



RON GALPERIN
CONTROLLER

March 26, 2015

Honorable Eric Garcetti, Mayor
Honorable Michael Feuer, City Attorney
Honorable Members of the Los Angeles City Council

**Re: Release of Two Audits - LAPD and LAFD
Workers' Compensation Prevention Programs**

Over the course of the past four years, the City of Los Angeles paid out more than \$800 million in workers' compensation benefit payments and medical costs, and nearly 29,000 claims were filed by City employees. More than 60% of these claims were made by our sworn Police and Fire Department personnel. Most notably, a staggering 66% of all firefighters, and 60% of all police officers, filed at least one workers' compensation claim against the City over the course of just the last three years. Some 44% of LAFD claimants and 42% of LAPD claimants filed two or more claims during the same period.

The problem of injuries and claims is a serious one — and growing. Workers' compensation costs for the LAPD and LAFD have grown 35% over the last five years. The costs for workers' comp for the LAPD and LAFD in fiscal year 2013-14 alone totaled \$141 million — that's a great many injured employees, and enough money to pay the entry-level salaries of 2,328 police officers or 2,374 firefighters.

Today, I am releasing audits of both the LAPD and LAFD workers' compensation prevention programs. The reports detail two departments that seem to be more focused on preventing large, calamitous accidents than smaller, more common injuries. And yet, as the reports recommend, by preventing such common injuries, the City can keep our dedicated sworn personnel safer — with the potential to reduce our spiraling claims costs by up to \$28 million a year.

Background

Workers' compensation insurance provides benefits that cover lost wages, medical and other expenses when an employee is injured on the job. When administered appropriately and efficiently, workers' compensation insurance can be a cost-effective way to guarantee that no worker loses his or her livelihood as a result of a job-related injury. Like most public employers, the City is self-insured for workers' compensation claims.

The Office of the Controller undertook a series of audits of the City's complex and wide-ranging workers' compensation program beginning in 2013. Other recent audits of workers' compensation include an evaluation of the firms that administer claims and process and review medical bills. Our goals are to reduce injuries, claims, costs and the potential for fraud or abuse — and to help City employees return to work as quickly as possible after sustaining on-the-job injuries.

In undertaking the LAPD and LAFD audits being released today, my office has sought to do extensive data analysis. We looked at age distribution, causes of injuries, types of injuries, the contexts of injuries, and the length of employees' service, to name just a few of the metrics studied. Our aim in analyzing and presenting this data is to provide policymakers and departments with the sort of in-depth information that will, hopefully, assist in implementing the most intelligent and effective reforms possible.

It must be acknowledged that we cannot possibly change every cost driver in the workers' compensation system. The rising price of healthcare, state mandates and overall increases in employee compensation contribute to driving up our costs. What's more, as recent audits and newspaper stories have shown, California's "injured on duty" program, which exempts injury pay from certain taxes, may provide employees with more money when they're not working — and a perverse incentive to stay home. Finally, we cannot ignore that, however rare, there are cases of fraud.

Nevertheless, we were determined to examine the link in the workers' compensation system's complex chain where the City can affect change — by stopping common and preventable injuries before they happen.

A Culture of Claims?

The men and women who comprise Los Angeles's sworn police and fire forces are among the most professional and dedicated in the world. Every day, in every corner of the City, they perform their duty to save lives and protect the public. That said, just as there is a culture of excellence in these departments, there also appears to be a culture that contributes to the widespread filing of workers' compensation claims.

To gain greater insight into the departments' respective cultures, we used a variety of approaches. We sent confidential, voluntary surveys to sworn employees. A third of LAFD respondents said they were aware of sworn employees in their department who had filed questionable workers' compensation claims. In the police department, about 45% of respondents agreed that there are an excessive number of workers' compensation claims filed. When compared to other jurisdictions, L.A.'s Fire and Police departments are also near the top in claims per sworn officer.

Key Findings

While our findings for the LAPD and LAFD were not completely identical, auditors did discover many similarities between the two departments.

- Both departments lack sufficient injury and illness prevention programs. As a result, neither department fosters a culture focused on reducing preventable, common injuries. For example, auditors noted that, while the LAPD has successfully prioritized the prevention of injuries due to traffic collisions and use of force incidents, 36% of claims studied could have been prevented, which would have yielded savings of \$6 million per year. Similarly, the LAFD prioritizes the prevention of injuries on the fireground — fighting structure fires, for example — and their efforts seem to be working. Nationally, 45% of firefighter injuries occur on the fireground; in Los Angeles, just 17%. Consequently, auditors determined that if the LAFD focused more on preventing injuries away from the fireground and instituted a modest plan to reduce the number of new claims by just 2%, it would reduce workers' compensation costs by \$483,000 per year.
- Sports injuries are common — and costly. While athletic activities are certainly an important component of fitness and wellness, they have also led to a significant number of injuries. In the Fire Department, exercise-related activities accounted for 13% of workers' comp claims. During the three years studied, the City paid out \$1.3 million in injuries suffered by firefighters on sports courts — playing handball and basketball, for example. In addition, due to the cost of paying overtime to fire personnel forced to fill in for their injured peers, auditors found that these sports injuries are costing the City \$2 million per year. In the Police Department, sports injuries account for 3.5% of workers' comp expenses and cost about \$600,000 per year. Auditors recommended that both departments consider limiting sworn, on-duty personnel's participation in certain sports activities which are more likely to lead to injuries.
- Training Programs do not adequately address the departments' needs to reduce preventable workers' compensation injuries. The LAPD's program is focused on how to avoid traffic accidents and use of force incidents — but the most common injuries in the department are strains and sprains. Similarly, 94% of fire employees completed a training on the proper use of a self-contained breathing apparatus, which is absolutely crucial when entering a burning building. Yet just eight employees were recorded as having participated in instruction on "Safe Lifting." However, back injuries at LAFD resulted in more workers' comp claims than any other injury — costing the City \$7 million during the audit period.
- Comprehensive health and wellness programs, which reduce claims, are either inadequate or sparsely attended. While other fire agencies reported declines in injuries, time off due to injuries, and costs after implementing wellness or fitness programs, the LAFD does not have a comprehensive fitness and wellness program for its active firefighters. By comparison, in Los Angeles County, benchmarking studies show the fire department reported a 25% drop in injuries after implementing such a system. In the Police Department, the existing wellness program is largely ignored by sworn officers. Yet multiple independent studies show that officers who maintain a healthy weight miss 25% less work than those who are obese.

Recommendations

After reviewing the data, auditors made specific recommendations for how the departments can correct these deficiencies. I wish to stress their recommendation that all City departments and managers be held more directly accountable for their workers' compensation risks and costs. Toward that end, we recommend that City policymakers consider ways to charge or allocate workers' comp costs back to department budgets, thus providing management with a stronger incentive to prevent on-the-job injuries.

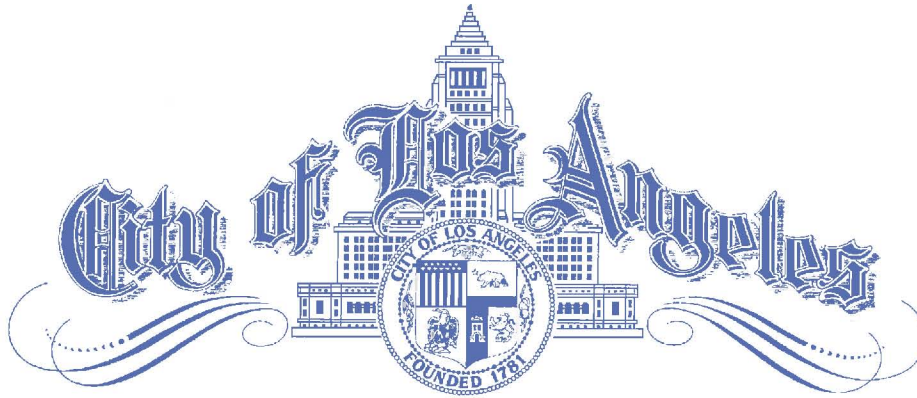
Another important recommendation is that the departments collect and make better use of data. To change the culture of the departments, to design effective training programs, and to promote wellness, management must understand the scope of the problem it faces. By collecting meaningful data on the types of injuries that lead to claims, how long the resulting claims last and the cost of those claims, the departments can proactively work to prevent the common injuries that lead to workers' compensation claims.

Last, I want to thank both the Fire Department and the Police Department for their cooperation and assistance with this audit. Consistent with our recently adopted practice, we invited the departments to respond to the reports before we release them to the public. Department management has reviewed our findings and offered responses, which are included herein.

Respectfully Submitted,



RON | GALPERIN
Los Angeles City Controller



March 26, 2015

RON GALPERIN
CONTROLLER

Charlie Beck, Chief of Police
Los Angeles Police Department
100 West First Street
Los Angeles, CA 90012

Dear Chief Beck:

Enclosed is an audit report entitled "LAPD's Workers' Compensation Prevention Program." A draft report was previously provided to your Department and comments provided by your staff at the exit conference held on January 20, 2015 were evaluated and considered. In addition, your Department's formal response and the action plan for implementing the audit recommendations is included in Appendix VIII of the report.

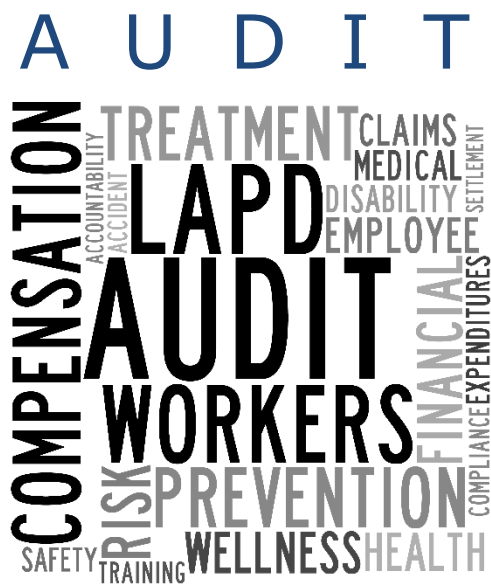
If you have any questions or comments, please contact me at farid.saffar@lacity.org or (213) 978-7392.

Sincerely,

FARID SAFFAR, CPA
Director of Auditing

Enclosure

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Independent City Auditors



City of Los Angeles

LAPD's Workers' Compensation Prevention Program

March 26, 2015



RON | GALPERIN

Los Angeles City Controller

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SUMMARY

The Los Angeles Police Department's (LAPD) role is to safeguard the lives and property of the more than four million people who live, work and play in the City of Los Angeles. Every year, LAPD responds to approximately 1.6 million emergency calls for service.

LAPD's 9,983 sworn police personnel protect life and property through their direct involvement reducing the incidence and fear of crime, and enhancing public safety while working in diverse communities. Sworn officers are always on duty whether responding to emergency calls, patrolling the City, performing investigations, serving warrants, working within the community at police department facilities citywide, including 21 area police stations located across the Department's 471 square-mile jurisdiction.

Police officers face unique hazards while working in complex, highly dynamic environments that increase their risk for occupational injury and illness. While sworn officers' roles may vary, LAPD officers must always be alert to life-threatening risks that they face while serving and protecting the people of Los Angeles.

State law requires that if a worker gets hurt on the job, the employer is required to pay workers' compensation benefits. An employee can get hurt by one event while at work, repeated exposures at work, or by violent crime. The law also recognizes the significant health hazards to all sworn police personnel who may become ill as a result of occupational exposures, and considers several types of illnesses/injuries that are "presumed to arise out of and in the course of the employment"¹. These presumptive workers' compensation injuries and resulting claims may be somewhat beyond the control of LAPD; however, optimum protection for all police officers is through active participation in an individual wellness and fitness plan, regular medical evaluations, the appropriate use of personal protective equipment, and obtaining appropriate tactical training to prepare them for a dynamic environment, including dangerous crime scenes.

Workers' compensation benefits that must be paid by the employer include:

- **Medical care** including doctor visits, hospital services, physical therapy, lab tests and x-rays, etc., necessary to treat the injury.

¹ California Labor Code recognizes the following public safety presumptions: Heart, Hernia and Pneumonia (§3212); Cancer (§3212.1); Tuberculosis (§3212.6); Blood-Borne Infectious Disease and Methicillin Resistant Staphylococcus Aureus (MRSA) (§3212.8); Bio-Chemical Exposure (§3212.85); and Meningitis (§3212.9)

- **Temporary disability benefits** – payments as lost wages because the injury prevents the employee from doing his/her usual job while recovering. For most injuries, payment duration may not exceed 104 weeks within five years from the injury date. For sworn public safety employees, including police officers, the law mandates that the benefit amount that should equal 100% of their regular pay for the first 52 weeks.
- **Permanent disability benefits** if the employee does not recover completely. Amounts are paid biweekly, based on the medical report, and the employee's age and occupation.
- **Death benefits** are made to the surviving spouse or dependents if the employee dies from his/her job-related injury or illness.

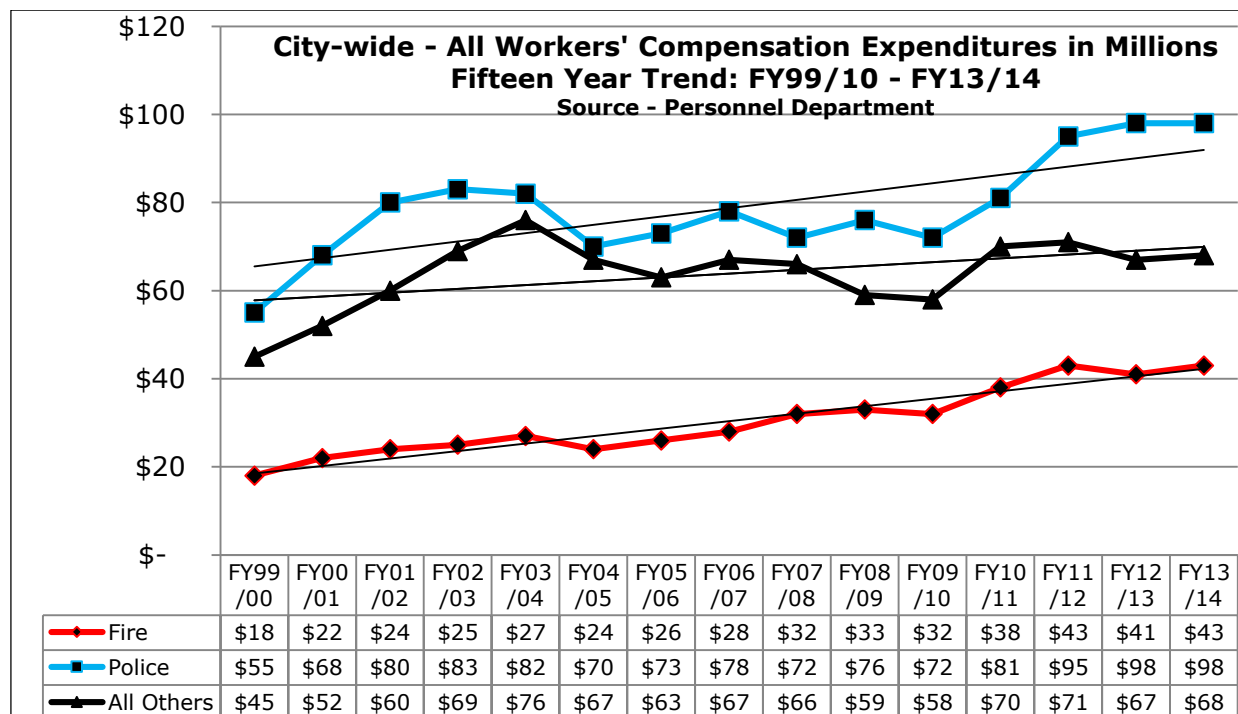
The City is self-insured for workers' compensation, and over the last four years (Fiscal Year 2010-11 through 2013-14) the City spent more than \$800 million on workers' compensation benefits. During this period of time, employees filed 28,796 claims. Though many of the issues and expenditures related to workers' compensation are beyond the City's control, the best way to limit costs and maintain a safe and healthy workforce is to prevent the injuries or illnesses before they occur and result in a workers' compensation claim.

Sworn employees in the Los Angeles Police Department (LAPD) file more claims than any other City Department, and while the number of claims filed has been consistent, the total cost of LAPD claims has trended upward; over the last 15 years, those costs have increased almost 80%.

- The ratio of new claims filed to LAPD sworn personnel is 1 to 3 annually
- 60% of LAPD sworn personnel filed a workers' compensation claim over our 3-year review period; however, less than 10% of LAPD sworn personnel filed 3 or more claims
- The leading cause of injury to LAPD sworn personnel is cumulative trauma, based on IOD usage
- The length of disability time (Injury on Duty usage) per claim is higher for those with more years of service

- LAPD sworn employees file more claims than benchmarked jurisdictions' police departments²
- Four of five of those benchmarked did not include sports as a work-related injury

Exhibit 1: 15 Year Upward Trend



Aspects of Workers' Compensation

There are many aspects to controlling workers' compensation claims and related costs. These components, among others, include:

1. Preventing workplace injuries and illnesses before they occur;
2. An effective claims management process;
3. Cost containment strategies for limit medical and related costs; and
4. Fraud prevention and adequate litigation support, including subrogation.

The Controller's Office has conducted previous workers' compensation-related audits on the claims management process, medical cost containment, and

² Comparative incident rate per 100 budgeted positions for those police departments responding to survey as shown in Exhibit 4.

workers' compensation litigation/subrogation which is handled by the City Attorney's Office.

This report focuses on the need for LAPD management to help reduce workplace injuries and resulting claims by

- creating an environment that encourages a reduction in workers' compensation injuries;
- implementing a workers-compensation risk management program;
- better understanding and analyzing the nature and severity of injuries that result in workers' compensation claims;
- identifying the areas it can control; and
- implementing injury prevention measures for those areas.

Better management accountability and analysis of actual injury and claim data will help LAPD reach that goal.

LAPD places an emphasis on officer and public safety, especially as related to use of force and traffic collisions. However, many of the workers' compensation claims filed by sworn employees are for injuries/illnesses caused during "other on-duty" activities, rather than while responding to criminal activity.

Audit Concerns

Workers' compensation costs are growing and LAPD has not adequately prioritized controlling preventable workers' compensation claims. Comprehensive prevention efforts have not been a focus of the City or of LAPD, and the continual increase in costs show the effect of this neglect. Though other City entities outside of LAPD have the direct responsibility for claims management (Personnel and their contracted Third Party Administrator), and to investigate and prosecute for workers' compensation fraud (City Attorney), LAPD has the ability and responsibility to prevent some work-related injuries/illnesses from occurring in the first place.

We performed this audit because LAPD sworn employees file the highest number of claims, and has the second highest percentage of claims to employees (after the Fire Department). LAPD sworn employees also incur the most workers' compensation costs. Due to the significant amount of workers' compensation costs paid by the City, minimizing the number and/or severity of work-related injuries/illnesses will help reduce the City's costs and the amount of time lost due to an employee not working.

Our audit evaluated officer safety, health and wellness programs at LAPD, and the Department's risk identification and management processes related to workers' compensation prevention. We reviewed LAPD sworn employee claims that were opened in Fiscal Year FY10-11 through FY12-13 and analyzed a sample of several claims in detail that were opened in FY12-13 to determine whether any resulted from preventable actions. We also surveyed other Police Departments regarding their risk management practices and claims expenditures. Further, we conducted a survey which was sent to all LAPD sworn personnel in July 2014. The questions with summary results are presented in Appendix V.

We found that LAPD lacks a comprehensive workers' compensation prevention program. A key problem exists with the Department not obtaining usable information to effectively manage its workers' compensation information. Although LAPD conducts thorough investigations of certain types of injuries, it lacks a comprehensive, systematic process to identify their workers' compensation risk because they do not have adequate tools to identify and mitigate these risks. Further, because the City does not allocate workers' compensation costs to departments' budgets, Departments may lack an incentive to monitor, control and reduce their workers' compensation costs.

LAPD, along with other City Departments, need to be accountable for mitigating their workers' compensation risks, and have the tools and data to ensure their injury/illness prevention programs are effective, to reverse the trend of increasing workers' compensation costs.

I. Overall Assessment

While LAPD addresses aspects of officer safety, it lacks an operational preventive injury and illness program that adequately focuses on workers' compensation. As a result, LAPD has not employed a coordinated, comprehensive effort that identifies the potential causes of all injuries in order to develop strategies that would prevent/minimize future injuries. This contributes to LAPD's inability to minimize the costs associated with workers' compensation claims for medical care and temporary and permanent disability benefits; the 9,377 claims opened during our audit period have amounted to \$140 million through October 2014³. Over the three year period, 60% of sworn

³ Claims costs increase over time as claims mature; the costs of new claims are lower as they have not matured. The \$140 million cited is through October 2014 and these claims will be more expensive as time passes.

employees filed at least one workers' compensation claim and 42% of those employees filed two or more claims. We determined that

- LAPD lacks sufficient and reliable data to help manage its workers' compensation risk.
- Safety Committees were not operational at all divisions to help address workplace conditions.
- LAPD did not implement effective procedures for monitoring an employee's return to work after a workers' compensation injury.
- The culture at LAPD has led to employees filing more claims and the City spending more on those claims per budgeted employee than four of five surveyed police agencies, which may be a result of other agencies identifying preventable injuries and having stricter policies.

While police officers have dangerous jobs, many injuries/illnesses covered may have been prevented. In a sample, we found potentially preventable claims amounted to 40% of the sample's costs. If LAPD implements our recommendations and can prevent a significant number of injuries/illnesses resulting in claims, they can realize significant cost savings, as discussed further in this report.

II. Key Points

Effective Management of Workers' Compensation

LAPD has not established a comprehensive, centralized injury and illness prevention program to effectively manage its growing workers' compensation expenditures.

Over our audit period, 9,377 new claims were filed, costing \$140M.

The Department has not adequately established or operationalized its Injury and Illness Prevention Program. The impact of injury prevention on workers' compensation claims and costs are not clearly defined as priority objectives, and there is not a clearly stated Department-wide focus on reducing workers' compensation injuries or costs. As a result, the Department's culture is not focused on reducing workers' compensation claims.

During our audit period there were more than 3,006 new claims filed each year and, through October 2014, the costs for those claims filed during the three-year period totaled nearly \$140

LAPD management has not an environment that encourages reducing workers' compensation injuries and resulting claims.

million, including IOD costs (claim costs may continue for several years).

There is no LAPD organizational unit or program that is focused on identifying and addressing workers' compensation risks with the objective of preventing and reducing work-related injuries and the resulting claims and costs. While the Department thoroughly investigates, evaluates and reports on some injury causes, such as use of force incidents or traffic collisions, these practices do not extend to other injury types.

LAPD has not prioritized preventing / minimizing workers' compensation injuries and resulting claims.

Injury prevention and its impact on workers' compensation claims and costs are not clearly defined as priority objectives by management and there is not a clearly stated Department-wide focus on workers' compensation or injury prevention. As a result, the Department's culture is not focused on reducing workers' compensation claims.

There may be excessive claims filed and an opportunity to save up to \$18.5 million, or 19% of its annual workers' compensation costs.

Benchmarking LAPD's claims filed per budgeted employees identified an opportunity to reduce costs up to \$18.5 million per year, if the Department could reduce its claims rate to another agency's experience level. This is further supported by a high proportion of sworn personnel, 45% of our survey respondents, who believe that officers file excessive claims.

Management has not set clear expectations and adequately prioritized workers' compensation and injury prevention related to safety and wellness programs; based on our evaluation of goals and strategies, communications, structure and systems employed by the Department.

Assessing and Managing Workers' Compensation Risk

LAPD has not adequately implemented a risk management plan focusing on workers' compensation risk to address the causes of preventable injuries/illnesses.

During the audit period, the Department's Risk Management Plan related to workers' compensation did not adequately meet leading practices for managing risks. Although the Department established a risk management function and had completed its risk identification and assessment, no further risk control and mitigation efforts occurred related to workers' compensation. If the Department had implemented its initial 2012 risk management plan to reduce the number of new claims filed by 2% of each year, a potential \$1 million in workers' compensation costs could have been avoided. A high percentage of sworn personnel surveyed believed excessive workers' compensation claims are filed by officers.

Many injuries/illnesses could have been prevented, but LAPD has not utilized or developed adequate information systems to identify causes for those injuries/illnesses.

LAPD Management is unable to identify preventable injuries or illnesses. In reviewing a sample of claims opened in 2013, we identified 36% of sample claims *may* have been preventable.

Preventable injuries cost the City more than \$6 million per year.

The Department lacks an adequate information system and data to identify the underlying cause of injuries in order to determine whether those injuries were preventable. During the audit period, LAPD relied on the City's claims management system, LINX, which was replaced by iVOS in May 2014, for workers' compensation information. Despite having data fields noting body part injured, injury type (e.g., concussion, burn, stroke, etc.) and injury source (e.g., overexertion, twisting, trip/fall, etc.), both systems do not provide sufficient information necessary for risk management data analytics, such as identifying whether the injury was *preventable* based on the cause of the injury.

The need for a risk management system was identified 7 years ago; yet the City still does not have a system in place to identify and

mitigate preventable injuries.

The first phase of iVOS implementation used data fields duplicated from the LINX system. The Personnel Department had not considered LAPD's risk management data needs as they implemented the new claims management system. The Personnel Department indicated that iVOS was not intended to include risk management reporting. We identified missing data elements that could be used to identify and mitigate the risk of preventable injuries, leading to excessive workers' compensation claims (see Appendix VI for the Proposed Risk Management Data Needed by Departments).

Based on our review, we found that 40% of the costs related to injuries that could possibly have been prevented. While LAPD scrutinizes certain types of injuries, 33% of the workers' compensation claims costs in our sample resulted from causes not systematically reviewed by the Department. The potential savings that could be realized if these types of claims were prevented could amount to \$6 million per year.

The Department's efforts to track and manage various aspects of workers' compensation do not provide a standardized way of capturing and reporting the data.

LAPD has been inefficient in its monitoring efforts, wasting resources with redundant entries and systems that do not provide meaningful reporting. The Department has limited information about their claims experience that could be used to prevent future injuries resulting in workers' compensation claims.

We found that the Department's processes for capturing data relevant to workers' compensation, such as monitoring employees on leave due to a work-related injury/illness, were inconsistent resulting in unreliable data, inhibiting its ability to manage workers' compensation risk.

LAPD sworn personnel filed more than 3,000 claims each year of our audit, some of which may have been preventable; however, LAPD has no standardized process for ensuring investigative reports are completed and conclude as to whether the injury was preventable.

Without consistent completion of claims documents, the Department loses the opportunity to identify risk and implement strategies that could prevent workplace injuries/illnesses.

In order to determine whether an injury/illness is preventable, the Department must be able to identify the cause of the injury/illness. As part of the City's workers' compensation reporting process, after an employee sustains a work-related injury, a Supervisor's Accident Investigation (SAI) Form, Employee's Report of Injury Form and Accident Witness Statement must be completed. On the SAI form, the supervisor must indicate whether the injury was preventable due to the employee's non-compliance with a safety rule, improper equipment or other causes and whether corrective action or training was provided to the employee to mitigate the issue. LAPD also utilizes other investigative reports and processes for use of force incidents and traffic collisions, which may infer whether an employee's injury that was sustained during the incident/accident was preventable. However, as these other investigation forms were not designed for workers' compensation purposes, they lack a clearly documented discussion or conclusion regarding the prevention of an employee's injury.

Safety Committees and Training

Safety Committees were not fully operational at all divisions.

LAPD has a customized Injury and Illness Prevention Program (IIPP) with the required elements, including

1. Safety Responsibilities
2. Safety Communication
3. Employee Compliance with Safe Work Practices
4. Hazard Assessment and Inspection
5. Accident/Exposure Investigation

- 6. Hazard Correction
- 7. Training and Instruction
- 8. Record Keeping

However, management does not ensure that safety committees are identified and operate as envisioned by LAPD's IIPP.

In addition, injuries that were not the result of a use of force incident or traffic collision were not subject to thorough investigations which could have identified the need for additional training, different equipment, a change in practice, etc. We noted claims for preventable injuries that should have been addressed by the Division Safety Committees; for example, injuries caused by exercising, lifting "war bags", loose wires, and patrol car windows that shattered.

The Department has not developed a data-driven safety training program that specifically addresses injury prevention for the most common injury types.

Department training of LAPD employees includes a safety curriculum; however, there was no coordinated effort to identify training needs based on the Department's experience with workers' compensation injuries, unless caused by traffic collisions or use of force incidents. The Department has not developed a safety training program that specifically addresses safety and injury prevention for the most common type of injuries that occur, such as strains and sprains.

While training may prepare officers in general, the lack of specificity or customization to actual experience may be a reason that IOD usage per claim increases with employees' age and years of service. Exhibits #7 - #11 illustrates new claims opened and IOD usage by age and years of service.

Based on a review of training curriculum, we observed that the Department may identify relevant safety trainings through well-known

guidance as determined by POST or other studies. However, because there is no coordinated collection of data and analyses of actual injury causes, training may not be optimized to address preventable causes of injury.

Monitoring Injured on Duty (IOD) Leave and Return to Work

LAPD spent \$26.5M on IOD pay based on nearly 600,000 IOD hours in FY12-13.

LAPD does not have an adequate return to work program and lacks performance metrics and reliable systems to evaluate its effectiveness.

LAPD may not be minimizing IOD usage and getting employees back to work as soon as possible. LAPD does not have an adequate return to work program since it lacks a framework to enable management to measure its effectiveness in getting employees back to work as soon as possible. There is no overall goal related to the return to work program, such as establishing criteria for returning employees to work within set timeframes, or establishing a goal for contacting employees or collecting the necessary information on a claim.

The Department lacks standardized or detailed procedures for divisions' monitoring of IOD leave.

Sick/IOD monitoring is not monitored and managed in a consistent manner which could impact employees on IOD due to work-related injuries/illnesses. Injured/ill employees may experience lower morale and not be eager to return to full duty as quickly as possible.

LAPD does not have standardized and documented detailed procedures for monitoring officers out on sick or IOD leave. We noted a lack of detailed procedures both in the divisions and in LAPD's Personnel Division, and confusion over staff's understanding of Departmental policies related to the roles and responsibilities related to sick/IOD monitoring. Without consistent monitoring, employees may continue on leave and not work towards recovery. Further, management data may not be reliable if the sick/IOD monitoring and reporting is inconsistent.

Health and Wellness Programs

LAPD has not adequately implemented a comprehensive Department-wide health and wellness program; some roles are not defined, and participation has been limited. 15% of survey respondents were unaware of any health and wellness programs.

Costs of new claims related to heart issues averaged \$2.5M per year.

LAPD's Health and Wellness Program offerings are comprehensive in its components, covering all areas cited in studies; however, during our audit period it had a poor participation rate and lack of funding had limited employee participation.

In assessing the Department's Health and Wellness Programs, we found that LAPD has offered a variety of significant health programs to sworn employees and has incorporated many areas cited by studies as positive ways to prevent officer injuries and illnesses. However, the Department can do more in this area to prevent injuries and illnesses and ensure that officers are aware of the programs available to them. In our survey, 15% of respondents were unaware of *any* health and wellness programs, even those offered through their medical insurance plan.

However, studies have shown successful health and wellness programs are proven to increase job performance and reduce absenteeism and health claims. Organizations that offer medical screenings have in some cases detected symptom-free cases of heart disease that required immediate medical interventions. These types of screenings could potentially save lives and workers' compensation costs since heart trouble is a defined presumptive illness for sworn police personnel according to the Labor Code.

LAPD does not have mandatory fitness standards for officers beyond the Police Academy, other than for those in specialized

Studies have shown that an officer's physical fitness and a healthy weight affect the number of missed work days; officers with a healthy weight missed at least 25% fewer days than those who were obese.⁴ Therefore, improving employees'

⁴ Reducing Officer Injuries by The International Association of Chiefs of Police, 2012.

units in the Metro Division (e.g. SWAT).

physical fitness has the potential to reduce time off for work-related injuries/illnesses.

Studies cite significant cost savings when officers maintain a healthy weight.

The Department has not adequately focused on workers' compensation prevention, ensuring that all officers remain as physically fit as possible throughout their careers. Maintaining physical fitness can have a positive impact and potentially minimize the costs attributable to obesity as a contributing factor to injuries and illnesses.

