the Education Center at **315.930.3413**

Tuesday Toolbox Talks

Free for Oryx Clients

JULY 2020

July 7	9:30am–9:45am	Aerial Work Platforms	REGISTER
July 14	9:30am–9:45am	Forklift Operations	REGISTER
July 21	9:30am–9:45am	Concrete Safety	REGISTER
July 28	9:30am–9:45am	Eye Protection	REGISTER

AUGUST 2020

August 4	9:30am–9:45am	Developing Basic JHAs	REGISTER
August 11	9:30am–9:45am	Safe Lifting Methods	REGISTER
August 18	9:30am–9:45am	Cut Resistant Gloves	REGISTER
August 25	9:30am–9:45am	Three-point Contact	REGISTER



Online Class Schedule

Free for Oryx Clients

May 8	10:00am–11:30am	What Employers Need to Know to Protect Them and Their Employees when Returning to Work Following COVID-19	REGISTER
May 14	1:00pm–2:00pm	Interviewing Job Applicants: Permitted and Illegal Employee Inquiries	REGISTER
May 15	8:30am–11:30am	OSHA Record Keeping	REGISTER
May 22	10:00am–12:00pm	Fundamentals of Scaffold Safety	REGISTER
June 5	8:30am–11:30am	Supervisor Foreman Training	REGISTER
June 10	3:30pm–4:30pm	New York’s “Scaffold Law,” Tips on how Best to Prevent, Protect & Defend	REGISTER
June 11	8:30am–11:30am	Essential Elements of Safety and Health Programs in Construction	REGISTER
June 18	11:00am–12:00pm	NYSDOL Audits: What You Can Do in Preparation for an Investigation	REGISTER
June 19	9:00am–11:00am	Fall Protection Awareness	REGISTER
July 8	10:00am–12:00pm	OSHA Inspections	REGISTER
July 16	1:00pm–3:00pm	Drug Testing in the Workplace	REGISTER
July 22	10:00am–12:00pm	Basics of Workers’ Compensation for the Employer	REGISTER
July 29	10:00am–11:30am	Motor Vehicle Accidents and Workers’ Compensation	REGISTER
September 9	1:00pm–2:00pm	New York State’s Equal Pay Act & Salary History Discrimination	REGISTER
October 8	1:00pm–2:00pm	New York State Domestic Violence Protections for Employees	REGISTER

If you have questions or need assistance registering, send an email to edcenter@oryxclaims.com or call the Education Center at 315.930.3413

Class Descriptions

Basics of Workers' Compensation for the Employer

Presenter: Jason Carlton, Partner, Gitto & Niefer, LLP

- Definitions of First Aid / Section 110
- When to file a WC claim
- Employer's Responsibility regarding WC claims
- C-2 – Most important data on the C-2
- C-240. When is it needed and how to complete it?
- C-11 When is it needed and how to complete it?
- Employers Best Practices once a WC claim has occurred
- Disability Benefits & WC Compensation
- Interactions of Sick and Vacation time with Workers' Compensation



Jason M. Carlton is a Partner with the law firm of Gitto & Niefer, LLP in Binghamton, NY. Mr. Carlton hails originally from Denver, Colorado. He completed his B.A. at Northwestern College, IA and received his J.D. from the University of Nebraska College of Law in 2000. He is admitted in New York and Pennsylvania and is admitted to the US District Court of New York, Northern District. Mr. Carlton has brought more than 60 cases before the New York State Appellate Division and

has argued successfully before the New York State Court of Appeals. He is the author of a chapter on "Apportionment" in the New York State Bar Association's publication entitled "Workers' Compensation Law and Practice in New York State." He has presented on numerous workers' compensation related topics to conferences, businesses, insurers, and associations. Mr. Carlton has served as the Chairman of the Binghamton Salvation Army Advisory Board and is the Secretary and is a Board Member for Vestal Little League Baseball. He is active in his church. He currently serves as Vice-President of the Broome County Bar Association which presented him with the 2018 Stanley B. Reiter Award given for extraordinary service to the Bar Association.



Drug Testing in the Workplace

Presenter: Michael J. Sciotti, Esq., Partner, Barclay Damon LLP

Topics will include:

- Drug Testing in New York
- Drug Testing Methods & Related Issues
- General Guidelines and Policies
- Positive Drug Test Results & WC Benefits
- Medical Marijuana in NY



Michael Sciotti is a trusted advisor, trainer, and litigator to hundreds of employers on labor and employment matters. His practice includes defending employers, owners, and members of management in all types of discrimination, harassment, whistleblower, and retaliation claims brought under Title VII, ADEA, ADA, FMLA, GINA, NYS Human Rights Law, and Labor Law. Michael also defends wage-and-hour actions and claims, including class-action lawsuits, brought under

federal and state law. He has tried nearly two dozen cases to verdict in federal and state court and before the NYS Division of Human Rights.

