



Philadelphia Chapter ASSE Local Chapter Newsletter



March 2009

March, 2009 Professional Development Course Wednesday, March 4th *"Workers' Compensation: Getting It Right, Right from the Start"*

In these tough economic times, it is more important than ever to do what we can to protect our company's assets and reputation. Corporate downsizing and record-high unemployment rates have resulted in numerous candidates for any available position. But how do you decide who is the best person for the job?

Many companies overlook the importance of pre-employment (or post-offer) screening when it comes to hiring new employees. And while doing it right can lead you to a professional relationship that benefits both employee and employer, doing it wrong can be disastrous. When planning this year's PDC we started with the worst-case scenario – ending up in court because of poor hiring practices or to defend against a fraudulent workers' compensation claim – and worked backwards. What could the employer have done differently that would have avoided this protracted and costly litigation?

Our speakers will address the unique issues associated with an aging workforce and how understanding the needs of prospective employees can help you make better hiring decisions; the pros and cons of drug testing as part of pre-employment screening and post-accident root cause analysis, and the importance of creating a legally defensible drug and alcohol policy; the various types of Post-Offer Employment Testing (POET) available to employers who want to ensure they are choosing the right candidate for a particular job, and how Functional Capacity Evaluations (FECs) can also be used post-injury to determine an employee's fitness for duty; and legal issues related to employment law and workers' compensation.

This PDC is for safety specialists and human resource managers who want to learn how to optimize available testing and best practices to hire and keep good employees. Both ASSE members and non-members are welcome; feel free to invite any colleagues who may share an interest in this area.

Our venue is the NovaCare Complex in Philadelphia, training facility for the Philadelphia Eagles, with its spacious auditorium, large comfortable seats and state-of-the-art audio and visual equipment. Continental breakfast, snacks and full lunch are included in the registration fee, along with door prizes of signed Eagles, Sixers and Flyers memorabilia.

MEETING AGENDA: WEDNESDAY, MARCH 4TH

- 8:00 - 8:30 AM: Registration/Continental Breakfast/Networking Opportunity
- 8:30 - 9:15 AM: Challenges Associated with an Aging Workforce
Speaker: Wayne Clifton, AVP -- Global Field Operations, ESIS Global Risk Control, Philadelphia
- 9:15 - 9:30 AM: Break/Networking Opportunity
- 9:30 - 10:45 AM: Drug & Alcohol Testing
Speaker: Rita Lebo, WORKNET Drug & Alcohol Services
- 10:45 - 12:00 PM: Post-Offer Employment (POET) Testing
Speaker: Tony Viggiano, M.Ed., ATC: National Director of WorkStrategies, NovaCare Rehabilitation
- 12:00 - 1:00 PM: Lunch/Networking Opportunity
- 1:00 - 2:15 PM: Hiring Practice: Getting it Right, Right from the Start
Speaker: Steven Ludwig, Esq., Partner, Fox Rothschild, Philadelphia
- 2:15 - 2:30 PM: Break/Networking Opportunity
- 2:30 - 4:00 PM: Workers' Compensation – Keeping It Legal
Speaker: Michael McCadden Esq., Managing Partner, Carpenter, McCadden & Lane

The cost of this meeting is **\$75.00**, to be paid by check or by cash at the door (sorry- credit cards/PO's and vouchers cannot be accepted). Checks should be made payable to "Philadelphia Chapter ASSE".

Deadline for pre-registration is the end of the day on **Wednesday, February 25th.**

Pre-registration for this meeting is **MANDATORY**. Registration will be cut off, without notice, when the number of seats available are filled.

To pre-register: Please send an email to register@philaasse.org, with your name and company affiliation.

SPEAKERS:

Robert Wayne Clifton: AVP, Global Field Operations, ESIS Global Risk Control, Philadelphia

Wayne has over 36 years as a professional safety consultant. As Global RCS Operations AVP for ESIS, he is responsible for GRCS service delivery on a Global basis. He manages global staff in Singapore, China, Malaysia, UK, and the U.S. as well as service providers in Europe.

Wayne holds a BS in Marine Engineering and an MA in Health and Safety. He is an ARM, CPCU, ALCM, CSP, CIE and PE.



Presentation: Challenges Associated with an Aging Workforce

- Statistics & Demographics
 - Physical and cognitive changes associated with aging
 - Workplace changes to accommodate an aging workforce
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Rita M. Lebo, RT (R): Director, Drug & Alcohol Services, WORKNET, Managed by NovaCare

Rita M. Lebo is the Director for WORKNET Drug & Alcohol Services. Rita is currently the Director of a Department of Transportation (DOT) and Non-DOT Consortium which performs randomization for clients. The random program has over 17,000 lives to date. She is responsible to educate all of WORKNET's employees on drug & alcohol testing procedures. Rita is responsible for 16 WORKNET Occupational Medicine Clinics drug and alcohol collections, testing, audits, and education. She also provides educational classes to private companies with respect to Reasonable Suspicion, Drug & Alcohol Awareness, Collection Process for Drug Testing, and Policies & Procedures. Rita was a member of the committee to redesign the DOT Custody and Control form.