LAPD has not clearly defined policies for Department-sponsored athletic activities and events approved for workers' compensation coverage. Based on sampling, sports injuries account for 3.5% of costs, which amounts to \$600K per year.

LAPD has not ensured there is consistent guidance that is updated annually defining approved athletic/sports events that are eligible for workers' compensation coverage. Also, LAPD's practice for Department-sponsored activities is not consistent with the policies for the Los Angeles Fire Department and four of the five police agencies benchmarked. As a result, the City's claims administrator does not have clear guidance from LAPD to identify which sports events qualify as "on duty" for determining whether an injury is compensable. Both the claims administrator and LAPD had three incongruent "on duty" or work-related sports lists, with some sports listed as approved for workers' compensation on one list, but not on another list.

Four of five benchmarked police agencies prohibit team sports while on duty.

Because policies have been inconsistent and confusing, claims may have been accepted as compensable only due to conflicting criteria; had the criteria been consistently updated, the Department may not have deemed some injuries as work-related. Therefore, the City may be incurring unnecessary workers' compensation costs for injuries caused by participating in athletic/sports activities.

While LAPD and other agencies recognize the value and participate in intramural sports teams and the Police and Fire Olympics, four out of five California

Police Departments we surveyed do not allow "on-duty" sports activities.

III. Significant Recommendations

LAPD and all City Departments should be accountable for mitigating workers' compensation risks, and have the data and tools to implement effective injury/illness prevention programs to reverse the trend of increasing costs. City policymakers should consider allocating or charging back workers' compensation costs to Departments' budgets, to provide a strong incentive to Departmental management to monitor, control and reduce their workers' compensation costs.

By implementing the recommendations in the audit, LAPD should identify common workplace injuries/illnesses, identify and mitigate preventable injuries/illnesses, prevent excessive claims filings, and incorporate best practices concerning officer safety and health and wellness programs. These actions will in turn reduce workers' compensation costs and help to keep officers safe and healthy.

Effective Management of Workers' Compensation

- Address the Departmental culture that may encourage excessive claims filing by communicating illness/injury prevention efforts and holding employees and management accountable for workplace safety and workers' compensation fraud.
- LAPD Management should establish and implement an operational injury and illness prevention program with dedicated resources (funding and staffing) and measurable Department-wide goals and objectives to minimize its workers' compensation claims and related costs.
- LAPD management should manage workers' compensation prevention by regularly reporting to Mayor and City Council on workers' compensation statistics, Departmental prevention efforts, and results of corrective actions. Consider whether existing strategies used for mitigating use of force and traffic collision incidents can be expanded to all injury risk exposures.

- LAPD Management should address the Departmental culture by communicating illness/injury prevention efforts and holding employees and management accountable.

Assessing and Managing Workers' Compensation Risk

- LAPD management should prioritize the implementation of the Risk Management Plan related to workers' compensation. The plan should identify the trends for Department-specific injuries and determine preventable causes; develop measures to prevent similar types of injuries; and implement strategies to achieve the Risk Management Plan goal to reduce the number of new workers' compensation claims filed each year.
- LAPD management should ensure appropriate data and information needs are met to facilitate workers' compensation prevention efforts by collecting necessary data.
- LAPD management should improve tracking and management of workers' compensation by working with the Personnel Department by creating an interface of internal systems with iVOS to ensure LAPD's claims information needs are met through standardized system access/reporting. This should include enabling divisions to monitor IOD usage, light (restricted) duty and return to work dates and status, and to provide information for risk management purposes.

Safety Committees and Training

- LAPD management should ensure that Safety Committees are operational at all divisions and ensure they perform the responsibilities outlined in the IIPP.
- LAPD management should design training programs, as needed, which are data-driven from claims analysis and input from staff review for common causes of injury that could be prevented, had the officers been better trained in that area. Consider if training should be designed based on an evaluation of injuries/illnesses by age or years of service.

Monitoring Injured on Duty (IOD) Leave and Return to Work

- LAPD management should enhance the Return to Work program by clearly defining roles and responsibilities for all LAPD staff involved

with IOD monitoring, reporting and facilitating employees' return to work.

Health and Wellness Programs

- LAPD management should implement a comprehensive Department-wide health and wellness program:
 - Evaluate existing and new health and wellness programs for outcomes, comparing program costs against workers' compensation costs by reviewing impact on claims and examining industry studies to determine whether to expand existing or add new programs;
 - Work with the Los Angeles Police Protective League to establish a program for police officers (below Captain) that is similar to "BlueLife" to promote health and wellness throughout LAPD.
- LAPD management should evaluate how the Department can promote healthy lifestyle, physical fitness and healthy weight, including the consideration of Department-wide physical fitness qualification tests and incentives.
- LAPD management should work with the City Administrative Officer to negotiate with the appropriate employee representative bargaining units to implement a fitness incentive, similar to San Francisco that will reinforce and encourage fitness for sworn employees.
- The City should evaluate its policy of approved sports activities for sworn personnel that are covered by workers' compensation.

IV. Review of the Report

On January 20, 2015, we discussed a draft report with LAPD management. We provided the final draft report to them on February 12, 2015 and considered their comments as we finalized this report.

V. Department Response

LAPD

The Department provided their formal response on March 16, 2015 (See Appendix VIII). The Department generally agreed with each of the 23⁵ recommendations addressed to LAPD. Based on their response, we now consider: 1 recommendation to be Implemented (18.1); 19 as In Progress (1.1, 1.2, 2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1, 9.2, 10.1, 11.1, 12.1, 13.1, 13.2, 14.1, 15.1, and 16.1), and; 3 as Not Yet Implemented (7.2, 17.1 and 17.2). Two of these require an exploration of the legal and labor-related issues to determine the feasibility of implementation and one did not fully address the recommendation (7.2).

Evaluation of LAPD Response

We present the following clarifications to LAPD's comments regarding recommendations 1.2, 7.2, and 10.1.

Recommendation 1.2: LAPD management should manage workers' compensation prevention by regularly reporting to Mayor and City Council on workers' compensation statistics, Departmental prevention efforts, and results of corrective actions. Consider whether existing strategies used for mitigating use of force and traffic collision incidents can be expanded to all injury risk exposures.

In the response, the Department indicated that the portion of the recommendation about reporting to the Mayor and City Council "should be directed to the Personnel Department as they are responsible for managing the City's Workers' Compensation Program". The Department stated that they could provide information on their prevention efforts and programs.

While the Personnel Department is responsible for oversight of the City's Workers' Compensation Program, each department is responsible for managing and reporting its injury/illness prevention efforts and facilitating employees' speedy return to work that can decrease workers' compensation claims and costs. In order to provide the Mayor and City Council of the

⁵ The report includes a total of 26 recommendations. Twenty-three are directed to LAPD management (one of which is jointly addressed to the City Administrative Officer), two are addressed to City leadership (i.e. the Mayor and City Council) (1.3 and 18.2), and one recommendation is directed to the Personnel Department (6.2).

Department's efforts and successes, the Department's report needs the statistical context to demonstrate progress made to reduce costs as a result of the Department's prevention efforts and programs. As noted in the report, sworn employees in LAPD file more claims than any other Department.

Recommendation 7.2: LAPD management should periodically confirm the new LMS system contains accurate information related to employees' compliance with all safety trainings.

The Department's response refers to reporting capabilities and to remind "Training Coordinators to review LMS to confirm safety training completion by employees, including, but not limited to first/aid and CPR (if applicable)" While it is important that Training Coordinators are knowledgeable and diligent to produce reports to monitor training compliance, this recommendation was focused on the system and its accuracy, not on the users' access and implementation. The mandatory CPR training was not reported to Training Coordinators, and therefore would not have changed the outcome. We consider this item as Not Implemented, as it did not specifically address the recommendation.

Recommendation 10.1: LAPD management should design training programs, as needed, which are data-driven from claims analysis and input from staff review for common causes of injury that could be prevented, had the officers been better trained in that area. Consider designing training based on an evaluation of injuries/illnesses by age or years of service.

The Department referred to their response to Recommendation 5.1; however, that response does not specifically mention designing training programs. We consider this recommendation as In Progress, provided that LAPD considers training design as part of its plan to "develop innovative solutions to specific problems" and "provide necessary support for success".

Personnel Department

We provided the Personnel Department with applicable sections of the draft report related to Recommendation 6.2 to obtain their response and action plan. The Personnel Department provided a response on March 19, 2015 and while they agreed with the recommendation, they did not provide a definitive action plan describing a strategy to implement a workers' compensation risk management reporting system (See Appendix VIII).

Evaluation of the Personnel Department Response

Recommendation 6.2: The Personnel Department should develop a strategy to implement a workers' compensation risk management reporting system.

The Personnel Department stated an interest in working with other City departments to solve an overall risk management system. However, the response does not acknowledge their responsibility and leadership role to manage the workers' compensation program, which requires developing an effective workers' compensation risk management reporting system. We therefore consider this recommendation as Not Yet Implemented, and encourage the Department to take the lead in developing a City-wide strategy.

We would like to thank LAPD and their staff and the Personnel Department for their time and cooperation during this audit.

BACKGROUND

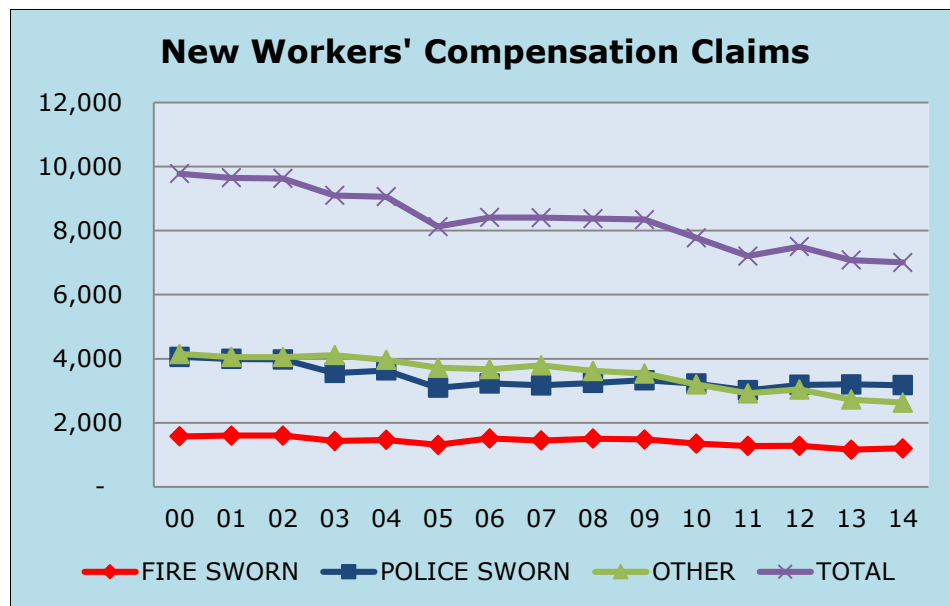
LAPD sworn claims cost more than \$90 million per year.

They account for 40% of all new claims filed and 45% of costs paid Citywide.

Workers' compensation expenditures cost the City nearly \$209 million in FY13-14, with \$97 million attributable to claims filed by LAPD sworn personnel. LAPD sworn personnel account for 45% of the City's workers' compensation costs and 40% of the new claims filed.

Over the last 15 years, the number of new Police claims filed have ranged from a low of 3,006 (FY 10-11) to the highest of 4,057 (FY 99-00) with the average number of new claims being 3,405.

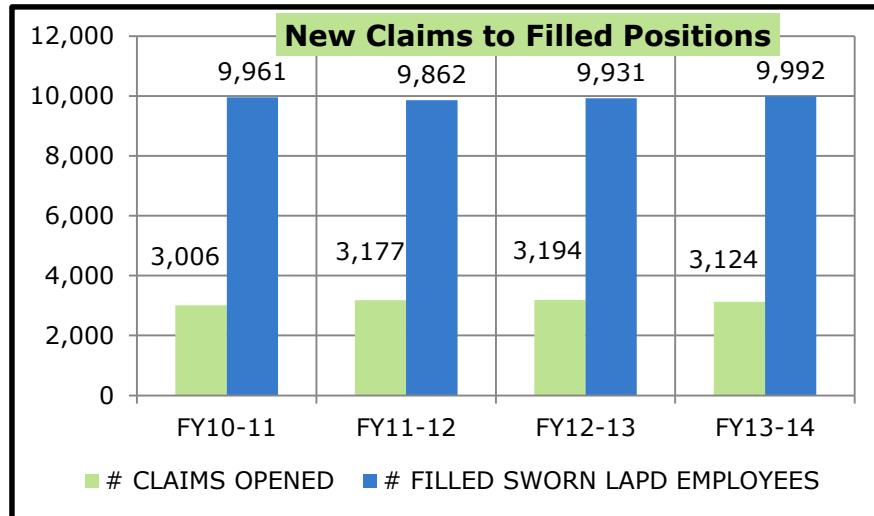
Exhibit 2: 15 Year History of New Workers' Compensation Claims Filed



The ratio of new claims filed to LAPD sworn personnel is 1 to 3

Over our three year audit period (FY10-11 through FY 12-13), the number of workers' compensation claims filed by sworn LAPD personnel has been fairly consistent. Based on the number of new claims opened, a ratio of 1 of every 3 sworn employees filed a claim in every year of our three year audit period.

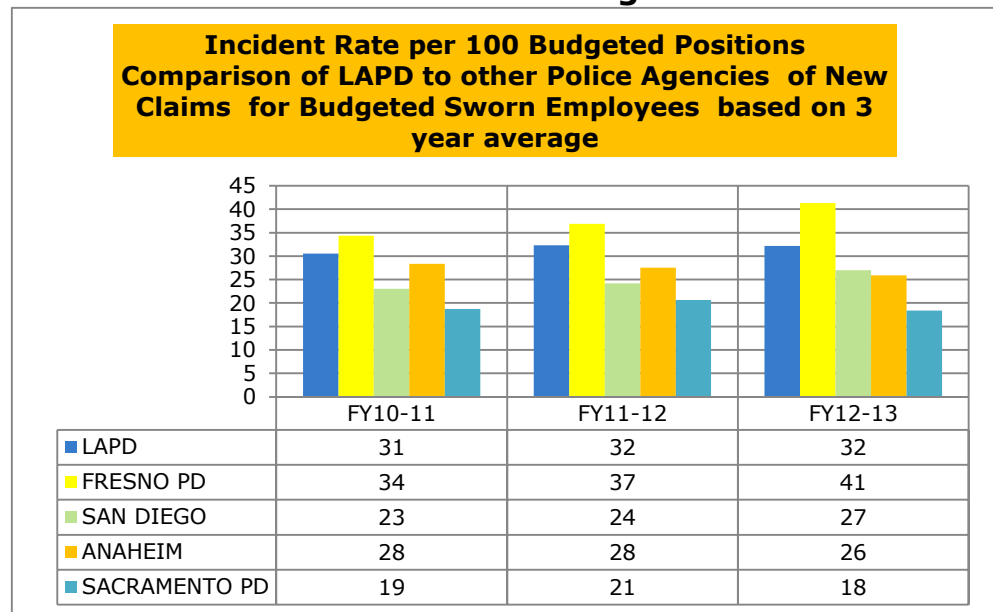
Exhibit 3: Comparison of Claims Opened to Filled Positions for LAPD Sworn



Based on benchmarking surveys to other jurisdictions, the ratio of new claims filed to budgeted employees for LAPD was higher than all but one other jurisdiction. Appendix IV provides more details on benchmarking.

Exhibit 4: Ratio of New Claims to Budgeted Positions for LAPD and other Police Agencies

LAPD sworn employees file more claims than most other jurisdictions



**60% of
LAPD sworn
personnel
filed a claim
over 3 year
period**

In some cases, an employee has filed multiple claims. In fact, 42% of the employees who filed a claim had two or more claims during the audit period. While only 10% of officers filed three or more, nearly 60% of all LAPD sworn employees filed at least one claim during the 3 year audit period.

Depending on the type of injury or illness, the cost of a workers' compensation claim grows over time; Exhibit 5 below represents the costs incurred throughout October 2014 on claims opened in FY10-11 through FY13-14. (Note that the figures are not the amount of actual expenditures in those years; rather it is for cumulative costs related to the claims opened in years shown.) Claims filed in earlier years have had longer to accumulate costs.

Workers' compensation costs are comprised of the following:

- Medical expenditures;
- Expenses – amounts paid for miscellaneous and some legal expenses;
- Temporary disability – the City's salary continuation, or "Injury on Duty" (IOD) pay;
- Temporary disability – State Rate payments, that replace IOD after those benefits expire, rate is determined by the State Labor Code;
- Permanent disability - awards for diminished earnings potential;
- Vocational rehabilitation or supplemental job displacement benefits; and
- Death benefits.

**Claims
costs grow
over time**

Costs are typically incurred over years; employees may use their first year of temporary disability (IOD) continuously or sporadically as needed, and they have five years from the date of injury to use their IOD. Unless an employee retires and receives a lump sum payment, costs of workers' compensation claims can continue for ongoing medical treatment and partial permanent disability payments are paid over time.

As a salary continuation, IOD costs are not considered "additional" costs since the City pays employees' salaries

whether they are working or are injured and unable to work. We include it in the analysis because the City does not receive the benefit of that injured employee performing their job function. Since critical job functions are not performed and deployment is affected, we present it as a "cost" related to workers' compensation.

**Exhibit 5: Cumulative Expenditures on those Claims
Opened During Audit Period**
(note that actual annual claims expenditures are higher)

TOTAL LAPD CLAIMS EXPENDITURES BY YEAR OPENED, COSTS ACCUMULATED THROUGH OCTOBER 2014 (costs in \$000's)					
Expenditure Type	Claims Opened in FY13-14	Claims Opened in FY12-13	Claims Opened in FY11-12	Claims Opened in FY10-11	Total Costs through Oct. 2014
# CLAIMS OPENED	3,124	3,194	3,177	3,006	12,501
TEMPORARY DISABILITY - IOD	\$12,167	\$18,527	\$23,453	\$20,553	\$74,700
TEMPORARY DISABILITY - STATE RATE	\$380	\$747	\$1,783	\$1,522	\$4,432
PERMANENT DISABILITY	\$1,279	\$3,636	\$8,444	\$9,296	\$22,655
MEDICAL EXPENDITURES	\$7,184	\$13,001	\$17,428	\$19,791	\$57,404
MISC EXPENSES	\$441	\$559	\$603	\$556	\$2,159
TOTAL CLAIM COSTS	\$21,450	\$36,471	\$51,711	\$51,718	\$161,350

The effect of implementing new workers' compensation strategies can affect costs, though they may take time to be realized. Minimizing workers' compensation costs requires a multi-pronged approach that focuses on injury prevention through safety protocols and wellness programs, timely and appropriate claims administration, appropriate monitoring and oversight of return to work practices, and the pursuit of subrogation and indication of fraud.

The City's Personnel Department and a third party (claims) administrator (TPA) oversee the acceptance and administration of claims and ensure medical and disability payments are accurate and timely; the City Attorney's Office's

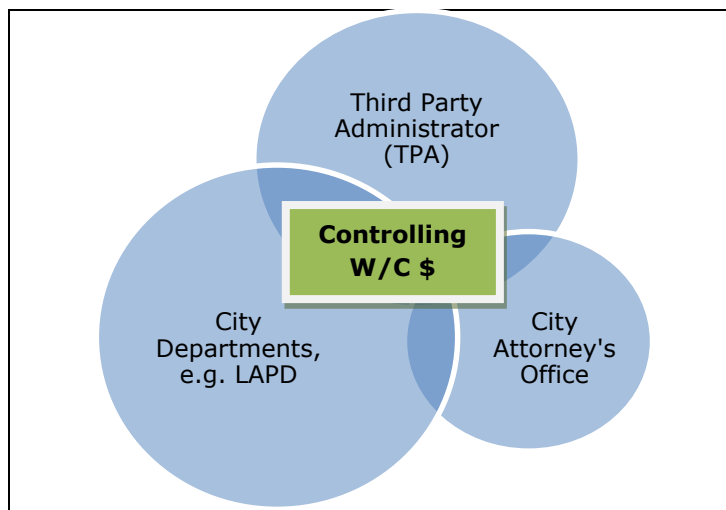
**LAPD's role
in
controlling
costs**

pursues potential fraud and subrogation. The TPA determines the validity of a claim with input from the physician, employee, witnesses and the Department. Potentially fraudulent claims are referred to and investigated by the City Attorney's Workers' Compensation Division. The Controller's Office previously issued audits related to these aspects of workers' compensation.

Although other City Departments are responsible for key components of managing workers' compensation costs, management within the City Departments plays a major role by setting the ethical tone and significantly influencing the culture of the Department, by promoting safety, honesty and a strong work ethic. Departments assist the TPA by cooperating and providing details about how the injury/illness occurred, enabling claims acceptance to be based on complete information. Departments also share responsibility with the TPA in monitoring an employee's return to work from an injury/illness.

City Departments, such as LAPD, have the most influence to control costs and minimize workers' compensation claims by implementing strategies to prevent the injury/illness that leads to a workers' compensation claim. Minimizing the number of work-related injuries/illnesses can maximize the impact on the costs incurred by the City for medical treatment, temporary disability payments and other expenses. An effective program employs strategies to prevent workplace injuries and illnesses, and provides a supportive environment with opportunities for injured employees to return to work in some capacity quickly.

Exhibit 6: Multi-Pronged Approach to Control Workers' Compensation (W/C) Costs

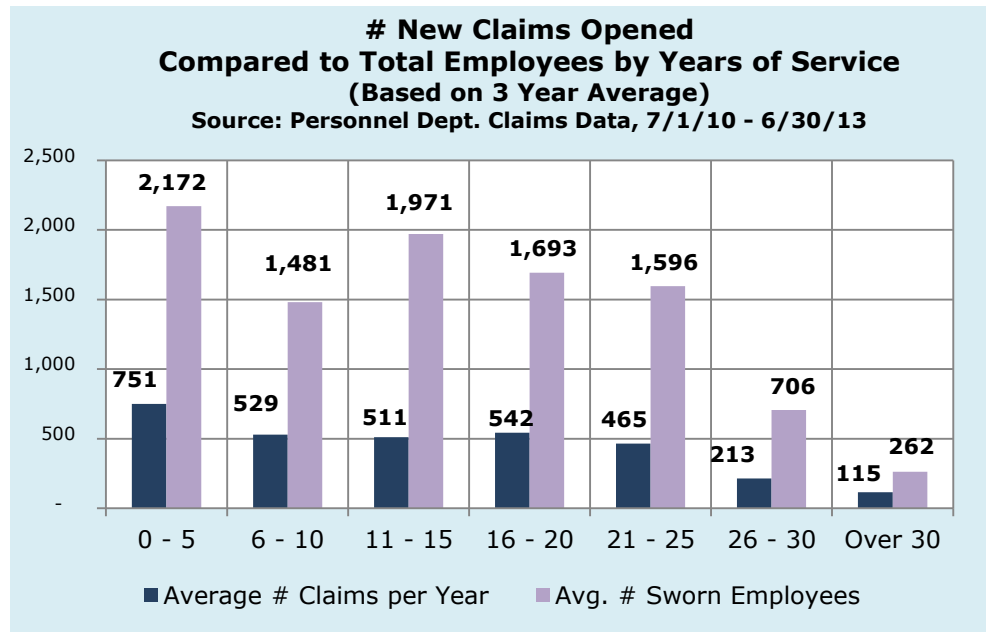


Departments can also implement risk management practices to identify and remediate preventable injuries. The intent of the Injury and Illness Prevention Program (IIPP) is to address hazards, investigate near-misses and ensure safe work places, policies and practices.

We identified the categories of sworn employees at LAPD who are filing new claims, considering their years of service and age at the time of filing a claim.

**Who at
LAPD is
filing
claims**

Exhibit 7: Claims Opened by Years of Service

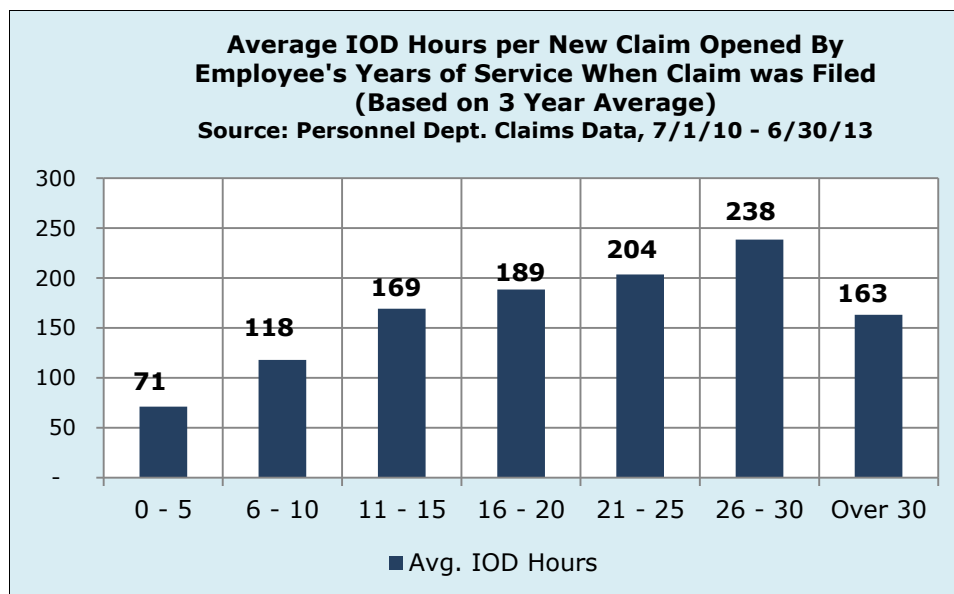


IOD usage per claim is higher for those with longer years of service

Years of Service when Claim was Filed	# Claims	% of Claims	# Sworn Employees	% of Sworn Employees	Ratio of Claims to Sworn Employees
0 - 5	751	24%	2,172	22%	35%
6 - 10	529	17%	1,481	15%	36%
11 - 15	511	16%	1,971	20%	26%
16 - 20	542	17%	1,693	17%	32%
21 - 25	465	15%	1,596	16%	29%
26 - 30	213	7%	706	7%	30%
Over 30	115	4%	262	3%	44%
Total or Average, as appropriate	3,126	100%	9,879	100%	32%

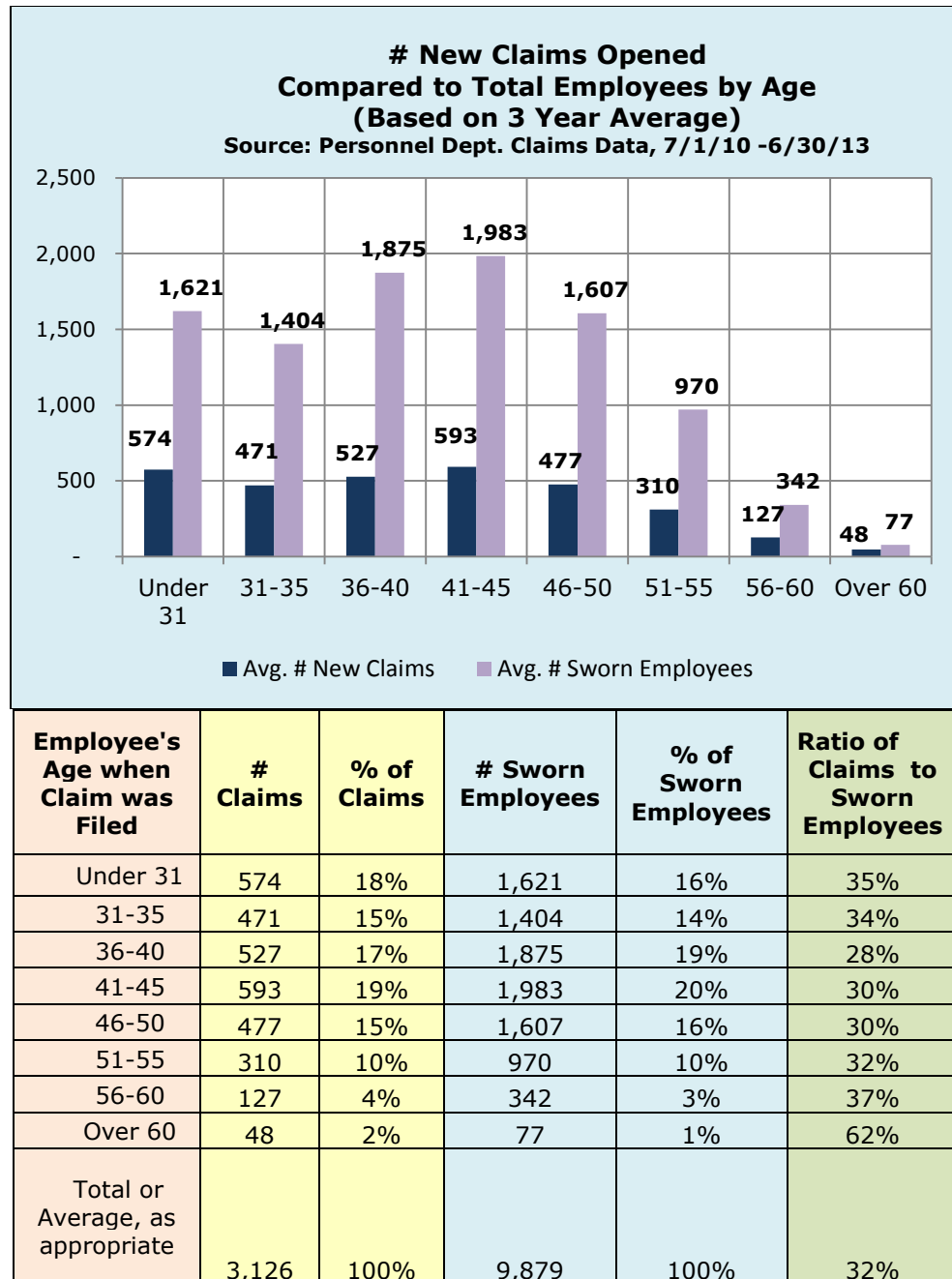
While more claims were filed by personnel with less than 5 years of service, these employees had the fewest IOD hours, on average. Based on claims data, the average IOD hours incurred by years of service is shown in Exhibit 8.

Exhibit 8: Average IOD Hours by Years of Service



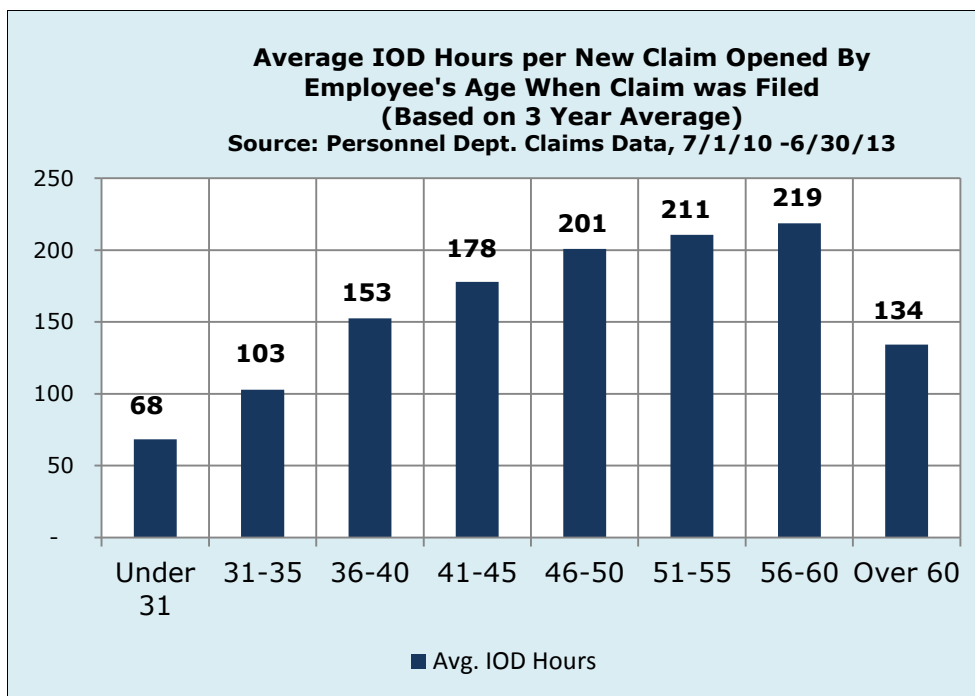
The average use of IOD grows steadily as years of service increases, possibly due to longer recovery times, or the fact that there are more cumulative trauma injuries for senior officers. However, at "over 30 years of service" there is a decline in average IOD hours per claim. According to LAPD and the Personnel Department, these could be employees filing claims for presumptive injuries and illnesses to ensure they get medical coverage. Subsequently, these employees would be more likely to retire than continue to take IOD.

