

Loss Control Visits: Taking a Proactive and Collaborative Approach



By [Dan Bookham](#) for December 2022 [WorkBoat](#) Magazine

Hang around vessels, shipyards, terminals and insurance long enough and you are bound to become familiar with the seemingly strange ritual of the loss control visit. The frequency of the visits depends on the individual insurance company but invariably at some point risk engineers will show up to visit clad in high viz and hard hat, usually clutching a camera (and sometimes a clipboard) to inspect your boat or facility for potential hazards and issues. Sometimes they bring donuts. They also always issue a report and list “recommendations” (read requirements, lest you lose your insurance), which, unlike the Krispy Kremes, can often feel hard to digest.

It doesn’t have to be that way, however. By taking a proactive approach to risk management and drawing on the resources of your insurance company (resources your premium payments fund), those loss control visits can feel less like a visit by a drill

instructor looking for an unmade bed and more like a collaboration with safety specialists who can both save you money and ensure your people head home each day or after each trip with the same number of digits and limbs they had when they came in.

In preparing for a loss control visit, I highly recommend working with your insurance agent to undertake a preliminary walk-through to see if you both can spot any easy fixes or potential trouble spots (a frayed cord on a tool for example, or sloppy housekeeping in a workshop). Having your own punch list of planned corrections and improvements will minimize any surprises and make it easier to budget for the fixes. When the loss control team visits, rather than just relying on the written report, be sure to ask them to flag issues in a post walk-through meeting so you can discuss them while memories are fresh.

When the report comes in, be prepared to respond with a timeline to address the elements they raise. I've often found that draconian demands to make immediate fixes soften if you demonstrate a willingness to work on trouble spots at a reasonable (and often more affordable) pace. Proactively use the tools insurers provide, both online and in person, to make the most of your premium dollars and improve the safety and risk profile of your business.

Not only does a proactive and collaborative approach to loss control make the workday safer for your people, your customers and their property, your passengers, and your own stuff, it also can result in lower lifetime insurance costs as fewer claims and a proactive approach to safety and risk make you an attractive customer for insurers to woo.

When it Comes to Claim Reporting, Don't Hesitate



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By Chris Richmond
For November 2022 [WorkBoat Magazine](#).

You have heard it before but it bears repeating: If something occurs that you think might be a claim let your agent know sooner rather than later. If a passenger or crew member is injured, report it, even if they say they are fine and do not need medical attention at the time.

The time to record information pertaining to any sort of occurrence is immediately after it happens. This is when everything is still fresh in your mind and you can accurately record the events that happened. Who was injured? Where did it happen? What were they doing at the time? It is much easier to

obtain this information at the time of the time of the event rather than try to track it down six months later when you receive a letter from an attorney. By letting your agent know what happened, they in turn can report the claim to the insurance company. There is no harm in sending something in for reporting purposes only. Adjusters would much rather have this information sooner than later – even if the eventual medical bill is less than your deductible.

We had a passenger vessel operator contact us recently to report a claim. A passenger had fallen while disembarking from a tender while on a shore trip. The captain had offered medical assistance off the boat at a local clinic but the passenger had refused, stating that they were fine and wanted to continue on with the trip. The cruise continued and the passenger enjoyed the remainder of the trip with no complaint. Fourteen months later, the owner of the vessel receives a notice from an attorney looking for payment of medical bills as well as for pain and suffering.

Another client had a similar situation but with a crew member. The individual injured her back while on board. The insured reported the occurrence and the crew member received medical treatment for her injury. Eighteen months later the insured was issued a notice of summons from the crew member's attorney looking for pain and suffering. The adjustor was able to reopen the claim and review the file with all the pertinent notes from the time of the claim.

You should never feel that you can't report something to your insurance agent. Unsafe areas of operations can be determined on board and corrected. This can help reduce injuries and ultimately save you money in the long run. By including your agent in the conversation you can help keep your passengers safer and your business more profitable.

Marine Professional Liability Coverage



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By Chris Richmond
For August 2022 [WorkBoat Magazine](#).

A very long time ago when I was captain of an old wooden sailing vessel, I was bringing the boat in to the harbor to tie up to the dock, something that I had done countless times. Except this time when I put the engine in reverse to stop forward movement the boat went ahead. Quickly losing room in the congested harbor, I tried again to engage reverse propulsion, to no avail. A wooden tour boat tied up ahead of me finally stopped my movement. There was season-ending damage.

While my vessel's Hull and P&I policy took care of the damage claim, the Coast Guard felt that I had been derelict in duties

as captain and wanted to conduct an admiralty hearing against my license. I now needed professional liability insurance coverage.

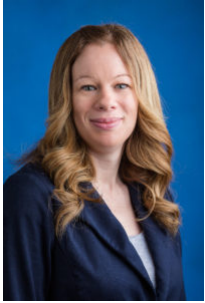
Typically used by attorneys, accountants, consultants and real estate brokers, professional liability provides coverage against claims made against professionals who have not performed up to the standards of their profession. This type of liability coverage is also available to licensed mariners. Should a claim occur, and the captain be deemed negligent, he or she could be sued in addition to the vessel.

Coverage can include defense costs (both against your license, civil legal defense as well as criminal acts defense), coverage for fines and penalties as well as a daily subsistence allowance. It is important to note that professional equipment, such as a personal GPS or similar navigational device, can also be included. Loss of income can be added to compensate for lost wages due to down time resulting from a claim.

