



Dear Members and Supporters,

Please welcome the following contractor who made the decision to "COME ON BOARD" the Union Construction Workers' Compensation Program (UCWCP):

Gage Brothers Caulking, Inc. (effective September 1, 2014)

WELCOME ABOARD!

You can see our current list of *Participating Contractors* by clicking on the following link:

http://www.ucwcp.com/docs/Employer_Participants.pdf

You can see our current list of *Sponsoring Organizations (labor & management)* by clicking on the following link:

http://www.ucwcp.com/docs/Sponsoring_Organizations.pdf

You can see our current list of *Sponsoring Insurance Providers* by clicking on the following link:

<http://www.ucwcp.com/docs/Insurance%20Providers.pdf>

QUOTE TO NOTE

"I recently attended my second free seminar for employers who are members of the UCWCP. With my background in managing safety and claims, I was impressed with the usefulness of the guest speaker's presentation (an Occupational Medicine physician) and the discussion that followed with the other attendees. The overview of the UCWCP's services and how to access them will be helpful in making sure any injured employees are treated by the correct physicians and have the transition to a safe return to work go smoothly. I strongly recommend other contractors and their staff attend future training opportunities."

**- Tom Schoenecker, Safety and Quality Director
MG McGrath, Inc., and All Metro Glass, Inc.
Members Since: 2007**

To review or print other quotes from our participants please click on the following links.

Contractors:

<http://www.ucwcp.com/docs/Employer%20Member%20Testimonials.pdf>

Union Leaders and Members:

<http://www.ucwcp.com/docs/Union%20Member%20Testimonials.pdf>

Insurance Agents and Carriers:

<http://www.ucwcp.com/docs/Agent-Insurer%20Testimonials.pdf>

FREE CONTRACTOR TRAINING!

Our next member-only training session for contractors is scheduled for October 22nd at 9:30 am here in Bloomington. **Mark your calendars NOW** so you can join us! The training will feature a guest speaker. Additional information about the training will be sent out by a separate email announcement.

PROGRAM COMPONENT HIGHLIGHT: NEUTRAL PHYSICIAN EXAMINATIONS

When a treating doctor's opinion fails to help the parties reach agreements, an examination by a neutral physician is useful in resolving most disputed issues. The issues can include causation, treatment plans, work restrictions, and need for surgery. The neutral exam, also called a Dispute Resolution Examination (DRE), can be requested by either the employer/insurer or injured worker verbally or in writing.

The program's dispute resolution facilitator assists the parties in selecting the neutral doctor, preparing the materials being submitted to the neutral doctor, and scheduling the exam. The doctor's opinions are distributed to the parties by the facilitator as soon as the report is completed. The following case studies show the impact of this program component: the same process, but different outcomes.

- 1. A Carpenter started work on Monday morning as usual by walking over the uneven ground at the job site to begin his duties.** He was wearing his safety equipment including appropriate work boots. During the morning he began to experience pain in his right foot, but continued to work. By lunchtime the pain was severe enough that he reported it to his foreman. He was taken by the foreman to an Exclusive Provider Organization (EPO) Occupational Medical Clinic.

The EPO doctor performed an examination and determined that an x-ray was warranted. The x-ray was done during the first appointment and showed a significant fracture. An appointment was made with an EPO approved orthopedic specialist for the next day. The specialist determined that surgery was necessary to achieve the best outcome—a complete recovery and return to the trade.

The work comp insurer denied liability following the investigation for a number of reasons: the claim was a "Monday Morning Injury"; there were no witnesses to any traumatic event; the worker continued to work for a number of hours before complaining to his foreman; the boots being worn that morning should have adequately protected the worker's foot; and, the worker had a foot fracture to his left foot that was work-related one year earlier.

The injured worker had been given a brochure on the UCWCP. He called the dispute resolution facilitator about his situation. The facilitator expedited getting the injured worker's Health and Welfare Fund to authorize approval for the surgery and other available benefits. A dispute resolution examination (DRE) was also scheduled with the most appropriate neutral physician.

The examination took place within the month of the injury and the report was given to the facilitator and all the parties two weeks later. The report stated that the type of fracture involved was often caused by walking over uneven ground, and that the history provided by the worker during the examination and in the medical records supported his claim for benefits. The insurer reversed the denial, reimbursed the union's fund, and picked up liability for the claim. The employee recovered from the successful surgery and returned to full duty work with the same employer.

- 2. A union worker complained that his knee condition had gradually come on over the years and that his work was the cause of his eventual need for surgery.** The treating doctor was unable to provide a causation opinion that supported the claim, so the injured worker requested a dispute resolution examination

(DRE) to determine if the knee condition was related to his lengthy work in the trade. The neutral doctor was selected with the cooperation from the attorneys for both parties, who also supplied the medical records and advocate letters.

The report concluded that based on the medical records; the history taken of the injured employee; and the examination that the employee's condition was not work-related. The neutral doctor found that the employee's obesity, diabetes, and pre-existing arthritis (caused by a car accident that injured the same knee) were the causes for the need for surgery and disability. The report was reviewed by the parties and the claim was withdrawn.

The DRE component of the program is an important tool for dispute resolution. The opinions of the neutral doctors resolve a majority of the disputes. The process does not guarantee any party a "win". It provides an impartial medical opinion clarifying issues and avoiding unnecessary litigation.

On behalf of the Trustees and staff of the UCWCP, thank you for your continued support of our joint efforts at "*Making Workers' Compensation Work Right for Minnesota's Union Construction Industry*".

We hope that you are enjoying the crisp air of our Minnesota fall season and preparing for the winter weather that will be here far too soon.

Kevin Gregerson
Program Administrator

MAKING WORK COMP WORK RIGHT

www.ucwcp.com