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MEETING NOTICE:

The Advisory Council on Workers' Compensation and Occupational Disease Disablement will meet at 2:30 p.m., Thursday, September 5, at 2410 Centre SE, Albuquerque, NM 87106. See <https://workerscomp.nm.gov/Advisory-Council> for more information..

HOLIDAY CLOSURES

The Workers' Compensation offices in Albuquerque and all its field offices will be closed on the following upcoming holidays:

Labor Day, Monday, September 9
Indigenous Peoples' Day, Monday, October 14

WCA Enforcement Bureau Ensures Compliance with the Act

By Michael Holt

The Workers' Compensation Administration's Enforcement Bureau was created pursuant to Section 52-5-1.3 of the New Mexico Workers' Compensation Act. The Enforcement Bureau acts as the Director's enforcement arm regarding investigating and administratively prosecuting violations of the Act and associated rules. Substantially all of the investigations and prosecutions performed by the Enforcement Bureau pertain to (1) employers lacking required workers' compensation insurance; and (2) allegations of fraud, bad faith or unfair claims processing alleged against employers, third-party administrators and insurers. However, such allegations can be made against workers and medical providers.

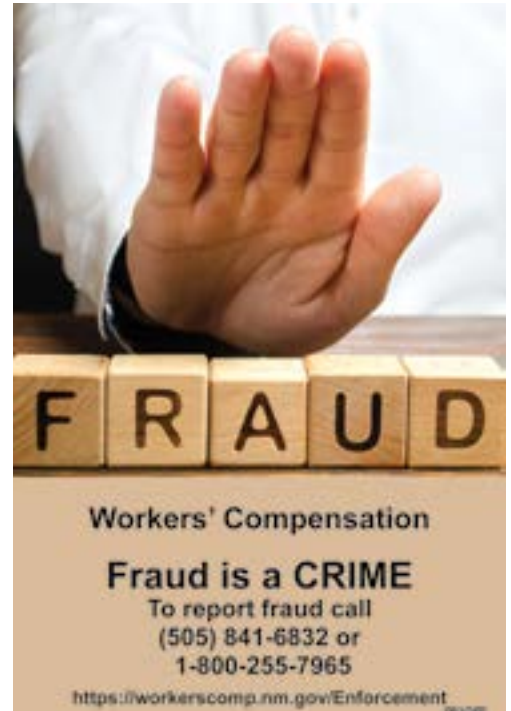
Recent examples of the Enforcement Bureau's efforts in upholding the Act and associated rules include the following noteworthy cases:

(1) Collection of a \$16,500 penalty against Chubb Insurance for repeated failures to attend mediation despite notice of mediation being sent to the designated email address of Chubb Insurance;

(2) Collection of a \$2,500 penalty against Presto Oil Services, LLC for failure to report a workplace injury;

(3) Collection of a \$5,000 penalty against Hartford Insurance for failing to attend mediation despite notice of mediation being sent to the designated email address of Hartford Insurance; and

(4) Obtaining three orders of permanent injunction from a New Mexico District Court to preclude ongoing operation of the employers' business after the employer failed to obtain



the required workers' compensation insurance. The three businesses are Star Hill Enterprise, LLC, and Mares Roofing, both construction companies, and G and I Trucking.

The Enforcement Bureau consists of two investigators, a paralegal and the Enforcement Bureau attorney supervisor. Cases are initially presented to the Director or Director's Designee for purposes of an administrative hearing. Cases are often resolved by a stipulated order following the formal filing of charges. The noted compliance cases in (4) above were administratively prosecuted but, due to the employers' failure to obtain the required workers' compensation policy of insurance, additional proceedings were filed with the district court resulting in the order of permanent injunction.

Recognizing Return-to-Work Champions: Celebrating Employers who Prioritize Their Employee Safety and Well Being

By Marietta Valdez

As employers continue to navigate the complexities of returning to physical workplaces, it is essential to acknowledge the crucial role they play in ensuring a safe and healthy environment for their employees. Through the Workers' Compensation Administration's (WCA) Return-to-Work (RTW) initiative, employers who have demonstrated exceptional commitment to employee safety and well-being are recognized as "Return-to-Work Champions."