Exhibit 9: Claims Opened by Age



**Top
injuries
based on
IOD usage**

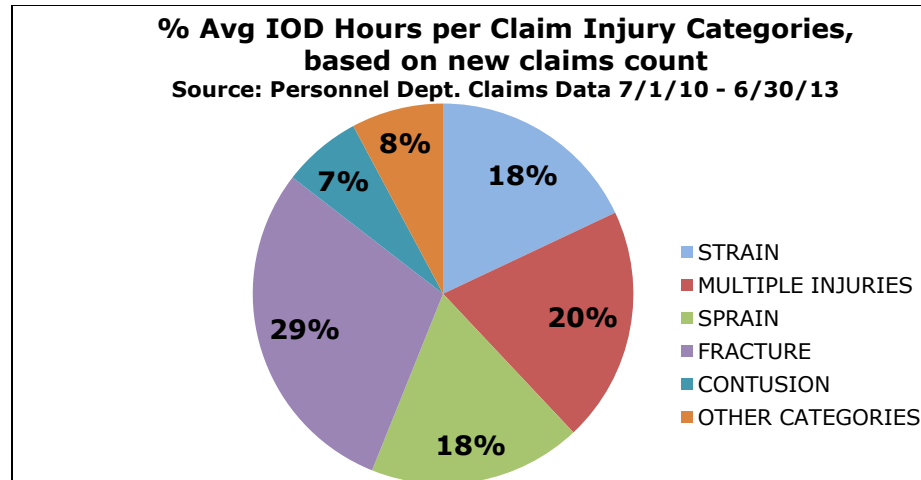
Exhibit10: Average IOD Hours by Age



Some studies mention fatigue as being a cause of workplace injuries, and sworn personnel sometimes work large amounts of overtime. We reviewed payroll records for 84 employees who filed claims in 2013 to identify if any employees had worked significant overtime prior to the injury. We compared each sampled employee's overtime usage prior to the injury, to the average overtime usage for all sworn employees at LAPD. Two comparisons were performed, one for the six months preceding the injury, and another for the pay period in which the injury occurred. Of those reviewed, only one officer had significantly more overtime in both the six month average and the pay period. Therefore, based on our analysis we concluded that there was no direct correlation between overtime worked and workplace injuries.

Considering the average number of IOD hours per claim, we identified the top categories of injury type that lead to IOD hours. Fractures and multiple injuries account for almost half of all IOD hours.

Exhibit 11: Injuries with Most IOD Hours



The leading causes of injury, according to the City's claims management database, are listed in the following exhibit.

Exhibit 12: Leading Injury Causes

LAPD Top 10 Injury Causes					
<i>Based on averages of LAPD claims opened FY10/11 – FY12/13</i>					
Source – Personnel Department's claims management system database					
Injury Source	Avg IOD Hours per Claim	Avg IOD \$ per Claim	Total # Claims	Total IOD Hours	% of All IOD Hours
CUMULATIVE TRAUMA	238	\$ 11,158	1,418	337,154	24%
OCCUP. DISEASE	171	\$ 7,788	981	167,900	12%
OVEREXERT F/REACH/LIFT	195	\$ 8,418	836	162,765	12%
STK B/VEHICLE OR PLANE	195	\$ 8,392	730	142,199	10%
OVEREXERT F/LIFTING	230	\$ 10,162	472	108,633	8%
ACT OF VIOLENCE	92	\$ 3,763	756	69,534	5%
TWISTING	246	\$ 10,617	245	60,225	4%
INSUFF. INFO.	135	\$ 5,726	333	44,909	3%
TRIP/SLIP/FALL F/ SAME LVL	154	\$ 6,626	285	44,025	3%
CNTCT W/OTHER	52	\$ 2,169	867	44,733	3%

Objectives

The overall objective of this audit was to assess the Police Department's efforts to minimize workers' compensation claims and related costs, and to identify potential causes of the Department's claims, including strategies to prevent injuries, promote safety, and encourage employees to return to work.

To address this objective, the audit sought to answer specific questions, in the following general areas:

1. Does the "tone at the top" and the strategies employed by LAPD management ensure that workers' compensation claims are minimized, and that safety and workers' compensation prevention are a priority in the Department?
2. Does LAPD have an effective risk management process for workers' compensation (i.e., appropriate structure, staffing and strategy) to assess risks, evaluate workers' compensation claims, implement loss control strategies and identify emerging issues?
3. Does LAPD's shared values, culture and attitude promote safety and employee wellness, including compliance with worker safety rules and willingness to return to work as soon as medically feasible?
4. Does LAPD have a robust Return to Work program that helps to minimize IOD hours by ensuring employees return to work as quickly as medically feasible, possibly to temporary modified duty?
5. Does LAPD have an adequate health and safety program that helps prevent exacerbating chronic conditions or recurring claims?

This audit also included benchmarking employee safety and prevention programs to comparable jurisdictions and other Departments to identify leading practices and key success factors.

Other Audits, Investigations and Reviews

The Controller's Office has previously audited other aspects of workers' compensation, these include:

- The Performance Audit of the Workers' Compensation Claims Management for Fire and Police Personnel, issued June 30, 2014, which assessed processes regarding accepting and managing claims;
- The Audit of Payments to Workers' Compensation Medical Providers Under the City of Los Angeles' Aon Contract, issued June 30, 2014,

which reviewed workers' compensation medical provider payments and related processes;

- The Audit of Salary Continuation Payments Made to Non-Sworn Employees Under the City's Workers' Compensation Program, issued April 17, 2013; and,
- The Performance Audit of the Los Angeles City Attorney's Workers' Compensation and Subrogation Program issued on October 30, 2010.

These audits included recommendations that, when implemented, will contribute to reducing the City's costs for workers' compensation.

Benchmarking & Best, Leading & Next Practices

We reviewed articles and studies from the International Association of Chiefs of Police, the RAND Corporation, and periodicals focused on the policing community related to preventing officer injuries or enhancing officer safety. We surveyed other Police Departments in California: Fresno, San Diego, San Jose, Sacramento, Long Beach, San Francisco, Riverside, Santa Ana, Anaheim, and Oakland. We received responses from the police chiefs for five departments and from the workers' compensation claims administrators for a different set of five Departments (see Exhibit 36 in Appendix IV).

We noted that four of five jurisdictions we surveyed do not allow "on-duty" recreational sports to be covered by workers' compensation, unlike LAPD. We also found that many Departments include fitness qualifying tests after officers' graduate from the Academy; based on interviews, San Francisco appears to have a robust fitness program. These practices are discussed in more detail in the report.

FINDINGS & RECOMMENDATIONS

Section I: Effective Management of Workers' Compensation

Finding 1: LAPD has not operationalized a comprehensive injury and illness prevention program to effectively manage its growing workers' compensation expenditures.

Management has not focused on reducing workers' compensation claims through injury prevention activities. Since most workers' compensation related costs are not included in Departmental budgets, management may not be sufficiently aware of, or held accountable for, the impact of rising claims and costs.

During our audit scope ended June 30, 2013, there were between 3,006 and 3,194 new claims filed each year and, through October 2014, the costs for those claims filed during the three-year period totaled nearly \$140 million, including IOD costs (claim costs may continue for several years).

There is no LAPD organizational unit or program that is focused on identifying and addressing workers' compensation risks with the objective of preventing and reducing work-related injuries and the resulting claims and costs. Instead, aspects of workers' compensation monitoring and safety are spread throughout multiple divisions. Workers' compensation oversight is limited to monitoring IOD and employees' return to work dates for deployment purposes and assessing injury causes of high-risk liability areas, i.e., traffic collisions and use of force. While the Department has thorough investigation, evaluation and reporting on some injury causes, these practices do not extend to other injury types. A comprehensive program would incorporate best practices and evaluate all workplace injuries and illnesses, and even near-misses, so all possible efforts are made to ensure officer safety in the workplace.

The City's Health and Safety Program under Executive Order #CP-1 dated August 20, 2004 and the State requires an Injury and Illness Prevention Program (IIPP). However, an effective IIPP is not just a plan on paper, but a program that must be put into practice. Despite its written IIPP, the Department has not dedicated resources (funding and staffing) specifically for managing workers' compensation as an injury and illness prevention program.

The LAPD's IIPP describes the Department's commitment to comply with the State's requirements for safe work principles and to minimize employee exposure to safety and health risks at all Department work locations.

The State of California Department of Industrial Relations describes the required elements of an IIPP as:

- Management commitment/assignment of responsibilities;
- Safety communication system with employees;
- System for assuring employee compliance with safe work practices;
- Scheduled inspections/evaluation system;
- Accident investigation;
- Procedures for correcting unsafe/unhealthy conditions;
- Safety and health training and instruction; and
- Recordkeeping and documentation.

Each of these elements is built on the foundation of management's commitment, as management is required to identify and employ resources to accomplish the goal to minimize work-related injuries and related workers' compensation costs. For a program to be effective, it must have sufficient resources (funding and staffing). The goals and objectives must also be measureable, and performance metrics identified and monitored timely to measure the program's effectiveness. As results are monitored, management should identify and implement strategies and corrective actions to ensure the program meets its intended goals and objectives. Establishing a "program" with the requisite resources, goals and objectives and performance metrics would help ensure the IIPP is actually put into practice. LAPD has not identified performance metrics or issued regular reporting to City leaders on a workers' compensation program.

LAPD management does not have adequate tools to identify and minimize its workers' compensation risks; thus, the Department's workers' compensation costs have not been adequately managed. During our audit period, there were between 3,006 and 3,194 new claims filed and, through October 2014, the costs for claims filed during the three-year period totaled nearly \$140 million (claim costs may continue for several years).

EXHIBIT 13: Workers' Compensation Claims and their Actual Costs-to-Date of Those Claims Opened in FY10-11 – FY12-13

TOTAL LAPD CLAIMS EXPENDITURES BY YEAR OPENED, COSTS ACCUMULATED THROUGH OCTOBER 2014 (costs in \$000's)				
Expenditure Type	Claims Opened in FY12-13	Claims Opened in FY11-12	Claims Opened in FY10-11	Total Costs through Oct. 2014
# CLAIMS OPENED	3,194	3,177	3,006	9,377
TEMPORARY DISABILITY - IOD	\$18,527	\$23,453	\$20,553	\$62,533
TEMPORARY DISABILITY - STATE RATE	\$747	\$1,783	\$1,522	\$4,052
PERMANENT DISABILITY	\$3,636	\$8,444	\$9,296	\$21,376
MEDICAL EXPENDITURES	\$13,001	\$17,428	\$19,791	\$50,220
MISC EXPENSES	\$559	\$603	\$556	\$1,718
TOTAL CLAIM COSTS	\$36,471	\$51,711	\$51,718	\$139,900

The City does not allocate its workers' compensation costs to Departmental budgets, and therefore does not hold Departments accountable for workers' compensation expenditures, nor provides resources to enable an effective program. Departments have not received adequate direction, data or tools to identify and monitor workers' compensation injuries and illnesses, which creates challenges to effectively prevent the injuries that lead to workers' compensation claims.

Recommendations**LAPD management should:**

- 1.1 Establish and implement an operational injury and illness prevention program with dedicated resources (funding and staffing) and measurable Department-wide goals and objectives to minimize its workers' compensation claims and related costs.**

- 1.2 Manage workers' compensation prevention by regularly reporting to Mayor and City Council on workers' compensation statistics, Departmental prevention efforts, and results of corrective actions. Consider whether existing strategies used for mitigating use of force and traffic collision incidents can be expanded to all injury risk exposures.**

The Mayor and City Council should:

- 1.3 Consider allocating or charging back workers' compensation costs to Departments' budgets, to provide a strong incentive to Departmental management to monitor, control and reduce their workers' compensation costs. Ensure LAPD is held accountable for reducing workers' compensation costs and that it is provided adequate resources (funding, staffing, information, tools) for a functional injury and illness prevention program.**

Finding 2: Except for traffic collisions and use of force, LAPD has not established that preventing / minimizing workers' compensation injuries and resulting claims is a priority. There may be excessive claims filed and an opportunity to save up to \$18.5 million, or 19% of its annual workers' compensation costs.

Injury prevention and its impact on workers' compensation claims and costs are not clearly defined as priority objectives by management. As a result, the Department's culture is not focused on reducing workers' compensation claims. Comparing claims per 100 budgeted employees to other jurisdictions revealed that LAPD sworn employees file 32 claims compared to a low of 19 claims in Sacramento.

The Impact of Excessive Workers' Compensation Claims

Sworn employees at the LAPD filed the most claims of any City Department and was also significantly higher than other agencies benchmarked. The best example was Sacramento, whose sworn employees filed only 19 claims per 100 budgeted employees compared to LAPD sworn employees, who filed 32 claims. Benchmarking to other agencies is illustrated in Appendix IV. The average cost of a claim opened in our audit period was nearly \$15,000 based

on an accumulation of costs through October 2014. If claims could be reduced to 19 claims per budgeted employee, this could save the City \$18.5 million per year.

LAPD Priorities and Culture regarding Workers' Compensation

We evaluated the goals, strategies, communications, structure and systems employed by the Department to determine whether management has adequately prioritized workers' compensation and injury prevention. We found that there is not a clearly stated Department-wide focus on workers' compensation or injury prevention. Specifically,

- There are no current goals or metrics related to preventing or reducing workers' compensation injuries and claims. Further, despite having developed a Risk Management Strategic Plan in 2012 to reduce workers' compensation claims by 2% each year over a five year period, the Department could not demonstrate any specific actions taken to accomplish that goal or achieve a reduction.
- Sufficient information related to workers' compensation claims, costs and types of injuries is not collected and analyzed to develop possible measures to prevent future occurrences. Specifically, the Department has not obtained adequate information from the Personnel Department to facilitate preventive measures. The Department has prioritized two high-risk areas: traffic collisions and use of force incidents, which can result in officer injuries leading to workers' compensation claims. LAPD has established detailed protocols to investigate, report and mitigate these types of incidents; however, this type of focused attention is not afforded to the broader category of workers' compensation injuries, claims and costs.
- The Chief's goal for employee wellness may not be clearly understood throughout the Divisions. The goal is simply stated "Employee Wellness" and Divisions are allowed flexibility to customize strategies to achieve the Chief's goals, given unique situations. LAPD staff indicated "employee wellness" includes mental and physical health as well as financial and relationship health. However, not all Divisions had a "wellness coordinator" with a defined role. In addition, wellness programs within Behavioral Science Services appear to be the result of Division efforts instead of a management strategy. For example, management was unaware the Department has a nutritionist on staff.

- There is no management monitoring or assessment of safety and wellness programs.
- LAPD has outdated policies and procedures related to OSHA forms, and conflicting communications related to Department-sponsored sports events that are considered eligible for workers' compensation coverage.
- The lack of focus on reducing workers' compensation claims has impacted employee culture, as the employee survey revealed that 45% of the respondents believe that an excessive number of claims are filed, with an additional 41% being either neutral or unsure. Only 14% disagreed.
- The Department's culture plays a part in the number of claims filed. Exhibit 14 shows that nearly 60% of LAPD's 9,983 budgeted sworn employees filed at least one claim during our three-year audit period. In addition, 42% of the 5,648 employees who filed claims, had two or more claims and 10% of sworn employees filed more than three claims.

EXHIBIT 14: Number of Employees Filing Claims from FY10-11 through FY12-13 with their related costs through October 2014

# Employees with Claims Over Three Year Period					
(employees with multiple claims)					
Claim Counts	# Empl in category	Total Claims	IOD Hours	IOD Cost	Total Cost
9	2	18	1,117	\$ 46,875	\$ 83,916
8	-	-	-	\$ -	\$ -
7	9	63	7,595	\$ 312,149	\$ 496,682
6	25	150	18,335	\$ 736,937	\$ 1,194,151
5	64	320	46,418	\$ 1,982,429	\$ 3,737,300
4	195	780	90,775	\$ 4,001,229	\$ 7,978,195
3	634	1,902	278,967	\$ 12,447,688	\$ 24,595,917
2	1,425	2,850	462,063	\$ 20,602,630	\$ 45,473,910
1	3,294	3,294	501,339	\$ 22,403,237	\$ 56,340,059
TOTAL	5,648	9,377	1,406,609	\$ 62,533,174	\$ 139,900,131

Minimizing the number and/or severity of work-related injuries would help reduce the City's costs and the amount of lost work time. In addition, fewer claims would reduce IOD usage that has a negative impact on officer deployment. Management's priorities and leadership actions regarding injury prevention and workers' compensation have a direct impact to the culture at LAPD. Management actions should include:

- Establishing a goal⁶ with strategic objectives to reduce workers' compensation costs by preventing employee injuries and illnesses;
- Setting Department-wide expectations by effectively communicating the goal, establishing performance metrics and monitoring results;
- Understanding the risks and developing protocols and programs to ensure safety and wellness programs are in place to prevent employee injuries; and
- Identifying and dedicating resources to ensure successful accomplishment of the goal.

Workers' compensation costs are not readily apparent to Department management because the City does not allocate or track workers' compensation costs into Departmental budgets. In addition to direct costs, work-related injuries and illnesses affect officer deployment and management must ensure that adequate staffing is available for public safety needs. By prioritizing injury prevention, and safety and wellness programs, LAPD management can have a significant impact on the number of workers' compensation claims filed and corresponding costs to the City, as well as maximizing the availability of officers for deployment.

When the Department identifies risks, such as traffic collisions and use of force incidents, there is an increased focus and efforts to mitigate those risks through policy revisions, trainings and re-trainings and detailed reporting protocols. However, the Department has been challenged by the difficulty in obtaining comprehensive information to identify workers' compensation risk areas, which are therefore not identified or addressed. This may cause unnecessary injuries/illnesses and increase workers' compensation expenditures. LAPD management can prevent workers' compensation injuries and illnesses by focusing on preventable injuries, including conveying comprehensive employee safety messages, and promoting health and wellness programs.

⁶ Best practices dictate that goals should be "SMART"; specific, measurable, attainable, relevant and time-bound.

If LAPD had established Department-wide goals for workers' compensation prevention and employee safety, the Department could better ensure the following key actions:

- the risk management function identifies and mitigates workers' compensation risk;
- training and interventions developed to address high risk areas related to workers' compensation;
- policies and procedures aligned with injury and illness prevention strategies;
- monitoring and reporting standards established to measure prevention strategies and progress toward meeting injury prevention and safety goals; and,
- return on investment analysis performed when considering the funding of safety and wellness programs. (Also see findings and discussion of risk management and data analytics in Section II.)

While prioritized goals, such as crime reduction are regularly monitored, the lack of a specific goal(s) related to workers' compensation prevention may have contributed to the Department's average of 6,000 open workers' compensation claims during 2013; these claims cost the City millions of dollars each year.

According to Behavioral Science Services (BSS) management, in 2008 the Chief of Police established a goal to reduce workers' compensation claims. In response, BSS attempted to form a LAPD Workplace Injury Reduction Committee, to create a Department-wide early intervention workers' compensation program. However, there was not sufficient managerial support to move the initiative forward at the time.

Recommendations

LAPD management should:

2.1 Expand on Department-wide and divisional goals and strategies to reduce occupational injuries/illnesses, specifically:

a) Incorporate best practices from safety experts and other agencies.

b) Monitor the effectiveness of its strategy to prevent occupational injuries/illnesses.

- c) Strategies should include an evaluation of claims and near-misses and reasons for claims filed based on claims, types of injuries, costs, employee's demographics, at-risk employees who file multiple claims, and other factors.**
- d) Evaluate and address the reasons for employees filing multiple claims. Review the circumstances and causes of the injuries experienced by frequent filers and develop a process to address them, which may include counseling on safety protocols, adjusting job functions, and/or investigating potential abuse of workers' compensation.**

Finding 3: Management did not clearly communicate Department-wide goals regarding illness/injury prevention along with a requirement to develop, measure, monitor and report on a division's or section's specific goals and strategic objectives.

Without Department management communicating its goals and expectations affecting workers' compensation, divisions and sections may not prioritize developing and implementing a plan to measure, monitor and report on efforts to prevent injuries, and promote safety and wellness to reduce workers' compensation claims and costs. Further, Department management lacks a standardized way to measure its effectiveness in addressing workers' compensation.

Communicating Goals to Divisions/Sections

We reviewed the Department's communications, and while we noted there was discussion of the Chief of Police's goals, we found no documented explanation or detailed support to clarify the Chief's intentions with regard to "employee wellness" and "personnel strength of the Department". In order for these goals to have an impact on illness/injury prevention, clear communication is essential. Overall goals set by the Chief are disseminated to divisions through various communication channels, and often result in divisional goals. We were able to obtain some goals and strategic objectives from operating divisions/sections that were more specific, and some divisions provided status reports on progress towards achievement of their goals. This indicated that some divisions/sections may receive clearer communication of the Department's goals.

Some divisions/sections that directly deal with workers' compensation did not even establish goals, (e.g., Return to Work Section, Medical Liaison Section). The lack of specificity in the Chief's goals and guidance from management did not provide clarity to division command staff regarding their role in preventing employee injuries or reducing workers' compensation costs. For example, we found that there was a general understanding that "wellness" included the employee's well-being, whether mental health, financial health, physical health, or relationship health; however, not all divisions had a "wellness coordinator" with a defined role. Based on documents received, goals are not defined, clarified and communicated with clear expectations for each division and section within the Department. The generality of some goals may have precluded a clear communication down the chain of command; most written communication we obtained included abbreviated topics whose meaning could not easily be determined.

Also, not all divisions/sections develop specific goals and strategies in response to the Chief's goals, especially if its operations are not part of COMPSTAT reporting. For example, we learned that the Medical Liaison Section (MLS), which monitors IOD usage, had not been directed to generate goals because they were exempted from the Chief's "goals project". Goals that are not part of COMPSTAT reporting do not appear to have the same level of monitoring and we could not obtain goals from all divisions visited or reports of progress against goals. Further, the COMPSTAT reports and related meetings do not address injury prevention or include measurement or review of workers' compensation claims statistics.

Communications Flow Within the Department

Communications from senior management starting with the Chief appears effective in conveying messages of importance. LAPD messages and dissemination of information occurs through a variety of communications. If a message is prioritized by management, the communication gets to all levels in the organization. For example, traffic safety, including concerns of "overdriving" (e.g. unsafe speeds, not stopping/slowng at red lights, etc.) and seatbelt usage continues to be a prioritized message in the Department. While reducing traffic collisions is no longer a specific goal, there was evidence of communication and a continued focus on this area, which has been both a source of litigation and employee injuries. Since the Department has limited workers' compensation data, management did not identify whether it was successful in accomplishing the prior goal. However, the Department has incorporated this initiative into the culture, policies and communications, as

evidenced by including traffic collisions in employee evaluations and consistently broadcasting a message of traffic safety.

Communication occurs through a variety of methods, including:

- the Police Manual,
- orders and directives,
- the LAPD intranet,
- bulletin boards,
- signs,
- visual displays (e.g. a smashed car at a police station),
- and a host of meetings, including direct reports meetings, command staff meetings, COMPSTAT divisional meetings, station visits, and roll call meetings.

EXHIBIT 15: Communication Method – Signs

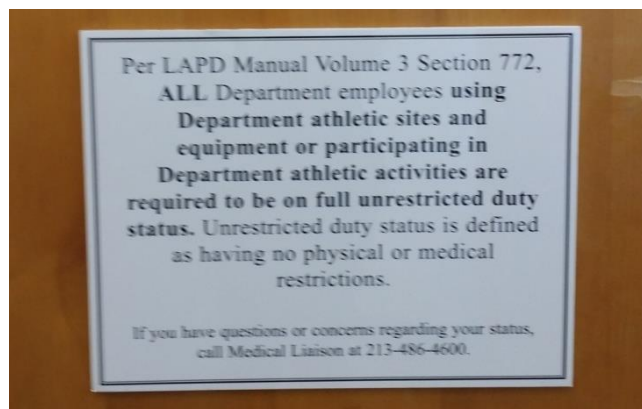


EXHIBIT 16: Communication Method –Other Visual Display



Overall, the communication appears varied and deep reaching within the organization and is effective when the message is given and repeated. Some messages related to safety, and by extension, workers' compensation prevention, such as mandatory wearing of seatbelts, were mentioned in various platforms and reinforced over time. Communication regarding replacing expired body armor was posted to the Department's intranet (LAN); however it quickly lost its visibility as the message dropped from sight as new items were posted (see Finding #9). An increased effort is needed to ensure important safety communication reaches officers and is repeated and reinforced.

We also noted examples of outdated or poorly communicated requirements. We found outdated sections of the Police Manual and areas requiring annual communication that did not occur for these areas. For example, stations did not post Cal/OSHA summary forms (Finding #9) and the Police Manual reference to the log was outdated and divisional Safety Committees were not operational in compliance with the Police Manual (Finding #9).

To understand management's prioritization of workers' compensation and employees' injuries, we examined the agendas for three years of command staff meetings. Meeting agendas included abbreviated listings of topics that never listed workers' compensation or employee injuries. We met with the Chief of Staff to discuss agendas and were provided meeting notes for some potential topics. However, the notes reinforced a premise that workers' compensation was not focused on or communicated. Some examples included: 1) a discussion on traffic collisions and overdriving that focused on the liability and damages to vehicles versus any reference to employee injuries

and related workers' compensation expenditures, and 2) in March 2012, the Chief of Police discussed the Risk Manager working with the City Attorney to develop strategies to reduce liability, and that she would be conducting a comprehensive review of the Department, including Use of Force, civil rights, and employment issues. Based on meeting notes, the focus of that meeting and the communication excluded workers' compensation, even though the Risk Manager had included it as one of the five risk areas of the Department.

We also requested documents from the Chief of Staff and the Special Assistant to Constitutional Policing that could support what the Department is doing regarding workers' compensation prevention. We were provided a listing of 57 documents over the three year period, but after excluding unrelated items (e.g. computer usage policy, ADA memo, lactation memo, etc.) only 34 were relevant to workers' compensation matters. However, of the 34, some were merely meeting notices, with only 11 items addressing prevention and safety, such as the "Use of Reflective Safety Vests – Reminder", and "Exposure to Contagious Disease – Revised".

Lack of sufficient communications from top management was also cited by respondents to our survey. More than half of the survey respondents (56%) were either unsure or disagreed that they heard messages from top management related to safety and injury prevention. Further, 64% were unsure or disagreed that they heard messages from top management related to health and wellness.

The results were somewhat better regarding communications from captains and watch commanders, with 41% and 53% unsure or disagreeing that messages regarding safety and injury prevention and health and wellness were communicated. The limited communication of employee safety, injury prevention, and health and wellness messages further demonstrates that the Department has not clearly stated a Department-wide focus on reducing workers' compensation injuries or costs.

Strategies and goals related to workers' compensation risk should have been addressed through LAPD's Liability Management Committee, which is described as a committee comprised of high level managers to address risk management areas. However, according to the Special Assistant to Constitutional Policing, meetings did not regularly occur and no one could recall anyone discussing workers' compensation risk at those meetings. Though established to focus on risk management, a key opportunity was missed since it has not addressed workers' compensation risk.

Goals cannot be accomplished unless they are clearly communicated, so the entire Department can work towards achieving them. The following goal setting principles⁷ improve the chances of success: 1- Clarity (setting clear goals), 2 – Challenge (setting challenging, but not impossible goals), 3 – Commitment (securing the team's commitment and buy-in), 4 – Feedback (establishing mechanism for feedback), and 5 - Task complexity (setting goals that are not overwhelming).

If LAPD senior management is not identifying and adequately communicating workers' compensation risk through a specific venue, such as the Liability Management Committee or COMPSTAT meetings, some risk areas may not be identified, communicated and understood throughout the Department. (See further discussion in Section II, Assessing and Managing Workers' Compensation Risk.)

There are multiple reasons why LAPD lacks a Department-wide emphasis on preventing injuries and managing workers' compensation. We identified the following as key issues:

- The structure of the Department is highly decentralized. While there are some advantages to a decentralized organization (allows flexibility and buy-in), it requires the right criteria, structure, standardization and monitoring to ensure that each division is aligned with the Department's expectations.
- The workers' compensation risk and control efforts are scattered throughout the organization; risk management (with its prevention, analysis and assessment efforts) is separate from Operations (which had more than 75% of workers' compensation claims), and is separate from Administrative Services (which includes the Medical Liaison Section, the Return to Work Section, training, motor pool, equipment, uniforms, training, and IT).
- Divisions and employees are not held accountable for all areas affecting employee safety, health and wellness. COMPSTAT reporting includes IOD usage, but excludes some important workers' compensation information, such as the number of new claims opened and whether preventable. Employee evaluations do not specifically address safety or workers' compensation risk. Management and supervisor evaluations

⁷ Locke, Edwin; Gary Latham (2006), "New Directions in Goal-Setting Theory", Association for Psychological Science 15 (5): 265–268.

do not include an assessment of their efforts to address safety and their efforts to minimize workers' compensation claims.

- Sufficient workers' compensation information has not been collected and preventable injuries are not tracked or addressed in communications and monitoring.

Both employees and management should be held accountable for workplace safety, and minimizing workers' compensation injuries and the resulting claims. Evaluating supervisors and managers on their efforts to address workers' compensation, including identifying potential fraud, can help define the Department's expectations and stance to minimize workers' compensation claims.

The Office of the City Attorney is charged with investigating suspected fraudulent workers' compensation claims and manages all litigation related to workers' compensation cases, and provides training to City departments upon request. The training is geared to supervisors and managers to help identify potential fraudulent claims, as well as understanding the problem in a broader context of economic impact and the law. The training is often tailored to each department to address the unique problems or situations for that Department's operations. The City Attorney representatives recommend this training be provided to any new supervisors/managers, and periodically every two years, thereafter. While regular training has been requested by LAPD's Professional Standards Division for their investigators, it would be most beneficial to first line supervisors and managers who are responsible for determining whether the claim seems questionable, or whether there are incidents that should be addressed to prevent future injuries/claims.

Recommendations

LAPD management should:

- 3.1 Address the Departmental culture that may encourage excessive claims filing by communicating illness/injury prevention efforts and holding employees and management accountable for workplace safety and workers' compensation fraud. For example,**
 - a) Develop comprehensive messaging of workers' compensation prevention to include risk, training, monitoring, to all ranks.**

- b) Require all divisions and sections to monitor and report to senior management their workers' compensation prevention results (see Recommendation #1.2), and expand COMPSTAT reporting to include workers' compensation metrics and preventable claims.**
- c) Incorporate officer safety and workers' compensation prevention as criteria in supervisor and management employee evaluations.**
- d) Request City Attorney to provide training to supervisors/managers on Workers' Compensation Fraud, tailored to focus on LAPD claims history and the unique operations of the Department.**

Finding 4: LAPD lacks clearly defined criteria and updated policies concerning some areas that can impact workers' compensation.

The Police manual has outdated sections, Special Orders are not fully implemented, and policies and procedures have not been developed for key areas that can affect workers' compensation. Some sections of the Manual were outdated or unclear, and in some cases, employees were unaware of established policies.

The Police Manual has sections affecting risk management areas that are outdated, such as a reference to an OSHA form that is no longer used and conflicting guidance on allowable sports activities. The Personnel Division has not issued clear communications regarding the activities for the Police Olympics that are covered for workers' compensation, if a participating officer sustains an injury. Additionally, we found examples where the Department had identified problems or concerns and issued a Special Order to address that area, but the Special Orders were not fully implemented. While there may be valid reasons for not fully implementing orders, criteria should not be ambiguous; if revisions are required they should be made and communicated. For example, the Department has not implemented the portion of Special Order #7 (under Chief Bratton) entitled "Temporary Modified Duty/Reasonable Accommodation", where the Disability Management Coordinator performs evaluations to assess the need for continued temporary accommodation (see Finding #15). In addition, Special Order #23 entitled

"Sick/IOD Coordinator" required Bureaus to provide training to divisional sick/IOD coordinators; however, not all Bureaus follow that order, with many not being aware of the training requirement (see Finding #13).

