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Have a Question?

Call NCAComp today at
716-842-0045

For claims questions:

Contractor's Trust –
Michael Geck, ext. 107

PIA Manufacturers Trust –
Brian Perry, ext. 123

For questions about accident prevention & safety:

Hank Mumme, ext. 137
Jennifer McCaffrey, ext. 139

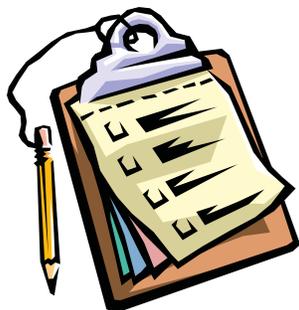
For trust fund performance:

Steven B. Gidwitz, ext. 132

For loss runs, contact:

Jennifer McCaffrey, ext. 139

4 STEPS TO HIRING QUALITY EMPLOYEES



When we ask our safest trust members how they keep their accident rate low, good hiring is usually at the top of the list. To improve your hiring “luck” you have to try harder. So when you have identified someone you want to hire, we suggest you take the following steps:

Step #1. Check references.

Step #2. Perform a criminal background check. (See the back of this newsletter for recommended vendors who can perform this service for you.)

Step #3. Perform a pre-placement physical (PPP). NCAComp is a strong supporter of extra effort to hire good people. That’s why your trust fund will reimburse you 50% of the cost of all pre-placement physical expenses. For reimbursement of PPP expenses, contact Erin Gregory at NCAComp at 716-842-0045, ext. 154. For recommended vendors, contact your AP&S representative.

Step #4. Perform a “work skills” assessment.

Contractor Self-Insurance Trust Fund Issues Dividend

We are pleased to announce that the Contractor Self-Insurance Trust Fund has issued a dividend to qualifying members as of February 1, 2010. The total amount of this dividend is \$150,000. In order to qualify you must have met the following criteria:

- Have been a member of the Trust at some point during the 10/1/06 – 9/30/07 fiscal year.
- Are a current member of the Trust as of 2/1/10.
- Have a total contribution of equal to or greater than \$10,000 during the fiscal year of 10/1/06 – 9/30/07.
- Meet the sliding scale total incurred loss requirements for that fiscal year. This means that if your company had over a 20% loss ratio for that year, you would NOT qualify for a dividend. If you had claims under a 20% loss ratio, your dividend would be reduced due to your claims. If you had no claims in that year, you would receive the total amount due to you.



Sixty-three members will receive a dividend averaging \$2,380; the highest amount being \$11,612. The dividend checks will be distributed to you by your insurance agent/broker or by NCAComp.

In light of all the recent issues with certain trust funds, it shows that trust funds can be successful if the membership makes safety a priority and the trust adheres to strict underwriting criteria. The Contractor Trust Fund has now paid out over \$850,000 in dividends since its inception.

Any questions on your dividend amount? Contact Steven B. Gidwitz at 716-842-0045, ext. 132.

Employee or Independent Contractor?

It can sometimes be difficult to determine whether a person performing work for your company is an employee and covered by your workers' compensation plan, or an independent contractor. But there are some specific factors that help to define employees vs. independent contractors.



1. Right to Control:

YES: If the company controls the time and manner in which work is done, that person is an employee.

NO: If the person doing the work controls the time and manner of that work, this person may be an independent contractor.

2. Character of Work is the Same as Employer:

YES: The person is performing work that is the same as the company's primary work.

NO: The person is performing work different than the primary work of the hiring company.

3. Method of Payment:

YES: The person is paid regularly (weekly, monthly, etc.) and the company withholds taxes and/or provides other employee benefits.

NO: Payment is made only for the completion of a task as a whole.

4. Furnishing Equipment/Materials:

YES: The company provides the equipment and/or materials for their employees.

NO: The person doing the work uses their own equipment.

5. Right to Hire/Fire:

YES: The company retains the authority to hire/fire the person performing the work.

NO: An independent contractor retains control over the time when work is done and is not fired for unsatisfactory performance; however, they are subject to contract termination.

This information, as well as further clarification concerning the definition of employee vs. independent contractor, can be found on the Workers' Compensation Board website at www.wcb.state.ny.us. Keep in mind that no one factor alone determines whether a person will be considered an employee under the WCL.

Inside NCAComp

Welcome New Members!

Please welcome the following new members who joined one of our trusts this past quarter:

- ▶ **CONTRACTORS:**
Sunny Days Painting & Home Services, LLC

Recommended Vendors

These firms are recommended by NCAComp to perform criminal background checks and moving violations (DMV) checks.

Probe Investigations

Ken Horton, VP
716-834-2500

Mary Ann Phillips

PBS Investigations
716-822-0125

Alliance Worldwide Investigative Group

Corey LaShomb
Account Executive
4 Executive Park Drive
Clifton Park, NY 12065
Phone: (518) 514-AWIG (2944), ext. 108
Toll Free: (800) 579-2911, ext 108
Facsimile: (518) 514-2947
www.allianceinvestigative.com

OSHA Injury & Illness Postings

If you have more than 10 employees, you're required to keep OSHA 300 forms for recordable injuries and illnesses. The OSHA 300 form is called "Log of Work-Related Injuries & Illnesses," and the 300-A form is "Summary of Work-Related Injuries & Illnesses."

You must post the 300-A form in a visible place where employee notices are usually posted. It must be posted no later than Feb. 1 of the year following the year covered by the records. You must keep it posted until April 30.

E-mail info@ncacomp.com if you need any of these forms.

Claims Corner

Reminder About Incident Reports

Please remember to send in all your incident reports. It is important to file them with NCAComp because we have to report any injury that happens at your company to CMS. Failure to report incidents could lead to a \$1,000 fine, for which you would be responsible.

For First Aid/Incident reports, visit our website at www.ncacomp.com and click on "Request Forms" in the upper right corner, or contact your claims examiner.