In October Brandon Lopez transferred from the Safety Bureau to become the RTW specialist for the northern region. Because Lopez has a background in both safety and RTW, the WCA was able to double their efforts throughout the state with minimal transition or training time. The RTW team coordinated to provide training internally for WCA staff as well as across the state to other New Mexico agencies, health care providers, private and public employers. WCA RTW either exhibited and/or provided presentations at conferences in the northern region including New Mexico Public Schools Association

NM Workers' Comp. Adm. Quarterly Bulletin

Robert E. Doucette, Jr., Director
Diana Sandoval-Tapia, Public Information Officer

The Bulletin is electronically published in January, April, July and October by the Public Information Office of the New Mexico Workers' Compensation Administration. The Bulletin is available free of charge. Send changes of e-mail address and requests to receive the Bulletin to Diana Sandoval-Tapia in the Public Information Office, New Workers' Compensation Administration, WCA-PIO@state.nm.us. Suggestions for articles are welcome. Call Diana Sandoval-Tapia at (505) 841-6052. Recent issues of the Quarterly Bulletin can be viewed on the Internet at <https://workerscomp.nm.gov/NMWCA-Publications>.

Conference, American Society of Safety Professionals (ASSP), Society Human Resources Management (SHRM) NM, New Mexico Workers Compensation Association Conference, and New Mexico Coalition for Healthcare Value.

During this program growth, RTW staff also partnered with other bureaus and field offices in the agency to conduct outreach throughout New Mexico. The main focus of the RTW program is to help employers transition their injured workers back to the workplace as quickly and safely as possible, in addition to educating the public on workers' comp rules and regulations.

RTW Champions:

Leading by Example

The WCA's Return-to-Work Champions have demonstrated dedication to employee safety and well-being. These employers have provided comprehensive training and encouraged employee participation in their safety initiatives. By doing so, they have created a culture of safety awareness while empowering employees to take ownership of their well-being and that of their colleagues. In recognition of this important responsibility, the WCA highlights employers who have demonstrated a commitment to strong safety programs. These organizations prioritize employee well-being, implement robust safety protocols, and foster a culture of safety awareness.

UNIRAC

UNIRAC is a leading manufacturer of solar mounting systems and roof attachments; they also distribute and ship products, (including products from

suppliers) for solar panels. UNIRAC employs approximately 205 individuals from production operators, supervisors, janitorial, sales, marketing, customer solutions and other administrative positions. UNIRAC has a very strong safety culture in place, which already met the RTW Best Practices. In order to help them streamline the process the WCA's team introduced the RTW Grab N' Go Kit as a tool to help the employer communicate with the employee at the time of injury. This allows the employee to have access to WCA's Provider's Report of Physical Ability (PROPA), which provides the employer with information about the recovering workers' work restrictions on a consistent basis.

UNIRAC reviews and re-evaluates their RTW programs quarterly with a mindset of constant improvement. UNIRAC's safety and human resources staff continually evaluate safety and how best to accommodate work restrictions so they can best assist their employees in navigating the workers' compensation claims process.

Southern New Mexico Correctional Facility (SNMCF)

SNMCF has 350 employees to include correctional officers, administrative and managerial staff, and the fire, safety and sanitation officers (FSSO) team. When an accident occurs, the injured worker reports the incident to their direct supervisor, at which time the FSSO's and HR are notified.

SNMCF has nurtured an environment where all staff look to support recovering workers, even stepping up to offer light duty tasks that can be assigned

What is the Advisory Council?

The Advisory Council on Workers' Compensation and Occupational Disease Disablement is a task force created by statute, comprised of six members, three representing workers and three representing employers. The primary role of the Council is to advise the governor and legislature on the status of the workers' compensation system in New Mexico. The Advisory Council is required to meet at least twice annually. Scheduled meetings of the Council are announced on the WCA website, <https://www.workerscomp.nm.gov/Advisory-Council>.

to someone on light, limited or modified duty. In creating a supportive environment for the recovering worker, all employees see that their safety is a priority to the organization which, in most cases, promotes a speedier recovery.

SNMFC has a team of FSSO's and HR staff who work together to communicate with the injured worker throughout the claims process. As with any employer, WCA will continue to collaborate with SNMFC to address any issues as they arise.

The Power of Safety Collaboration

One of their most innovative workers' comp accomplishments for both employers was communicating with their employees to get feedback and provide workplace safety training opportunities. Communication amongst all stakeholders is one of the key factors in returning an injured worker back to the workplace as quickly and safely as possible.

Creating a safe workplace requires a collaborative effort between employers and employees. Employers must prioritize safety protocols by conducting regular risk assessments and implementing proactive measures to address hazards. Employers who promote a safe work environment provide necessary re-

sources and foster a culture of open communication. Employees, in turn, must take an active role in reporting hazards, following safety guidelines, and looking out for one another. When both parties work together, the result is a safer, more supportive work environment.

Effective safety programs share certain key elements, including:

- **Regular Risk Assessments:** Identifying potential hazards and taking proactive measures to mitigate them. It can be helpful to include employees in identifying hazards and safety measures to address them. In this way, they take part in implementing/maintaining the safety protocols and also watch out for potential issues.