LAPD operates based on protocols and criteria established primarily through the Police Manual and Special Orders. Other regulations which the Department is subject to include Memoranda of Understanding (MOUs), which are the negotiated labor contracts between the City and employee labor organizations, State laws and regulations, the City's Municipal and Administrative Codes and Ordinances and policies established by other Departments (e.g. workers' compensation claims filing procedures, etc.).

Without a centralized viewpoint or oversight with respect to criteria and communication flow, relevant messages may be unclear and not represent management's intentions. If divisions/sections have inconsistent or undeveloped criteria, such as lacking policies and procedures, then sick/IOD monitoring may not occur resulting in the Department experiencing excessive workers' compensation expenditures. Inconsistent practices may result in the Department missing opportunities to identify risk areas and corrective action plans. Without addressing sports listings, OSHA filings, etc., divisions may use their own judgment resulting in additional costs to the Department, whether excessive claims and expenditures or penalties.

The Department has not focused on ensuring that all sections of the Police Manual affecting employee health, wellness and safety that could impact workers' compensation are updated, nor has it clarified the applicability of all Special Orders.

Due to its decentralized structure, the Department lacks stability in key roles affecting workers' compensation; some roles are not clearly defined, and standardized detailed procedures (e.g., desk top manuals) do not exist for all roles. As personnel transition from one role to another, division priorities may change or not be communicated to successors. Special orders or policies that are not clear or are outdated may be disregarded entirely or not adhered to, as intended.

Recommendations

LAPD management should:

- 4.1 Review and update the Police Manual, outstanding special orders, and policies and procedures to provide the necessary level of guidance. Ensure these are clearly communicated on a timely basis.**

Section II: Assessing and Managing Workers' Compensation Risk

In 2008, the Controller's Office issued an audit report entitled, "Evaluation of Citywide Risk Management Functions". This report identified five standard elements of an Enterprise Risk Management (ERM) program, which are:

1. Risk Management Governance
2. Risk Identification and Assessment
3. Risk Quantification and Aggregation
4. Risk Monitoring and Reporting
5. Risk and Control Optimization

Risk management governance means that risk management should be prioritized and implemented with a high level of authority within the organization allowing for the ability to identify, assess, quantify, monitor and mitigate risk regardless of the structure of the organization. Risk identification and assessment require that sufficient information can be obtained in order to both identify and assess risk. Organizations need to identify their risk, assess their risk appetite, and mitigate unnecessary risk. The typical functions of any Police Department require that officers take risks in the course of their work; therefore, some injuries are to be expected. However, LAPD should have a risk management program in place that enables them to be aware of avoidable and unnecessary risks, and safeguard against those risks.

The Department established a risk management function operating in the Office of the Special Assistant for Constitutional Policing and during our audit period had identified the following five risk areas:

1. Employment
2. Traffic Accidents
3. Workers' Compensation
4. Use of Force
5. Fair Labor Standards Act

For the Department to have an adequate risk management function related to workers' compensation, there should be adequate processes to investigate work-related injuries and illnesses that examine what happened, where it happened, why it happened, and what can be done to prevent future incidents. Additionally, it is important to have adequate systems to track workers'

compensation and related injury and illness data and that analytics are used to identify, classify, monitor, and assess workers' compensation injuries or illnesses. LAPD should ensure there are processes in place to ensure that officers are provided with proper equipment, a relevant wellness program, and relevant and effective safety training.

Finding 5: LAPD has not adequately implemented a risk management plan focusing on workers' compensation risk to address the causes of preventable injuries/illnesses.

If the Department had implemented its initial 2012 risk management plan to reduce the number of new claims filed by 2% of each year, a potential \$1 million in workers' compensation costs could have been avoided.

During the audit period, the Department's Risk Management Plan related to workers' compensation did not meet leading practices for managing risks. Although the Department established a risk management function and had completed its risk identification and assessment, no further risk control and mitigation efforts occurred related to workers' compensation.

In 2012, the Department's Risk Manager identified and assessed the Department's risks, with workers' compensation being one of the top five high risk areas. A framework for the Risk Management Plan (Plan) was established with strategies that included steps to analyze preventable workers' compensation claims to identify trends, patterns, potential early warning signs and/or factors that could mitigate potential risk; however, the Plan has not been fully developed or utilized. For example, the detailed analysis of workers' compensation risks (claims) was not completed as a means to identify trends of employee injuries to develop injury prevention measures. In the Risk Manager's 1st quarter report for 2013, a decrease in the number of claims in comparing January through June from 2013 to the same period in 2012 was identified, and the next intended action was to identify the cause of the decrease to help focus efforts to continue the reduction. However, due to staffing changes, the Department could not respond to inquiries whether this analysis was done.

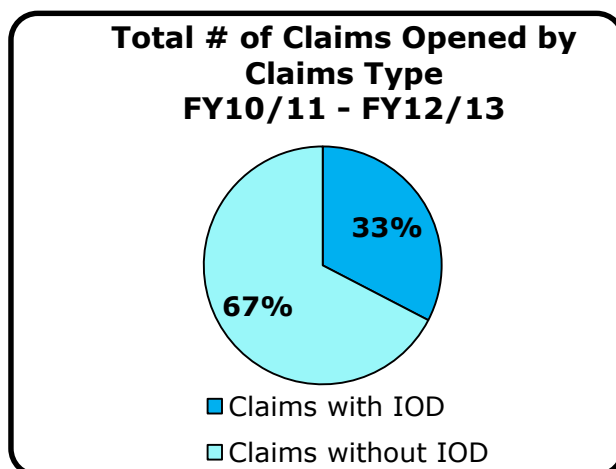
In addition, despite having a goal to reduce the number of claims filed by 2% each year, management did not provide an action plan and could not explain or support how the Department planned to achieve this goal. In the Risk Manager's 2nd quarter report for 2013, identifying trends for Department-

specific injuries was noted again, as well as identifying different employee actions that could prevent similar types of injuries in the future. However, the Department had not completed an analysis that identifies preventable and non-preventable causes of workers' compensation injuries.

Without adequately identifying, assessing and mitigating the risks associated with workers' compensation, injuries and illnesses that may be prevented will not be addressed and costs are not minimized. As the City's practice does not allocate workers' compensation costs to Departments, the full financial impact may not be apparent to management. In addition, LAPD may potentially not be able to meet deployment expectations due to employees that are out on IOD, and deployed officers may be at additional risk due to staffing shortfalls.

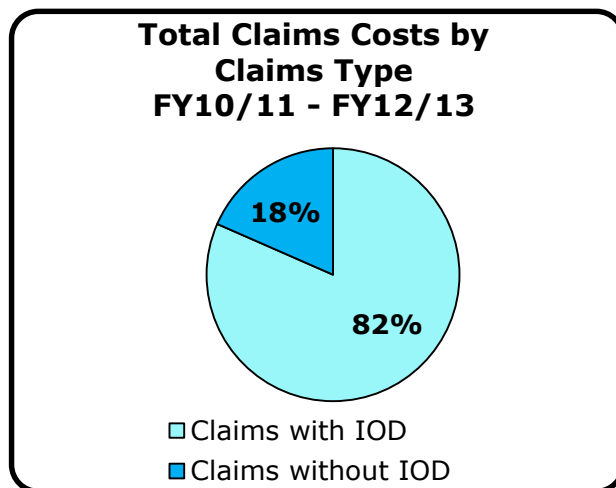
Workers' compensation costs are not readily apparent to Department management because the City does not allocate/budget workers' compensation costs to Departmental budgets. Rather, current workers' compensation efforts have been focused on monitoring IOD and return to work for deployment. As shown in Exhibit 17, only 1/3 of the claims opened during the audit period are indemnity claims, or those claims that have IOD salary continuation payments (as prescribed by California State Labor Code 4850).

EXHIBIT 17: New Claims Break-out by Types; those with/without IOD



However, indemnity claims are costly; 82% of the total claim costs are from indemnity claims.

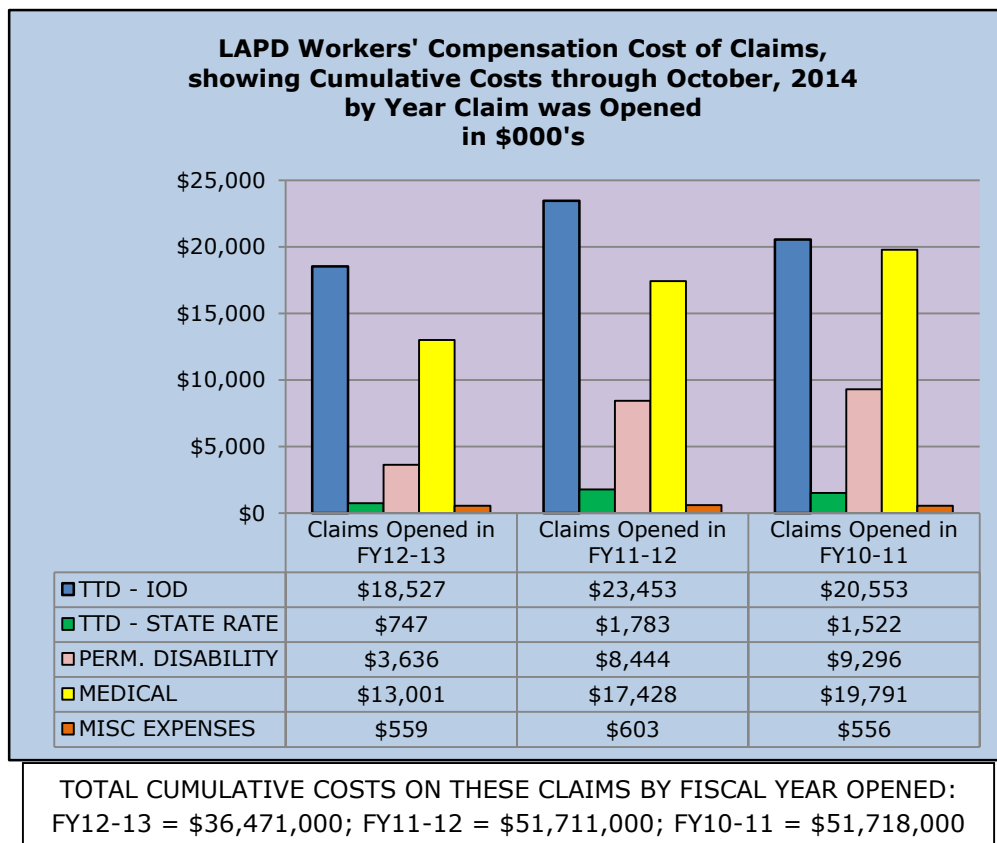
EXHIBIT 18: Costs Break-out related to New Claims by Claims Types; those with/without IOD



Claims costs are comprised of IOD costs borne by Departments and other costs, such as medical and permanent disability costs borne by the City's general fund. IOD costs were 45% of the total workers' compensation expenditures tracked by the City for LAPD sworn employees during the three-year period. Costs continue to grow over the years. An employee who incurs a claim has five years to use their temporary disability benefits, and settlements may take several years as it is dependent on the injured employee reaching maximal medical improvement. Settlements, which are comprised of permanent disability payments and ongoing medical treatment, are typically paid out over several years. Exhibit 19 shows the cumulative costs for claims opened during our audit period.

Note that the chart below is not for trending purposes as it does not reflect expenditures on a year by year basis. These are cumulative costs for claims opened within each year shown, and exclude costs of prior years' open claims.

EXHIBIT 19: Break-out of Costs of New Claims, shown by Year Opened



In addition to direct costs, work-related injuries and illnesses affect officer deployment and management must ensure that adequate staffing is available for public safety needs. By prioritizing injury prevention, and safety and wellness programs, LAPD management can have a significant impact on the number of workers' compensation claims filed and corresponding costs to the City as well as staffing available for deployment.

Given the dangerous nature of a sworn officer's job and State laws, workers' compensation will remain a significant cost to the City. The Federal Bureau of Labor Statistics states that police officers had an incident rate that was five times greater than for all other occupations. However, LAPD can better identify those injuries that may be prevented and eliminate some claims from even occurring. Preventing even a small percentage of injuries results in

millions of dollars that could be saved by the City. The Department's 2012 risk management plan sought to achieve a 2% reduction in the number of new claims filed each year, which we estimate would save the City \$1 million, based on the average per claim cost of \$16,000 during one year.

However, as of our audit period, LAPD Management had not prioritized implementing a risk management plan related to workers' compensation. The lack of injury data demonstrating the cause of injury to determine preventable injuries may have hindered efforts to trend injury patterns (see Finding #6), and staffing changes have likely impacted the Department's progress to implement the Risk Management strategies for workers' compensation. The Department's Risk Manager left the City in December 2013 and the Captains subsequently assigned to risk management changed due to transfers, retirement and IOD. In early 2014, a new Special Assistant to Constitutional Policing (Special Assistant) was hired and assumed the duties of the Risk Manager until January 2015, when the Special Assistant reorganized and developed a new strategy with new dedicated Risk Manager and other risk management staff.

Recommendations

LAPD management should:

- 5.1 Prioritize the implementation of a risk management plan related to workers' compensation. The plan should:**
 - a) Identify the trends for Department-specific workplace injuries and determine preventable causes;**
 - b) Develop measures to prevent similar types of injuries; and**
 - c) Implement strategies to achieve the risk management plan goal to reduce the number of new workers' compensation claims filed each year.**

Finding 6: Many injuries/illnesses could have been prevented, but LAPD has not utilized or developed adequate information systems to identify causes for those injuries/illnesses. Preventable injuries cost the City more than \$6 million per year.

LAPD Management is unable to identify preventable injuries or illnesses. In reviewing a sample of 90 claims from a population of 3,194 opened in 2013, we identified 36% of claims *may* have been preventable.

The Department lacks an adequate information system and data to identify the underlying cause of injuries in order to determine whether those injuries were preventable. LAPD relies on the City's claims management system (LINX during the audit period, which was replaced in May 2014 with iVOS) for workers' compensation information. We did not perform any audit procedures on the iVOS system and, therefore, cannot comment on any changes the City may have made to its new claims management system. LINX maintained limited data and despite having data fields noting body part injured, injury type (e.g., concussion, burn, stroke, etc.) and injury source (e.g., overexertion, twisting, trip/fall, etc.), the system did not provide sufficient information necessary for risk management data analytics, such as identifying whether the injury was preventable based on the cause of the injury.

Shown below is an example of claim data from the LINX system that illustrates the limitations in relying on the claims management system for risk management data analytics. In this example, an employee hurt his back and neck due to lifting a heavy duty bag onto a shelf in a police station. LINX would report the following (body part, injury and injury source are based on State descriptions):

Body part:	Multiple
Injury type:	Strain
Injury source:	Lifting an Object
Location:	77 th Police Station
Date of Injury:	5/1/13

The data captured for claims administration purposes does not help determine if the injury could have been prevented, or provide enough insight to understand the risk of a specific type of injury.

While the Department does not have the responsibility for claims management, LAPD needs this information to ascertain if injuries and illnesses could have been prevented. The International Association of Chiefs of Police (IACP) in collaboration with the U.S. Department of Justice conducted a multi-Department assessment of line-of-duty injuries and published a report "Reducing Officer Injuries". According to this study, "injury tracking is one of the first steps in promoting this culture of organizational safety; agencies are better informed as to what types of injuries are occurring and can more effectively mitigate the risks by targeting resources and instituting policies and procedures."

However, the City has not ensured adequate risk management reporting is available. Some missing key details, classifications of injuries, and demographics of claimants that were not included in LINX, and may not yet be incorporated into the new claims management system, iVOS, include:

- identifying whether the injury is preventable along with the basis of that conclusion (e.g. which investigation form was used);
- precise description of what the employee was doing when the injury occurred, including whether the injury was caused by a Department-sponsored sports event;
- demographic information on the employee filing the claim that might lead to better training or preventive controls;
- identifying any witnesses or others involved in the incident that caused the injury;
- the location of where the injury occurred (the location noted is the employee's assigned location, which does not provide sufficient information as to whether the injury occurred in a police facility or in the field, e.g., patrol);
- notation of the day of week and time of day (indicating whether certain shifts or time of day has an impact on injuries); and
- identifying whether the injury is for cumulative trauma.

Appendix VI contains a list of proposed data that should be available for Department management to adequately manage their workers' compensation risks.

Claims Sample

Due to the lack of information obtained by the Department, we reviewed claims in detail to ascertain what information is available and if claims were potentially preventable. We selected a sample of workers' compensation

claims opened during FY 12-13 to determine whether the injuries could have been prevented and, thereby the resulting claims and costs could have been avoided.

Based on our sample of 90 claims, we found that 32 (36%) of these claims *may* have been preventable. Exhibit 20 identifies potentially preventable claims by cause; 22 samples were excluded as they were either cumulative trauma injuries or we had insufficient information to identify the cause of injury. As later discussed in Finding #9 and illustrated in Exhibit 27, 33% of sampled costs were preventable and not scrutinized by the Department; applying this to the population results in \$6 million per year that is not systematically addressed. These claims included injuries/illnesses that were sustained due to the following:

- training exercises or sports activities;
- contagious illnesses;
- routine police work;
- traffic collisions;
- not exercising due care, following policy;
- equipment or uniform related;
- police facility.

Exhibit 20: Potential Preventable Causes of Claims from Sample

Identification of Preventable	Routine Police Function	Not exercising due care, following policy, or Trained	Contagious Illness (various)	Equipment / Uniform Related	Facility	Traffic Collisions	Training Exercises / Gym or Sports	TOTAL
# of Claims	25	4	14	4	2	10	9	68
Non-Preventable	20	0	3	0	0	4	3	30
Don't Know	0	0	5	0	0	1	0	6
Preventable	5	4	6	4	2	5	6	32
% of Preventable Claims within category	20%	100%	43%	100%	100%	50%	67%	36%

Note that table excludes 22 claims from categories not deemed to be potentially preventable; 36% of 90 claims deemed potentially preventable

Due to the variation in injuries, some claims could not be grouped into a common category; for example, hernia, bending over, experienced pain when exited police car, hurt while rescuing person in burning car, etc. The potential

cumulative trauma (CT) claims were primarily related to injuries to the employee's

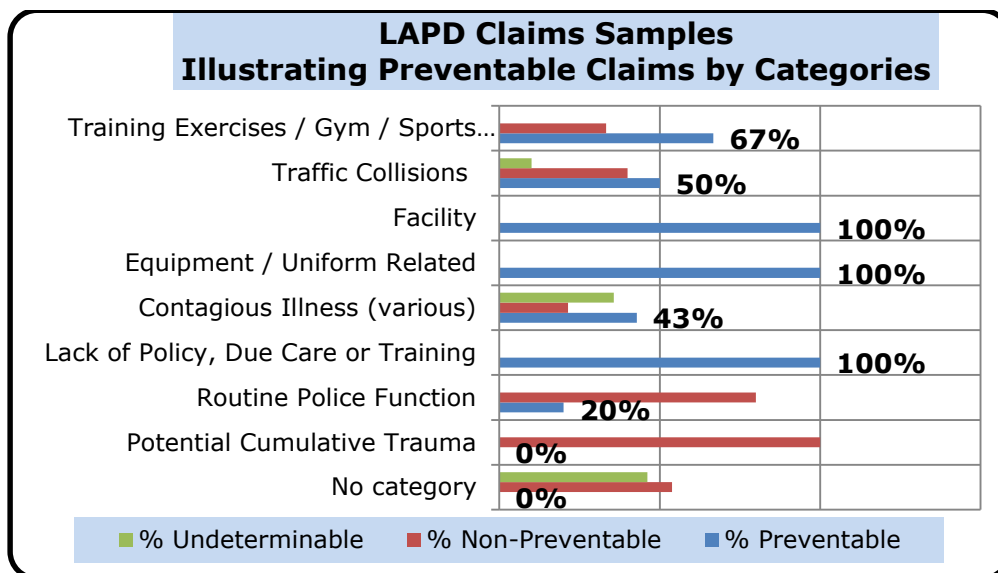
after lifting something (e.g. duty bag). A number of claims were a result of routine police work, which by its nature exposes employees to dangerous situations; however, even some of those injuries may have been prevented.

Since the Department has not developed a complete and coordinated approach to identifying, analyzing and mitigating risk, preventable claims may occur resulting in unnecessary injuries/illnesses. If our sample results are indicative of the population of workers' compensation claims, the Department has an opportunity to prevent a significant number of injuries, and ultimately reduce workers' compensation claims and related costs. In addition to the financial impact, excessive and unnecessary workers' compensation claims can adversely affect the deployment capacity of the Department (personnel strength) when employees are unable to work due to injuries.

If the Department was able to systematically analyze the underlying causes of workers' compensation injuries and illnesses, and capture information that could expose common causes, excessive filers, and factors that may delay an employee's expedient return to work, then protocols and programs could be developed to help mitigate avoidable workers' compensation costs. This would help reduce employee claims and the related costs for treating workers' compensation injuries and illnesses. We recognize that accidents may still occur and there may be multiple factors contributing to an injury; however, there is an opportunity for the Department to prevent injuries and save valuable City resources; both personnel time and costs.

Generally, the Department has limited its risk analysis and risk mitigation efforts to use of force incidents and traffic collisions, and LAPD is thorough in its analysis and corrective action plans for those categories. While these incidents may result in a workers' compensation claim, injuries that occur due to other factors have not been analyzed to determine whether the injuries could have been prevented, leaving a significant proportion of workers' compensation incidents that are not assessed for potential risk mitigation efforts. Exhibit 21 shows results of our sample by injury categories for claims opened during the audit period by preventable, non-preventable or undeterminable; the Department has not analyzed claims to this level, missing opportunities for preventing claims.

EXHIBIT 21: Chart of Preventable/Unpreventable/Undeterminable



The Department did not take steps to ensure it had sufficient data to analyze injuries for potential prevention strategies. Instead, the Department relied on the limited claims information from the City's claims management system (LINX) and did not ensure its specific user needs were incorporated into the City's new iVOS claims management system. It should be noted that the Personnel Department's Workers' Compensation Division indicated that user reports and needs for system data was not planned for the first phase of iVOS system implementation. The primary focus was ensuring iVOS met claims administration requirements. The Personnel Department indicated iVOS was not intended to include risk management reporting. A separate system solution for risk management reporting was determined to be more cost effective. However, it has been nearly 7 years since that determination and the City still does not have a system solution to help Departments manage their workers' compensation risk.

Recommendations

LAPD management should:

- 6.1 Ensure appropriate data and information needs are met to facilitate workers' compensation prevention efforts until a City-wide workers' compensation risk management system is implemented to provide the necessary information.**

- a) Identify system options to meet those needs.**
- b) Ensure data resources are available.**
- c) Ensure necessary data is consistently collected.**

The Personnel Department should:

- 6.2 Develop a strategy to implement a workers' compensation risk management reporting system.**

Finding 7: The Department's efforts to track and manage various aspects of workers' compensation do not provide a standardized way of capturing and reporting the data.

As a result, LAPD has not been efficient in its monitoring efforts, and personnel have made redundant entries into systems that cannot provide meaningful reporting. The Department has limited information about their claims experience that could be used to prevent future injuries resulting in workers' compensation claims.

We found that the Department's processes for capturing data relevant to workers' compensation, such as monitoring IOD and employees' return to work, were inconsistent resulting in unreliable data and thereby inhibiting its ability to manage workers' compensation risk. In addition, Departmental staff informed us of some system limitations; we also observed system limitations based on our review of documents generated by the systems, or had knowledge of these systems based on previous Controller audits. We observed that data maintained on the City's claims management system is re-entered by Department staff for the Restricted Duty Information System (RDIS).

The specific systems and issues noted with data are described below:

- The Return to Work (RTW) Section maintains Excel spreadsheets to track employees on IOD and extended sick leave and on light (modified) duty. RTW tracks approximately 1,600 employees on IOD, temporary modified duty, permanent modified duty, and others on extended sick leave. In its current format, the spreadsheet is more of a log rather than a tool that can generate reports for management oversight.

- There were inconsistencies in how RTW staff entered data into shared Excel spreadsheets used to document their contacts. There is no data validation to restrict fields to entering information in either a date or number format, thereby limiting reporting capabilities.
 - Analysts enter the same data multiple times (on different Excel workbooks or spreadsheets); however, information was not always updated and older notes could be overwritten by more recent notes.
- The Medical Liaison Section (MLS) and RTW staff use the Department's Restricted Duty Information System (RDIS) to document new claims information that includes redundant information already captured in the City's claims management system or the RTW spreadsheets. RDIS is based on an outdated technology and due to a backlog in data entry, the RDIS system is not a useful or effective reporting tool. Further, staff spends time entering claims data that is either already available or not necessary. Staff was provided limited access to the claims management system, both in the number of users and types of information; therefore, they re-created some of the claim information rather than coordinating with the City's Personnel Department to ensure they can readily obtain information from the claims management system.
- Sick/IOD coordinators at divisions often develop and maintain their own tracking system to track employees on IOD, sick and light duty status, as observed in visits to six police stations (e.g., Excel spreadsheets, Word documents, and Access databases). The type of information tracked by sick/IOD coordinators varies at the divisions and data entry is redundant as it is also entered by the claims administration TPA, MLS and RTW. Each division is responsible to monitor and report on deployment through the COMPSTAT reports and is required to keep in contact with sick or IOD employees per the Police Manual.
- The Learning Management System (LMS), used to track individuals' trainings, did not consistently produce reports to identify employees who did not comply with safety trainings (e.g. CPR/First Aid course). According to LAPD management the new LMS system (implemented subsequent to our audit period) does a better job identifying employees who have not complied with safety training requirements, to help

ensure officers are trained in practices that could prevent or minimize the severity of injuries.

LAPD has been not been efficient in its monitoring efforts, with personnel have made redundant entries into systems that cannot provide meaningful reporting. The Department has limited information about claims experience that could be used to prevent future injuries resulting in workers' compensation claims.

The City's workers' compensation claims management system utilized by the Personnel Department and its TPA has information that could be used to help monitor return to work dates and summary claims information, enabling RTW and MLS to perform the quality checks on new claims and monitor employees' time off work. However, adequate system access was not provided by the Personnel Department, and LAPD did not press the matter to ensure their needs were met or provide a request for risk management data.

LAPD lacked a coordinated approach to ensure consistent, reliable data was captured to assist in monitoring efforts of IOD usage, restricted duty and return to work status related to workers' compensation claims. Management did not ensure the prior LMS system had complete and updated training data to accurately report compliance with all safety trainings.

Recommendations

LAPD management should:

- 7.1 Improve tracking and management of workers' compensation by working with the Personnel Department by creating an interface of internal systems with iVOS to ensure LAPD's claims information needs are met through standardized system access/reporting. This should include enabling divisions to monitor IOD usage, light (restricted) duty and return to work dates and status, and to provide information for risk management purposes.**
- 7.2 Periodically confirm the new LMS system contains accurate information related to employees' compliance with all safety trainings.**

Finding 8: LAPD sworn personnel filed more than 3,000 claims each year of our audit, some of which may have been preventable; however, LAPD has no standardized process for ensuring investigative reports are completed and conclude as to whether the injury was potentially preventable.

Without consistent completion of claims documents, especially the investigation forms, the Department loses the opportunity to identify risk and implement strategies that could prevent workplace injuries/illnesses.

In order to determine whether an injury/illness is preventable, the Department must be able to identify the cause of the injury/illness. As part of the City's workers' compensation reporting process, after an employee sustains a work-related injury, a Supervisor's Accident Investigation (SAI) Form (Appendix VII), Employee's Report of Injury Form and Accident Witness Statement must be completed. On the SAI form, the supervisor must indicate whether the injury was preventable due to the employee's non-compliance with a safety rule, improper equipment or other causes, and whether corrective action or training was provided to the employee. LAPD also utilizes other investigative reports and processes for use of force incidents and traffic collisions, which may indicate whether an employee's injury that was sustained during the incident/accident was potentially preventable. These investigation forms are completed by supervisors, witnesses, and employees and are then submitted to that division's sick/IOD coordinator and then to MLS and the TPA.

Our review of a sample of claims disclosed that many did not have investigation forms, and there was inconsistency in the completion of the claims forms documents. Only 50 (56%) of the 90 claims in our sample had a Supervisor's Accident Investigation (SAI) form. An additional 17 claims had some other type of investigation form (e.g., use of force reports, traffic collision reports, etc.) that could be used to assess the circumstances of the cause of injury and prevention considerations. The Personnel Department has allowed LAPD to substitute use of force and traffic collision investigative forms for the SAI. Other employees witnessing the incident can take an active role by providing additional information on the injury and the circumstances surrounding that injury. However, twenty-three claims (26%) had no SAI or other investigative report to determine the cause of the injury, and for some claims with an SAI or other investigative report, it was unclear whether the

injury could have been prevented. The SAI forms provide check boxes to identify whether claims could have been prevented; other investigative forms may require more review to determine that information.

Without consistent completion of claims documents, the Department does not have the information to identify risk and implement prevention strategies to mitigate that risk, including identifying specific causes of injuries and whether they were preventable. Further, the other investigative reports, while sent to MLS, do not clearly identify information as to cause of the officer's injury.

Management has not implemented a standardized process to ensure SAIs or other investigative reports are completed for every claim and include a conclusion as to whether the injury was potentially preventable, or contain sufficient information so a reviewer can make that determination. There has not been adequate priority or responsibility for identifying and tracking the cause of workers' compensation claims as well as training of sick/IOD coordinators or supervisors to ensure that there is consistent and complete use of all required claims forms.

Recommendations

LAPD management should:

- 8.1 Ensure a standardized process to obtain conclusive data for workers' compensation claims, regarding preventable determinations and action plans. For example,**
 - a) Provide training and require supervisors to submit investigation reports centrally (e.g. to Risk Management and/or MLS).**
 - b) Ensure all investigative reports note a clear conclusion of whether the injury was potentially preventable, and provide details on the injury cause, and a corrective action plan.**

Note: If the Department allows other investigative reports to replace the Supervisor's Investigation Forms (Use of Force, Traffic Collision), those reports should address all workers' compensation data needs to enable analysis (also see Recommendations #2.1 and #9.1).

Section III: Safety Committees and Training

While police officers have an inherently dangerous job, implementing officer safety programs and protocols can minimize workers' compensation injuries. As we examined safety in terms of workers' compensation prevention, we considered the following:

- Safety roles
 - Safety Committees
 - Safety Officer/Safety Coordinator roles
- LAPD's Injury and Illness Prevention Program (IIPP)
 - Awareness and compliance
 - Applicability to officer safety
- Safe environment – facilities
- Safe equipment, uniforms, vehicles
- Training programs
 - Formal & informal
 - Initial training and refresher training
 - Content of trainings and applicability to officer safety and workers' compensation prevention, including POST and best practices
 - Monitoring of training requirements

Injury and Illness Prevention Program

Cal-OSHA requires an Injury and Illness Prevention Program (IIPP) for every employer and for each worksite. LAPD has a customized IIPP with the required elements, including:

- Safety Responsibilities
- Safety Communication
- Employee Compliance with Safe Work Practices
- Hazard Assessment and Inspection
- Accident/Exposure Investigation
- Hazard Correction
- Training and Instruction
- Record Keeping

While many sworn officers assigned to patrol do not work regular shifts at a City facility, the substance of the IIPP can still contribute to ensuring safe working conditions. The City requires each Department/bureau/office to have

its own IIPP so it can be customized to the entity's specific operations. In compliance with the City's requirements, LAPD requires Safety Committees to be established as part of its IIPP. Some agencies, such as the Anaheim Police Department, have used their safety committees to evaluate injury trends, facilities and other exposures. The San Diego Police Department has one safety committee with representatives from various divisions and ranks. Safety committees can be used to support a proactive approach and instill a culture of safety throughout the Department.

Safe Environment – Facilities

The IIPP requires regular facility inspections, reviewing for hazards.

Safe Equipment, Uniforms and Vehicles

The Police Manual addresses uniforms and equipment. Uniforms include items such as motorcycle helmets, duty belts, and body armor, which must meet safety criteria and are purchased centrally. Body armor is standard issue, but is fitted to the officers. All sworn officers are required to wear body armor.

