



# KICKBACK



A Privately Circulated Newsletter for Employers in the  
NEW YORK LUMBERMEN'S INSURANCE TRUST FUND

NUMBER 4

DECEMBER 2011

## A Message from the President Edward G. Wright, CPCU

### Area Meetings Draw a Large Turnout

**ROUTE TO:**

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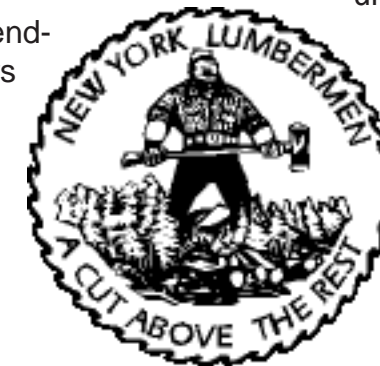
Over 75 member companies were represented at this fall's New York Lumbermen's Insurance Trust Fund Area Meetings which were held in five locations across the state. A total of 176 people turned out for dinner and a review of the Trust Fund results through September. This was one of the more robust turnouts in recent memory.

Members were also informed they would be receiving a packet with new Trust and Participation Agreements which will need to be read, signed and returned as soon as possible.

Finally, members were advised that we will be under closer scrutiny by the State going forward and it was incumbent on all of us to redouble our loss prevention efforts and monitor our fiscal performance closely to ensure a sound and financially viable Trust into the future.

If there are any questions or comments, just let us know.

Ed Wright and Kevin Brown (depending on location) informed members that while the Trust generated an operating loss of \$180,000 through the first nine months, the recent months showed improvement producing the possibility of at least a small profit by year end.



The good news is membership, payroll, and number of employees are all holding up well. Also, the Trust is on pace for a record low in newly reported claims.

The conversation then turned to our petition to the state to continue as a group Trust. Members were advised that we qualified and were in the process of posting the required securities by No-

New York Lumbermen's  
Insurance Trust Fund  
31st Annual Meeting  
Holiday Inn  
Syracuse, NY  
Friday, March 30, 2012

## NYLITF Mission Statement

Our mission is to provide our Members the best value and financial security for workers' compensation and disability benefits with the objective of the utmost protection for the health and safety of our Members' employees. We shall achieve this by rendering unparalleled loss prevention service, vigilant claim handling, risk selection and cost control. We are committed to continuous improvement, achieving and maintaining Member satisfaction with integrity and respect.

### Important Dates to Remember

Friday, December 23 &  
Monday, December 26, 2011

W.J. Cox Associates, Inc. office will be closed

Monday, January 2, 2012

W.J. Cox Associates, Inc. office will be closed

Monday, February 20, 2012

W.J. Cox Associates, Inc. office will be closed

Friday, March 30, 2012

New York Lumbermen's Insurance Trust Fund  
31st Annual Meeting  
Holiday Inn  
Syracuse, NY

Friday, April 6, 2012

W.J. Cox Associates, Inc. office will close at 11:30 a.m.

This publication is intended for the educational use of employees and contractors who work for and provide services to members of the New York Lumbermen's Insurance Trust Fund. The techniques suggested herein do not apply to all situations and all work procedures should be discussed with supervisory personnel prior to being applied to your job.

## Kathy Ayala Retiring

W. J. Cox Associates, Inc. Corporate Secretary and longtime employee, Kathy Ayala, will be retiring at the end of January after almost 30 years of service.



Kathy has been known to many Trust Fund Members for her friendly and professional demeanor on the phone for those many years when she was the first point of contact when calling the office.

The daughter of our founder, Bill Cox, Kathy has been responsible for a wide variety of administrative and corporate governance functions since she joined the company.

Please join us in wishing Kathy all the best in her retirement and in thanking her for her many years of service to our industry.

## Bowman Steps Down as Trustee

After 21 years of dedicated service to the New York Lumbermen's Insurance Trust Fund, Joel Bowman of A. D. Bowman & Son Lumber Co., Inc. in Castle Creek, NY has retired from the Board.



Joel, a third generation lumberman, began serving in 1990 as a member of the Advisory Committee. In 2001 he became a member of the Executive Advisory Committee and in 2007, he replaced his father, Mel, as a Trustee.

Joel also served as a member and Chairman of the William J. Cox Memorial Fund.

The Board has expressed its sincere gratitude to Joel for his selfless contribution, leadership and sage counsel.