Rita also is a certified professional collector trainer for drug testing, a trainer for Breath Alcohol testing, and completed both the Medical Review Officer training course and the advanced course. Rita has been a Radiological Technologist (register) since 1977 and has had the pleasure to teach Radiographic Position classes along being the Chief Technologist for Angiograms and Arteriograms. Rita transitioned into occupational medicine radiology in the late 1980s.



Presentation: Drug & Alcohol Testing

- Alternative types of testing
- Reasons to test
- Creating a legally defensible policy

SPEAKERS:

Anthony J. Viggiano, M.Ed., ATC: Director of WorkStrategies,
NovaCare Rehabilitation

Tony Viggiano is currently the National Director of WorkStrategies for NovaCare Rehabilitation. Tony is responsible for the development and implementation of worksite injury prevention and management programs that NovaCare provides for employers. NovaCare's WorkStrategies program is designed to assist employers in the reduction of work related injuries, costs and claims. Tony has been with NovaCare since 1988 in various roles from managing NovaCare Physical Therapy centers, to Director of Training and Development and most recently as Director of WorkStrategies. Tony has worked with hundreds of companies, assisting them in reducing the rate of workplace injuries. He participated in the NovaCare team that designed the current WorkStrategies product and has been working with the NovaCare Clinical Services Department in the process of continually updating the program.

Some of the companies that Tony has worked with are: Exelon, Consolidated Energy, Wawa, SuperValu; Hatfield Quality Meats, Wyeth Laboratories and Philadelphia Newspapers, Inc.

Tony has implemented an array of onsite services for employers such as physical therapy, job analysis, back injury prevention, post offer/physical demands testing, on the job stretching programs, upper extremity injury prevention, sprain and strain prevention.

Tony is a certified Athletic Trainer and a certified Strength and Conditioning Specialist, as well as being an ergonomic assessment specialist.



Presentation: Post-Offer Employment Testing (POET)

- Importance of testing in selecting the right employee for the job
- Using FCEs as a screening tool and as a means of determining fitness for duty after an injury has occurred.



SPEAKERS:

Steven Ludwig, Esq., Partner, Fox Rothschild, Philadelphia

Steven represents private and public clients in the full range of labor and employment matters including labor litigation, civil rights litigation, collective bargaining (management), personnel counseling and training, appellate representation, regulatory compliance (ADA, ADEA, COBRA, ERISA, FLSA, FMLA, OSHA, HIPAA) and alternative dispute resolution.

He has also litigated matters involving Title VII of the Civil Rights Act (race, color, sex, national origin), Civil Rights Act of 1991, Section 1983 Litigation, Fair Labor Standards Act, contract disputes, wrongful discharge, and defamation and other torts.

Steven served as a Deputy City Solicitor for the City of Philadelphia, prosecuting code enforcement violators and representing all city and county agencies in special litigation and labor matters. He also served as a law clerk for the Hon. Edward Rosenwald, Court of Common Pleas.

Steven has served as Board member and Secretary for the Women's Law Project; President of the Shannon Village Condominium Association; and, President of the Board of Family Support Services, Inc.



Presentation: Hiring Practice: Getting it Right, Right from the Start

- Know your employees --Background checks including previous employers and criminal and financial history.
- Know your company -- Importance of written job descriptions and job safety analysis.
- Know the law – DOL and ADA Compliance



SPEAKERS:

Michael McCadden, Esq., Managing Partner, Carpenter, McCadden & Lane

Michael J. McCadden is a 1981 magna cum laude graduate of St. Joseph's University. Following graduation from college he attended Villanova University School of Law where he received his Juris Doctorate in 1984 and was admitted to the Bar of the Commonwealth of Pennsylvania later that same year.

Mike has defended employers and insurance companies in workers' compensation matters for over 20 years. He serves as a frequent lecturer in workers' compensation and has also published various articles in that field. In addition, he has served as a program chair for the Philadelphia Workers' Compensation Claims Association. He served on Council of the Workers' Compensation Section of the Pennsylvania Bar Association, held various offices, and is now Past Chair of that organization. Mike was awarded the Outstanding Author award by the Pennsylvania Chamber of Business and Industry for his contributions to *The Labor Report* and has appeared as a Super Lawyer in *Philadelphia Magazine* and in the Corporate Counsel edition of Super Lawyers. He is also a member of the Delaware County Bar Association and the Pennsylvania Self-Insurers' Association.