Training

LAPD is a participating agency of Peace Officer Standards and Training (POST) Commission, established by the State Legislature to set minimum selection and training standards for California law enforcement. POST agencies agree to abide by a specified training curriculum and certification. POST requires refresher training on perishable skills to keep officers safe, and includes training related to firearms, driving, arrest and control, and tactical interpersonal communication.

Finding 9: Safety Committees were not fully operational at all divisions.

Without effective Safety Committees, facility hazards or other risks may not be identified or corrected resulting in the risk of new injuries. In addition, divisions did not consistently post Cal/OSHA notices and the Medical Liaison Section did not follow up.

Management does not ensure that safety committees are identified and operate as envisioned by LAPD's Injury and Illness Prevention Program (IIPP). We noted this as we attempted to meet with safety committees on our site

visits to divisions, and management acknowledged safety committees are not operational Department-wide.

Accident/Exposure Investigation

Injuries that were not the result of a use of force incident or traffic collision were not subject to thorough investigations that could identify the need for additional training, different equipment, a change in practice, etc. Our sample of claims included injuries that could or should have been addressed by the Division Safety Committees, for example, injuries caused by sworn personnel working out in the Division gym, lifting "war bags", loose wires in a facility, and police car windows that shattered.

There are also cumulative trauma injuries that could/should have been addressed by the Division Safety Committees. For example, over our 3 year audit period, LAPD sworn personnel filed 987 workers' compensation claims related to back sprains and strains. These claims cost approximately \$15.4 million, comprised of \$7.6 million for IOD payments, \$5.5 million for medical expenditures, and \$2.3 million for expenses and other disability payments (permanent disability and State rate). The causes of back injuries are numerous and can occur from traffic collisions, wearing heavy equipment, physical stress on the body through arrest and control tactics, lifting "war bags", etc. However, if injuries can be prevented, it will result in significant savings.

Department-issued Equipment

Although sworn personnel are required to wear certain protective gear and uniforms as outlined in the Police manual, some Department-issued equipment can cause injuries, including cumulative trauma (i.e., injuries occurring due to a body part that is injured by repeated overuse, exertion, impact, or vibration over an extended period of time). While equipment is meant to protect officers, the duty belt and body armor, in particular, can actually cause or contribute to injuries. In our employee survey, 37% of the respondents were unsure or disagreed the LAPD had issued equipment, uniforms, etc., that is effective and keeps them safe.

In some cases, the Division Safety Committee could facilitate change to Department-issued equipment if they analyzed the cause of injuries. For example, the weight and fit of a Department-issued leather Sam Browne Duty belt can be "a health hazard in the form of fatigue, pinched nerves, sore backs

and bruises...The problem of duty belt discomfort is a significant health and safety issue for uniformed personnel nationwide.”⁸ Additional challenges occur with women officers, where according to Donna Milgram, of the Institute for Women in Trades, Technology and Science, there are problems with improperly fitting equipment and uniforms that pose a health and safety hazard and could endanger the lives of police officers and others.

While duty belts are necessary, lightweight and flexible materials can make a difference, as well as the placement of equipment on the belt. The Department now issues light-weight duty belts to new recruits and to injured officers. The Department has not made this mandatory for all officers; staff is assessing if there is an impact with the changes and the Department does not have the budget to switch out uniforms for all officers.

EXHIBIT 22: Replacement Body Armor Not Picked Up by Officers

Body armor must be specifically fitted for the officer and replaced every five years; however, we noted that it is not always picked up and put into use. While we did not note injuries specific to an officer using expired body armor, the Division Safety Committee should disseminate information to ensure equipment is safe and is being used by the officers.



Motorcycle Helmets

During our site visit to the South Traffic Division, we were informed that the Department was attempting to replace purchased motorcycle helmets that could lead to neck strains. After radio and microphone equipment was added to the helmets, when the visors were lifted, the officer's head would be pulled back. Due to budget constraints, purchase of the replacement helmets is being phased in over several years.

While the Department did not have workers' compensation data on injuries resulting from helmets (which may be a potential future cost), the estimated

⁸ "Duty belts" were studied by the UC San Francisco/Berkeley Ergonomics Program on behalf of the California Highway Patrol.

cost to replace remaining helmets is more than \$300,000. Although the claims data does not specifically identify these motorcycle helmets as the cause of injuries, in reviewing claims opened in the three recent fiscal years, there were 1,367 claims for sprains or strains of the back/neck/shoulder costing the City \$24.1 million, resulting in an average cost of \$17,600 per claim.

Police Vehicles

Officers typically spend hours in a patrol car, where it can be uncomfortable to sit with all the gear on their duty belts; this can further aggravate back injuries and add to the risk of cumulative trauma back or hip injuries. The Department is slowly adding vehicles that are more suitable for officers in full uniform sitting in a police car.

We also noted some injuries were caused by suspects kicking out car windows, shattering glass that injured an officer. We were told this is fairly common, and while the glass meets safety standards, the Department could explore other options that may prevent those injuries, such as affixing film to the glass that may prevent flying glass.

EXHIBIT 23: New Police Vehicles Better Suited for Patrol Officers



The new police vehicles allow more seat room without the items on the console crowding onto the seats. Seatbelt fasteners are also higher, enabling quicker exit from the vehicle.

Facilities

The IIPP is focused on work sites and since many divisions are located in the Police Administration Building and had fewer workers' compensation claims, our testwork was primarily in divisions (police stations) in the Office of Operations. We visited six police stations to determine how the designated Safety Committee functioned, including whether facility inspections were

performed to identify any potential safety hazards, how often the Committee met, and whether Cal/OSHA mandates were adequately addressed. During our facility walk-throughs, we observed the following:

- Safety Committee members, as identified on the Department's Safety Officer's list, were unaware they were a Safety Committee member, had not heard of the Safety Committee or were no longer assigned to the station noted on the list. As a result, none of the six stations visited had a functioning Safety Committee. This is a Department-wide issue, since Department management indicated that only 3 Safety Committees were functional and 27% of the survey respondents did not know to whom they should report unsafe conditions.
- Current Cal/OSHA 300A summary forms were not posted in a visible location as mandated by State law. Each work location must post the Cal/OSHA Summary of Work-related Injuries and Illnesses from February 1 through April 30 of each year. We observed the Cal/OSHA logs posted at only one station (our visits took place during April). Two stations indicated the logs were posted in a maintenance cabinet, and one station was being painted at the time of our visit. Since the logs should also be submitted to the MLS, we requested copies submitted during 2013. We noted that less than 25% were submitted by the Department's 83 divisions. Based on MLS's records, the Department was at risk for potential penalties that could have been as much as \$462,000.
- Facility walk-throughs were not performed specifically to identify safety hazards. Although other staff (such as watch commanders) performs periodic walkthroughs, it is generally to check deployment, holding cells, etc., rather than specifically focused on addressing safety concerns.
- In some locations, we observed several potential safety hazards, such as:
 - Unsecured or poorly lit parking lots
 - Broken mirror in gym (covered by cardboard)
 - Cluttered and/or narrow walkways, similar to the picture in Exhibit 24
 - Ripped jogging mats
 - High, cluttered shelves for heavy "war bags"

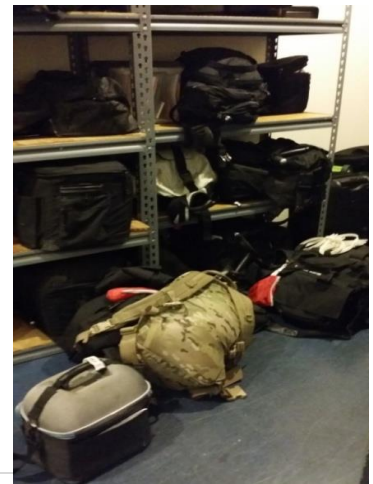
EXHIBIT 24: Cluttered Walkways



EXHIBIT 25: Hazardous Jogging Mats



EXHIBIT 26: Storage of "WarBags"



Although we noted areas needing attention and identified that stations did not have an adequate process for performing facility walk-throughs, we observed that overall, the stations were in good condition and secure. For example, we observed gate signs to wear seatbelts, sign-in sheets and posting of Police Manual citations at all gyms and wellness posters advocating healthy lifestyles. Some stations were exemplary in their injury prevention reminders, such as posting the number of days since last traffic collision, pictures of traffic collisions and signs reminding officers to wash their hands.

The observations in this area are based on criteria from the California Code of Regulations, Title 8, Section 3203 and the City's Safety and Health Policy, which require an effective written Injury and Illness Prevention Program (Program) that should include procedures for identifying and evaluating work place hazards. The IIPP should include scheduled periodic inspections to identify unsafe conditions and work practices.

LAPD's Police Manual (Section 789.10) lists the responsibilities of the Safety Committees as:

- Ensuring dissemination of information contained in Cal-OSHA notices;
- Developing a safety program in the Area/division to identify and correct hazards and to scrutinize Department procedures which may be related to occupational injuries;
- Conducting monthly safety inspections of facilities within their purview;
- Coordinating safety activities with the Safety Unit, Personnel Division; and,
- Reviewing and analyzing Employer's Reports of Occupational Injury or Illness, State Form 5020, and supervisors' investigation reports, to determine whether the injuries were preventable, and submitting findings and recommendations to the commanding officer.

It further states that the commanding officer shall submit a report on each preventable injury to the bureau commanding officer and Medical Liaison Section outlining the injury, the Safety Committee's findings, action taken, and recommendations.

Safety Committees' Impact

Safety Committees in each division have not been used to identify risk and ensure corrective action plans are in place. Potential safety hazards, as observed during our site visits, could lead to workplace injuries; however, without functioning Safety Committees, possible preventable injuries are not being identified and the hazards remediated (i.e., additional training, different equipment, etc.)

If the Safety Committees were in place and operational as detailed in the IIPP, there would be a systematic review of all claims, examining causes and reducing workers' compensation injuries and illnesses, then:

- Procedures for ordering uniforms and helmets might have ensured testing was done to address injury risks and money may not have been wasted;
- Light-weight belts might have been standard issue to tenured officers, which could have a significant impact on back sprain and strain injuries, whose overall costs ran an average of \$5 million per year;
- Complete facility walk-throughs might have occurred regularly to identify hazards; and,
- Protective armor may be checked regularly to ensure it is picked up and not expired.

In our sample of 90 claims, we found 32 potentially preventable claims as shown in the table below. Note that the costs associated with these claims may increase over time until the injured employee reaches maximum medical improvement or the claim is settled and permanent disability costs, if any, are added.

**EXHIBIT 27: Sampled Claims & Their Costs by Preventable Injuries
(costs accumulated through July 2014)**

Category, e.g. activity engaged in or cause of injury	Sampled Claims Count	Claims Costs on Samples	Preventable Claims Count	Preventable Costs
Lack of Policy, Due Care or Training	4	\$ 116,755	4	\$ 116,755
Gym	5	\$ 98,369	5	\$ 98,369
Traffic Collisions	10	\$ 135,925	5	\$ 43,210
Facility	2	\$ 12,345	2	\$ 12,345
Normal Police Function	25	\$ 30,599	5	\$ 7,473
Contagious Illness	14	\$ 24,617	6	\$ 5,221
Equip/Uniform	4	\$ 839	4	\$ 839
Sports	2	\$ 24,530	1	\$ 139
Possible CT	9	\$ 86,612		
Academy Training	2	\$ 504		
Unclassified/Unknown	13	\$ 172,240		
Total Sampled	90	\$ 703,334	32	\$ 284,350
Preventable Percent of Total Sample			36%	40%
Areas of Focused Attention by the Dept. (7%)			10	\$ 50,683
Areas Without Significant Attention (33%)			22	\$ 233,667

Considering that LAPD only focuses on areas such as traffic collisions and normal police activity (e.g., use of force incidents), we identified only \$50,683 of the \$284,350 or about 18% of preventable claims costs that would have been systematically addressed in trainings and management communications. Without a systematic review (investigation with corrective action plan) of all claims, which per the IIPP should be done by supervisors and safety committees, LAPD may not be addressing the cause of potentially preventable claims. Our sample disclosed that 60% of costs were not preventable and

40% of costs relate to claims that could possibly have been prevented; however, only 7% of those claim costs are scrutinized and 33% are not systematically reviewed. The potential savings that could be realized annually if those claims were prevented could amount to \$6 million per year. It should be noted that these amounts represent only the first year of expenditures, and since some claims can last for years, ultimate savings related to preventing claims is likely much higher.

Without effective monitoring by Division Safety Committees, the Department may have been at risk for potential Cal/OSHA penalties for non-compliance in reporting and posting the Cal/OSHA 300A summary logs. Further the posting of the Cal/OSHA 300A summary form provides additional safety awareness that could lead to reduced workers' compensation claims.

We noted there is not a common understanding of the IIPP's requirement for Safety Committees. Some Division personnel were unfamiliar with or confused about some sections of the Police Manual regarding Safety Committees or they may not consider it a priority. LAPD personnel incorporate practices into their operations when it becomes a Departmental "project" or an "order" is issued. Cal/OSHA forms were not submitted or posted because the divisions did not receive an order to do so.

In reviewing the cause of this finding, we found that the Personnel Division did not ensure Division Safety Committees were operational nor did they audit for the divisions' compliance with the IIPP. It may also be an issue that the Safety Officer is at a lower rank than Operations command staff, which could impact gaining the attention of command staff. As stated in Finding #1, there LAPD has not operationalized a comprehensive injury and illness prevention program focused on preventing workers' compensation claims or ensured that all aspects of an effective workers' compensation prevention program are in place. Management has not enforced compliance with the IIPP and the effectiveness of safety committees as prescribed by the Police Manual. Our interviews revealed that outside of MLS, most command staff with whom we met were unaware of the IIPP.

Recommendations

LAPD management should:

- 9.1 Ensure that Safety Committees are operational at all divisions and ensure they perform the responsibilities outlined in the**

IIPP, including conducting facility inspections for safety hazards, ensure posting of Cal/OSHA Summary Forms, and review all workplace injuries and workers' compensation claims to determine whether it was preventable, by ensuring use of investigative reports (see Recommendation #8.1).

9.2 Prioritize safety within the Department through

- a) an evaluation of MLS and Department's Safety Officer role and responsibilities and level of authority;**
- b) establishing an overarching Department Safety Committee, or a Liability Management Committee to address a unified approach to workers' compensation prevention;**
- c) equipping officers with safer uniforms and equipment based on leading practices, and injury occurrences. These may include motorcycle helmets, light-weight duty belts/accessories, shatterproof glass or film on car windows, delay in body armor distribution, and other areas identified by ongoing reviews of claims injury causes.**

<p>Finding 10: The Department has not developed a data-driven safety training program that specifically addresses injury prevention for the most common injury types.</p>
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Department training of LAPD employees includes a safety curriculum; however, there was no coordinated effort to identify training needs in response to the Department's experience with workers' compensation injuries, unless caused by traffic collisions or use of force incidents, which are monitored by specialized divisions within the Department. The Department has not developed a safety training program that specifically addresses safety and injury prevention for the most common type of injuries that occur, such as strains and sprains.

Based on a review of the training curriculum, we observed that the Department may identify relevant safety trainings through well-known guidance as determined by POST or other studies. However, because there is no coordinated collection of data and analyses of actual injury causes, training may not be optimized to address all preventable causes of injury. One-third

of the survey respondents disagreed that the Department had trainings and programs in place to ensure that employees remain safe and healthy. We also noted that 24% of survey respondents (see Appendix V) were unsure or disagreed that they received the right type of training to perform their job safely.

Trainings that specifically address workers' compensation are limited to supervisors and management. Leadership seminars for command staff are offered three or four times a year; these seminars address trends and incorporate best practices in management. The various promotional trainings (e.g. sergeants' school, commanders' school) includes a presentation by the Medical Liaison Section (MLS) and Return to Work Section (RTW).

We did not identify any training programs that addressed some of the overlooked preventable categories identified in a sample of claims such as facility safety issues or ongoing physical fitness trainings. Further, although not specific to preventing injuries, there is no specific training for Safety Committee members that would help them carry out their roles and responsibilities.

Overall, the Department has a comprehensive training program with hundreds of classes, including those that meet the POST perishable skills requirement, which covers refresher courses in tactical skills to keep officers safe.

In addition, LAPD's IIPP includes a section on Training and Instruction:

"Safety training is intended to raise awareness and educate employees about the safety aspects of their work environment and/or equipment. Training also reinforces existing safety policies and motivates participation towards a structured safety and health program." It identifies when training is required (e.g. when an occupational injury or illness occurs or is reoccurring on a frequent basis) and lists specific criteria. However, since the Department only has general or anecdotal information, it is challenged in knowing the frequency of common injuries and illnesses.

If the Department had the data on injury causes, and reducing workers' compensation injuries and illnesses was a focused priority, trainings could also include fitness, lifting, stretching, etc. and a consistent Department-wide approach could be developed to prevent future injuries and illnesses.

Tactical training enables an officer to keep perishable skills updated, such as driving. Per the Reducing Officer Injuries Study⁹, "officers wearing their seatbelts during a vehicular crash missed an average of 5 fewer days compared to those who did not." Another study, CalPOST, 2009 stated that "officers with in-service driving simulator and/or behind-the-wheel training had lower crash rates than officers without." The Department has training related to driving, but should evaluate the training connection to injuries due to the high degree of potentially preventable claims.

In our sample of 90 claims, there were 5 of 10 traffic related injuries that were classified by the Department as preventable; in FY12-13, 7% of all LAPD claims opened for sworn personnel were as a result of being "struck by a vehicle...", amounting to a total of \$2.6 million in total claims costs, including more than 30,000 IOD hours and \$1.3 million in IOD payments for the first year.

Our sample of 90 claims had 10 injuries caused by traffic collisions. If our sample results of 50% of those traffic collision claims being preventable is representative of the population of traffic related claims, then potentially \$1.3 million in claims costs was from preventable traffic collisions. However, the Department did not provide an analysis of traffic collisions and whether there has been any workers' compensation savings as a result of the driving trainings.

Strains and sprains are injuries caused by lifting, pushing, pulling, twisting, bending and stooping. Training on these types of preventive injuries can help to decrease the number of injuries and therefore lower the cost of workers' compensation costs.

LAPD also does not have information to identify types of claims and to identify causes; as a result, it lacks the ability to develop action plans to mitigate risk. While training may prepare officers in general, the lack of specificity or customization to actual experience may be a reason that IOD usage per claim increases with employees' age and years of service. Training may need customization to ensure tenured officers are provided the best applicable training and information to prevent workplace injuries. Exhibits 28 and 29 reflect the IOD usage by age and years of service.

⁹ Reducing Officer Injuries by the International Association of Chiefs of Police (IACP).

Exhibit 28: Average IOD Hours by Years of Service

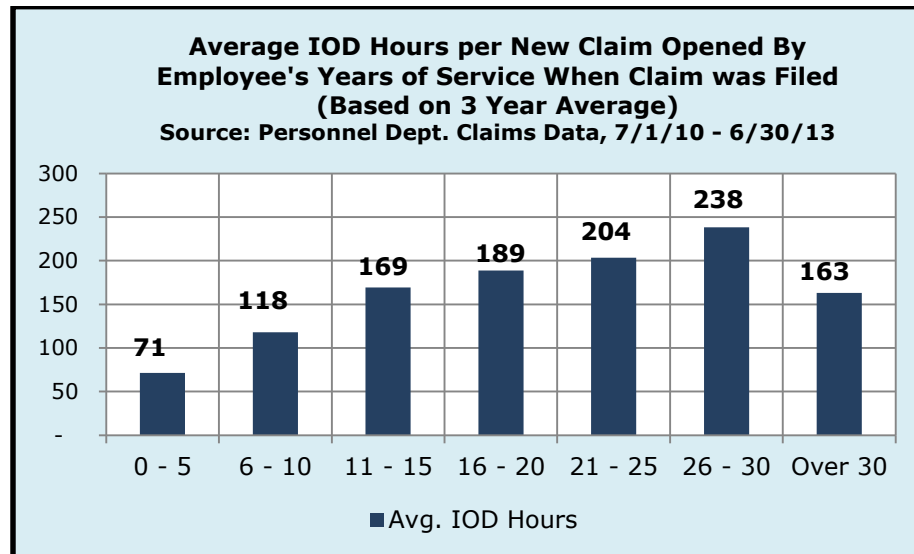
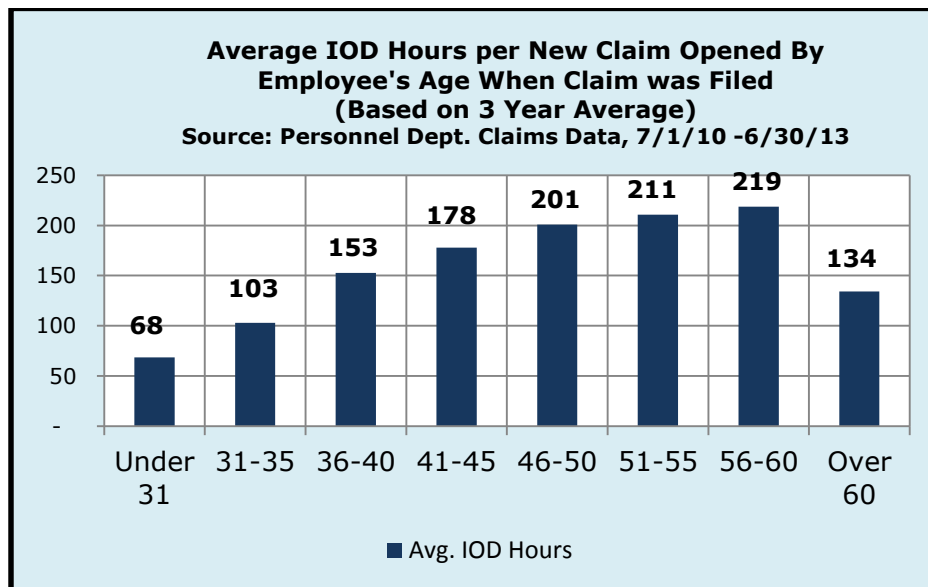


Exhibit 29: Average IOD Hours by Age



Recommendation

LAPD management should:

- 10.1 Design training programs, as needed, which are data-driven from claims analysis and input from staff review for common causes of injury that could be prevented, had the officers been better trained in that area. Consider designing training based on an evaluation of injuries/illnesses by age or years of service.**

Finding 11: LAPD needs better procedures and controls to ensure compliance with required safety training for its sworn officers.

The Department's information system did not provide adequate reporting to facilitate monitoring of safety-related trainings, and standardized procedures were not in place for training coordinators to identify training courses needed to ensure compliance. Not all officers were in compliance with training requirements, including the POST perishable skills training and the first aid/CPR courses.

The Department lacked system-generated reports and consistent training coordinator/assistant training coordinator processes to ensure employees were compliant with the safety training requirements, and that compliance was monitored. However, subsequent to the audit period, we found that some training coordinators could produce reports enabling monitoring activities.

By the Department participating in the Peace Officers Standards and Training (POST), it can ensure training occurs in key areas affecting safety and injury prevention. POST requires 24 hours of refresher training every two years. A majority of the refresher training hours (14 hours) are for "perishable" skills and cover topics with safety elements, such as arrest and control, driving, tactical firearms and tactical or interpersonal communications. LAPD's two-year cycle ended December 2012.

The Department maintains a record of formal training classes in a database entitled the "Learning Management System" (LMS); we understood that LMS underwent major modifications during our audit period. Training can be Department-wide or for specialized areas, it may be specific to certain ranks

and includes curriculum required by POST. POST requires member organizations to provide their officers with introductory as well as refresher training on a variety of law enforcement related skills that can have a direct impact on preventing work-related injuries. In a review of claim forms and investigative reports related to workers' compensation claims, we noted that these trainings could potentially prevent injuries. For example, we saw claims wherein the officer was injured while driving, engaging in arrest and control of suspects, and at shooting ranges. POST certified training courses teach and refresh officers on how to perform their duties while minimizing the risk and severity of injuries to both the officer and the suspect. LAPD is able to ensure comprehensive safety training is obtained by officers if they are compliant with preliminary POST training and testing at the Academy and the refresher training on perishable skills for tenured officers.

LAPD provided a report of POST training compliance for the two-year period ending December 2012. The Department's own analysis indicated that 8% of its officers did not meet the 24-hour training requirement. We reviewed the Department's reported results and noted the non-compliance percentage was slightly higher at 8.8%. The compliance reporting required additional analysis to determine if employees were active throughout the time period. The difference was attributable to the Department identifying more employees as retired/terminated, and therefore, not subject to training requirements than what we identified by verifying non-compliant officers to PaySR records. Although we noted a sample of employees met the required hours for perishable skills training, none of those sampled had been provided CPR/First Aid training, which is a POST requirement and necessary to address injuries in the field.

LAPD's Office of Inspector General (OIG) issued an audit report on October 1, 2013, entitled POST refresher training audit, which cited a 96% compliance rate in their sample of 163 officers. The OIG report stated that the Department had performed well generally, but were deficient in providing mandated refresher training for First Aid and CPR. Based on the OIG report, it appears LAPD has made some improvements in ensuring POST compliance. We encourage LAPD to ensure a consistent and regular compliance monitoring process.

Safety training has a direct impact on injury prevention, whether it is to encourage a specific tactic to arrest and control a suspect, or practicing and reinforcing policies for driving, or learning how to communicate with a partner to develop a strategy on how to engage in a dangerous situation. This training

can prevent and reduce the severity of injuries, thus reducing costs to the City.

LAPD did not ensure that their former LMS system could identify employees who had not completed their POST trainings, making it difficult to ensure compliance with required safety training. We confirmed that the new LMS system can produce reports for training coordinators to monitor non-compliance; however, we also identified that not all training staff was familiar with effective monitoring options. During our visits to a sample of police stations, we noted inconsistency among training coordinators in their monitoring activities, and not all training coordinators provided reports on officers who had not completed required training. For example, one assistant training coordinator was not familiar with using LMS or how to check for notifications of training requirements, and instead used the POST website to check for compliance.

Recommendation

LAPD management should:

- 11.1 Establish procedures, training and controls to ensure that the new Learning Management System provides management reporting to training coordinators and commanding officers to ensure full compliance with mandated safety training.**

Section IV: Monitoring Injured on Duty Status and Return to Work

The State of California Labor Code regulates workers' compensation payments to employees not able to work after sustaining a job-related injury or illness. State law stipulates that sworn employees (e.g., police officers and firefighters) are entitled to receive one year's equivalent of full salary continuation payments, called Injured on Duty (IOD) pay, for time off work, as needed, due to total temporary disability. While the degree of disability and any work restriction is determined by the employee's treating physician, other factors can influence how quickly an employee returns to work, such as offering modified duty assignments and staying in contact with employees to inquire as to their well-being.

An employee who has experienced a workplace injury may be only partially temporarily disabled. While they may not be able to perform their usual job duties, they can be placed in other positions temporarily. If there are permanent medical restrictions that prevent an employee from performing their essential job functions, management should pursue other employment options within the Department or City.

Monitoring IOD usage and getting employees back on the job is important. Departments may be forced to work with fewer resources or incur additional costs through the use of overtime if the Department must cover the duties of the injured employee until he/she is cleared to return to work. Unlike the Fire Department, LAPD does not have a policy to provide a consistent level of deployment coverage, by assigning staff to incur overtime; therefore, overall deployment levels can suffer. This is particularly significant for LAPD as the public expects, and the Mayor and City Council are committed to having a high level of deployment. LAPD considers this an important area and has taken steps to monitor IOD time and employees return to work.

Studies have shown that having an effective return to work program can significantly reduce the duration of injury-related absences. A 2014 Rand study showed that *"having a program in place is associated with about at 3.6 week reduction in number of weeks away from work."*¹⁰ The study identified four primary characteristics for those with work restrictions: modified work task, providing modified equipment or workstations, reduced time or work

¹⁰ Reducing the Economic Burden of Work Related Injuries by Christopher F. McLaren.

schedule changes, and providing a different job to the employee. Another study by U.C. Berkeley¹¹, states that an effective return to work program can *"reduce workers' compensation costs, retain experienced employees, and improve employee morale and productivity..."*

LAPD has established two sections within their Personnel Division to assist with facilitating workers' compensation claims filing and employees' return to work:

- The Medical Liaison Section (MLS)
 - Acts as liaison between employees, the Department, and the City's third party claims administrator (TPA);
 - Performs a quality control review on claims paperwork, ensuring complete and properly executed claims reporting packages;
 - Performs workers' compensation trainings;
 - Maintains doctors' authorization forms that dictate the employees work restrictions, absences and expected return to work dates for the Department; and,
 - Functions as the Department's Safety Officer for implementing and maintaining the IIPP, including performing and evaluating facility inspections, collecting incident summaries, and collecting OSHA 300 and 300A forms.
- The Return to Work Section (RTW)
 - Was established as a result of Special Order #7; and
 - Tracks and facilitates modified duty placement of temporarily disabled employees and full duty employees returning to work.

Additionally, all 83 divisions within the Department have a sick/IOD coordinator, whose role is to ensure that all required documentation is completed (e.g. initial claim, conversion memos from sick to IOD, etc.), to keep regular contact with employees who are off work due to injury/illness, to track those employees on sick and IOD, and to assist with modified duty placement.

¹¹ Helping Injured Employees Return to Work, Practical Guidance Under Workers' Compensation and Disability Rights Laws in California, prepared by the Institute for Research on Labor and Employment, University of California at Berkeley.

Finding 12: LAPD's return to work program needs improvement, as it lacks performance metrics and reliable systems to evaluate its effectiveness.

LAPD may not be minimizing IOD usage and getting employees back to work as soon as possible.

LAPD's return to work program needs improvement since it lacks a framework to enable management to measure its effectiveness in getting employees back to work as soon as possible.

The following factors are either missing or contribute to an inadequate program.

- There is no overall goal related to the return to work program, such as established criteria for returning employees to work within set timeframes, or an established goal for contacting employees or collecting the necessary information on a claim. Specifically, LAPD's Personnel Division has no established goals for RTW and MLS, which are primarily responsible for facilitating employees' return to work after a work-related injury or illness.
- There has not been a coordinated approach to monitoring employees on IOD due to the decentralized nature of the Department. The Department lacks standard detailed procedures for sick/IOD monitoring with defined roles and responsibilities (see Finding #13).
- There is a lack of detailed procedures in the Personnel Division and inconsistent application of policies such as the use of Temporary Modified Duty Agreements.
- Temporary modified duty assignments extend beyond the 150 day period as prescribed by City policy (see Finding #15).
- The Personnel Division's "audits" of modified duty (coded as light duty time in PaySR) revealed a high error rate caused by a lack of communication between the sick/IOD coordinator and the timekeepers. Restricted duty should be coded as "LD" in PaySR to enable Departments to track restricted duty hours and costs. However, the RTW section noted error rates in coding LD by timekeepers that exceed 40%.

- Data used for monitoring IOD hours on COMPSTAT reports are self-reported by divisions and may not be reliable or validated to PaySR payroll records. Although the Office of Operations sometimes performs cursory reviews, there is no assurance as to the accuracy of IOD hours reported on COMPSTAT. COMPSTAT's sick/IOD monitoring is also primarily related to deployment, and is not used by management to form a comprehensive assessment of the impact of workers' compensation injuries. While it is commendable that LAPD management is monitoring IOD hours and light duty personnel through COMPSTAT, efforts should be made to ensure the information presented is reviewed and accurate.

Best practices state that a RTW program should accomplish three important business *goals*:

- 1) Reduce Disability leave cost;
- 2) Maintain productivity of employees and work units; and,
- 3) Comply with disability-related legislation.

The New York State Workers' Compensation Board recommends to "*develop written policies and procedures provides for standardization of your company's response to RTW issues, and ensures that injured employees are treated fairly and consistently.*" It goes on emphasize the importance of defining roles and responsibilities, as noted:

1. The employer designates an individual to have the responsibility to coordinate the RTW. The RTW program contact should facilitate the development of written roles and responsibilities of all RTW partners to avoid role confusion and duplication of effort and to clarify expectations.
2. The RTW Committee ensures that the Individual Return to Work Plan supports the returning employee without disadvantaging co-workers and supervisors.

The New York State's Return to Work study also states that "*the longer an injured employee is absent from the workplace, the higher the costs will be... Additional costs include lost productivity, overtime, decreased morale...and the costs of hiring and training a new employee...*"

Further, City policy (as stated on the Personnel Department's intranet site) requires Departments to designate a Return to Work Coordinator who will be

responsible for implementing, administering, monitoring and instructing employees on the Temporary Modified Duty Program.

