



SAFETY CONNECT

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FEATURED

7 Essential Steps to **PREPARE FOR WINTER WEATHER HAZARDS**

By Ryan Anderson – Risk Management Expertise Specialist, Digital Innovation

Over the past year, the Occupational Safety and Health Administration (OSHA) has focused on heat stress through a National Emphasis Program, their Heat Illness Prevention Campaign and a proposed heat-specific workplace standard. These resources outline the concerns of working in heat as well as many ways to protect workers, including the need for acclimatizing new workers to high temperatures, as nearly 3 out of 4 fatalities from heat illness occur in the first week of work.

While OSHA has given heat hazards significant attention — with good reason — employers should also consider the hazards presented by winter weather.

As temperatures continue to drop, many employers do a great job of focusing their safety training on the increased risk of slip and fall injuries, auto accidents, and cold stress, which can lead to serious or even life-threatening conditions such as hypothermia, frostbit, chilblains, and trench foot. Some employers, however, may need to broaden these training topics, as research is showing cold temperatures can increase the risk of a musculoskeletal disorder (also known as an ergonomic-related injury), and it can even reduce cognitive performance, including impairing attention, speed of processing, memory, and executive function. This puts workers at an increased risk for almost every type of injury.

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MAKE A WINTER WEATHER PLAN

Putting together a plan to protect workers from cold temperatures can feel overwhelming, since the hazards are broad. However, protecting workers from low temperatures consists of many of the same considerations as protecting workers from high temperatures, including:

3. PROVIDE ENGINEERING CONTROLS

If feasible, provide engineering controls such as radiant heaters to raise the temperature and effectively mitigate the hazards presented by low temperatures.

2. ENSURE PROPER ATTIRE

Consistent, dynamic movements help keep body temperatures up and reduce the risk of musculoskeletal disorders. However, workers must find a balance, because overexertion can cause perspiration, and moisture on the skin can have an adverse effect and lower body temperature.

4. PROVIDE FREQUENT BREAKS

When exposed to very low temperatures, employees should be provided and take frequent breaks to allow their body to warm up. Drinking warm, sweet beverages and staying hydrated can also help workers during breaks.

5. MODIFY WORK SCHEDULES

If work consists of activities that are indoors as well as outdoors, try to schedule the outdoor work during the periods of the day that are forecasted to be dry, lower winds, and warmer. Best practice is also to not have workers working alone; this will allow workers to monitor each other for signs of cold stress.

6. STAY ACTIVE

Consistent, dynamic movements help keep body temperatures up and reduce the risk of musculoskeletal disorders. However, workers must find a balance, because overexertion can cause perspiration, and moisture on the skin can have an adverse effect and lower body temperature.

7. CONDUCT WORKER TRAINING

Workers should be trained on how to recognize environmental and workplace conditions that can lead to cold stress, the symptoms of cold stress, how to prevent cold stress, what to do to help those who are affected, and how to protect themselves.



WINTER IS HERE

Is Your Property Prepared?

By Susan Thiel - Risk Management Property Technical Expertise Specialist

As winter weather approaches, property owners face unique challenges that can impact the safety and integrity of their buildings. From frozen pipes, to fires from heating appliances, to potential roof damage, winter weather poses various risks that can lead to costly insurance claims. Proactive measures not only enhance safety and maintenance of the buildings but can also reduce the likelihood of claims.

All businesses should be prepared, even in areas where sustained below-freezing temperatures are considered unusual. The past century has seen an increase in severe winter weather, according to the **National Centers for Environmental Information**. Winter Storm Elliot, for example, caused death and destruction in 20 U.S.

States and damages from Canada well into Florida and the Gulf Coast States in 2022. The financial impact of this storm is estimated at \$5.4 billion in insurance losses. In 2021, the **Great Texas Freeze** resulted in over \$15 billion of policyholder losses after homes and businesses were left without water and power for days.

The best way to combat unpredictable storms is to prepare now. Before cold weather hits, business owners should walk through the facility to conduct a thorough risk assessment for winter weather threats. This involves identifying potential hazards such as inadequate insulation, aging roofs, or faulty heating systems. Addressing these issues before winter arrives can significantly reduce the risk of damage.

YOUR WINTER PREPAREDNESS CHECKLIST

Winter preparedness for commercial properties is a shared responsibility and by emphasizing risk assessment, proactive maintenance, and effective emergency planning, the potential for winter-related claims can be significantly reduced.

This checklist can help business owners troubleshoot winter weather hazards and be better prepared in the event of a storm. The list emphasizes preplanning and evaluation of the roofing, HVAC, and plumbing systems.

Learn more about preventing winter-related property risks by reaching out to your Amerisure risk management consultant or by e-mail at riskmanagement@amerisure.com.