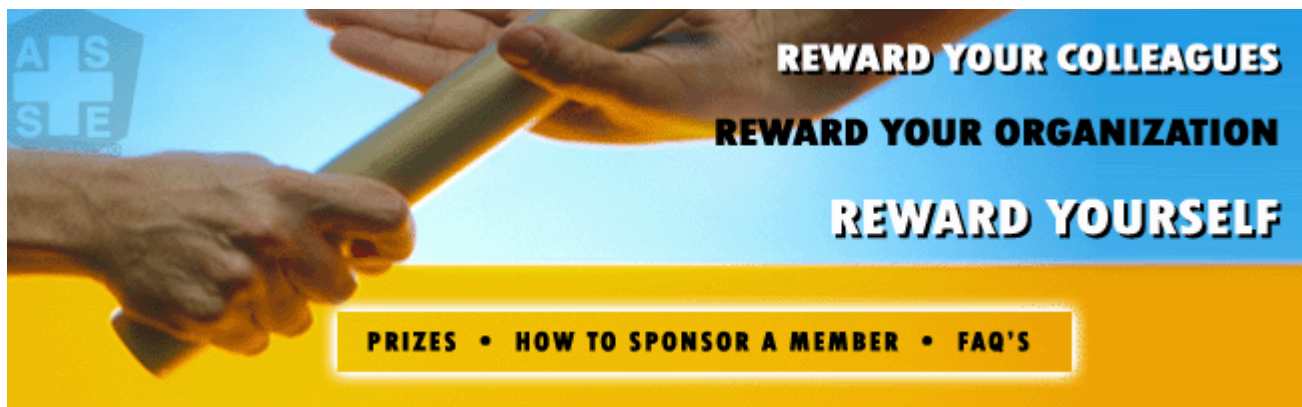
Mr. McCadden is also the managing partner of the firm of Carpenter, McCadden & Lane, LLP, with offices near Pittsburgh and Philadelphia. His firm provides statewide representation to employers and self-insureds in workers' compensation matters and conducts numerous educational programs for its clients throughout the Commonwealth.



Presentation: Workers' Compensation – Keeping It Legal

- Employer's Responsibilities under the WC Act
- Importance of strong written policies, including drug/alcohol use and compliance with safety rules and regulations





The American Society of Safety Engineers would like to remind you of our 2008-2009 **Member-Get-a-Member Campaign!**

From December 1, 2008 until March 31, 2009, if you recruit one or more of your colleagues to join ASSE you will pass on the combined knowledge of 32,000 safety, health and environmental professionals. This will help the Society and the safety, health and environmental profession grow. A larger population of members and in the profession provides ASSE with the ability to more effectively meet your needs as well as increase your ability to share best practices with others who support the profession and seek formal education and professional career support. At the same time, you put yourself in a position to potentially win some great prizes! For each new member you sponsor you increase your chance of winning!

Many of you have already taken advantage of this campaign. We thank you for your participation and hope you plan on sponsoring more new ASSE members!

As you already know, ASSE members take advantage of their outstanding membership privileges every day. From technical publications to educational opportunities and practice specialties, ASSE serves as your primary resource for safety, health and environmental professionals worldwide. Now is a perfect time to pass on those resources to a colleague and further ensure the success of your team and make it their primary resource as well.

What can you win?

- Recruit 1 new member by January 31, 2009 and be entered into a drawing for a \$100 ASSE gift certificate.
- Recruit 3 new members by February 28, 2009 and be entered into a drawing for a \$1000 American Express gift card, a \$100 ASSE gift certificate.
- Recruit 4 or more new members by March 31, 2009 and be entered into a drawing for a \$1500 American Express gift card, a \$100 ASSE gift certificate.

To learn just how easy it is to recruit a new ASSE member, please visit www.asse.org/membership today or call our customer service center at (847) 699-2929.

Call For Speakers: Penn-Jersey ASSE Professional Development Conference (May 15, 2009)

The Penn-Jersey Chapter ASSE is looking for speakers for their Professional Development Conference, being held in Bordentown, NJ on Friday, May 15th.

For more information, please contact Penn-Jersey's conference committee at PDC@penn-jersey.asse.org by February 27, 2009.

Upcoming Philadelphia Chapter ASSE Meetings

Planned upcoming meeting topics are listed below: please check our web site for dates and times

Greening: time/location to be announced

Joint meeting with Penn-Jersey ASSE (date/time/topic/location to be announced)

Plant Tour (time/location to be announced)

2009-2010 Chapter Planning Meeting (date/time/location to be announced)

June 2009: June 28th - July 1st: **Safety 2009 Professional Development Conference & Exposition** (Henry B. Gonzalez Convention Center, San Antonio, Texas)



Thousands of Safety, Health and Environmental professionals will choose SAFETY 2009 as their primary source for professional development this year.

- Learn from the successes of other organizations
- Take away examples and strategies
- Network with your peers and earn CEUs

Registration is open for ASSE's SAFETY 2009.
For more information, visit the ASSE web site at

<http://www.asse.org/education/pdc09/>

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