Michael also provides day-to-day counseling for employers on all aspects of labor and employment law and conducts internal investigations; audits; and supervisory and employee training, including sexual harassment-prevention training, on a regular basis. He has given over 700 labor and employment presentations to organizations that include the Society for Human Resource Management, the American Payroll Association, the American Corporate Counsel Association, the New York State Society of Certified Public Accountants, the Northern District of New York Federal Bar Association, the New York State Bar Association, and Lorman Education Services.

BAR ASSOCIATIONS

American Bar Association; Northern District of New York Federal Court Bar Association, Pro Bono Committee Chair and Former President, Vice President, and Trustee; New York State Bar Association, Labor Law Section; Onondaga County Bar Association; Washington DC Bar Association

SELECTED MEMBERSHIPS & AFFILIATIONS

US District Court for the Northern District of New York, Alternative Dispute Resolution Committee Member and Court-Appointed Mediator; American Payroll Association; Society of Human Resource Management



Essential Elements of Safety and Health Programs in Construction

Instructor: Tony Giovinazzo, Oryx Insurance Risk Management

- Management Leadership
- Employee Participation
- Hazard Identification and Assessment
- Hazard Prevention and Control
- Education and Training
- Program Evaluation and Improvement
- Communication and Coordination for Employers on Multi-employer Worksites

Fall Protection Awareness

Instructor: Tony Giovinazzo, Oryx Insurance Risk Management

- Review components and proper use of Fall Protection equipment
- Understand the requirements of a 'Competent Person' for fall prevention
- Develop a working knowledge of the essential elements of a fall protection program

Fundamentals of Scaffold Safety

Instructor: Tony Giovinazzo, Oryx Insurance Risk Management

- Types of scaffolds and their uses
- Essential elements of Safe scaffold construction
- Scaffolds and fall protection/prevention

Interviewing Job Applicants: Permitted and Illegal Employee Inquiries

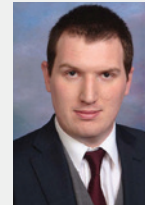
Presenter: Michael J. Sciotti, Esq., Partner, Barclay Damon LLP

- Job Relevance is the Key Factor
- Pre-employment Inquiries
- Legal and Illegal Pre-employment Inquiries
 - Lawful Inquiries
 - Unlawful Inquiries: affiliations, age, alcohol or drug use, criminal record & more

Motor Vehicle Accidents and Workers' Compensation Involving Employees Driving a Company Car or Employee's Car

Presenter: Matthew Hoffman, Associate with Hamberger & Weiss LLP

- What is compensable
- What would not be compensable
- Portal / portal employees
- Going / Coming Rule
- How paying employee mileage affects compensability of a claim
- Best practices for an employer who has employees drive from home to a job site
- Interactions of WC and other insurances such as auto and no fault



Matthew Hoffman focuses his practice on representing employers and carriers before the New York Workers' Compensation Board. Mr. Hoffman handles all aspects of workers' compensation claims from initial controversy to settlement, but focuses on complex litigation including controverted claims, asbestos and chemical exposure, and fraud. Mr. Hoffman has successfully tried numerous fraud cases involving the use of social media and other internet materials. Mr.

Hoffman also represents employers in appeals to the Appellate Division, Third Department, and represents employers in Loss Transfer Arbitrations pursuant to Section 5105 of the Insurance Law.

Prior to joining Hamberger and Weiss Mr. Hoffman gained legal experience through clerkships with the Niagara County District Attorney's Office, State Supreme Court Justice Penny M. Wolfgang, and the City of Buffalo's Corporation Counsel's Office.

In Law School Mr. Hoffman won the 2013 Niagara International Moot Court Competition in Toronto, and received the Third Best Advocate Award at the 2013 Herbert Wechsler Moot Court Competition. He is the past treasurer for SUNY Buffalo's Jessup International Moot Court Board. Matthew is also a member of the Order of the Barristers, a national honors society for competitors in moot court and mock trial. He remains involved with the moot court programs at SUNY Buffalo Law School by helping students prepare for competition.

Mr. Hoffman is a member of the Erie County and New York State Bar Associations.

Mr. Hoffman resides in Buffalo with his family. He is an avid baseball fan, and makes an annual pilgrimage to Queens to cheer for his Mets.