## Mitchell Elected Trustee

Paul Mitchell of Paul J. Mitchell Logging, Inc. in Tupper Lake, NY has been elected by the Board of New York Lumbermen's Insurance Trust Fund to fill the remainder of Joel Bowman's term as a Trustee.

Paul, a logger for several decades, had previously served as an Executive Advisory Committee member since 2007. He also currently serves as a Director of the Empire State Forest Products Association.

Please join us in welcoming Paul to this important position.

## Paul Johnson Appointed to Executive Advisory Committee

The Trustees of the New York Lumbermen's Insurance Trust Fund have appointed Paul Johnson of Johnson Brothers Lumber of Cazenovia, NY as a member of the Executive Advisory Committee.

The Executive Advisory Committee is appointed by the Board and is chartered and authorized by the Board to review and comment on all matters concerning the operation and functioning of the Trust Fund, with a particular emphasis on safety.

# New York Lumbermen's Insurance Trust Fund

## Safety Assessments

The following Safety Assessments were recently issued to New York Lumbermen's Insurance Trust Fund Members due to a violation of the New York Lumbermen's Insurance Trust Fund Mandatory Safety Regulations & Training.

\$200 Assessment

Failure to Lockout

Employee sustained laceration to right finger.

\$200 Assessment

Lack of New Employee Orientation

### New York Lumbermen's Insurance Trust Fund Mandatory Safety Regulations & Training

#### INTRODUCTION

These basic regulations are designed to increase employer and employee awareness of on-the-job safety. Emphasis is placed on the use of personal protective equipment, proper machine guarding and training. Each employer should develop a comprehensive safety program including employee education and training, and incorporating additional requirements as necessitated by their specific facilities and working conditions. Because each workplace presents different conditions and hazards, it is the responsibility of individual employers to provide a safe working environment. THESE REGULATIONS IN NO WAY REPRESENT A COMPLETE PROGRAM FOR PROVIDING A SAFE WORKPLACE.

#### PERSONAL PROTECTIVE EQUIPMENT

##### 1. **Hard Hats:**

All persons present at a logging site, and anyone else whose work exposes them to overhead hazards, shall wear an ANSI approved hard hat.

##### 2. **Eye Protection:**

Safety glasses with side shields or a face shield shall be worn by all chain saw operators. Equipment operators shall wear similar protection unless the cab is completely enclosed with safety glass. All machine operators, tailers, maintenance personnel, and all other persons exposed to situations which could cause an eye injury shall wear the appropriate eye protection.

##### 3. **Hearing Protection:**

All persons exposed to excessive noise, as defined by OSHA's Occupational Noise Exposure Standard 1910.95, shall wear the appropriate hearing protection.

##### 4. **Safety Leg Wear:**

Any employee whose job requires the use of a chainsaw shall wear safety chaps or chainsaw pants which cover each leg from upper thigh to boot top.

##### 5. **Safety Footwear:**

All persons working on logging operations shall wear cut resistant boots. All mill, yard and retail personnel are required to wear safety toed footwear.

##### 6. **Hand Protection:**

Suitable heavy-duty puncture-resistant gloves shall be worn by all handlers of cable, wire rope, chains, and lumber unless such use creates a greater hazard. Proper gloves are also recommended for all chainsaw operators, particularly when sharpening the chain.

##### 7. **Clothing:**

All persons shall wear properly fitted clothing. Shirt tails should be tucked in at all times, and pants without cuffs are preferable.

#### MACHINERY OPERATION AND MAINTENANCE

##### 1. **Lockout/Tagout:**

Machinery and equipment undergoing repair of maintenance shall be turned off at its main power supply. The power supply shall be tagged or locked out, as described by your company's lockout/tagout policy, to prevent accidental startup.

##### 2. **Guarding:**

All machinery shall be guarded in accordance with OSHA's standard 1910, Subpart O.

#### CHAINSaws

All chain saws shall be equipped with an operating chainbrake in accordance with manufacturers' specifications.

#### DOCUMENTED MONTHLY SAFETY MEETINGS

*(Effective 01/01/00)*

The employer shall hold safety and health meetings as necessary and at least each month for each employee. Safety and health meetings may be conducted individually, in crew meetings, in larger groups, or as part of other staff meetings and must be properly documented.

#### NEW EMPLOYEE ORIENTATION

*(Effective 01/01/00)*

Each new employee, and each employee who is required to be trained, shall work under the close supervision of a designated person until the employee demonstrates to the employer the ability to safely perform their new duties independently.

