

OPERATION AUTO SAFETY

JULY 27-31, 2020



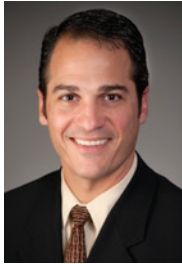
ORYX

INSURANCE BROKERAGE INCORPORATED

AN AMYNTA COMPANY



Introducing Operation Auto Safety Week



Oryx Insurance Brokerage, Inc. wants to assist all policyholders in protecting their employees and family members from injuries and death caused by vehicle accidents. We

are creating an event called “Operation Auto Safety Week” to heighten awareness on Auto Safety & Fleet Management.

We have dedicated the week of July 27 to July 31, 2020 to focus on automobile safety. We are encouraging every policyholder to participate in some type of auto safety event this week. In addition, we are asking all our agents to endorse the event by promoting and taking part in assisting our joint clients on the importance of auto safety.

Throughout the week, there will be daily educational e-mails and social media posts relating to vehicle safety. Oryx will also host virtual safety sessions and live webinars relating to auto safety. Our Loss Control Representatives will be visiting insureds with a positive focus on fleet safety policy & procedures. Policyholders who participate will receive a certificate of participation to display in their office with a copy sent to the underwriting file and a Sample Fleet Management Policy they can alter to fit their organization’s exposure and needs.

While distracted driving continues to be on the increase, it is not the only factor in vehicle crashes. In addition to distracted driving, speed, fatigue, and emotions are all topics that policyholders can train employees on.

According to US Department of Transportation National Highway Traffic Safety Administration, 10% of fatal crashes and 18% of injury crashes were distraction related. The National Sleep Foundation has reported that 60% of adult drivers have driven while feeling drowsy. AAA Foundation reports that aggressive driving played a role in 56% of fatal crashes.

Vicarious liability is serious, and businesses must take responsibility by having company policies, written safety programs, company-owned vehicle guidelines, employee training, and ongoing awareness.

Awareness is the first step in making a commitment to allow our employees to return to their family safely at the end of each day. Please participate in our inaugural event “Operation Auto Safety Week” and bring your employees home safe!

Thomas A. Pasquale, *President & CEO*
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OPERATION AUTO SAFETY JULY 27–31, 2020



Operation Auto Safety Week is an opportunity for employers to pause work and have a conversation with employees about the automobile hazards and protective measures relating to your safety policies, goals and expectations.

Purpose

To provide heightened safety awareness and education to policyholders and employees aimed at combating unsafe driving behaviors and to defeat distracted driving.

Who Can Participate?

Any policyholder who wants to prevent auto losses in the workplace can participate. You can have one car or a fleet of vehicles.

When Can You Participate?

Any time from July 27 to July 31, 2020

How

- Join in Operation Auto Safety Week virtual safety sessions and live webinars hosted by Oryx Insurance.
- Conduct a safety session which may include a Toolbox Talk or activity relating to auto safety.

- Review your company’s fleet policy, develop or update your driver questionnaires, and review and recommunicate your company’s mobile device use policy with employees.
- Review and/or refresh your current policies regarding the usage of company vehicles.

Share Your Story

Tell us what you did to emphasize auto safety awareness during Operation Auto Safety Week and receive a certificate of participation to display in your office with a copy sent to the underwriting file. Participants will also receive a Sample Fleet Management Policy that you can alter to fit your organization’s exposure and needs. To share your information, send an e-mail with documentation to CJ Bersani in our Risk Management Office: **cbersani@oryxclaims.com**. Certificates will be mailed within 10 business days.

OPERATION AUTO SAFETY WEEK

Virtual Safety Sessions and Live Webinars

REGISTER Monday, July 27 • 9:30am

Virtual Safety Session: Speed & Braking

Instructor: Tony Giovinazzo, *Oryx Insurance Risk Management*

REGISTER Tuesday, July 28 • 9:30am

Virtual Safety Session: NYS LENS Program

Instructor: Josh McAdam, *Oryx Insurance Risk Management*

REGISTER Wednesday, July 29 • 10:00am–11:30am

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

Presenter: Matthew Hoffman, *Associate with Hamberger & Weiss LLP*

REGISTER Thursday, July 30 • 10:00am–12:00pm

Live Webinar: Fleet Safety Management & DOT Requirements

Presenter: Chris Schild, *Risk Management Specialist at Rose & Kiernan, Inc.*

REGISTER Friday, July 31 • 11:00am–12:00pm

Live Webinar: Vicarious Liability Relating to Employers and Automobiles

Presenter: Brian M. Webb, *Associate with Hurwitz & Fine, P.C.*

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

During Operation Auto Safety Week, Oryx Loss Control Representatives will be visiting insureds with a positive focus on fleet safety policy and procedures. Loss Control Representatives are happy to assist with safety sessions for policyholders. Want to learn more? Contact your Loss Control Representative or CJ Bersani at cbersani@oryxclaims.com or 315.930.3413.

