

## Summer 2018 Newsletter



Dear Members and Supporters,

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### New Members

Please welcome the following contractors who made the decision to join the Union Construction Workers' Compensation Program (UCWCP):

**Effective June 1, 2018**

U.S. Site Work, Inc.

Optimum Mechanical Systems, Inc.

**Effective July 1, 2018**

PHLAG Mechanical, Inc. dba Feder Mechanical

### WELCOME ABOARD

You can see our current lists by clicking on the following links:

[Participating Contractors](#)

[Sponsoring Organizations](#)

[Sponsoring Insurance Providers](#)

### Quote to Note

*"As a trustee on the Audit Committee, I am closely involved every year in determining how much revenue is required (from Subscription Fees paid by participating contractors) to support the operational needs of the Union Construction Workers' Compensation Program (UCWCP). All of the trustees want to see the program add more contractors in order to bring the services to more union members. This also helps to reduce the assessment formula*

*as operational costs are spread over a larger payroll base. I am pleased that the UCWCP has NEVER increased the assessment formula. Last year we were able to reduce the formula, and hold it steady this year, while increasing staffing and services that our union members and signatory contractors rely on."*

**-Russell J. Scherber, Business Manager, Pipefitters Local 539  
Labor Trustee; Audit Committee member**

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

[Contractor Testimonials](#)

[Union Leader and Member Testimonials](#)

[Insurance Agent and Carrier Testimonials](#)

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## From the Member Relations Director

### Exclusive Provider Organization (EPO) Updates:

#### **Added: Traumatic Brain Injury & Concussion Specialists**

Providers specializing in traumatic brain injuries and concussion treatment have been evaluated and added to our Specialty Provider listing due to a heightened awareness and advancement of diagnosis, testing, and treatment options.

#### **Reviewed: Primary Providers**

Our EPO Nominations and Review Committee (ENRC) is providing an annual review of our primary care providers to ensure treatment recommendations and outcomes align with the mission of the program. The website will be updated shortly. Thank you for your help in ensuring our participants have the best work injury care possible.

#### **Updated: EPO Specialty Provider Website Search Engine**

Not sure if an orthopedic provider treats knees or shoulders? The "Find a Doc" search engine on the UCWCP website is updated to display the provider's sub-specialties in addition to their medical specialty.

The updated directories may be accessed at the following links: [EPO Primary Care Providers](#) and [EPO Specialty Providers](#)

### Upcoming Training Opportunities:

**Contractor Trainings** will take place in Bloomington, Duluth, and Rochester in Fall 2018. We will also be rolling out 60-minute webinar based introductory and topic-specific trainings later this year. Watch your email for the schedule, location, and registration information.

Join us for a **Claim Adjuster Training** from the comfort of your desk. We will be conducting Adjuster Webinars bi-monthly for the remainder of the year. Whether you are a new adjuster or haven't been to training for

some time, join us to learn more about how to use the UCWCP's unique loss control tools.

**UCWCP Informational Webinars** for insurance agencies and prospective members will also take place in July and October. Find out more about the program and how to present this membership opportunity to your current or prospective insureds. Watch your email for dates and registration information.

### Digital Tools

Did you know our website is mobile friendly? We are creating new digital tools for our customers to use whether they are in the office or on the jobsite. You can access all of our information from your desk top, smart phone, or tablet.

Have you designated a primary medical provider from our Exclusive Provider Organization (EPO) for your workers' compensation injuries? Read our FREE guides [Identifying a Designated Medical Care Provider](#) and [Establishing a Designated Provider Relationship](#) to find out the benefit a medical provider relationship provides to injury care.

**Injury-Now What?** You can now watch our free [UCWCP Video](#) for a 3 minute overview of the UCWCP and the resources available when an injury occurs.

Keep checking our [Program Documents](#) pages additional tools are released throughout 2018.



## From the Dispute Resolution Facilitator

### UCWCP Alternative Dispute Resolution System Overview

At the most recent UCWCP Board of Trustees meeting, the Trustees reviewed a comparison of the Program's [alternative dispute resolution system and the statutory system](#).