The employer is responsible for ensuring that each current and new employee can properly and safely

perform the work tasks and operate the tools, equipment, machines, and vehicles used in their job.

#### IMPROVING SAFETY PERFORMANCE

##### TRAINING

*(Effective 01/01/01)*

All non-logging employers are required to complete the following training:

##### 1. **COOPERATIVE JOB SAFETY ANALYSIS:**

A tool that integrates safety with operating procedures, fosters hazard awareness, removal and/or control, improves on-the-job training and guides accident review.

##### 2. **PROACTIVE ACCIDENT INVESTIGATION:**

A process that engages all employees as problem solvers with a focus on all accidents, costs, causes, and prevention efforts.

#### GAME OF LOGGING

*(Effective 01/01/02)*

All loggers engaged in manual felling are required to complete all four levels of GOL training.

#### FORKLIFT TRAINING

*(Effective 01/01/03)*

All employees that operate forklifts are required to complete forklift training.

#### SAFETY COORDINATOR

*(Effective 04/27/2006)*

All Members are required to have a Safety Coordinator that will serve as an advisor to management on safety and health concerns, investigate accidents and near misses, keep current on safety and health regulations and practices, serve on the safety committee and conduct safety and health training.

#### BANDING

*(Effective 01/01/09)*

All Members that conduct banding must develop a banding policy, job safety analysis (JSA), Personal Protective Equipment (PPE) Assessment and training. The JSA and PPE Assessment should be used to determine what PPE is necessary.

#### COMPLIANCE

Compliance with these regulations is a requirement of continued participation in the New York Lumbermen's Insurance Trust Fund. However, such compliance will not fulfill any obligation to meet the rules, regulations or standards published and enforced by any agency of a local, state or federal government.

Compliance with the regulations in no way represents a warranty of the safety of individual workplaces by the New York Lumbermen's Insurance Trust Fund or the Fund Administrator, W. J. Cox Associates, Inc.



New York Lumbermen's  
Insurance Trust Fund

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www.wjcox.com

**NYLITF TRUSTEES**

- Joel I. Bingham**  
Double Aught Lumber, Inc.  
Owego, NY
- Gregory Fitzpatrick**  
Fitzpatrick & Weller, Inc.  
Ellicottville, NY
- Paul N. Gutchess**  
Paul Bunyan Products, Inc.  
Preble, NY
- Michael W. Hanlon**  
Cotton-Hanlon, Inc.  
Cayuta, NY
- Paul J. Mitchell**  
Paul J. Mitchell Logging, Inc.  
Tupper Lake, NY
- Aaron I. Robinson**  
Robinson Saw Mill Works, Inc.  
Barryville, NY
- Steven F. Schaeffer**  
Wagner Millwork, Inc.  
Owego, NY
- Edward G. Wright (Secretary)**  
W. J. Cox Associates, Inc.  
Clarence, NY

**NYLITF EXECUTIVE ADVISORY COMMITTEE**

- Mo Cleaver**  
White's Lumber, Inc.  
Watertown, NY
- Craig Jochum**  
Craig Jochum Logging  
Apalachin, NY
- Paul D. Johnson**  
Johnson Brothers Lumber  
Cazenovia, NY
- John S. Levi**  
Levi Lumber Company  
Inlet, NY
- William Millier**  
Brookside Lumber, Inc.  
Moravia, NY
- Edward G. Wright (Secretary)**  
W. J. Cox Associates, Inc.  
Clarence, NY

**KICKBACK**

Issue 4, December 2011

**Editors:**

Kathleen A. Ayala, Kevin P. Brown,  
Michelle C. Conley & Edward G. Wright

The Kickback is published by W. J. Cox Associates, Inc. The publication is a privately circulated newsletter for Employers in the New York Lumbermen's Insurance Trust Fund & Forest Industry Insurance Group.