Promote safe driving practices to protect your most valuable investment – your employees



Monday, July 27 • 9:30am

REGISTER

Virtual Safety Session: Speed & Braking

Instructor: Tony Giovinazzo, *Oryx Insurance Risk Management*

- Understand the relationship between speed and braking as it relates to rear end collision avoidance
- Reviewing road conditions and tire wear as a factor into maximizing safe braking distances
- How ABS braking systems work for collision avoidance
- Defensive driving practices to utilize every day



Anthony Giovinazzo 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.

It's critical for employers to stress that when driving for work, safe driving is their primary responsibility.



Tuesday, July 28 • 9:30am

REGISTER

Virtual Safety Session: NYS LENS Program

Instructor: Josh McAdam, Oryx Insurance Risk Management

- What is the New York State LENS Program?
- Overview of the Program
- Interactions between DMV and the Policyholder
- Benefits of LENS
- Does LENS send your insurance carrier an alert?
- What events will LENS notify an employer about?
- What does the LENS Program cost?
- Can an Employer use LENS for pre-employment screening?
- Privacy for the Employee
- Adding & Dropping drivers to your account



Josh McAdam 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.

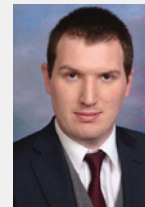
Wednesday, July 29 • 10:00am-11:30am

REGISTER

Live Webinar: 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. 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.

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

Thursday, July 30 • 10:00am-12:00pm

REGISTER

Live Webinar: Fleet Safety Management & DOT Requirements

Presenter: Chris Schild, Risk Management Specialist at Rose & Kiernan, Inc.

The roadways are dangerous, distractions are everywhere and business auto premiums are rising significantly! Come learn about the liability exposures your company faces when operating vehicles on public roadways and how to minimize their potential impact. This seminar will provide an overview of the policies needed to manage fleets of all sizes. You will learn about the best practices for evaluating and qualifying your drivers, what concerns arise when employees use their own vehicle on business, and are Telematics (GPS) devices worth the investment. We will also review DOT requirements and if your company is subject to these rules.



Chris Schild has over 23 years of experience in the safety and risk management profession. For 16 of those years he worked as a Risk Control Consultant for a large national insurance carrier consulting on property and casualty programs. Two areas of specialization during that time included fleet safety management and the construction industry. Prior to working in the insurance industry, Chris worked as the Assistant Director of Safety & Health

for a construction trade association providing a broad range of risk management services for the association's membership and extensive safety & health training for the membership owners and employees.

Chris joined Rose & Kiernan, Inc. in 2018 and is utilizing his extensive experience to provide consulting in risk mitigation strategies for the agency's broad spectrum of commercial, public and non-profit clients. This includes fleet safety management, contractual risk transfer, property loss exposures, and workers' compensation cost control. Chris has a Bachelor of Arts degree from the State University of New York at Buffalo.

Promoting safe driving practices helps your bottom line



Friday, July 31 • 11:00am-12:00pm

REGISTER

Live Webinar: Vicarious Liability Relating to Employers and Automobiles

Presenter: Brian M. Webb, Associate with Hurwitz & Fine, P.C.

Whether it's a company car or a personal vehicle, legal liability for an employee driver's actions can and often do extend to the employer.

Many people on the road are driving on behalf of their employer rather than for their own purposes. For example, a pizza delivery driver may be rushing to meet a deadline when he rear-ends the car in front of him. A construction worker may be traveling from his work site to meet his supervisor at the office when he gets distracted by his cell phone and misses a stop sign, crashing into another car.

Topics Covered:

- Establishing Vicarious Liability
- Direct Liability of Employers
- What are the elements of vicarious liability?
- How and When an employer can be held liable for an employee's negligent actions while working (or traveling for work).
- Does paying employee mileage come it play?
- Best practices for an employer



Brian Webb is an associate with Hurwitz & Fine, P.C. He focuses his practice on Insurance Defense, specifically defending against claims of personal injuries resulting from motor vehicle accidents, as well as premises liability. Mr. Webb has experience handling all stages of civil litigation, from the basics of reviewing and assessing the quality of potential cases through trying cases to jury verdict. Mr. Webb is also a member of the firm's 24-Hour

Emergency Response Team for trucking accidents. Mr. Webb's history as a successful Plaintiff's attorney has allowed him to approach handling the defense of cases in a thorough and effective manner.

Mr. Webb earned his Juris Doctor *summa cum laude* from DePaul University's College of Law in Chicago, Illinois. While a student there, he was a member of the school's Law Review. He earned his Bachelor of Arts degree *magna cum laude* from the University of Pittsburgh, where he majored in both History and Political Science. Mr. Webb is a member of the Erie County Bar Association.