Studies have shown that what gets measured is managed. Since the Department is not formally monitoring or measuring IOD and modified duty for *all* divisions, management can only speculate on its success rather than having an assurance of success. Without establishing goals, there is no way to measure the effectiveness of how MLS is working to identify or systematically correct any inconsistencies in claims reporting which could improve workers' compensation claims acceptance investigations performed by the TPA. Without established goals for RTW, there is no way to measure the section's effectiveness to identify employees that may be lingering in IOD status or light duty assignments, and therefore cost the City additional workers' compensation expenses, including potential Department overtime costs to cover for IOD employees and/or impact police deployment.

Without defined roles and responsibilities, employees may not receive messages of concern and IOD usage may not be sufficiently monitored; their return to full duty may be delayed, negatively affecting deployment and overall costs to the Department.

The Department has not made the Return to Work program a priority with an adequate program framework to measure its effectiveness. There may also be a belief that the employee's treating physician and TPA have the most control over an employee's return to work and therefore management's role is less significant.

Recommendations

LAPD management should:

12.1 Enhance the Return to Work program.

- a) Clearly define roles and responsibilities for all LAPD staff involved with IOD monitoring, reporting and facilitating employees' return to work. This should include developing detailed policies and procedures, effective IT systems and monitoring processes.**
- b) Measure attainment of goals for RTW and MLS (per Recommendation #2.1) through performance metrics and provide regular updates on progress and results.**

- c) Ensure that IOD reporting (e.g. COMPSTAT) is accurately coded, verified and reconciled to PaySR.**

Finding 13: The Department does not have standardized or documented procedures for divisions' monitoring of IOD leave.

Sick/IOD monitoring is not monitored or managed in a consistent manner which could impact employees on IOD due to work-related injuries/illnesses. Injured/ill employees may experience lower morale and not be eager to return to full duty as quickly as possible.

Sick/IOD Procedures

LAPD does not have standardized and documented detailed procedures for monitoring officers out on sick or IOD leave. We noted a lack of detailed procedures both in the divisions and in the Personnel Division and confusion over staff's understanding of Departmental policies related to the roles and responsibilities related to sick/IOD monitoring. Specifically,

- According to the Police Manual, supervisors are required to contact injured employees; however, sometimes that responsibility has been delegated to the divisions' sick/IOD coordinators, who may not be supervisors. Also, the contact is generally made to obtain paperwork such as the Duty/Doctor's Certificate or form PDAS 43, rather than using the contact to express concern and encouraging them to get well and return to work.
- Although the Department requires contact with sick/IOD employees every seven days, this is not consistently followed. Five of the six stations we visited could not provide evidence that contact was made. For the 30 employees tested at six stations there was no evidence of contact for 25 employees; only the Devonshire station had documented evidence of employee contacts. Also, during our visit to the six police stations, the sick/IOD coordinators informed us that the practice is to contact employees every deployment period, which is approximately 30 days.
- Based on employee responses to the survey, 63% of those who had been out on long term sick or IOD were unsure or disagreed that their

division's sick/IOD coordinator stayed in contact and helped facilitate their return to work as soon as permitted by their physician.

- The Department has not defined how sick/IOD employees should be monitored; as a result, each sick/IOD coordinator (or Division) has developed its own monitoring processes using multiple worksheets, Word documents and databases (see Finding #6). Only one Bureau provided training and oversight of division sick/IOD coordinators.

We also noted the following from our station visits:

- ✓ Only two out of the six stations (Devonshire and North East) tracked the sampled employees during our audit period. The other four stations could not demonstrate that the sampled employees were tracked or monitored.
- ✓ The current tracking systems at the stations do not include essential data to monitor IOD employees such as: date when the employee was last contacted and a phone call log, the employee's next doctor's appointment, cause of injury (if known), employee's modified duty restrictions, and estimated return to work date. Our limited review of a database developed by the Hollenbeck Division appeared to capture and track key information; this system could potentially be used by other divisions.
- ✓ Five of the six sick/IOD coordinators kept copies of sensitive claims forms documents, against Department policy.

Sick/IOD Coordinator Training

The Department had not implemented training for the new sick/IOD coordinators. Further, the biannual training for the sick/IOD coordinators has covered general topics regarding initial claims submission forms and legal updates but has not addressed day to day procedures, such as communicating with timekeepers, and types of information that should be collected and maintained for monitoring purposes.

The Personnel Department's intranet states the employing Department supervisors' responsibilities should include maintaining "regular communications with the injured or ill employee regarding the status of their recovery."

Police Manual Volume 3 Section 718.70 states "When an employee is off-duty sick or IOD for other than a communicable disease, the employee's commanding officer shall ensure that a supervisor conducts a follow-up interview within seven days of the initial interview and another during each succeeding seven-day period". The Manual requires at least one in-person interview. The employee's assigned division is responsible for monitoring and keeping in contact with employees.

Administrative Order #23 dated 11/5/99 states that the Bureau Commanding Officer is responsible to ensure a Sergeant II is assigned as the Bureau sick/IOD Coordinator. In addition, the Bureau sick/IOD Coordinator shall meet with Area and division sick/IOD coordinators as necessary; manage restricted-duty employees within each bureau; provide leadership and training to the Area and division sick/IOD coordinators in their effort to return sick and injured officers to full duty." It further states that the division should assign a supervisor the (part-time collateral) duty of sick/IOD coordinator. The Department states that the sick/IOD coordinator role may need a full-time position and if the sick/IOD coordinator is not a supervisor, they should have a supervisor overseeing that employee. The role of the sick/IOD coordinator is to support and advise the commanding officer, providing them with an overall view of the sick/IOD issues at the division.

The State of New York's return to work information states that return to work programs should have the following:

- Proactive behaviors in the workplace that will lead to a successful RTW Program;
- The employer trains supervisors in work disability prevention and includes them in RTW planning; and
- The employer contacts the injured or ill employee early.

The UC Berkeley study states: *"Contact the injured employee and start the interactive process... to stay in contact with the employee and be available to answer his questions. Be mindful of the employee's situation and needs, and treat the employee with respect."*

There are challenges to ensuring standardization, such as significant staff turn-over in the sick/IOD coordinators and division command staff, and that each bureau and division may require different reporting; however, the Department has not developed desk manuals or defined the role and associated responsibilities. Without desk procedures there may be a longer

learning curve for new sick/IOD coordinators, uncertainty over employee contact, re-creation of tracking systems that may leave out vital information, and retaining sensitive medical documents rather than sending them to MLS.

Since LAPD does not have a standardized tracking system, some sick/IOD coordinators created individual tracking systems that do not contain all the relevant information the Department needs to monitor injured employees. Creating and maintaining individualized tracking systems is not an effective use of staff time. There is also no initial training in the duties of the new sick/IOD coordinators; the current biannual training is too general, and does not help new sick/IOD coordinators learn the job's day-to-day duties.

Because sick/IOD coordinators are inconsistent in their approach, employee monitoring may be insufficient, resulting in employees staying off work, costing the Department to pay employees who are not deployed.

The Department is highly decentralized and there is no one organizational unit or manager/commander with overall responsibility for workers' compensation prevention. Most employees with occupational injuries resulting in claims are assigned to police stations that are part of the Office of Operations; and those dedicated to workers' compensation are in the RTW and MLS sections of the Personnel Division under the Office of Administrative Services. As a result, the Department has not had the ability to identify the problems and inconsistencies in tracking employees who are off sick or on IOD; and no group has taken the lead to identify and train sick/IOD coordinators or command staff at divisions on standardized roles and responsibilities for monitoring return to work and modified duty.

Recommendations

LAPD management should:

13.1 Establish and update policies (including Police Manual) and related procedures (including desk manuals) for IOD that clearly state:

a) the frequency of employee contacts;

b) the content of communications by the sick/IOD coordinators;

- c) the appropriateness of monitoring and contacts between the injured employee and the division's management, supervisors and sick/IOD coordinator; and
- d) systems access and IOD reporting procedures.

13.2 Establish standardized training for sick/IOD coordinators and ensure that all new coordinators promptly receive training on their new roles.

Finding 14: The Medical Liaison and Return to Work Sections do not have standard documented procedures.

While the Personnel Division may function well in their customer service role, the lack of standardized procedures results in inconsistent practices by the analysts and limits the Division's ability to effectively monitor and report on IOD and restricted duty functions.

The Personnel Division does not have standardized procedures for its Medical Liaison (MLS) and Return to Work (RTW) Sections to monitor employees on IOD or restricted duty. Management has not required a standardized approach or consistent documented procedures.

This results in the RTW analysts having different methods for populating the Excel documents to track IOD usage and monitoring temporary modified duty assignments, and whether temporary modified duty contracts are prepared. Each analyst has his/her own way to handle their assigned cases. Both the MLS and RTW sections need documented procedures to ensure that there are clear-cut and consistent practices regarding their contacts with employees, sick/IOD coordinators, TPA and employees' physicians and to ensure that key information is being captured.

The New York State Workers' Compensation Board, Return to Work Program states that "developing written policies and procedures provides for standardization of your company's response to RTW issues, and ensures that injured employees are treated fairly and consistently."

With the inconsistent approach at MLS and RTW, the Department cannot be assured that communications with employees and other staff (at Divisions or the TPA) are handled in a similar manner and key information is adequately

captured. A lack of standard procedures results in insufficient and unreliable data, which may cause the City and LAPD management to draw conclusions based on erroneous information or not be able to draw any conclusions due to lack of information.

Recommendation

LAPD management should:

- 14.1 Develop and document standardized desk procedures for the RTW and MLS Sections. The procedures should incorporate a standardized data system to monitor IOD usage and Return to Work processes (as discussed in Recommendation #6.1).**

Finding 15: LAPD Management has not adequately addressed the temporary disability evaluations/accommodations and the divisions are not referring long-term IOD employees to LAPD's Personnel Division for monitoring employee's work fitness.

There are many employees on modified and restricted duty and divisions are not consistent in referring employees to the Return to Work section.

Evaluations of Employees on Temporary Modified Duty

The Department has not followed the City's modified duty policy that requires the temporary modified duty placement be a maximum of 150 days, with a requirement to review any extensions on a case-by-case basis. The Department's Special Order #7 indicates that the temporary modified duty assignments are *temporary* accommodations that should be evaluated at 45, 90, 150, and 180 days by the Department's Disability Management Coordinator (DMC). In addition, Temporary Modified Duty Contracts should be completed to document the employee's understanding of the accommodation. However, according to the RTW section, LAPD management has not authorized Special Order #7 to be implemented in its entirety.

There are sworn employees on modified duty assignments that exceed 150 days that have not been evaluated by the DMC and not all employees have Temporary Modified Duty Contracts. While it is commendable that the Department strives to accommodate an employee's ability to return to work

versus having them remain on IOD status, City policy and best practices suggest having time limits (i.e. 150 days) for modified duty assignments. Though circumstances may require modifying the timeline, it should not be open-ended.

Per City policy, employees who become ill or are injured in connection with their duties shall be returned to work as soon as possible, consistent with their medical restrictions. This helps ensure that essential public services continue and reduces the costs of workers' compensation. Employees should be returned to their former jobs; however, if this is not possible due to medical restrictions, management should pursue other work options within the City.

The policy states that:

- Participation in the program is limited to a maximum of 150 days for one injury. Any employee who is unable to return to full duty in that time shall be returned to IOD status. An extension of the 150-day maximum will be reviewed on a case-by-case basis.
- Participation is mandatory provided there are assignments that are available and compatible with the injury restriction.
- The temporary modified duty supervisor is responsible to ensuring that the employee does not exceed the specific duties or time limits of the temporary modified duty assignment.

Best practices reviewed included a study by UC Berkeley¹² that stated that a RTW program should:

- Describe essential functions and usual duties of jobs.
- Obtain work capacities and restrictions.
- Research and evaluate possible accommodations
- Evaluate whether the employee can perform the essential function of the job.
- Select a reasonable accommodation and make an offer of work.
- Implement and monitor the accommodation.

¹² Helping Injured Employees Return to Work, Practical Guidance Under Workers' Compensation and Disability Rights Laws in California, prepared by the Institute for Research on Labor and Employment, University of California at Berkeley.

We also noted New York State Workers' Compensation Board, Return to Work Program, included the following recommendations:

- The employer communicates with health care provider about the workplace demands, as needed and with the injured employee's consent.
- The employer makes an offer of transitional work to the injured or ill employee so he or she can return early and safely to work activities suitable to their functional capability.

Referrals to RTW for Monitoring

LAPD's Return to Work Section (RTW) was established as a result of Special Order #7 (Special Order) when a concerted effort was made to assign disabled employees to restricted duty assignments. This Special Order sought to implement the Department's procedures for employees seeking temporary modified duty, and for those employees with permanent medical restrictions. Per the Special Order, Temporary Modified Duty accommodations are not required for injuries/illnesses occurring after August 1, 2006; however, by practice, the Department has accommodated any employee by finding a suitable alternative job within the Department, if available. Divisions take the lead on making accommodations within their divisions; however, if they cannot accommodate them, then RTW facilitates finding employees modified duty positions within the Department.

Special Order #7, which was issued 8/6/07, and is titled "Temporary Modified Duty/Reasonable Accommodation" states that "if after 180 days, the Disability Management Coordinator determines that an employee's temporary accommodation can no longer continue and that the employee should be placed off work, or the employee has been continuously off work IOD or sick status, the employee **may be** transferred to Personnel Division." Also, for "employees injured after August 01, 2006, and become permanently disabled, accommodation is not required." Per the order, employees who cannot perform their essential job functions have the option to change their work classification (e.g. sworn to civilian), resign, or retire.

The Special Order also states that after six months of IOD leave, the employee's commanding officer can transfer that employee to the Personnel Division, who will then assume responsibility for tracking and monitoring. However, the referral is optional and commanding officers may choose not to refer employees who are out on IOD for more than 180 days to the RTW

section. However, the RTW section is focused solely on tracking employees, they may be better suited to notice and report suspicious activity. For example, staff stated they have made a number of referrals to LAPD internal affairs for investigation of potential fraud cases in the last two years. From July 2009 through June 2013, divisions have referred 277 employees to the Return to Work section. Auditors noted that cases referred to the RTW section facilitated employees' return to full or modified duty as quickly as medically feasible. Sometimes, the referral was resolved by the employee filing for retirement. The Department may better resolve more long-term IOD cases if more referrals are made to the RTW section. Although successful resolution can be attributed to general factors, RTW is best equipped to address long-term IOD usage and modified duty cases.

Evaluations should be considered a time-limited plan consistent with the treating physician's assessment that lays out the steps to return an employee to his/her pre-injury job. If an employee is not monitored, the restrictions may change and the employee may continue in the modified role indefinitely; transitioning the employee back to full unrestricted duty may not be smooth, or even possible.

The employee may be able to return to full unrestricted duty and no longer need accommodation; conversely, an employee may have tighter restrictions and the accommodation may need revision. Without this monitoring there may be additional costs and deployment repercussions, or the accommodation could aggravate the injury.

Further, if accommodations continue indefinitely, there may be an implication that it is a permanent accommodation for that employee.

Recommendations

LAPD management should:

- 15.1 Address how the Department implements temporary disability evaluations/accommodations and complies with the City's policy for accommodating modified duty employees.**

The Department should:

- a) Establish a consistent monitoring process whereby the Department's Disability Management Coordinator is**

periodically evaluating employees at appropriate timeframes;

- b) Ensure that all injured employees on IOD are referred to the RTW section as soon as feasible, but no longer than 180 days.**

Section V: Health and Wellness Programs

LAPD's health and wellness programs are delivered through Behavioral Science Services (BSS), the Departmental Wellness Coordinator and the Training Division for recruits going through the Police Academy. Divisions may also have wellness coordinators that can make an impact on improving health and wellness.

BSS is responsible for administering the majority of the Department's health and wellness programs by offering the following services:

- Counseling services by psychologists specializing in law enforcement-related situations and crises;
- Providing treatment and education on:
 - Sleep deprivation
 - Depression
 - Management of chronic disease, such as diabetes and high blood pressure,
 - Smoking cessation
 - Nutrition (BSS has a registered dietician)
 - Stress management
 - Suicide prevention and warning signs
 - Anger management
 - Colorectal cancer
 - Heart health and hypertension
 - Substance abuse
- Providing support to divisions, including site visits by psychologists; awareness posters at police stations: and tests and screenings, for
 - Skin cancer
 - Blood pressure
 - Hepatitis C

The Wellness Coordinator also responds to catastrophic situations by reaching out to support officers' surviving families or seriously injured employees. Ideally, the wellness coordinator role is staffed at each division and represents the divisions' commanding officers.

The Police Academy's (Academy) health and wellness programs include preparing newly hired officers to be physically able to meet the demands of the job. To meet LAPD's selection process, prior to being admitted to the Academy, recruits must pass a medical evaluation, meet body fat percentage thresholds, and complete physical training. In addition, recruits must pass the Physical Fitness Qualification (PFQ) test at various stages throughout the Academy.

The Academy prepares officers to achieve a minimum level of physical fitness as established by the Commission on Peace Officer Standards and Training (POST). Upon graduation, all California law enforcement officers must pass a five-event POST Physical Fitness Examination, which consists of timed tests for: a 99 yard obstacle course, a 165-pound body drag, a 6 foot chain link fence climb, a 6 foot solid wall climb, and a 500 yard run.

Exhibit 30: 500 Yard Run



Exhibit 31: Wall Climb



Finding 16: LAPD has not adequately implemented a comprehensive Department-wide health and wellness program; some roles are not defined, and participation has been limited.

Program offerings are comprehensive covering all areas cited in studies; however, it has a poor participation rate and lack of funding has limited employee participation. 15% of survey respondents were unaware of any health and wellness programs.

In assessing the Department's health and wellness programs, we found that LAPD has offered a variety of significant health programs to sworn employees and has incorporated many areas cited by studies as positive ways to prevent

officer injuries and illnesses. However, the Department can do more in this area to prevent injuries and illnesses and ensure that officers are aware of programs that are available. In our employee survey, we noted that there was limited awareness of programs, and limited participation in the programs offered by BSS. For example, less than 50 respondents participate in the Department's weight loss program, and less than 100 participated in nutrition services offered by BSS.

Fifteen (15%) of respondents were unaware of *any* health and wellness programs, even those offered through their medical insurance plan.

- Health and wellness programs have not received consistent funding. Some beneficial programs were not funded by the Department and have been dependent on outside sponsoring organizations that limited participation by rank or location. This resulted in officers not benefitting from programs that could prevent work-related injuries and illnesses, particularly those designated as sworn presumptive injuries.
- The wellness coordinator role is not defined and may not be implemented Department-wide due to a lack of understanding of roles and responsibilities.

Various research studies and entities experienced with health and wellness, as well as Departmental guidance on health and wellness, outline ways to help employees remain healthy and potentially shorten the duration of time off due to injuries or illnesses. Specifically, we noted a study entitled "Promoting Health and Wellness: Returning to Full Duty"¹³ that recommends the following as vital components of a wellness program:

- *Health risk appraisals and assessments*
- *Mental health evaluation*
- *Nutrition and weight loss*
- *Stress management*
- *Tobacco use and prevention cessation*
- *Alcohol and substance abuse education*
- *Financial planning and management*

Further, the study identifies a model wellness program for law enforcement that includes health promotions, medical screenings and testing, fitness

¹³ "Promoting Health and Wellness: Returning to Full Duty" by Major Cities Chiefs and Federal Bureau of Investigation – National Executive Institute.

assessments and on-duty exercise participation (worksites equipped with exercise equipment, and aerobic classes offered three times per week).

LAPD's health and wellness programs are described below.

Comprehensive Department-Wide Health & Wellness Programs

While BSS staff regularly visit police stations and are available to employees for informal consultation, we found that their time spent in the field has decreased, as psychologists needed to focus on their primary role of providing counseling in therapeutic sessions. Also, due to the City's financial constraints and budget reductions, the number of funded psychologist positions has decreased. This has limited the frequency of field visits; during fiscal year 2010-11, psychologists spent 6-7 hours on weekly field visits and consultations, however this has been reduced to 4 hours.

BSS had recently implemented new wellness programs including "Mind Over Food" and "BlueLIFE". These programs are aligned with best practices; however, they were implemented recently, and the impact on reducing workers' compensation claims is not yet apparent. Also, "BlueLIFE" is funded by the Command Officers' Association; therefore only command staff can fully participate.

Weight Loss Program

In 2013, BSS started offering "Mind Over Food", an 8-session weight-loss training program conducted by a Department psychologist and dietitian to address the serious and growing health challenge of obesity. "Mind Over Food" incorporates the principles of cognitive therapy with effective nutritional advisement, an integrative approach to weight loss that offers law enforcement personnel the opportunity to make life-long changes to their eating behavior (and hence lose weight). The voluntary program is open to all LAPD personnel whose body mass index (BMI) is greater than 30, or whose overall goal is to lose at least 30 pounds in the next twelve months. There has been an average of about 100 active participants since the program began. According to a study by the International Association of Chiefs of Police (IACP) officers who reported healthy weights (recommended BMI measure) missed almost half as many days of work following an injury as those officers who reported being overweight.

Exhibit 32: Body Mass Index Table

Body Mass Index
WEIGHT (LBS)

	120	130	140	150	160	170	180	190	200	210	220	230	240	250	260	270	280	290	300	310	320	330
4' 5"	30	33	35	38	40	43	45	48	50	53	55	58	60	63	65	68	70	73	75	78	80	83
4' 6"	29	31	34	36	39	41	43	46	48	51	53	56	58	60	63	65	68	70	72	75	77	80
4' 7"	28	30	33	35	37	40	42	44	47	49	51	54	56	58	61	63	65	68	70	72	75	77
4' 8"	27	29	31	34	36	38	40	43	45	47	49	52	54	56	58	61	63	65	67	70	72	74
4' 9"	26	28	30	33	35	37	39	41	43	46	48	50	52	54	56	59	61	63	65	67	69	72
4' 10"	25	27	29	31	34	36	38	40	42	44	46	48	50	52	54	57	59	61	63	65	67	69
4' 11"	24	26	28	30	32	34	36	38	40	43	45	47	49	51	53	55	57	59	61	63	65	67
5' 0"	23	25	27	29	31	33	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65
5' 1"	23	25	27	28	30	32	34	36	38	40	42	44	45	47	49	51	53	55	57	59	61	62
5' 2"	22	24	26	27	29	31	33	35	37	38	40	42	44	46	48	49	51	53	55	57	59	60
5' 3"	21	23	25	27	28	30	32	34	36	37	39	41	43	44	46	48	50	51	53	55	57	59
5' 4"	21	22	24	26	28	29	31	33	34	36	38	40	41	43	45	46	48	50	52	53	55	57
5' 5"	20	22	23	25	27	28	30	32	33	35	37	38	40	42	43	45	47	48	50	52	53	55
5' 6"	19	21	23	24	26	27	29	31	32	34	36	37	39	40	42	44	45	47	49	50	52	53
5' 7"	19	20	22	24	25	27	28	30	31	33	35	36	38	39	41	42	44	46	47	49	50	52
5' 8"	18	20	21	23	24	26	27	29	30	32	34	35	37	38	40	41	43	44	46	47	49	50
5' 9"	18	19	21	22	24	25	27	28	30	31	33	34	36	37	38	40	41	43	44	46	47	49
5' 10"	17	19	20	22	23	24	26	27	29	30	32	33	35	36	37	39	40	42	43	45	46	47
5' 11"	17	18	20	21	22	24	25	27	28	29	31	32	34	35	36	38	39	41	42	43	45	46
6' 0"	16	18	19	20	22	23	24	25	27	28	30	31	33	34	35	37	38	39	41	42	43	45
6' 1"	16	17	19	20	21	22	24	25	26	28	29	30	32	33	34	36	37	38	40	41	42	44
6' 2"	15	17	18	19	21	22	23	24	26	27	28	30	31	32	33	35	36	37	39	40	41	42
6' 3"	15	16	18	19	20	21	23	24	25	26	28	29	30	31	33	34	35	36	38	39	40	41
6' 4"	15	16	17	18	20	21	22	23	24	26	27	28	29	30	32	33	34	35	37	38	39	40
6' 5"	14	15	17	18	19	20	21	23	24	25	26	27	29	30	31	32	33	34	36	37	38	39
6' 6"	14	15	16	17	19	20	21	22	23	24	25	27	28	29	30	31	32	34	35	36	37	38
6' 7"	14	15	16	17	18	19	20	21	23	24	25	26	27	28	29	30	32	33	34	35	36	37
6' 8"	13	14	15	17	18	19	20	21	22	23	24	25	26	28	29	30	31	32	33	34	35	36
6' 9"	13	14	15	16	17	18	19	20	21	23	24	25	26	27	28	29	30	31	32	33	34	35
6' 10"	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	34	35

Underweight: BMI = less than 18.5
 Normal weight: BMI = 18.5 to 24.9
 Overweight: BMI = 25 to 29.9
 Obesity: BMI = 30 to 39.9
 Extreme Obesity: BMI = 40 and above

Source: National Obesity Educational Initiative

Health Screenings

BSS has continued to develop new wellness programs in addition to their main objective of providing psychological services. BSS partnered with the Commanding Officers' Association (COA) to establish a fitness/wellness program called "BlueLIFE" for commanding officers on January 2014. While BSS has made the BlueLIFE website available to all, participation has been limited to commanding officers due to its funding source. BlueLIFE is designed to help COA members and civilian commanding officers achieve optimal health and remain disease free for the duration of their long life. BlueLIFE focuses on providing participants with valuable health screenings, regular easy-to-understand and implement health skills, on-line training and personalized consultation. To encourage participation and positive health behaviors, this initiative has a number of Department and COA incentives whereby participants are eligible to earn money for their participation. BSS could not obtain funding internally and sought sponsorship from the COA; therefore,

this program is limited to command staff only. The program qualifies for continuing education with accompanying monetary bonuses.

Physical Fitness – Police Station Gyms

The Police Manual references the Physical Fitness Coordinator responsibilities in Section 770.30, stating that the divisional physical fitness coordinator or training coordinator shall encourage all officers, particularly those who are not physically fit, to participate in a voluntary physical fitness and health maintenance program, including annual medical examinations with their private physicians, and provide them with physical fitness information.

However, gyms at the police stations are not always in good condition or officially overseen by officers. Working out in the gyms is voluntary, as is the equipment maintenance. In visiting police stations, we observed that the gym is comprised primarily of donated equipment from community organizations (booster clubs or Los Angeles Police Revolver and Athletic Club), and the quality and condition of the equipment varies. One station had a broken mirror covered by cardboard, two gyms had unsafe access (narrow walkway or wires hanging over doorway), and one gym had tears in the floor covering of the running track.

While the program design and fundamentals of a health and wellness program exist, the lack of funding and participant restrictions has reduced the effectiveness of the health and wellness programs. There has not been a comprehensive and coordinated Department-wide effort to address wellness.

Some of the issues noted with the police station gyms were not noted or addressed by the individual divisions as there was not a functional safety committee and the division walk-throughs by watch commanders do not focus on facility safety (see Finding # 9). Maintenance of the gym equipment is a voluntary function performed by an officer interested in using the gym equipment, possibly the fitness coordinator that is identified in the Police Manual. However, none of the divisions we visited had identified an assigned fitness coordinator(s) or individual overseeing the gyms; one station had an officer who volunteered to monitor the gym, but he was not on the ancillary assignment list.

Wellness Coordinator Defined – Role & Responsibility

The Department has a Wellness Coordinator, who reports to the Chief. Per the Chief of Staff, there are also assigned wellness coordinators at the

divisions who reach out to employees. However, during our visits to six police stations we found that at two stations, the employees listed as the station's wellness coordinator were unaware of their assignment and did not always understand their role. The Department did not adequately communicate wellness coordinators' responsibilities through written procedures; therefore, the role and responsibilities for the wellness coordinator was not clear.

The definition from the Police Manual is that Department Wellness Coordinators work closely with the Employee Assistance Unit (EAU) and personally represent the Chief of Police when responding to and assisting injured/ill employees or immediate family members during catastrophic events.

The Effect of a Successful Health & Wellness Program

Studies have shown successful health and wellness programs are proven to increase job performance and reduce absenteeism and health claims. For example, officers who reported being engaged in fitness training were less likely to suffer a more severe, OSHA-reportable injury. In addition, organizations that offer medical screenings have in some cases detected symptom-free cases of heart disease that required immediate medical interventions. These types of screenings could potentially save lives and workers' compensation costs since heart trouble is a defined presumptive illness for sworn police personnel according to the Labor Code. Over our audit period, there was an average of 124 new heart claims per year that has averaged nearly \$2.5 million in claims costs, comprised of \$1.034 million in medical expenditures, \$805,000 in permanent disability payments, \$333,000 in other costs and \$533,000 in IOD payments. Due to the nature of this injury/illness, these costs will continue to increase until the employee retires prompting a final settlement.

Exhibit 33: Officer Health Risks - Heart Health



Because the Department has not prioritized a comprehensive workers' compensation prevention, developing health and wellness programs has been limited. Also, the lack of funding and program participant restrictions has reduced their effectiveness. During our audit period, there was not a comprehensive and coordinated Department-wide effort to address wellness. Subsequent to our audit fieldwork, the Department has implemented a new program, similar to the Blue Life and funded by the Los Angeles Police Relief Association (LAPRA) for all officers, entitled Healthy Lifestyles.

Recommendations

LAPD management should:

16.1 Implement a comprehensive Department-wide health and wellness program:

a) Evaluate existing and new health and wellness programs for outcomes, comparing program costs against workers'

compensation costs by reviewing impact on claims and examining industry studies to determine whether to expand existing or add new programs;

- b) Work with the Los Angeles Police Protective League or another support organization to establish a program for police officers (below Captain) that is similar to "BlueLife" to promote health and wellness throughout LAPD;**
- c) Evaluate how to ensure consistency with access to adequately maintained and monitored gyms and fitness activities;**
- d) Better define and support health and wellness roles, such as identifying the need for and designating physical fitness coordinators and wellness coordinators at divisions.**

Finding 17: LAPD does not have physical fitness requirements for officers beyond the Police Academy, other than for those in the Metro Division (e.g. SWAT).

Studies have shown that an officer's physical fitness and a healthy weight affect the number of missed work days; officers with a healthy weight missed at least 25% fewer days than those who were obese. As the Department spent \$26.5 million on IOD pay based on nearly 600,000 IOD hours in FY12-13, improving employees' physical fitness has the potential to reduce time off for work-related injuries/illnesses.

The Department has not focused on workers' compensation prevention in its goals and therefore ensured that all officers remain physically fit as their careers continue. The focus on fitness is primarily while officers are entering and graduating from the Academy, as they are the only officers subject to physical fitness qualifying tests with the exception of officers assigned to the Metro Division.

Based on studies, the Department and City could reduce workers' compensation injuries and illness and the related costs by potentially preventing the injury/illness and resulting claim. Maintaining physical fitness

can have a positive impact on obesity and potentially minimize the costs attributable to obesity as a contributing factor to injuries and illnesses.

Physical Fitness Requirements

The Police Academy requires new recruits to participate in four Physical Fitness Qualification (PFQ) tests. The PFQs are used to track the physical fitness progress of recruits in the Police Academy and to ensure that recruits meet LAPD's and POST's minimum physical fitness standards.

Exhibit 34: Physical Fitness Conditioning at the Academy



LAPD has a four-month pre-academy fitness program that was designed to provide a structured workout plan for candidates to use on their own to develop strength and fitness levels that will help them succeed in the Academy. The physical training in the Academy includes flexibility and strength training, endurance runs, calisthenics exercises, an obstacle course, and self-defense training. Candidates who enter the Academy lacking physical conditioning are prone to injuries that can result in removal from the Academy.

While there is considerable Departmental attention to the physical fitness of new recruits, there is little focus on the physical fitness of experienced officers. LAPD does not require all of its officers to remain physically fit, though the Department encourages employees to participate in sponsored sports activities, and provides gyms within the stations that are usually paid for by neighborhood booster organizations. Aside from the Metro Division, officers are not required to maintain fitness standards. According to the employee survey, 14% of respondents were unsure/neutral if they were physically fit, while 12% did not believe that they were physically fit.