Whether you are driving a 6 pack harbor taxi or a blue water tanker, your livelihood requires you to hold a valid USCG license. When you are involved in a claim involving your license, having professional liability coverage to fall back on can both help alleviate the headache of defending yourself and help take care of some defense costs. Have a talk with your marine insurance agent before you need this kind of protection.

Busy Season is Here: A Quick

Insurance Checklist



By [Krissy Campbell](#)

Summer is just here! Restaurants are open, shops are full and traffic is backed up. For local businesses of all sorts, this is good news: Whether you're a contractor taking on new projects, restaurants coming out of hibernation, shops stocking your shelves or hotels & motels bringing on seasonal staff. If you're one of the many businesses with seasonal influxes, let's make sure all that prep work you've done is covered as it should be. Be sure to call your insurance agent about:

- New employees
 - Increases in current payroll
 - Increase in sales and/or inventory
 - New equipment
 - New vehicles or drivers
 - Seasonal operations
 - New operations or projects
 - Newly rented or leased locations
 - New construction or acquisitions
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The Status of OSHA's Heat Hazard Protection Standard

A heat hazard protection standard from the Occupational Safety & Health Administration (OSHA) continues to be in the pre-rule stage and is still under consideration. [View a PDF update.](#)

Workers most commonly affected by heat-related illnesses are:

- Postal and delivery services
- Landscaping
- Commercial building
- Highway, street and bridge construction workers

Workers who most commonly suffer heat-related fatalities were:

- Landscaping
- Masonry
- Highway, street and bridge construction workers

On Oct. 27, 2021, OSHA published an advance notice of proposed rulemaking to officially start the process of creating a mandatory heat hazard protection standard. Currently, OSHA has only a recommended, not required, workplace heat standard. However, many states have their own heat exposure standard as part of their OSHA-approved state plans.

Maine's state plan covers state and local government workers only. [Click here for a map showing all state plans.](#)

Building Partnerships for Workplace Safety

Safety in the workplace starts with good information, translated into good practice. Recently the management staff at the [Belfast Co-Op](#) joined [Sally Miles](#) of Allen Insurance and Financial and Maureen Anderson, an ergonomist from [MEMIC](#), the workers' compensation insurance company, for a safety workshop designed especially for the Co-op workplace.

They discussed sitting, standing, lifting, carrying, material handling and posture. The main theme was the "Power Zone," which is close to the body, between mid-thigh and mid-chest height – where the arms and back can lift the most with the least amount of effort and with a lower risk of injury.

"Preventative measures such as regular safety meetings can make a real difference for our workers in the long run," said Doug Johnson, co-op general manager. "We're pleased Allen Insurance and MEMIC took the time to introduce us to this valuable resource."

Why Do You Need Cyber Insurance?

By [Karen Reed](#)

This is another in our series of blog posts for business owners.

WHAT IS CYBER INSURANCE?

A cyber insurance policy can help protect your business from the fallout from cyberattacks and hacking threats. Having a cyber insurance policy can help minimize business disruption during and after a cyber incident, as well as potentially covering the financial cost of some elements of dealing with the attack and your recovery from it.

WHO NEEDS CYBER INSURANCE?

If your business stores any form of digital data, you need cyber insurance. These days, this is nearly every business.

WHAT SORT OF ATTACKS RESULT IN CYBER INSURANCE CLAIMS?

Cyber insurance claims can be triggered by many different incidents. Most common are ransomware, fund-transfer fraud attacks and business email compromise scams.

HOW MUCH DOES CYBER INSURANCE COST?

The cost of a cyber insurance policy depends on a number of different factors including the size of your business and its annual revenue. Other factors can include the industry in which you operate, the type of data your business typically deals with and the overall security of your computer network.

Business Income Insurance – What It Is and Why You Need It

By [Sally Miles](#)

If your business has to stop operations unexpectedly, there would be loss of business income. There is a type of insurance coverage which can help a business owner meet payroll and other operating expenses and replace actual loss of net income during the time required to repair or replace the damaged property after a loss.

There are a few important things to know about business income coverage:

- Business income is defined as net profit or loss before income taxes that would have been earned or incurred if no physical loss had occurred.
- This coverage is triggered by direct physical loss or damage to your property due to a covered loss AND a partial or full suspension of operations.
- Business Income coverage can be programmed to fit the needs of a specific business.

We recommend asking your insurance agent to help you determine whether business income coverage is essential for your operation. It could mean the difference between reopening after a covered loss or closing your doors for good.

**Employee or Independent
Contractor? It Makes a**

Difference!

By [Sally Miles](#)

Have you ever thought about the difference between an employee and independent contractor?

The answer can be found through a series of questions created by the [Maine Department of Labor.](#)

Paying someone using a 1099 not does automatically make them an independent contractor.

The facts of the relationship between the business and individual conducting work determine whether you have an employee or independent contractor.

When it comes to insurance, this distinction is important because a business's payroll (the people who are true employees and not independent contractors) will impact both their workers compensation insurance and general liability insurance policies, in terms of both cost and risk exposure.

When you have questions, Ask Allen. We're here to help.

Why Contractors Should Consider Errors & Omissions

Coverage

By [Krissy Campbell, CIC , ACSR](#)

Contractors face several potential hazards in today's competitive and litigious society; customers are sometimes quick to allege negligence in a contractor's work.

Contractors Errors & Omissions insurance, also referred to as E&O insurance, provides coverage for things such as damages arising out of unintentional faulty workmanship, installed products, recall of their work and impaired or defective property.

Questions about contractors E&O insurance? Ask Allen. We're here to help.