THE DUTY TO WARN

Understanding an Important Element of Product Liability

By Eric Austin - Risk Management Expertise Specialist, Product Liability

When an organization produces goods, the hope is that the products are fault-free.

However, there may be instances when a product could become dangerous to the public, and it's the company's responsibility to inform consumers about these risks.

This responsibility is referred to as the "duty to warn." The duty to warn doctrine is based on the idea that consumers should be able to make informed decisions about whether to use a product. If a product is dangerous, the manufacturer has a duty to warn consumers about those dangers so they can make an informed decision about usage.

WHAT IS INCLUDED IN DUTY TO WARN?

Manufacturers in particular must remember that the duty to warn includes products that are safe, designed and manufactured well, but normal function can still cause injuries. An obvious example is a chainsaw, but we also see warnings appearing on plastic bags, buckets, or other seemingly innocuous items that may present a hazard to children.

Duty to warn covers ***reasonably foreseeable*** use and misuse. Inhaling aerosol propellants, for instance, could be considered ***reasonably foreseeable misuse***.

The leading product liability allegations include failure to warn, failure to instruct, and inadequate

warnings. Failure to instruct means that the operations for a product were not adequate for safe use, or, ignored foreseeable misuse. Instructions should include warnings about removal of guards, or those who should not use a particular product. Children, for example, should not use power tools or different types of cooking appliances. An inadequate warning may not be clear to the user or may not sufficiently warn the user of what the hazard is.

THE PRINCIPLE OF NEGLIGENCE

A businesses' duty to warn is based on the legal principle of negligence, or a failure to use reasonable care that results in harm to another person.

What is considered negligence? To establish negligence, a plaintiff must prove the following four elements:

The defendant owed the plaintiff a duty of care.

The defendant breached that duty by failing to use reasonable care.

The plaintiff suffered harm as a result of the defendant's breach.

The harm was caused by the defendant's breach.

FULFILLING DUTY TO WARN

In the context of product liability, the duty to warn arises when a product is considered unreasonably dangerous, meaning it is more dangerous than a reasonably prudent person would expect it to be. There are two main ways a business can fulfill its duty to warn:

- ✓ By providing adequate warnings on the product itself.
- ✓ By providing adequate warnings in other ways, such as through product literature or safety instructions.

These warnings must be clear, conspicuous, and adequate enough to inform consumers about the dangers associated with the product, or misuse of the product.

WARNING STANDARDS & GUIDANCE

ANSI Z535.4-2022 is a voluntary standard that provides guidance on

the design and content of safety warnings. The standard is not legally binding, but it is widely used by businesses to comply with their duty to warn. The standard is a valuable resource for businesses that want to ensure their warnings comply with their duty to warn. It covers a wide range of topics for warning labels, including purpose, type, content, format, placement, and testing.

HOW STANDARDS APPLY TO PRODUCTS LIABILITY LAWSUITS

While ANSI Z535.4-2022 is not a legal document, it is often used as evidence in product liability lawsuits. If a plaintiff is injured by a product, it may be argued that the manufacturer failed to provide adequate warnings about the dangers of the product. If the manufacturer followed ANSI Z535.4-2022 in designing and developing the warnings, this may help defend the manufacturer against the lawsuit.

Overall, ANSI Z535.4-2022 is a valuable resource for businesses wishing to comply with the duty to warn. However, it is important to note that the standard is not a guarantee of safety. The standard is only a guideline, and there may be cases where a manufacturer can comply with the standard and still be found liable for a product liability lawsuit.

WHERE TO START

During the design phase of a product, a manufacturer should understand the intended use, target

audience or those that may use the product, and potential hazards of a product. Those in engineering, design, manufacturing, legal, and risk management should be tasked with assembling all of the relevant data on a product.

Step two would be identifying all possible ways a product can be used/misused. Looking at similar products in the marketplace can be of assistance, plus any lawsuits or even simple complaints on existing similar products. An evaluation of these factors should be made, with warnings being made to not only comply with the standards listed above, but also from what was learned in the design phase analysis.

Finally, once a product is in the marketplace, warnings should be adjusted according to complaints on instructions, product failures, or known examples of misuse. If a new label is determined to be necessary to comply with the standards on subsequent products, then it may be necessary to send an alert out to those who have already purchased the product with the new label or instruction update, along with proper placement (if it is a label being sent). A business must prove that they did everything a responsible business could do to protect the consumer and public.

The information provided in this article does not, and is not intended to, constitute legal advice; instead, all information, content, and materials contained in this article are for general informational purposes only.