EDUCATION

State University of New York, Buffalo School of Law, J.D., cum laude, 2013

State University of New York at Buffalo, B.A., cum laude, 2010

New York's "Scaffold Law," Tips on how Best to Prevent, Protect & Defend

Presenter: David F. Kluepfel, *Managing Partner, Cascone & Kluepfel, LLP*

Cascone & Kluepfel, LLP are proud to work with members of New York's construction industry. As a member of Long Island Builders Institute, Cascone & Kluepfel, LLP counsels building owners, developers, and contractors regarding site-safety, New York's Labor Law, OSHA compliance and New York's Industrial Code. They also counsel on insurance-related issues, including coverage, risk assessment, risk assessment, loss prevention, loss transfer, and help draft legally enforceable insurance-procurement and indemnification clauses for construction contracts. Not only do they defend clients against claims arising from construction accidents, but they also counsel clients to avoid future claims and exposure.



Co-Founding Partner, David F. Kluepfel, is the Managing Partner of the firm. He is a seasoned trial attorney who specializes in the defense of high-exposure personal injury actions involving construction accidents, insurance coverage and indemnification issues, municipal liability, premises, and automobile liability. Mr. Kluepfel is admitted to practice law in New York and the United States District Court for the

Southern and Eastern Districts of New York.

Mr. Kluepfel has conducted numerous client seminars on such topics as New York's Labor Law, negligence defense and insurance law. He most recently wrote and lectured for the New York State Bar Association on "Handling an Auto Accident – the Defendant's Perspective." He has served as an Education Day Speaker for the Buffalo Claims Association on the topic of "Defending the Provider of Alcohol." He is a member of the New York State, Nassau County, and Suffolk County Bar Associations as well as the Nassau-Suffolk Trial Lawyers Association. Mr. Kluepfel is an appointed member of the Insurance and Negligence Defense Counsel Subcommittee of the Suffolk County Bar Association. He is also a member of The Defense Association of New York, Inc. and the Defense Research Institute.

Mr. Kluepfel graduated from Ithaca College in 1990 with a Bachelor of Science degree in Business Management. Mr. Kluepfel earned his Juris Doctorate degree from Hofstra University School of Law in 1995.

David is the Village Justice for the Village of Brightwaters. He is Vice President of the Bay Shore Youth Football League and Head Coach of the 11-year-old P.A.L. travel team. He also acts as a Judge at the Nassau County Bar Association's Annual High School Moot Court Competition. David resides in Brightwaters, NY with his wife and three children.



New York State Domestic Violence Protections for Employees

Presenter: Michael J. Sciotti, Esq., *Partner, Barclay Damon LLP*

- Reasonable Accommodations
- Undue Hardship Defense
- Employee Notice Requirements
- Disability Issues
- Employer Confidentiality Requirements
- Use of Leave Banks
- Health Insurance Continuation

New York State's Equal Pay Act & Salary History Discrimination

Presenter: Michael J. Sciotti, Esq., *Partner, Barclay Damon LLP*

Review the new legislation:

- Salary History Discrimination law
- Amended Equal Pay Act

NYSDOL Audits: What You Can Do in Preparation for an Investigation

Presenter: Michael J. Sciotti, Esq., *Partner, Barclay Damon LLP*

- Department of Labor ("DOL") Investigations and Wage Recovery at a Glance
- Overview of the DOL Investigation Process
- Document Requests
- Business
- Project/Contract Specific
- Payroll
- Compliance
- In-Person Investigation/Interviewing
- Proactive Strategies Before an Audit

OSHA Inspections

Presenter: Doug Miller, President, Occupational Safety Consultants

OSHA Inspections (What to Inspect):

- How OSHA gets to you in the first place
- What to do
- What not to do
- The site visit process
- The Citation Process
- Your Services available to them



Doug Miller, Founder and President, Occupational Safety Consultants

Founded in 2001, Occupational Safety Consultants has worked with hundreds of clients nationally. With nearly 20 years of experience in health and safety, coupled with extensive hands-on field knowledge, the company, the team and its founder apply a wealth of knowledge to managing and mitigating risk for clients in

general industry, construction, transportation and healthcare. For the past 17 years, Mr. Miller has taught for the Region II OSHA Education Centers and currently serves as course chairperson for eleven different courses, including the OSHA 500 and OSHA 501, Construction and General Industry Train-the-Trainer programs. During his career, he has worked as an auditor, project manager and trainer, addressing health and safety issues, developing written safety and health programs and site-specific procedures, as well as the developing and delivering industry-specific training.