- **Clear Communication/Training:** Ensure employees understand your safety protocols, policies, and procedures in case of a workplace injury. Communicating your safety policies at new hire orientation, during annual safety meetings or more informal bite size weekly/biweekly meetings, depending on the workplace environment and potential hazards and adjusted as needed.

- **Incident Reporting and Investigation:** Encourage employees to report incidents, including near misses, and conduct thorough investigations to identify root causes. This can include a

witness statement form, incident management checklist, pictures and/or video evidence. This is not meant as a "gotcha" but rather a review process to prevent similar injuries from reoccurring.

- **Continuous Improvement:** Regularly reviewing and refining safety protocols to review trends and address emerging risks. It is important to remember to share this information with employees throughout the process so they are aware of any potential risks that they or their co-workers may face.

- **Follow Up:** In case of a workplace injury, the employer communicates that regular follow-up is necessary. After each health care provider appointment, the employee must bring their work release document (PROPA), and the employer will work to accommodate the recovering worker in a limited, light duty or modified position.

The WCA's Return-to-Work program staff looks forward to continued growth and more one-on-one collaboration with employers throughout New Mexico. The RTW program was integrated into the WCA's Safety Bureau as of July 1, 2024. The organizational move will allow RTW staff to work directly with the WCA's safety consultants at better streamlining processes for employers.

WCA Economist Charles Cordova Earns National Recognition

The Workers' Compensation Administration (WCA) is proud to announce that Economist Charles Cordova has been honored by the International Association of Industrial Accident Boards and Commissions (IAIABC) with the prestigious "NextGen Award." Cordova is one of only six professionals across the nation to receive this accolade, which celebrates innovative leaders under the age of 40 who are making a significant impact in the workers' compensation industry.

The IAIABC created the NextGen Award in 2017 to acknowledge young professionals who demonstrate exceptional creativity and forward-thinking

solutions in their roles. Cordova's recognition underscores his dedication to advancing workers' compensation services through modernization and rigorous research.

"I am deeply honored to be recognized as a recipient of the 2024 IAIABC NextGen Awards and am excited to continue our efforts on modernization and the improvement of workers' compensation knowledge through research," said Cordova.

Since joining the WCA in July 2021, Cordova has specialized in modernizing economic and public policy research. His extensive research in workers' compensation has made him a re-

spected voice in the industry, frequently invited to speak on national platforms.

The IAIABC is a not-for-profit association that represents government agencies

responsible for administering workers' compensation systems. The organization is dedicated to finding solutions that reduce harm and aid recovery from occupational injuries and illnesses.



*WCA Economist
Charles Cordova*

Facilities Chief Freddy Ramirez Directed Building Upgrades, Selected Manager of the Quarter

For his diligence and commitment to serving the WCA and its employees, being instrumental in coordination of the recent lighting and flooring upgrades at the WCA's Albuquerque building, Facilities Bureau Chief Freddy Ramirez was selected as the second quarter manager of the quarter.

Ramirez was instrumental in implementing installation of new LED lighting and replacement flooring throughout the WCA's two-story Albuquerque headquarters, a project that cost more than \$450,000 and which was funded by the New Mexico General Services

Department.

In addition to the building upgrades, the Facilities team assisted in relocating whole departments throughout the building helping staff to move furniture and other work products.

"Freddy and his team have been working harder than ever with the big projects in our building such as the new flooring and lighting system," said Trey Flynt, Ramirez' supervisor. "This included a ton of furniture moving and dealing with staff while this was going on. Freddy and his team worked diligently to ensure this went by with as few hiccups as

possible. Facilities, under Freddy, always has a lot going on but this past quarter there has been more than normal and they've done a great job dealing with it all."

Ramirez has been with the WCA for eight years.



*Facilities Bureau Chief
Freddy Ramirez*

WCA Application Developer Roy Claudio Named Employee of the Quarter

Roy Claudio, an application developer at the WCA, was selected employee of the quarter for the second quarter 2024.

Claudio began working at the WCA in November 2021. Wrote his nominator, "Roy listens to the issues or what the problem is, he asks questions and verifies what he hears. He works alongside to ensure that he is understanding the situation, and to also to give guidance on the project.

"He is patient," continued his nominator. "Yes, he is doing the job he is hired to do, but Roy does it a higher level by ensuring that he is listening and that he completely understands the situation so that he can resolve the issue or problem. Roy is a great asset to the IT Team."

Regarding his selection, Claudio said: "I truly appreciate being recognized as Employee of the Quarter. I am grateful to be in an environment that encour-

ages learning and growth. I have enjoyed tackling the challenging problems that have come my way and am eager to continue contributing positively to the future of workers' compensation in New Mexico.



*Application Developer
Roy Claudio*

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