**EAP Services for Employees of  
NYLITF Member Groups**

- **Direct** access to Master's and Doctoral level counselors, 24/7/365 via the toll free EAP 800 line.
- **Unlimited** telephonic counseling, 24/7/365.
- Up to three (3) cost-free face-to-face counseling sessions **per problem**.
- Comprehensive case management.
- Cost-free coverage for immediate family including dependents and all household residents.
- Comprehensive legal consultations (excludes labor related issues).
- Comprehensive financial, debt resolution and restructuring services.
- Comprehensive childcare consultative services.
- Comprehensive eldercare consultative services.
- Comprehensive adoption consultative services.
- Comprehensive assistance for parents of children with special needs.
- Comprehensive personal development trainings and tutorials.
- Comprehensive pet information services.
- On-site employee orientations and supervisor trainings.
- Initial and quarterly EAP brochure distributions.
- Monthly EAP newsletters for employees.
- Comprehensive wellness component.
- An Information Resources Website that includes 1,800 health and wellness videos; nine health risk assessments that can be aggregated; 167 financial calculators; 50 legal templates; zip code sensitive childcare and eldercare provider locator; Employees and covered family members can access the Information Resources website by first going to [www.theEAP.com](http://www.theEAP.com) then selecting the Employee & Family Login button and creating a personal username and password.
- Special employee discounts available from Jenny Craig®; DealCatcher®; Bally's Total Fitness®; Apex Nutrition®; Workouts for You®; SmokEnders®.

**Insuring Equipment**

Peter G. Sformo, Loss Prevention Consultant

The cost of forestry equipment, like everything else, continues to increase. Insurance coverage for equipment continues to increase too. The cost to insure equipment today is estimated at \$1.50 per \$100 of assessed value. A typical skidder valued at \$80,000 would cost approximately \$1,200 per year to insure; which is the direct cost to you. In the event of a fire, the indirect costs are almost too hard to calculate, for example, lost production time, time finding a new or similar piece of equipment, time to do paperwork, and time to learn how to use a new piece of equipment (training, company shutdown and loss of employee's paycheck and so on).



What is available at [www.wjcox.com](http://www.wjcox.com)?

Services

NYLITF WC, DBL & Loss Prevention  
Property & Casualty Insurance through  
Forest Industry Insurance Group  
Consulting Forester Professional Liability  
Premium Financing  
Forest Financial Incorporated  
William J. Cox Memorial Fund

News

Recent issues of the *Kickback*  
(You may also have the  
*Kickback* delivered via e-mail)  
Calendar of Events

FAQ's

WC & DBL Claims  
WC Coverage  
Term Life Insurance  
Property Casualty Insurance  
Equipment & Insurance Premium  
Financing

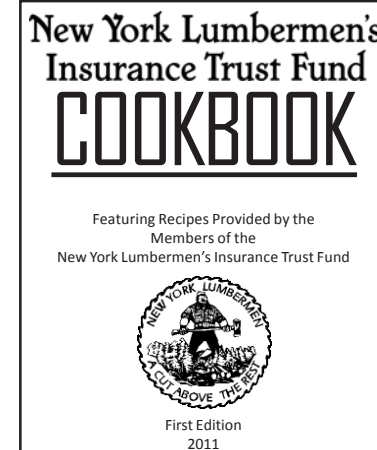
Contact Information

Staff Members' Direct Dial &  
E-mail Addresses

Trust Fund Members can also enter  
Monthly Payroll Reports, maintain em-  
ployees, request Certificates of Insurance  
and view WC & DBL claims and payments.

Contact Roxanne Dungan or Michelle  
Conley for a username & password.

One way to avoid and/or reduce the indirect costs is to maintain your equipment in good working order, (i.e., a preventative maintenance program (PMP)). To start, first look at the manufacturer's recommendations which will usually have a pre-trip/post-trip inspection criteria with expected times to perform maintenance and service activities. There are important activities just to keep the machinery in good working order. On the other side, losses from equipment fires can also be reduced by following a PMP in which the machine has a designated checklist. This checklist should include looking at the exterior, interior cab, engine compartment, and belly pan. Finally, management must insist that these inspections are completed on a timely schedule.



Be Part of the  
First Edition of the  
New York  
Lumbermen's  
Insurance Trust  
Fund Cookbook

We are still accepting submissions for the First Edition of the New York Lumbermen's Insurance Trust Fund Cookbook. Would you like your favorite recipe included? Then send it in and all submissions will be reviewed by the Cookbook Committee at W. J. Cox Associates, Inc. (All submissions will receive a gift, one gift per person.)

Submit recipes to:  
Michelle C. Conley  
W. J. Cox Associates, Inc.  
9600 Main Street, Suite Three • Clarence, NY 14031-2093  
-or-  
[mconley@wjcox.com](mailto:mconley@wjcox.com)