Exhibit 35: LAPD SWAT officers with heavy equipment

Metro Division is comprised of five field platoons and an operations platoon. These platoons cover crime suppression, mounted unit, the "K-9" platoon, and the Special Weapons and Tactical unit (SWAT). All of the Metro Division police officers are required to pass periodic PFQs; Metro's most stringent requirements are for those selected and continuing in SWAT. SWAT officers must



pass physical tests including an obstacle run, running 1.5 miles in 12.5 minutes and doing 40 push-ups and 60 sit-ups. SWAT officers carry heavy equipment weighing more than 40 pounds and physical agility and fitness are specifically required for their complex missions. To ensure their physical capabilities, Metro Division officers are tested periodically and allotted time on duty to work out in the gym.

While LAPD does not require physical fitness tests for all officers, some other Departments do. For example, the Columbus Police Department and the St. Louis Police Department have mandatory fitness requirements for their officers. In addition, we surveyed five other California Departments, and two had physical fitness evaluations.

San Francisco has mandatory fitness evaluation testing twice a year for all sworn officers hired since 1994. Each time they pass the fitness evaluation, they are compensated with 20 hours of additional vacation time. The fitness evaluation is comparable to LAPD's initial fitness qualification tests, but is adjusted for age and gender. If officers do not pass, they do *not* receive the additional vacation time, and the fitness coordinator will provide health counseling. Further, the fitness coordinator may refer the "unfit" officers to their "sick sergeant", a physician, to evaluate their fitness for duty. San Francisco does not provide time off for fitness activities for most officers and, while they do have sports leagues and participate in the Police Olympics, officers are not covered by workers' compensation should they get injured during those activities. San Francisco uses positive reinforcement to encourage fitness; any negative repercussions are mainly related to reassignment versus termination.

A study entitled *Promoting Health and Wellness: Returning to Full Duty*¹⁴ indicated that 81% (17 of the 21 responding agencies) stated they had a voluntary physical fitness program and 59% (10 of the 17 agencies) offered incentives to employees participating in the fitness program.

Physical Fitness and Weight

Another study entitled *Officer Safety and Wellness: An Overview of the Illness*¹⁵ emphasized the importance of physical fitness and cited the following significant findings:

- Adverse physical conditions resulting from not maintaining physical health and a proper diet include obesity, cardiovascular disease, gastrointestinal disorders, sleep apnea and other sleep disorders, and type 2 diabetes. Agency requirements vary in weight maintenance and physical condition, but establishing a standard and holding officers accountable is essential to the wellness of the Department.
- Keeping officers physically fit is also cost effective in its ability to help prevent illness or worse. "Expending at least 2,000 calories a week in physical activity reduces an individual's risk of dying of any cause by 28 percent. Mortality rates for unfit men were estimated at 64 per 10,000 persons. However, that number drops to 18.6 per 10,000 persons when looking at those that are most fit. Being physically fit translates into fewer sick days, disabilities, and injuries – thereby reducing health-care costs."

The International Association of Chiefs of Police¹⁶ has also noted that "officers who did engage in fitness training were less likely to have an injury that was OSHA reportable when compared to those who did not, suggesting the value of fitness in reducing the severity of injuries sustained during the line of duty." That study goes on to say that "officer weight was significantly related to injury severity, days missed from work, and recovery time provides important evidence of the need for fitness programs in order to reduce the cost of injuries. Further, these results show the impact of obesity on injuries to law enforcement officers and that agencies need to take steps to increase fitness

¹⁴ A 2008 study entitled, Promoting Health and Wellness: Returning to Full Duty issued by the Major Cities Chiefs Association and the Federal Bureau of Investigation.

¹⁵ Officer Safety and Wellness: An Overview of the Illness from 2011 prepared for the Community Oriented Policing Services of the Department of Justice.

¹⁶ Reducing Officer Injuries by The International Association of Chiefs of Police, 2012.

programs as a practical solution to a costly problem within their organizations." It also stated that "those with a healthy weight as classified by the body mass index missed 25 percent less time post-injury than officers classified as obese."

Section 771 of LAPD's Police Manual, entitled Weight Control Program states that:

A commanding officer who feels an officer's physical condition is adversely affecting the officer's duty performance may order an officer to appear at Central Receiving Clinic for a physical examination and evaluation. The Officer's examination shall be scheduled through the Medical Liaison Section, Personnel Division.

The commanding officer of an officer who, based on a physical examination at Central Receiving Clinic, is overweight shall:

- Counsel the officer;
- Ensure periodic divisional weight checks and maintain a record of each weighing;
- Report the officer's progress, or lack of progress, on the appropriate rating report;
- Notify the Medical Liaison Section, Personnel Division, when an officer attains the recommended weight; and,
- Advise any officer who, due to aggravated circumstances, is in need of a **medically supervised** weight reduction program to telephonically contact the Medical Liaison Section for possible assignment to the Overweight Clinic.

Based on interviews with commanding officers and sick/IOD coordinators, the Department has not enforced the Police Manual about overweight employees and those whose physical condition is adversely affecting their performance because of sensitivity concerns and expected resistance from labor groups.

Through interviews, we confirmed with a number of commanding officers that the Department previously had a weight control referral program, but it has not been followed for more than 20 years, even though it is still discussed in the Police Manual.

LAPD should review its position, policy and practices regarding physical fitness, as it can have a dramatic impact on the health of their employees and on the cost of work-related injuries, especially cumulative trauma.

Recommendation

LAPD management should:

- 17.1 Evaluate how the Department can promote healthy lifestyle, physical fitness and healthy weight, including the consideration of Department-wide physical fitness qualification tests and incentives.**

LAPD management, in conjunction with the CAO, should:

- 17.2 Form a joint labor management committee to evaluate the potential savings from full implementation of wellness and fitness programs including the benefit of providing incentives to sworn police employees who meet related fitness standards.**

Finding 18: LAPD has not clearly defined policies for Department-sponsored athletic activities and events approved for workers' compensation coverage.

The City's claims administrator does not have clear guidance as to what sports events qualify as "on duty" for determining whether an injury is compensable. The City may be incurring unnecessary workers' compensation costs for injuries caused by participating in athletic/sports activities; based on sampling, sports injuries account for 3.5% of workers' compensation costs, which could amount to \$600 thousand per year. LAPD's practice for Department-sponsored activities is not consistent with the LAFD and four of the five police agencies benchmarked.

Sports as an Accepted Workers' Compensation Claim

In a sample of new workers' compensation claims opened in FY12-13, we found 2 of 90 claims were sports-related and comprised 3.5% of the costs. When projected to the population of LAPD's claims, this could be costing the City \$600 thousand per year.

Athletic Activities – Olympic Games, Sports and Gym

Approved sports activities are not consistently defined by LAPD; three Departmental policies listed different activities approved for workers' compensation coverage. As a result, the City's TPA for claims administration

does not have clear criteria as to whether an injury caused by a sports or athletic activity is covered by workers' compensation. In addition, the policies have not been updated annually.

Every year LAPD participates in the U.S. Police and Fire Championship (formerly Police Olympics); however, the Department has not issued an approved policy for the Olympic Games events/activities that qualified for IOD for 14 years, even though the Police Manual states "athletic events should be approved *annually* for Police Olympics participation..." and, that athletic events should be recommended for approval by the Commanding Officer, Training Division, and approved by the Director, Office of Administrative Services.

LAPD allows its officers to participate in the Olympics-type competition for Fire and Police Departments, certain sporting events and some intra-Departmental sports coordinated by the LAPRAAC. If the officer gets injured during these sporting events, the City's workers' compensation program treats this injury as if the officer was injured on duty, regardless of whether the injury occurred during working hours.

LAPD provided three distinct documents listing the approved athletic activities/sports that qualified for IOD status, but none of the documents listed the same number and types of athletic activities/sports that qualified for IOD. This is problematic because the TPA for claims administration relies on LAPD to identify what qualifies as "on duty" to determine workers' compensation claims compensability. The TPA has used these three documents as criteria for sports/gym injuries even though it is conflicting and unclear. We found that only 24 activities/events matched for two of the documents (comparison was based on documents provided to the auditors: Notice #2.3.1 dated 6/23/00 and the Police Olympic Activities List). For example, both cross country and scuba diving were listed as approved IOD sports/activities on the Police Olympic Activities List, but these two activities were not listed in the Police Manual or in Notice #2.3.1. Further, LAPD does not require its employees to obtain permission to participate at Police Olympic Games, making it difficult to identify if a resulting injury occurred "on duty".

While the RTW section believes that multiple IOD injuries are related to approved athletic activities, and that some employees on temporary disability are still participating in athletic activities, the Department does not have reliable data to determine the risk associated with authorizing these athletic activities. In our sample of 90 workers' compensation claims, we found that

9 claims (10%) occurred from the gym, sports activities or physical training exercise, and 6 of those (or nearly 7% of the sample) injuries may have been preventable. Data in the claims management system has not captured injuries occurring through physical activities or exercise, and our sample only identified an injury from only one sport (basketball), which was listed as "approved" on all three lists. If the Department analyzed the causes of injuries, it could determine corrective action and advise management on which sports have resulted in injuries and related lost work time. This information could be used to potentially modify what events should be considered covered under the City's workers' compensation.

Each of the six station's gyms that we visited had active sign-in sheets and posted signs stating that all employees participating in Department athletic activities are required to be on full, unrestricted duty status. We also noted most gyms had signage for proper equipment usage, though we did not see signs recommending stretching or any availability for personal training or hands-on instruction that might encourage proper technique and use of equipment.

Benchmarking Survey

We surveyed five other California Police Departments; four out of five Departments said they did not allow "on-duty" sports activities. We confirmed with San Francisco that if an employee is injured while participating in sports leagues or Police Olympics, the injury would not be considered an occupational injury, and therefore not covered under workers' compensation.

Without clear and defined criteria for sports activities that is consistently applied for all sworn employees, the City may be incurring unnecessary workers' compensation costs. Further, since the criteria are unclear, employees may believe they are covered by workers' compensation when they are not; they could file claims and argue that the Department did not effectively communicate regarding covered athletic activities/sports.

The City did not capture data to inform the Department how many claims are the result of employees participating in approved sports. As a result, the Department cannot determine the level of risk associated with approving activities/events as work-related.

Inconsistency among Sworn Employees

There is an inconsistent treatment within the City of workers' compensation coverage for sworn employees; participation in the same events may be covered for one Department and not the other. For example, the Fire Department does not cover sworn employees for the participation in their Olympics type games.

Recommendations

LAPD management should:

- 18.1 On an annual basis identify the sports and physical fitness activities that are approved as work-related. The approved list of activities should be formally documented and provided to the TPA.**

The City should:

- 18.2 Evaluate its policy of approved sports activities for sworn personnel that are covered by workers' compensation**

Respectfully submitted,



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GLOSSARY OF KEY TERMS

Accepted claim - A claim in which the insurance company (City is self-insured) agrees the injury or illness is covered by workers' compensation. Employees file a claim and the claims administrator has predetermined timeframes to allow for an investigation of the circumstances surrounding the incident in order to determine compensability, i.e., if it is determined to be a workers' compensation claim.

AOE/COE – Arising Out of Employment/Occurring in the Course Of Employment. Injuries or illnesses must be caused by and happen on the job, either as an incident or occurring over time (cumulative trauma).

Cal-OSHA – This is a unit within the State Division of Occupational Safety and Health (DOSH). Cal/OSHA inspects workplaces and enforces laws to protect the health and safety of workers in California.

Cumulative Trauma (CT) - This refers to injuries occurring due to a body part that is injured by repeated events or exposures, whether overuse, exertion, impact, or vibration that occurs over an extended period of time. The date of injury is difficult to determine, the definition by law is "when the injury/illness was known or should be known"; in practice, it typically is set at employment date and can factor into applicability of certain legal requirements.

Date of injury – This is the date of the incident, when the employee was hurt or became ill. If the injury was caused by one event (a specific injury), this is the date of the event. If the injury was caused by repeated exposures (a cumulative injury), this is the date that the worker knew or should have known that the injury was caused by work.

Division of Workers' Compensation (DWC) - A State agency that administers workers' compensation laws in California and provides information and assistance to injured workers and others about the workers' compensation system.

Essential job functions – Duties considered crucial to the job you want or have. When being considered for alternative work, you must have both the physical and mental qualifications to fulfill the job's essential functions.

Fraud – Is any knowingly false or fraudulent statement for the purpose of achieving personal gain; e.g. deceptively obtaining workers' compensation benefits.

Injury and Illness Prevention Program (IIPP) – An Injury and Illness Prevention Program (IIPP) is mandated per Title 8, Section 3203 of the California Code of Regulations; it is a health and safety program that employers are required to develop and implement. This program is enforced by Cal/OSHA and is City policy that each workplace have an IIPP specific to their environment.

Injured On Duty (IOD) - This is the generic term used throughout the City in reference to the salary continuation pay to both civilians and sworn personnel for an employee's first year of total temporary disability pay. Sworn personnel's salary continuation is dictated by State Labor Code under section 4850 and while mirroring temporary disability, it is not actually considered temporary disability, but as 4850 pay. In this report, we include 4850 pay under total temporary disability payments and consider the salary continuation as a cost of workers' compensation. For LAPD, there is not a practice of paying someone else overtime to cover for the absent employee. The actual "cost" is in the reduced deployment.

Light Duty – See Modified Duty

Maximal Medical Improvement (MMI) – This is when an injured employee's condition is well stabilized and unlikely to change substantially in the next year, with or without medical treatment. When the employee reaches MMI, the doctor can assess how much, if any, permanent disability resulted from the work injury.

Modified Duty – This is also referred to as light duty or restricted duty; it is when an employee's physician has determined that the employee has medical restrictions and is placed in a modified duty assignment within the division, Department or the City. Departments are required to code time in the City's payroll system to a LD (light duty) code for monitoring purposes. Some employees may have severe restrictions limiting them to clerical or administrative functions, while others may still be able to perform their essential job functions with some limitations, such as working a different shift.

Medical Liaison Section (MLS) - A section in the Personnel Division of LAPD, which acts as liaison between employees, the Department, and the third party claims administrator (TPA); performs a quality control review on claims paperwork, ensuring complete and properly executed claims reporting packages; performs workers' compensation trainings; maintains doctor's

authorization forms that dictate the employees' work restrictions, absences and expected return to work dates for the Department; and, functions as the Department's Safety Officer for implementing and maintaining the IIPP, including performing and evaluating facility inspections, collecting incident summaries, and collecting OSHA 300 and 300A forms.

Overdriving – Overdriving occurs when the driver forces the power train of the vehicle to exceed its capacity to produce power and torque which can cause damage to the vehicle or the loss of control. Overdriving can result in preventable traffic collisions and result in officers receiving negative evaluations via traffic "points" in their personnel records.

PaySR – The City's payroll system.

Permanent Disability - Any lasting disability that results in a reduced earning capacity after the primary treating physician determines that the employee has reached maximal medical improvement. At that point, an employee's disability is rated and permanent disability awards are determined and approved by a workers' compensation administrative judge.

Permanent disability (PD) benefits - Payments to a worker whose job injury permanently limits the kinds of work the worker can do or the worker's ability to earn a living. Permanent partial disability (PPD) benefits are payments to a worker whose ability to compete in the open labor market or earn a living is reduced. Permanent total disability (PTD) benefits are payments to a worker who is considered permanently unable to compete in the open labor market or earn a living.

Primary Treating Physician (PTP) –The doctor having overall responsibility for treatment of an employee's work injury or illness. This physician writes medical reports that may affect benefits. Also called treating physician or treating doctor.

POST – Peace Officers Standards and Training. An organization established by the California legislature that sets certain standards for member Police Departments to ensure that police officers meet certain criteria in order to perform their job responsibilities. The criteria includes physical fitness qualification exams for new recruits/employees and refresher training on perishable skills.

Presumptive Injuries/Illnesses – The State of California Labor Code has determined that sworn officers are exposed to certain hazards throughout their careers making them susceptible to certain illnesses. These illnesses are presumed to be the result of their work and are accepted as compensable by the workers' compensation insurer (the City) unless there is overwhelming evidence to the contrary that can lead to a hearing before a workers' compensation administrative judge. Types of presumptive injuries are enumerated in California Labor Codes 3212 – 3213. It is not subject to apportionment and therefore, the City bears the entire cost versus an allocation to non-employment causal factor such as a preexisting disability or condition.

Preventable Claims – Refers to workers' compensation claims that could be prevented from occurring. It includes claims that result from injuries or illnesses that occur due to actions or inactions due to carelessness, poor equipment, facility hazards, overdriving or Department's policies. This area may be subjective by Department/division and should be determined based on the employee's essential job functions.

Restricted Duty – See Modified Duty

Return to Work – An employee's primary treating physician determines the employee's work restrictions for the employee to facilitate the healing process and after assessing their current capabilities. Based on the physician's report, an employee may be returned to unrestricted duty, modified duty, or they will be off work and placed on total temporary disability.

Return to Work Section (RTW) – A section in the Personnel Division of LAPD, which tracks and facilitates modified duty placement of temporarily disabled employees and full duty employees returning to work.

Risk Management – A systematic approach to identifying insurable and non-insurable risks, evaluating the risk of loss versus the cost of insurance, and minimizing the possibility of loss through well-planned and regularly followed systems and procedures.

Safety Committees – As identified in LAPD's Police Manual (Section 789.10), and defined and discussed in Section III of this report.

Settlement – An agreement between the injured worker and the claims administrator about the workers' compensation payments and future medical

care that will be provided to the worker. Settlements must be reviewed by a workers' compensation administrative law judge, to determine whether they are adequate.

Specific injury – *An injury that was caused by one event at work. Examples: hurting your back in a fall, getting burned by a chemical that splashes on your skin, getting hurt in a car accident while making deliveries.*

Subrogation - *The substitution of one person for another, in the context of the City's workers' compensation program, it refers to when a third party is liable, e.g. at-fault traffic collision and any payment due from the third party is remitted to the City, who would pay for the employee's medical costs as part of the workers' compensation funding. The City would be able to recover medical, disability and other costs incurred for a workers' compensation claim.*

Supervisor's Accident Investigation (SAI) Form – *The City's Personnel Department has designed various forms to assist in the claims acceptance process; the form is required for every claim, although Personnel has allowed LAPD to use more extensive investigative forms from LAPD, such as, Use of Force investigation reports.*

Temporary Disability – *In this report, refers to Total Temporary Disability, caused by a workplace injury or illness, wherein an employee's primary treating physician has placed major work restrictions on the employee, making him/her unable to perform their job function or any other job within the City. For California sworn employees, it is comprised of one year continuing pay (referred to by Labor Code as 4850 pay or within the City as IOD) followed by subsequent year of State Rate payments. This entitlement is payable up to one full year of payments, and is not limited to the one calendar year immediately following the date of injury, as the benefits may be paid during discontinuous periods of entitlement which ultimately total one year of payments.*

Third Party Administrator (TPA) – *The City contracts out the claims administration of LAPD sworn employee workers' compensation claims based on a contractual agreement between the City and Tristar Risk Management.*

Tone at the Top – *The organizational tone set by senior management to effectively meet an organization's goals and objectives. Good tone at the top*

is set by establishing clear policies including a code of ethics, demonstrating expected behaviors, a commitment to hiring competent employees, etc.

Work restrictions – *A doctor's description of clear and specific limits on an injured worker's job tasks, designed to protect the worker from further injury.*

Workers' Compensation Claim – *This is a claim or case for when an employee is injured on duty (AOE/COE); the claims administrator manages claims to ensure employees receive appropriate and timely medical treatment that enables them to return to work.*

Workers' Compensation – *This refers to the no-fault insurance coverage wherein employees are covered for work-related injuries or illnesses. While all employers in the U.S. must have workers' compensation insurance, State law defines specific criteria as to how insurers and employers must address treatment and compensation.*

Division of Workers' Compensation (DWC) – *A division within the State Department of Industrial Relations (DIR). The DWC administers workers' compensation laws, resolves disputes over workers' compensation benefits and provides information and assistance to injured workers and others about the workers' compensation system.*

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
1. LAPD has not operationalized a comprehensive injury and illness prevention program to effectively manage its workers' compensation expenditures.	14	1.1 Establish and implement an operational injury and illness prevention program with dedicated resources (funding and staffing) and measurable Department-wide goals and objectives to minimize its workers' compensation claims and related costs.	16	LAPD	A
		1.2 Manage workers' compensation prevention by regularly reporting to Mayor and City Council on workers' compensation statistics, Departmental prevention efforts, and results of corrective actions. Consider whether existing strategies used for mitigating use of force and traffic collision incidents can be expanded to all injury risk exposures.	17	LAPD	A
		1.3 Consider allocating or charging back workers' compensation costs to Departments' budgets, to provide a strong incentive to Departmental management to monitor, control and reduce their workers' compensation costs. Ensure LAPD is held accountable for reducing workers'	17	Mayor/City Council	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		compensation costs and that it is provided adequate resources (funding, staffing, information, tools) for a functional injury and illness prevention program.			
2. Except for traffic collisions and use of force, LAPD has not established that preventing/minimizing workers' compensation injuries and resulting claims is a priority. There may be excessive claims filed and an opportunity to save up to \$18.5 million, or 19% of its annual workers' compensation costs.	17	<p>2.1 Expand on Department-wide and divisional goals and strategies to reduce occupational injuries/illnesses, specifically:</p> <ul style="list-style-type: none"> a) Incorporate best practices from safety experts and other agencies. b) Monitor the effectiveness of its strategy to prevent occupational injuries/illnesses. c) Strategies should include an evaluation of claims and near-misses and reasons for claims filed based on claims, types of injuries, costs, employee's demographics, at-risk employees who file multiple claims, and other factors. 	21-22	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		d) Evaluate and address the reasons for employees filing multiple claims. Review the circumstances and causes of the injuries experienced by frequent filers and develop a process to address them, which may include counseling on safety protocols, adjusting job functions, and/or investigating potential abuse of workers' compensation.			
3. Management did not clearly communicate Department-wide goals regarding illness/injury prevention along with a requirement to develop, measure, monitor and report on a division's or section's specific goals and strategic objectives.	22	3.1 Address the Departmental culture by communicating illness/injury prevention efforts and holding employees and management accountable. For example, a) Develop comprehensive messaging of workers' compensation prevention to include risk, training, monitoring, to all ranks and using all communication methods. b) Require all divisions and sections to monitor and report to senior management their workers' compensation prevention results (see Recommendation #1.2), and expand COMPSTAT reporting to	28-29	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		<p>include workers' compensation metrics and preventable claims.</p> <p>c) Incorporate officer safety and workers' compensation prevention as criteria in supervisor and management employee evaluations.</p> <p>d) Request City Attorney to provide training to supervisors/managers on Workers' Compensation Fraud, tailored to focus on LAPD claims history and the unique operations of the Department.</p>			
4. LAPD lacks clearly defined criteria and updated policies concerning some areas that can impact workers' compensation.	29	4.1 Review and update the Police Manual, outstanding special orders, and policies and procedures to provide the necessary level of guidance. Ensure these are clearly communicated on a timely basis.	31	LAPD	B
5. LAPD has not adequately implemented a risk management plan focusing on workers' compensation risk to address the causes of preventable injuries/illnesses.	33	<p>5.1 Prioritize the implementation of the Risk Management Plan related to workers' compensation. The plan should:</p> <p>a) Identify the trends for Department-specific workplace injuries and determine preventable causes;</p>	37	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		<ul style="list-style-type: none"> b) Develop measures to prevent similar types of injuries; and c) Implement strategies to achieve the Risk Management Plan goal to reduce the number of new workers' compensation claims filed each year. 			
6. Many injuries/illnesses could have been prevented, but LAPD has not utilized or developed adequate information systems to identify causes for those injuries/illnesses. Preventable injuries cost the City more than \$6 million per year.	38	6.1 Ensure appropriate data and information needs are met to facilitate workers' compensation prevention efforts until a City-wide workers' compensation risk management system is implemented to provide the necessary information. <ul style="list-style-type: none"> a) Identify system options to meet those needs. b) Ensure data resources are available. c) Ensure necessary data is consistently collected. 	42-43	LAPD	A
		6.2 Develop a strategy to implement a workers' compensation risk management reporting system.	43	Personnel Dept.	A
7. The Department's efforts to track and manage various aspects of workers' compensation do not provide a	43	7.1 Improve tracking and management of workers' compensation by working with the Personnel Department by creating an interface of internal	45	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
standardized way of capturing and reporting the data.		systems with iVOS to ensure LAPD's claims information needs are met through standardized system access/reporting. This should include enabling divisions to monitor IOD usage, light (restricted) duty and return to work dates and status, and to provide information for risk management purposes.			
		7.2 Periodically confirm the new LMS system contains accurate information related to employees' compliance with all safety trainings.	45	LAPD	B
8. LAPD sworn personnel filed more than 3,000 claims each year of our audit, some of which may have been preventable; however, LAPD has no standardized process for ensuring investigative reports are completed and conclude as to whether the injury was potentially preventable.	46	<p>8.1 Ensure a standardized process to obtain conclusive data for workers' compensation claims, regarding preventable determinations and action plans. For example,</p> <ul style="list-style-type: none"> a) Provide training and require supervisors to submit investigation reports centrally (e.g. to Risk Management and/or MLS). b) Ensure all investigative reports note a clear conclusion of whether the injury was potentially preventable, and provide details 	47	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		<p>on the injury cause, and a corrective action plan.</p> <p><i>Note: If the Department allows other investigative reports to replace the Supervisor's Investigation Forms (Use of Force, Traffic Collision), those reports should address all workers' compensation data needs to enable analysis (also see Recommendations #2.1 and #9.1).</i></p>			
9. Safety Committees were not fully operational at all divisions.	49	9.1 Ensure that Safety Committees are operational at all divisions and ensure they perform the responsibilities outlined in the IIPP, including conducting facility inspections for safety hazards, ensure posting of Cal/OSHA Summary Forms, and review all workplace injuries and workers' compensation claims to determine whether it was preventable, by ensuring use of investigative reports (see Recommendation #8.1).	58-59	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		<p>9.2 Prioritize safety within the Department through</p> <ul style="list-style-type: none"> a) an evaluation of MLS and Department's Safety Officer role and responsibilities and level of authority; b) establishing an overarching Department Safety Committee, or a Liability Management Committee to address a unified approach to workers' compensation prevention; c) equipping officers with safer uniforms and equipment based on leading practices, and injury occurrences. These may include motorcycle helmets, light-weight duty belts/accessories, shatterproof glass or film on car windows, delay in body armor distribution, and other areas identified by ongoing reviews of claims injury causes. 	59	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
10. The Department has not developed a data-driven safety training program that specifically addresses injury prevention for the most common injury types.	59	10.1 Design training programs, as needed, which are data-driven from claims analysis and input from staff review for common causes of injury that could be prevented, had the officers been better trained in that area. Consider designing training based on an evaluation of injuries/illnesses by age or years of service.	63	LAPD	B
11. LAPD needs better procedures and controls to ensure compliance with required safety training for its sworn officers.	63	11.1 Establish procedures, training and controls to ensure that the new Learning Management System provides management reporting to training coordinators and commanding officers to ensure full compliance with mandated safety training.	65	LAPD	B
12. LAPD's return to work program needs improvement as it lacks performance metrics and reliable systems to evaluate its effectiveness.	68	12.1 Enhance the Return to Work program. a) Clearly define roles and responsibilities for all LAPD staff involved with IOD monitoring, reporting and facilitating employees' return to work. This should include developing detailed policies and procedures, effective	70-71	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		<p>IT systems and monitoring processes.</p> <p>b) Measure attainment of goals for RTW and MLS (per Recommendation #2.1) through performance metrics and provide regular updates on progress and results.</p> <p>c) Ensure that IOD reporting (e.g. COMPSTAT) is accurately coded, verified and reconciled to PaySR.</p>			
13. The Department does not have standardized or documented procedures for divisions' monitoring of IOD leave.	71	<p>13.1 Establish and update policies (including Police Manual) and related procedures (including desk manuals) for IOD that clearly state:</p> <p>a) the frequency of employee contacts;</p> <p>b) the content of communications by the sick/IOD coordinators;</p> <p>c) the appropriateness of monitoring and contacts between the injured employee and the division's management, supervisors and sick/IOD coordinator; and</p> <p>d) system access and IOD reporting procedures.</p>	74-75	LAPD	B

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		13.2 Establish standardized training for sick/IOD coordinators and ensure that all new coordinators promptly receive training on their new roles.	75	LAPD	B
14. The Medical Liaison and Return to Work Sections do not have standard documented procedures.	75	14.1 Develop and document standardized desk procedures for the RTW and MLS Sections. The procedures should incorporate a standardized data system to monitor IOD usage and Return to Work processes (as discussed in Recommendation #6.1).	76	LAPD	B
15. LAPD Management has not adequately addressed the temporary disability evaluations/accommodations and the divisions are not referring long-term IOD employees to LAPD's Personnel Division for monitoring employee's work fitness.	76	15.1 Address how the Department implements temporary disability evaluations/accommodations and complies with the City's policy for accommodating modified duty employees. The Department should: a) Establish a consistent monitoring process whereby the Department's Disability Management Coordinator is periodically evaluating employees at appropriate timeframes; b) Ensure that all injured employees on IOD are referred to the RTW	79-80	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		section as soon as feasible, but no longer than 180 days.			
16. LAPD has not adequately implemented a comprehensive Department-wide health and wellness program; some roles are not defined, and participation has been limited.	82	<p>16.1 Implement a comprehensive Department-wide health and wellness program:</p> <ul style="list-style-type: none"> a) Evaluate existing and new health and wellness programs for outcomes, comparing program costs against workers' compensation costs by reviewing impact on claims and examining industry studies to determine whether to expand existing or add new programs; b) Work with the Los Angeles Police Protective League or another support organization to establish a program for police officers (below Captain) that is similar to "BlueLife" to promote health and wellness throughout LAPD; c) Evaluate how to ensure consistency with access to adequately maintained and monitored gyms and fitness activities; d) Better define and support health and wellness roles, such as 	88-89	LAPD	A

APPENDIX I: ACTION PLAN

Finding	Page	Recommendation	Page	Entity Responsible for Implementation	Priority
		identifying the need for and designating physical fitness coordinators and wellness coordinators at divisions.			
17. LAPD does not have physical fitness requirements for officers beyond the Police Academy, other than for those in the Metro Division (e.g. SWAT).	89	17.1 Evaluate how the Department can promote healthy lifestyle, physical fitness and healthy weight, including the consideration of Department-wide physical fitness qualification tests and incentives.	94	LAPD	A
		17.2 Form a joint labor management committee to evaluate the potential savings from full implementation of wellness and fitness programs including the benefit of providing incentives to sworn police employees who meet related fitness standards.	94	LAPD, in conjunction with CAO	A
18. LAPD has not clearly defined policies for Department-sponsored athletic activities and events approved for workers' compensation coverage.	94	18.1 On an annual basis identify the sports and physical fitness activities that are approved as work-related. The approved list of activities should be formally documented and provided to the TPA.	97	LAPD	A
		18.2 Evaluate its policy of approved sports activities for sworn personnel that are covered by workers' compensation.	97	The City	A

APPENDIX I: ACTION PLAN

A –High Priority - The recommendation pertains to a serious or materially significant audit finding or control weakness. Due to the seriousness or significance of the matter, immediate management attention and appropriate corrective action is warranted.

B –Medium Priority - The recommendation pertains to a moderately significant or potentially serious audit finding or control weakness. Reasonably prompt corrective action should be taken by management to address the matter. Recommendation should be implemented no later than six months.

C –Low Priority - The recommendation pertains to an audit finding or control weakness of relatively minor significance or concern. The timing of any corrective action is left to management's discretion.