A number of documents and reports were provided including these four case studies that illustrate the methods used by the union program to resolve disputes: **intervention, facilitation, mediation and arbitration**.

**Intervention:** The Program received a letter from an attorney claiming that the insurer was not properly paying temporary total disability benefits. The injured worker was laid off from a light duty job and, although the layoff was an expected seasonal event, his attorney argued that his restrictions entitled him to wage loss benefits. The dispute resolution facilitator called the adjuster to review the case law supporting the attorney's position. After getting confirmation from their own attorney the adjuster willingly commenced payment of the benefits.

**Facilitation:** An employee filed an incident report after tripping on materials at the work site. Several weeks later he made a claim for knee

problems he believed were related to the incident. The employer submitted a First Report of Injury to their insurer.

After conducting their investigation the insurer denied liability citing significant pre-existing knee conditions contained in the medical records. The short period of medical treatment was paid for by the union's Health and Welfare Fund pending the outcome of the disputed claim. The employee fully recovered and went back to full duty work for a new employer.

The parties retained attorneys who requested a facilitation to discuss the disputed claim. Both sides were well prepared for the meeting and motivated to settle the case. The employee, the employer and the insurer attended the meeting with their attorneys. Several hours of intense negotiations resulted in a full, final and complete settlement of the case, including the intervention claim by the union's Fund.

**Mediation:** An employee was helping lift materials into the back of a truck when he began to experience pain in his low back. The employer filed the First Report of Injury with their insurer, the claim was accepted and proper benefits were paid.

A number of months after the injury the employee complained about knee, neck and shoulder pain. The insurer denied liability for these conditions and the parties requested a neutral medical examination through the program. The neutral doctor found that the low back condition was work-related, but that the knee, neck and shoulder pain were pre-existing conditions unrelated to the accepted claim.

A mediation session with a program mediator was scheduled. The mediator helped the parties settle the claim at the session. Eventually negotiations with the medical providers were completed. The mediator received a Stipulation for Settlement and signed the Award.

**Arbitration:** An employee made a claim for benefits six months after he was laid off. He alleged that he injured his low back when he jumped off a crane tread a couple months before the layoff. The initial medical records for treatment two weeks after the claimed date of injury reported a slip and fall at his home was the cause for his pain. Records after the layoff related the pain to the jump from the tread. During the insurer's investigation the employee's named witnesses stated that they were unaware of any injury at work. Based on the investigation the insurer denied liability for the claim.

The case went through the Program's entire dispute resolution process including a full hearing before an arbitrator. After considering the conflicting testimony of the witnesses and the inconsistent history given by the employee in the medical records the arbitrator found the employee's claim was not credible and upheld the insurer's denial of liability.



**From the Program Administrator**

## Contractor Member Subscription Fees for 7/1/2018 to 6/30/2019: No Change!

Great News! Due to our continued growth, the Board of Trustees approved **no change** to the payroll assessment rate (0.12%), to the minimum annual fee (\$960) or maximum annual fee (\$8,450). Only payroll of employees of participating labor unions is used in the assessment formula.

### 2018 Milestones

For C.Y. 2017, our 371 member contractors paid \$1.3 billion to over 22,000 employees covered by collectively bargained agreements, an increase of 6.4% from 2017. Our members continue to win more bids!

The UCWCP's Aggregate Experience Modification Rating (EMR) is at 0.94! Each year we collect data from participating contractors that includes their EMR. While the least costly injury is the one that only requires first aid, more serious injuries have significantly reduced benefit costs due to the UCWCP's unique services that improve medical outcomes, resolve problems quickly, and lead to a safe and rapid return to the pre-injury job. This leads to a reduced EMR.

Membership Growth: Over the last 12 months, we added 24 new contractors. Thank you for spreading the word to your peers in the industry about benefits of membership.

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Be safe and stay cool during these busy summer months,



Kevin Gregerson, Program Administrator

*Making Work Comp Work Right*

[www.ucwcp.com](http://www.ucwcp.com)

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