Learn More:

Product Liability and the Big Picture

Building a Cross-Functional Products Liability Program

The American National Standards Institute Website

Cybersecurity Vigilance Remains Critical Across Industries

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s technology continues to advance, **cyberattacks are on the rise** – and employees in every industry and across functions can benefit from effective cybersecurity practices. There are simple ways employees and management can play their part in practicing effective cybersecurity:



DO NOT OPEN
any email links or attachments from users you do not recognize



Use a **PASSWORD MANAGER** to safely store your login information



Utilize **MULTI-FACTOR AUTHENTICATION** where available to add a layer of protection



UPDATE YOUR SOFTWARE
and systems to minimize potential vulnerabilities

In addition to these general practices, there are many industry-specific cybersecurity guidelines:

In **healthcare**, systems and platforms should only run software necessary to effectively run the facility. Utilize a firewall to protect against intrusions into the system from outside sources. If electronic health information must be transferred to a mobile device, ensure it is encrypted.

In **manufacturing**, companies should implement security checkpoints across supply chain networks to help prevent hackers from gaining access to numerous systems. Automated manufacturing equipment can be easily accessed if not securely protected in the network.

In **construction**, physical technology assets should be properly disposed of once the equipment is sufficiently wiped of any company data. Outline hardware and software policies with employees to determine when external devices can be connected to company Wi-Fi.

All companies should provide continuous training on cybersecurity and develop a breach recovery plan. A designated privacy officer can also help organizations recognize and act on potential emerging threats.



Learn More:

Several informational resources are available from the National Cybersecurity Alliance. Visit staysafeonline.org to learn more.

Don't Miss Our Risk Management Webinar Series!

Amerisure's expert risk management consultants host quarterly webinars on various topics, from cutting-edge technology to safety trends in the industry. Registration is free for policyholders.

THE CASE FOR FLEET TECHNOLOGY

Please join us as our risk management expertise specialists discuss key ways to reduce losses for your commercial fleet through the use of today's auto technology, including driver telematics.

PRESENTED BY:



Nicholas Baker

Risk Management Expertise
Specialist - Commercial Auto



Eric Ruppaner

Risk Management Expertise
Specialist - Commercial Auto

**COMING JANUARY 2024
STAY TUNED FOR DETAILS!**

MEET OUR Risk Management Expertise Specialists

Amerisure's Risk Management Expertise Specialists are here to provide topic-specific support for your needs. They serve as the go-to experts in their designated disciplines. They provide knowledge and act as informed consultants to agency customers and policyholders, staying up to date with industry best practices and sharing insights related to their focus areas.



Susan Thiel

RISK MANAGEMENT PROPERTY TECHNICAL EXPERTISE SPECIALIST

Susan Thiel is a Risk Management Property Technical Expertise Specialist at Amerisure. Susan moved into this role in 2023 and continues to provide superior service to policyholders in her territory along with responsibilities to provide organization-wide expertise in preventing and controlling property related losses. Susan began her insurance career as an auto claims adjuster for a large national carrier. In January of 2013, Susan became a part of the Amerisure loss control team and provides safety and risk management service to commercial policyholders in Iowa and Nebraska. She served as a Fleet Expertise Specialist from 2021 to 2023 and supported fleet initiatives within the whole of Amerisure.

Susan holds an Associate in Risk Management and Associate in Insurance Services designations. Susan was an honors graduate of Appalachian State University with a Bachelor of Science degree in Business Administration, majoring in Risk Management and Insurance.



Eric Ruppner

RISK MANAGEMENT AUTO TECHNICAL EXPERTISE SPECIALIST

Eric is a Risk Management Auto Expertise Specialist at Amerisure. He began his insurance career as a Marketing Manager for a national multi-line commercial and property insurer based out of Ohio. In 2011, Eric continued his profession in risk management as a Risk Consultant for a national multi-line commercial property and casualty insurer. In October 2014 he became a part of the Amerisure risk management team and provides safety and risk management service to commercial policyholders in Tennessee, Kentucky, Alabama, Georgia, and Indiana.

Eric has a talent of identifying opportunities for improvement and hazard recognition and works diligently to help clients provide safe work environments for their employees. He holds the Chartered Property and Casualty Underwriter and Associate in Risk Management designations. Eric is a graduate of the University of Akron with a Bachelor of Science in Finance and Hiram College with a Bachelor of Arts in Business Management.



Nicholas Baker

RISK MANAGEMENT AUTO TECHNICAL EXPERTISE SPECIALIST

Nicholas (Nic) Baker is a Risk Management Specialist at Amerisure. Nic has worked in the insurance industry performing risk management with various commercial carriers for over 15 years. Prior to his roles in risk management, he was a safety coordinator for an industrial construction company who performed work in the forest product industry, energy sector, and large automotive manufacturing facilities. Nic's risk management experience includes large manufacturing, large fleet exposures, mid-to-large size contractors, and warehousing. He is currently authorized by OSHA to provide 10 and 30-hour classes for construction.

Nic joined Amerisure in April of 2023 as a Risk Management Specialist working out of Birmingham, Alabama. He loves assisting Amerisure's accounts with identifying opportunities for risk improvements. Nic earned a Bachelor of Science degree from Murray State University and a Master of Science degree from Columbia Southern University.



