

Beyond The Cab

The only safety management newsletter dedicated exclusively to addressing injury prevention and workers' compensation cost control for trucking companies.



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Crossing Your Fingers Doesn't Work

If you've ever had the misfortune of deciding to turn your television on during the daytime on a weekday, you've no doubt been inundated with advertisements from attorneys. In large measure, they're trying to convince viewers that they deserve a disability settlement and are sitting on a cash cow if they have a workers' compensation claim. Laying aside judgment of the ethical character of these attorneys, the truth is that they are not stupid. They're buying up air-time on television stations during the very time that their target audience is sitting in front of the television. Couple that with billboards, clever taglines and full-page yellow-pages advertisements, and you'll realize that it's an active and very aggressive campaign to drum-up business.

It's not a very big leap to believe that the tactics used in these advertisements have the effect of promoting workers' compensation fraud. In addition to promoting the get-rich-quick lottery mentality, these advertisements paint insurance companies as conniving and deceitful (the enemy).

How does your company counter these unending aggressive tactics that run the risk of influencing your drivers toward workers' compensation fraud? If your trucking company is "normal," your method of countering these tactics consists of little more than crossing your finger on both hands, closing your eyes and whispering under your breath, "I hope I didn't just hire one of those."



Of this I am confident, when it comes to workers' compensation fraud, *crossing your fingers doesn't work!*" Although a majority of people have a strong enough moral fiber not to be swayed into committing workers' compensation fraud, the odds are good that (under the right circumstances) one or more of your current employees could be swayed.

For this reason, every company (regardless of industry) should have an aggressive campaign of its own to counter the external influences. However, several characteristics of the trucking industry such as high turnover, lack of direct supervision, and minimal direct contact with management, amplify the need for such a campaign.

One of the most fundamental elements of your campaign should be to educate drivers about the costs associated with workers' compensation fraud. Let them know how fraud influences your workers' compensation

premiums, and in-turn how insurance costs influence wages and fleet enhancements. Also educate drivers about the consequences of committing workers' compensation fraud, and the company's commitment to pursue violators.

As another element of the education process, it's a good practice to provide all new hires a written statement of your company's workers' compensation policies. These policies should include procedures for the timely reporting of injuries, the names of health care providers you would like your drivers to use (if permitted by your state), and a brief explanation of what they can expect from your company and

your workers' compensation insurance carrier in the event of an injury. The intent of providing this information is to alleviate uncertainty and to provide assurance to the driver that he will be treated fairly. The insinuated message is that he need not resort to fraud to be treated right.

Your efforts to deter workers' compensation fraud shouldn't end with educating your drivers. You should additionally engage in activity that fosters open communication and mutual respect. Although it may not seem like productive work at the time, taking the time to get to know your drivers and develop a rapport (beyond discussing hours of service logs) can pay off big. Far too often drivers complain about being treated as a number, and at that point are far more likely to engage in acts against their employer, such as workers' compensation fraud. When they communicate, make sure they know that you won't ignore their complaints and concerns about working conditions. As a safety director, you should always be aware that the strongest predictor of workers' compensation fraud is a chronically disgruntled work force.

A third element of your effort to discourage workers' compensation fraud should be to a whole-hearted commitment to a return-to-work (modified duty) program. Drivers should know up-front that your company will find work for injured workers as soon as it is conceivably possible for them to return-to-work.

There's even more you can do. Promote awareness through means such as payroll stuffers or posters. Be more aggressive in conducting background checks of new-hires. But don't be normal. Don't cross your fingers, close your eyes and whisper under your breath, "I hope I didn't just hire one of those."