

# Glatfelter Public Practice

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## Route to:

— Superintendent  
— School Business Off.  
— Athletic Director  
— Supt. Bldgs/Grounds  
— Site Administrators  
— Transportation Dir.  
— Lunch Director  
— Classroom Teachers

## Safe Schools Agenda

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*A monthly service provided to help you with your efforts to make your school safe for students, staff and the public*

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### Did You Know?

Did you know that modern Workers' Compensation (WC) laws began with pirates? Eighteenth century pirates invented a compensation system for the loss of body parts: Loss of the right arm, for instance, was worth a one-time payment of 600 pieces of eight, loss of an eye, 100 pieces of eight. There was no death benefit.

Injured crew members were also allowed to remain on board and offered less strenuous duty, creating the first return-to-work program.

Otto von Bismarck, the "Iron Chancellor" introduced "Workers' Accident Insurance" in 1881. It became the model for Workers' Compensation programs in Europe and America. Bismarck actually was pushed into creating the program by the communists, who he subsequently outlawed.

The first New York State statute creating a Workers' Compensation system in 1910 was struck down on a constitutional challenge alleging that it was a violation of due process. Labor unions opposed it because they saw it as a threat to their need for a labor union. New York finally adopted a WC law that stood the constitutional test in 1913. Meanwhile, 146 workers were killed in a New York City factory fire. A civil suit netted 23 families each \$75 in damages.

Before the passage of WC laws, the only source of compensation for an injured employee was through the courts. Most injured workers could not afford to go to court. They had to prove that the employer was negligent in order to gain any compensation for lost wages or medical bills. Employers engaged three potent defenses:

**Assumption of Risk** – When an employee assumes the risk of inherently dangerous work, the duty of care is lifted from the employer. Where there is no duty of care, there is no negligence.

**Contributory Negligence** – If the worker was even partially responsible for causing or aggravating his own injury, he is barred from recovery from his employer.

**Fellow Servant Rule** - An injury was caused by a fellow worker, and not by the employer.

Several states set up commissions to study a social system of injured employee compensation. These commissions consistently reported that business, industry, and employees supported a system based on the German law.

The new thinking recognized the value of human capital as well as the failings of the negligence defenses. It was also thought that employers would be more willing to invest in safety if the cost of injury was on them.

In the great compromise that was necessary for a new law to be enacted, employers agreed to pay medical bills and lost wages, regardless of fault, and the employee gave up the right to sue.

In 1908, President Taft signed the Federal Employees Liability Act designed to protect railroad employees. The act is still a federal program, while WC protection for other workers is state operated. WC laws have evolved and expanded since the German law was adopted as a mainstay of what we now know as our current Workers' Compensation system of protection.

## Gas Engines Can Be Dangerous

With the approach of cold weather, there have been two fatalities in the region because of the inappropriate use of gas engines. Gasoline is such a part of our lives that we sometimes forget that it is very powerful. One cup of gasoline has the explosive power of about five sticks of dynamite while the fumes emitted are deadly when not ventilated properly.

Snow blowers and generators should be inspected to be sure they are in good running order after a long dormancy. Take care in refueling all of your gas engines; set yourself up to pour the gas accurately into the gas tank, with little or no spillage. Be sure to wipe up any fuel spills immediately, and discard the rag in a closed metal container.

Carburetor cleaner and engine degreasers and their vapors are also flammable and should be handled with the same care. Store fuel in approved containers to prevent vapors and be sure to place the containers on the ground, not in the bed of your truck or in your car while filling them. Never use glass or plastic bottles.

Gasoline engines can reach an internal temperature of 4,500 degrees F, and the exhaust pipe can reach 1,000 degrees. The heat produced can cause sparks, which can easily ignite other nearby objects. Make a conscious decision about where the engine will be started, repaired or tested to avoid this hazard and also the effects of carbon monoxide. The toxic fumes cannot be seen, tasted, or smelled. Hazardous carbon monoxide levels can develop within a matter of minutes and death can come quickly before signs can be felt or noticed. Operate all gasoline engines with “adequate ventilation.” Operating fans or opening doors will never guarantee safety.

**“If you can't find the time  
to do it right,  
when will you find the time  
to do it over?”**

## National Safety Council Campaigns for End to Cell Phone Use While Driving

The National Safety Council is writing and calling governors and state legislators to ask them to ban the use of ALL cell phones while driving, even so-called hands-free devices because studies show they do not make it any safer to talk on the telephone while driving. Studies show that driving while talking on a cell phone is extremely dangerous and puts drivers at a four times greater risk of a crash.

Here are some of the research findings which have lead to this recommendation:

- ✎ More than 50 peer reviewed scientific studies have identified the risks associated with cell phone use while driving.
- ✎ Drivers who use cell phones are four times more likely to be in a crash while using a cell phone.
- ✎ There is no difference in the cognitive distraction between hand-held and hands-free.
- ✎ Cell phone use contributes to an estimated 6% of all crashes.
- ✎ 80% of crashes are related to driver inattention.
- ✎ There are other activities which may be more dangerous than talking on a cell phone, but cell phone use occurs more frequently and for longer periods than other, riskier behaviors, making it the #1 source of driver inattention.
- ✎ It is estimated that more than 100 million people use cell phones while driving.
- ✎ The annual cost of crashes caused by cell phone use is estimated to be \$43 billion.
- ✎ Talking to a passenger while driving is significantly safer than talking on a cell phone.
- ✎ Drivers using cell phones are as impaired as those legally drunk.

### **JUST A REMINDER**

The **Safety Agenda** has gone **Green!**  
To be sure you receive a copy, please  
provide your email address to Lynn **Green**  
at 610.458.1050 or email her at  
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