OSHA Record Keeping

Instructor: Tony Giovinazzo, Oryx Insurance Risk Management

- Understanding the OSHA record keeping requirement
- Determining 'recordability' of an injury
- Reviewing E-reporting of OSHA 300 logs
- Conduct 'practice entries' of accident data, days away and restricted days

Supervisor Foreman Training

Instructor: Tony Giovinazzo, Oryx Insurance Risk Management

- Understanding the Accountability of Supervisors for safety in the workplace
- Discussing worker behavior, motivation and discipline
- Managing the 'safety function' of a supervisor
- Recognizing 'at-risk' behavior before an injury occurs

What Employers Need to Know to Protect Them and Their Employees when Returning to Work Following COVID-19

Presenter: Susan Zampella, Consultant/Trainer/Industrial Hygienist, Occupational Safety Consultants, Inc. Risk Management Services



Susan Zampella joined Occupational Safety Consultants in the spring of 2010 and brings progressive experience in a broad range of environmental, health and safety applications in diverse settings, such as schools, colleges/universities, residential complexes, & chemical and manufacturing facilities. Sue has more than 15 years of experience in health and safety, working as a plant safety engineer, industrial hygienist, environmental manager and risk management

consultant. During her career, she has worked with companies to develop ISO 14001 Environmental Management Systems and assisted others in helping them achieve OSHA's VPP Star Status. She has knowledge and expertise in managing and mitigating risk in general industry, construction, municipalities and schools. Sue has provided hazard-specific training to a variety of clients and has taught as an adjunct professor at Rochester Institute of Technology's College of Applied Science & Technology, Environmental Management and Safety program. For the past two years, she has taught for the Region II OSHA Education Center, teaching Industrial Hygiene, Respiratory Protection, Record Keeping and Hazardous Waste Operations.

Oryx Education Center Instructors



Raymond Fitzpatrick, CRIS®

P 607.304.4234 E rfitzpatrick@oryxinsurance.com

"Working safely may get old, but so do those who practice it."

Ray is a Sr. Loss Control Consultant who has worked for Oryx Insurance Brokerage Inc. since 1999 and is based in the Binghamton, New York office. Ray has received the Construction Safety & Health Specialist Certificate from RIT's OSHA Educational Center. Prior to working for Oryx Insurance, Ray was an Automated Equipment Specialist with IBM Endicott for 17 years. Ray used his technical background from IBM to move into the Loss Control field with Oryx Insurance Brokerage, Inc. In addition to being an OSHA Outreach Trainer for the Construction Industry, Ray also maintains the CRIS designation (Construction Risk Insurance Specialist) which is commissioned by the International Risk Management Institute, Inc. that is sponsored by CFMA and RIMS. Ray's extensive knowledge with Construction Safety allows him to assist policyholders in reducing or eliminating injuries by assessment of the insured's procedures and frequent job site visits.



Anthony Giovinazzo, CRIS®

P 585.362.1077 E agiovinazzo@oryxclaims.com

"Safety is developing a culture through the choices you make."

Anthony is a Sr. Loss Control Consultant for Oryx Insurance Brokerage, Inc., and is based in Pittsford, New York. He has worked in construction health and safety since 1981. Anthony graduated from Fanshawe College in London, Ontario, Canada, as an Emergency Medical Care Attendant (EMCA) and shortly thereafter transitioned to accident prevention. He quickly developed a career in health and safety by taking courses in Safety Management, Leadership, and Safety Engineering. Following seven years in oil and gas construction, he became the corporate safety director for an international general contractor based in Canada, with operation in six countries, including the U.S. After 10 years in that capacity, Anthony transferred to the U.S. and began working in the insurance loss control field, where he continues today with Oryx. He uses his construction safety background to assist the insured clients of Oryx Insurance through site visits and training, in an attempt to reduce and eliminate injuries in the workplace. Anthony is an OSHA Outreach Trainer as well as an Education Center instructor for RIT. Additionally, Anthony obtained his Construction Risk Insurance Specialist (CRIS) designation at Oryx in 2016.



Josh McAdam, CRIS®

P 315.930.3410 E jmcadam@oryxclaims.com

"Do not think because an accident hasn't happened to you that it can't happen."

Josh earned a bachelor's degree from SUNY Oswego. He is a licensed New York State Insurance Consultant concentrating on Health & Safety Risk Management. He has completed the Construction (CSHST) and General (GSHST) Safety and Health Specialist Training at the OSHA Education Center at the Rochester Institute of Technology. In addition to Josh being an OSHA Outreach Trainer for the Construction Industry he also maintains the CRIS designation (Construction Risk Insurance Specialist) which is commissioned by the International Risk Management Institute, Inc. which is sponsored by CFMA and RIMS. He currently maintains the American Red Cross' BLS Instructor certification allowing him to teach First Aid, CPR & AED Courses.

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