Help Your Commercial Drivers **NAVIGATE THE SLICK & SLEET**

When the temperatures plummet, even the most experienced drivers can have a hard time managing icy road conditions. Poor visibility coupled with reduced traction can cause dangerous road hazards that make winter driving extremely challenging. In fact, the U.S. Department of Transportation Federal Highway Administration **reports** that over a half million vehicle crashes occur on snowy, slushy or icy pavement each year.

Drivers can meet this challenge by having the right knowledge about winter driving. Preventative safety measures that commercial fleet drivers can follow to keep themselves and others safe this winter include: monitoring conditions, lowering speed, braking effectively, checking your vehicle, and maintaining a weather emergency kit.

LEARN MORE

For more information and advice on winter weather driving, visit **[NHTSA.org](https://www.nhtsa.org)**.

Winter weather conditions can change quickly, so it's vital to prepare ahead of time.

Check out our printable checklist for every fleet vehicle's winter emergency kit **[here](#)**.

THOUGHT LEADERSHIP and Resources



Amerisure's thought leaders are hard at work participating in relevant publications, multimedia productions and industry engagements. Check out their most recent contributions and takeaways.

Industry Conference Takeaways

The Women in Manufacturing Association (WIM) Summit 2023

Sept. 25-27, 2023

The conversation at the summit was focused around virtual reality training programs, including fall protection and ladder safety, as well as ergonomics. We were able to demonstrate to attendees the TuMeke Ergonomics exoskeleton, explain what the technology is all about and show how they could utilize it. Many attendees were already educated in ergonomic-safety options but hadn't had a chance to touch, feel, see, and try it on. It helped our risk management team further understand that in manufacturing, ergonomic injuries are a prevailing concern, and underscore what we as Amerisure can do to assist policyholders in exploring the tools available to support risk mitigation, cost containment and training.

As a conference composed of 99% women, we engaged with female leaders, safety professionals, and operations managers, and there was a great connection.



Stacy Mitchell

Risk Management
Expertise Specialist

National Safety Council's 2023 Safety Congress and Expo

October 23-25, 2023

This year the NSC's Safety Technology Pavilion put a spotlight on innovative safety technology. It was exciting to see so many vendors offering these solutions. The product improvements in Environment, Health & Safety (EHS) software platforms, connected safety wearables, and artificial intelligence-powered technology was especially noticeable this year.

Amerisure is excited to pilot many of these solutions with our policyholders and agency partners in 2024.



Ryan Anderson

Risk Management Expertise
Specialist - Digital Innovation

Gases & Welding Distribution Association Annual Convention

October 23-25, 2023

The conference had presentations from gas and welding insiders as well as professional development speakers that engaged and inspired us to action. I am privileged to have been asked to serve on their safety committee and have the benefit of meeting to build greater collaboration and expertise in the industry. Our team has worked diligently to better understand the hazards and controls of gas and welding operations, and to create coverages specific to this industry that will allow us to be a leading insurance provider and partner.

Attending these annual conferences has allowed the underwriter and me an opportunity to hear from policyholders and other gas and welding distributors to better recognize the challenges they are facing, and it gives us the ability to respond with resources and communicate using the same language of industry.



Susan Thiel

Risk Management Property
Technical Expertise Specialist

Amerisure In the News

Amerisure Insurance Named Among Best Places to Work in IT by Foundry's Computerworld

Amerisure Champions Innovation with Investment in Next-Generation Technology through Insurity's Sure Premium Audit & Payroll Validator Solutions

Get in Touch with Our Experts

WebRM allows you to easily contact our Risk Management department regarding any questions and to obtain risk management resources. Access the online platform via your mobile device or desktop through the SureConnect™ policyholder portal to submit your questions to our team and receive a response or virtual meeting request within 48 hours.

TELL US WHAT YOU THINK!

Your feedback is valued to assist us with our continued efforts to improve upon our service delivery promise. To share questions or comments regarding the WebRM service, please contact our **Risk Management team**.



Amerisure Risk Management

Welcome to WebRM. Please complete the form below to submit your questions to our Risk Management team.

* Required

1. Today's Date: *

Please input date (M/d/yyyy)



2. Your Name: *

Enter your answer

Safety Awards

RK8, LLC

THE POINTE AT OCEAN BOULEVARD

MARSH MMA / BOUCHARD INSURANCE



Clearwater, FL

**2 Years Without a Workers'
Compensation Claim**

August 26, 2021 - August 26, 2023

JMEG ELECTRICAL CONTRACTORS

WEBER GROUP ADVISORS

Dallas, TX

**Achieving a Two-Year Loss Ratio of 5%
for Commerical Automobile Insurance**

November 20, 2021 - November 20, 2023