N/A - Not Applicable

APPENDIX II – FINANCIAL SCORECARD

Finding/Recommendation	Page	Category	Financial Impacts
<p>Finding 3:</p> <p>Management did not clearly communicate Department-wide goals regarding illness/injury prevention along with a requirement to develop, measure, monitor and report on a division's or section's specific goals and strategic objectives.</p>	22	Cost Avoidance	<p>Ranging from \$1 - \$18.5 million per year, ongoing</p> <p><i>Based on LAPD's former Risk Management Plan (Finding 3) for the low estimate. However, if LAPD could reduce their claims rate per employee down to a comparable jurisdiction (Sacramento), savings could be much higher, up to \$18.5 million (Finding 2).</i></p>
<p>Finding 2:</p> <p>Except for traffic collisions and use of force, LAPD has not established that preventing/minimizing workers' compensation injuries and resulting claims is a priority. There may be excessive claims filed and an opportunity to save up to \$18.5 million, or 19% of its annual workers' compensation costs.</p>	17		
<p>Recommendation 2.1:</p> <p>LAPD Management should expand on Department-wide and divisional goals and strategies to reduce occupational injuries/illnesses, specifically:</p> <ul style="list-style-type: none"> a) Incorporate best practices from safety experts and other agencies. b) Monitor the effectiveness of its strategy to prevent occupational injuries/illnesses. c) Strategies should include an evaluation of claims and near-misses and reasons for claims filed 	21-22		

APPENDIX II – FINANCIAL SCORECARD

<p>based on claims, types of injuries, costs, employee's demographics, at-risk employees who file multiple claims, and other factors.</p> <p>d) Evaluate and address the reasons for employees filing multiple claims. Review the circumstances and causes of the injuries experienced by frequent filers and develop a process to address them, which may include counseling on safety protocols, adjusting job functions, and/or investigating potential abuse of workers' compensation.</p>			
<p>Finding 6:</p> <p>Many injuries/illnesses could have been prevented, but LAPD has not utilized or developed adequate information systems to identify causes for those injuries/illnesses. Preventable injuries cost the City more than \$6 million per year.</p> <p>Recommendation 6.1:</p> <p>LAPD management should ensure appropriate data and information needs are met to facilitate workers' compensation prevention efforts.</p> <p>a) Identify system options to meet those needs. b) Ensure data resources are available. c) Ensure necessary data is consistently collected.</p> <p><i>Note that several findings/ recommendations address identifying and managing preventable injuries/illnesses. We only list finding 6 and recommendation 6.1; however, all prevention-related recommendations should be considered.</i></p>	<p>38, 57</p> <p>42-43</p>	<p>Cost Avoidance</p>	<p>\$6 million per year, ongoing</p> <p><i>Based on 33%* as noted in our sample, applied to LAPD's population of annual workers' compensation claims opened. - see Exhibit #27 on page 57.</i></p> <p><i>* Preventable claims that are currently without scrutiny.</i></p>

APPENDIX II – FINANCIAL SCORECARD

Finding 18:	94	Cost Avoidance	\$600 thousand per year, ongoing
LAPD has not clearly defined policies for Department-sponsored athletic activities and events approved for workers' compensation coverage.			<i>Based on 3.5% of costs in our sample from sports, projected to the population of LAPD's workers' compensation claims. - see Exhibit #27 on page 57.</i>
Recommendation 18.2:	97		
The City should evaluate its policy of approved sports activities for sworn personnel that are covered by workers' compensation.			

Cost Recovery: Monies that may be recoverable.

Cost Savings and Efficiencies: Cost savings opportunity and process enhancements.

Cost Avoidance: Monies that are lost but are avoidable in the future.

Increased Revenue: Revenue opportunities.

Wasted Funds: Monies that are lost and not recoverable due to reckless act or mismanagement of funds.

We strive to identify and recommend actions that will result in real financial impact, whereby the City can achieve significantly more through cost savings and/or increased revenue than the cost of the audit function. The above dollar estimates are dependent upon various factors, such as full implementation of audit recommendations and should not be used as guaranteed amounts.

APPENDIX III – SCOPE & METHODOLOGY

We reviewed and evaluated the safety and workers' compensation prevention programs in place at LAPD over the last three fiscal years, from July 2010 through June 2013. Some background information and exhibits also include the most current fiscal year, FY13-14.

This audit was directed to LAPD's management of workers' compensation prevention for sworn employees; our findings and recommendations are primarily focused on LAPD, with some recommendations to City decision makers.

Audit fieldwork was primarily conducted from December 2013 through June 2014 and generally covered activities over a three year period through June 30, 2013.

This audit was performed in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides reasonable basis for our findings and conclusions based on our audit objectives.

In accordance with these standards and best practices, we performed the following key tasks:

Interviews

We conducted interviews with LAPD management and staff throughout the Department, and representatives from the Personnel Department and Office of the City Administrative Officer (CAO).

Databases Analyzed

- Claims management data was downloaded from the claims management system (iVOS) by the Personnel Department – Workers' Compensation.
 - Data was obtained on claims opened from July 1, 2010 – June 30, 2014 including claim number, employee's name, date of injury, injury, body part, cause of injury, brief comments from the face sheet of the claim, employee's birth date, hire date, assigned location and position, etc.
 - Using this data from the Personnel Department on claims opened, we selected a random sample based on largest injury categories

APPENDIX III – SCOPE & METHODOLOGY

(that could provide additional claims data based on document inspections) for FY12-13. We excluded claims from the population that were identified as cumulative trauma or unknown causes. Our selected 90 samples reviewed claims documents, including all available investigation forms (e.g. SAI, Use of Force reports, Traffic Collision reports and accompanying adjudication letters).

Documents Reviewed

We reviewed the Police Manual, the IIPP, training curriculum listing, sick/IOD logs from Police stations, meeting notes, OSHA forms, and risk management reports. Additionally, we obtained copies of studies and articles addressing workers' compensation statistics and best practices.

Benchmarking and Employee Surveys

We prepared a survey questionnaire sent to Chiefs of Police and workers' compensation administrators with responses shown in Exhibit 40 in Appendix IV.

We conducted a survey, which was sent to all LAPD sworn officers in July 2014. We received 1,035 responses through October 31, 2014. The questions with summary results are presented as Appendix V.

APPENDIX IV –BENCHMARKING

We sent surveys to other Police Departments in California: Fresno, San Diego, San Jose, Sacramento, Long Beach, San Francisco, Riverside, Santa Ana, Anaheim, and Oakland. We received information back from the police chiefs for San Diego, Long Beach, San Francisco, Anaheim and Santa Ana and from the workers' compensation claims administrators for Fresno, Oakland, San Diego, Sacramento and Anaheim.

We did not audit the jurisdictions benchmarked and present the data as provided. Not all jurisdictions include the same amounts in their claims data. Key survey results are presented below with actual results (excluding detailed break-outs) follow. Significant observations where we saw notable favorable or unfavorable differences from benchmarked jurisdictions are included with the findings in the detailed report.

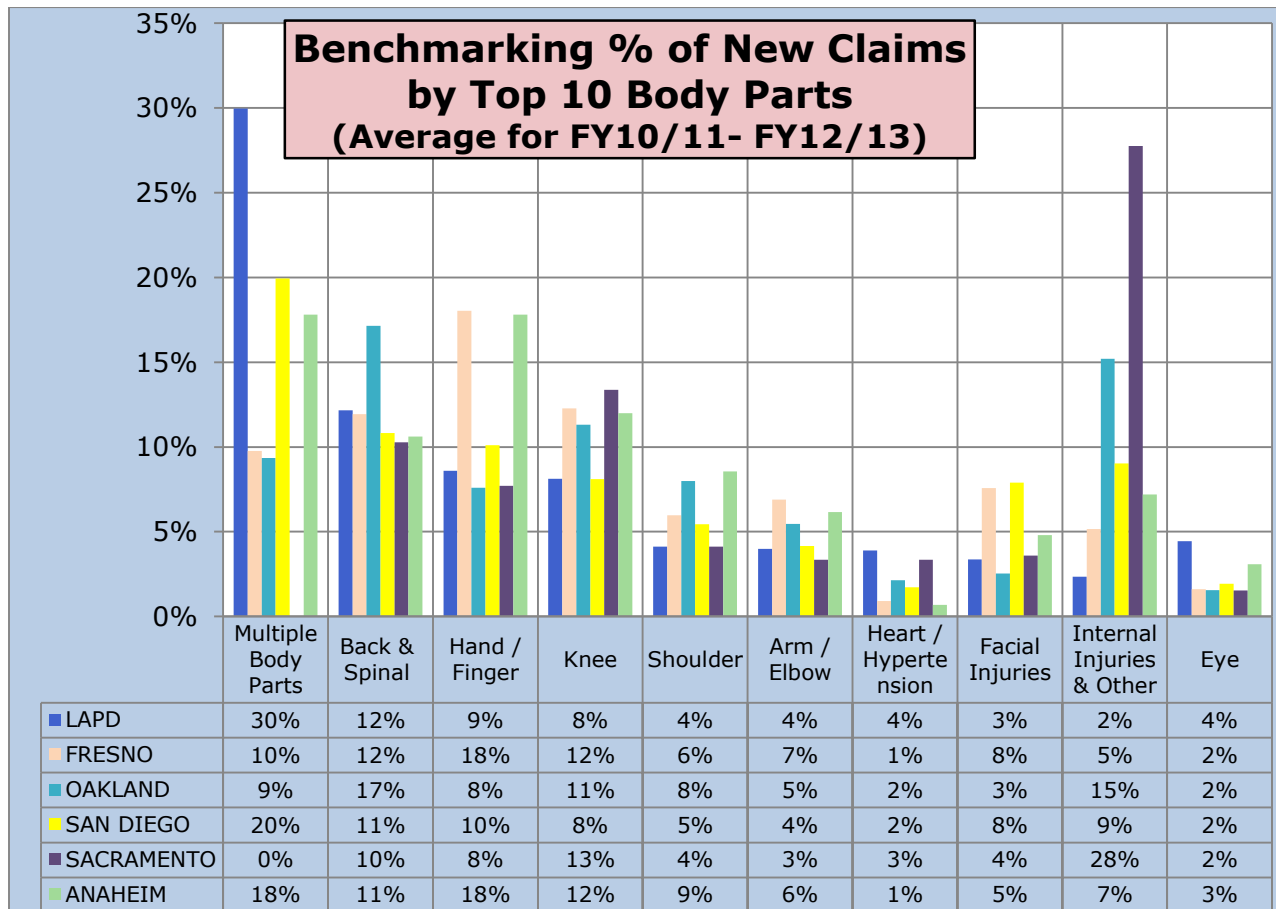
Exhibit 36: Analysis of Benchmarked Jurisdictions

Key Data in Comparing LAPD to Other Jurisdictions						
<i>Costs are based on a 3-year average of data provided by other agencies, presented in \$000's.</i>						
JURISDICTIONS	LAPD	Fresno	Oakland	San Diego	Sacramento	Anaheim
Budgeted Sworn Positions	9,983	777	Not Available	1,886	675	357
Annual Total Costs for All Claims (e.g., IOD, Med, Perm Dis)	\$ 91,693	\$ 2,659	\$ 9,958	\$ 1,945	\$ 1,039	\$ 1,385
Total Costs per 100 Budgeted Positions	\$ 918	\$ 342	Not Available	\$ 103	\$ 154	\$ 388
Avg # of New Claims per Year	3,126	291	177	465	130	97
Avg # of Claims per 100 Budgeted Positions	32	38	Not Available	25	19	27
Average Annual IOD Hours	558,000	Not Available	Not Available	60,327	2,310	2,890

APPENDIX IV – BENCHMARKING

The following charts for Body Part, Injury Type, Cause of Injury used LAPD's top 10 and compared them to data provided by claims administrators from other jurisdictions; in some cases, we grouped data provided (e.g. fingers and wrists grouped into hand on Body Part chart).

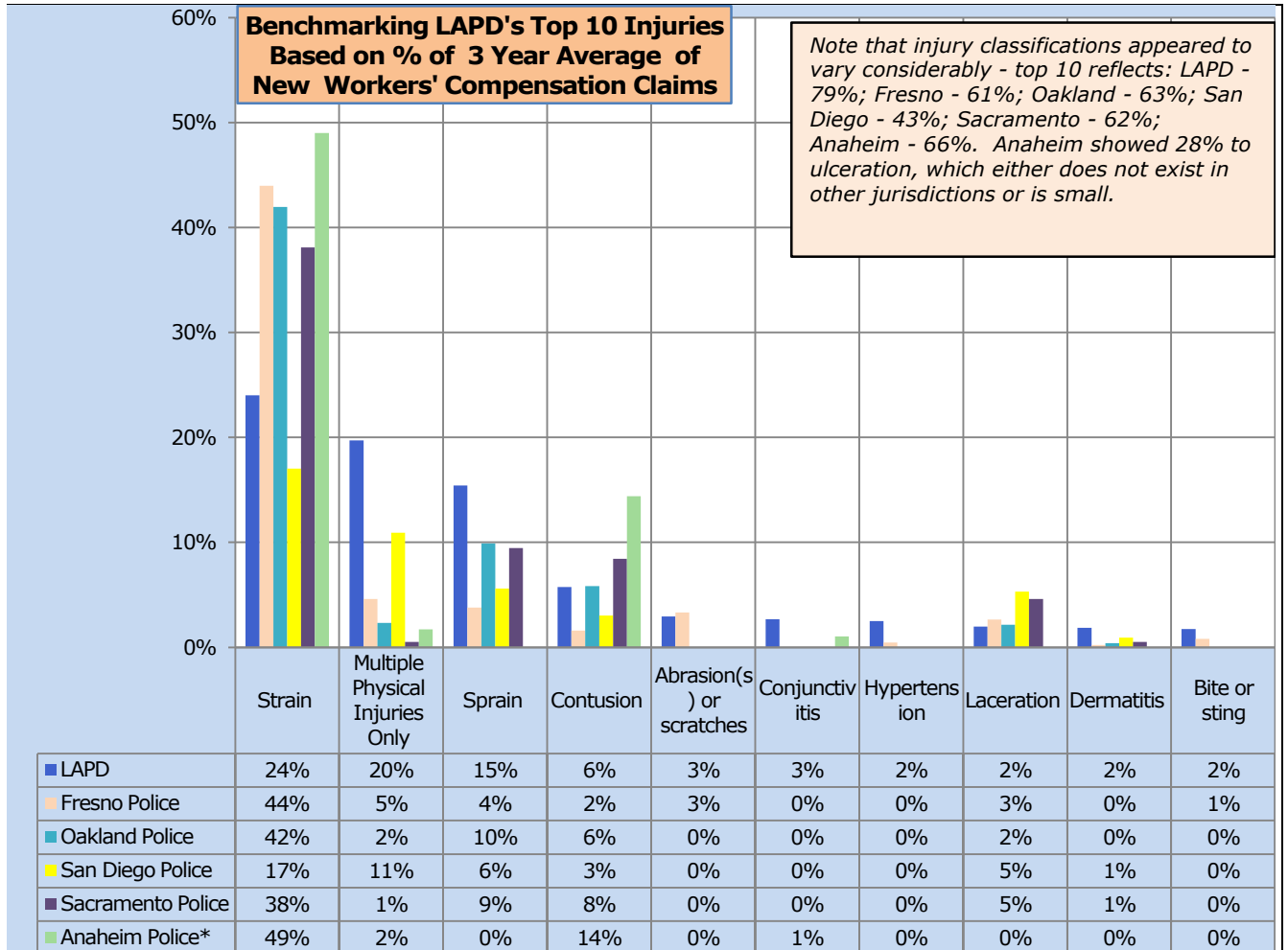
Exhibit 37: Top 10 Body Parts Comparison



Note that other injured body parts are not listed and make up the remaining 11-25% for each jurisdiction. Some jurisdictions surveyed did not respond.

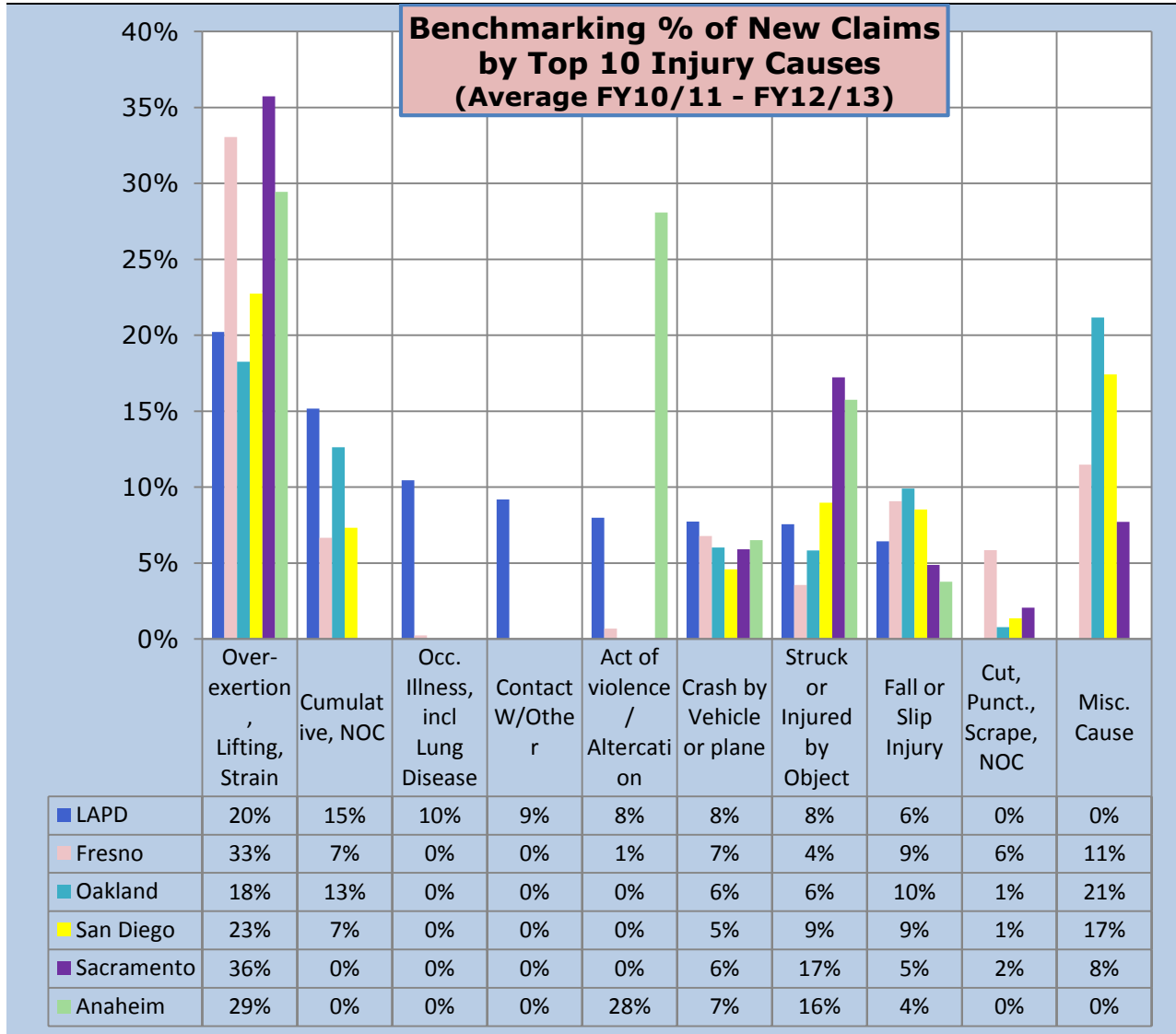
APPENDIX IV – BENCHMARKING

Exhibit 38: Top 10 Injuries Comparison



APPENDIX IV – BENCHMARKING

Exhibit 39: Top 10 Injury Causes Comparison



APPENDIX IV – BENCHMARKING

Shown below is the survey that was sent to the chiefs of Police; we present their responses. Note that we averaged 3 years of data for FY10-11 through FY12-13 in the first sections (budgeted positions, adopted budget, and number of calls).

Exhibit 40: Survey from Police Chiefs/Risk Management

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
GENERAL OPERATIONS						
STAFFING						
Budgeted Positions (Sworn)	9,983	1,886	835	2,232	357	403
BUDGET						
Adopted Budget in \$000's	\$1,200,633	\$405,270	\$202,848	n/a	\$119,383	\$100,741
CALLS FOR SERVICE						
Number of Calls for Service*	1,599,588	596,393	633,461	1,036,235	190,251	135,576
Calls for Service per 100 sworn personnel	16,023	31,622	75,864	46,426	53,292	33,642
* Calls Dispatched						
Total Incoming Calls Received						440,887
Does your Department have a mandatory retirement age? (Y or N)	N	N	N	N	N	N

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
RISK MANAGEMENT						
Does your Department currently have a written Risk Management Plan? (Y/N)	Y	Y, Medical Asst. Unit	Y	Y	N	Y
If you answered Y to question 1, please check (✓) which areas are included in your plan:						
a) Injury/Workers' Compensation	✓	✓	✓	✓		✓
b) Traffic Collisions	✓	✓	✓	✓		✓
c) Fitness/Exercise	✓	Wellness Unit		✓		
d) Health and Wellness	✓	Wellness Unit		✓		
e) Other (Please list below):	✓					Accidents/ Exposure (hazardous conditions, violence in the workplace)
	Uses of Force, Employee Litigation					Use of Weapons, Tools and Equipment

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
						Handling Combative/ Uncoop. Suspects
Is your Risk Management Plan evaluated annually? (Y/N)	Y	Y		N		N
Does your Department have someone (i.e., Risk Manager) tasked with developing risk management programs and policies? (Y/N)	Y	Y	Y	Y		Y
a) What is his/her job title?	Special Assistant	Sergeant	Risk Manager and City Safety Officer	Deputy Chief, Chief of Staff		Senior Personnel Analyst
b) What is his/her rank?	Police Administrator	Sergeant	Non-sworn staff	Deputy Chief		Comparable to Police Sergeant
c) Who does he/she report to?	Chief of Police	HR Director	Human Resources Director	Chief of Police		Police Admin. Manager

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
Does the Risk Management Plan contain strategies to address sworn injuries & workers' compensation claims? (Y/N)	Y	Y		Y		N
a) If so, what are these strategies (please list below):	Prevention			>To ensure a supervisor is Notified		
	Intervention			>Ensure all relevant documents are completed and sent to the Medical Liaison Unit		
	Mitigation			>Notify CAL /OSHA when a member is admitted to the hospital during the course of their duty.		
	Feedback					

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
SAFETY & INJURY/ILLNESS PREVENTION						
Does your Department have someone (i.e., Safety Officer) tasked with developing and managing the Department's Safety and Injury & Illness Prevention program? (Y/N)	See asterisk	Y	Yes. City Safety Officer	Y	Y	Y
a) Is he or she a Safety Officer? (Y/N)		Y	Y	N	Y	N
b) If Not, what is his/her job title?		Facilities MGR		Injury and Illness Prevention Program Coordinator		Senior Personnel Analyst
c) What is his/her rank?		Facilities MGR	Non-sworn manager	Police Officer	Training Sergeant	Comparable to Police Sergeant
d) Who does he/she report to?		Admin Services Director	Manager of Risk and Occupational Health Services	Commanding Officer, Staff Services	Training Lieutenant	Police Admin. Manager

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
Does your Department have a Department-wide Safety Committee? (Y/N)	See asterisk	Y	Y	Y	Y	Y
a) Who does the Committee report to?		Facilities MGR		Deputy Chief of Administrative Services	Training Sergeant	Police Admin. Manager
b) Who chairs or leads this Committee?		Facilities MGR	PD- Personnel Admin. Officer	Deputy Chief of Administrative Services	Training Officer	Senior Personnel Analyst
c) Who are the members (position and rank) of this Committee? Please list them below:		Varies	List of personal names; see original sheet	Members on the Uniform and Safety come from all ranks		
					Sworn - Training Lieutenant, Training Sergeant, Training Officer and sworn officers throughout the Department.	Police Admin. Manager, Senior Personnel Analyst, Police Sergeant, Detective

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
					Civilian personnel from throughout the Department.	Police Officer, Correctional Supervisor, Correctional Officer, (2) Non-sworn employees
d) How often do you rotate members on this Committee?		No set time/transfers	As people retire or change assignments		No standard rotation time, the committee is voluntary	As needed
Does your Department have Safety Committees by station or division? (Y/N)	See asterisk	A rep	N	N	N	N
a) Who does the Committee report to?		Facilities MGR				
b) Who chairs or leads this Committee?		Facilities MGR				
c) Who are the members (position and rank) of this Committee? Please list them below:		varies				

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
d) How often do you rotate members on this Committee?		varies/ transfer		Upon recommenda- tion of Committee Chair		
	<p>*Currently, the Department has three Divisions with active Safety Committees. The Department will evaluate its Safety Committee procedures to ensure clear is provided to the Areas for implementation of the program Department-wide. See attached directive on the subject of safety committees.</p>					

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
FITNESS AND WELLNESS						
Does your Department currently have a Fitness & Wellness Program? (Y/N)	Yes* *The Department has a wellness relationship with the Los Angeles Police Revolver and Athletic Club which facilitates sporting leagues.	Y	Y	Y	Y	N
If you answered Y, please check (✓) the features of your program:						
a) Annual Medical Evaluations	N		✓		✓	
b) Annual Fitness Evaluations	N		✓	✓	✓	
c) Peer Fitness Trainers	N	✓				
d) Nutritionist	N	✓			✓	
e) Exercise Physiologist/Specialist	N	✓			✓	
f) Functional Movement Screening	N				✓	

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
g) In-House Physical/Injury Rehabilitation	N				√	
Is the Fitness/Wellness Program mandated? (Y/N)	N	N	N	Y , for members hired after 07-01-1994	N	N/A
Are officers disciplined for Not participating? (Y/N)	N/A	N	N	Y	N	N/A
Does your Department have weight restrictions? (Y/N)	N	N	N	N	N	N
Does your Department provide dedicated on-duty time for exercise? (Y/N)	The specialized Metropolitan Division, as negotiated by the Union, is provided on-duty time for exercise. Officer assigned to the Division are required to pass an annual fitness test.	N	N	N	N	Y*

APPENDIX IV – BENCHMARKING

	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
a) If Y, how much time? (30 minutes, 1 hour, etc.)	1 hr					*SWAT Personnel are allowed 3 hrs/week for on-duty fitness training.
Does your Department restrict all sports/team activities while on duty (i.e. basketball, volleyball, handball, etc.)? (Y/N)	N	Y	N	Y	Y	Y

APPENDIX IV – BENCHMARKING

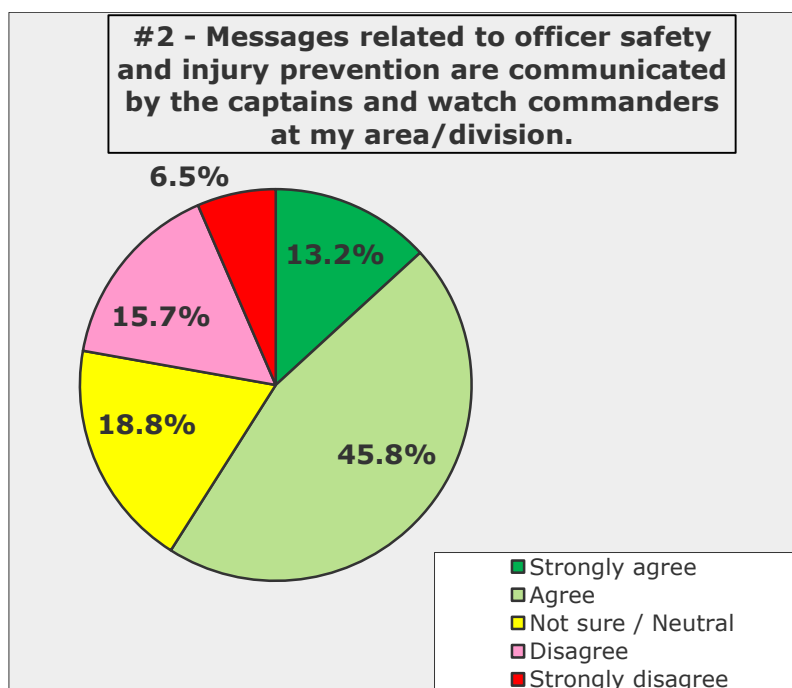
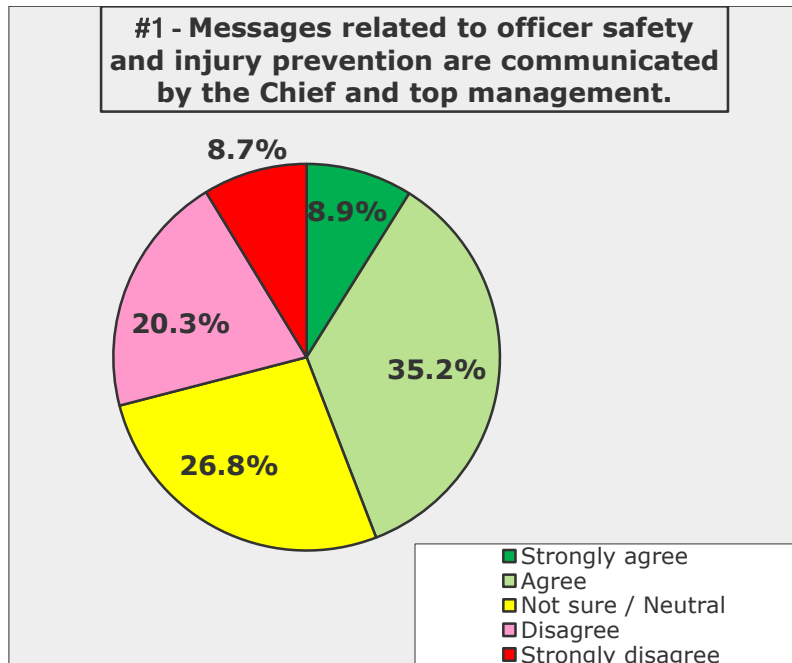
<p>If you do not restrict all sports/team activities, what activities are not allowed while on-duty? Please list:</p>	<p>Basketball, Bicycling, Handball, Weigh training after receiving the Department's Weight Training Certificate, Racquetball, Swimming, Slow pitch softball (intraDepartmental only), Tennis, Volley ball, Wrestling, Running, Jogging, Walking (start and terminate at Department facility), Self Defense. In Addition, Athletic events approved annually for Police Olympics participation and Athletic events requested for approval by the Los Angeles Police Revolver and Athletic Club</p>		<p>There is no policy that allows or prohibits sports/team activities while on-duty.</p>			
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APPENDIX IV – BENCHMARKING

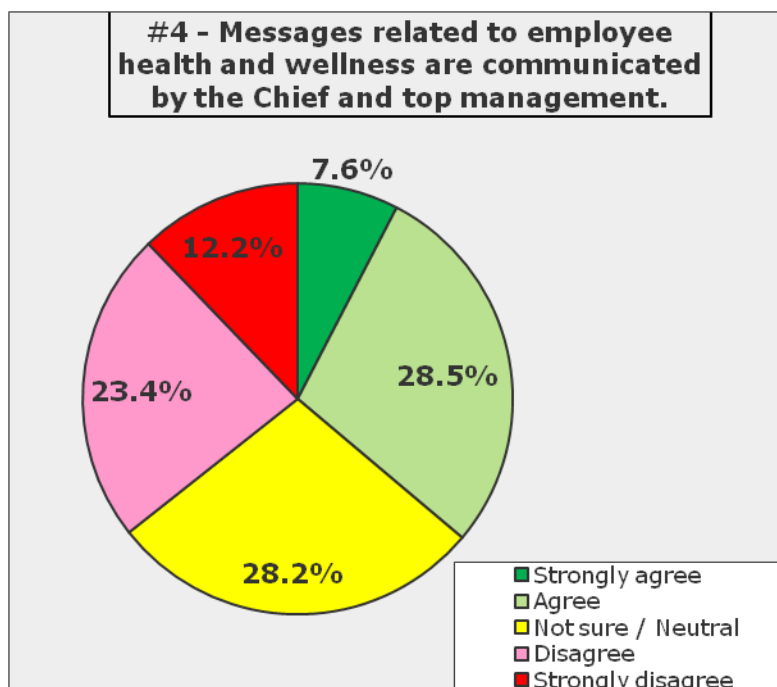
	LAPD	San Diego	Long Beach	San Francisco	Anaheim	Santa Ana
BEHAVIORAL HEALTH/WELLNESS						
Onsite Psychologist (Y/N)	Y	Not onsite but avail	N	N	N	N
a) How many onsite psychologists or therapists?	9					
Contracted Behavioral Services (Y/N)	N	Y	Y	Y	Y	Y
Peer Support Program (Y/N)	Y	Y	Y	Y	Y	Y
a) How many volunteers?	+/-50	30	76	300	20	Approx. 17 Volunteers (includes 5 Chaplains)
Do you have a Smoking or Tobacco Product policy for officers? (Y/N)	N	Y; in vehicles/ buildings only	Y	N	N	Y

APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

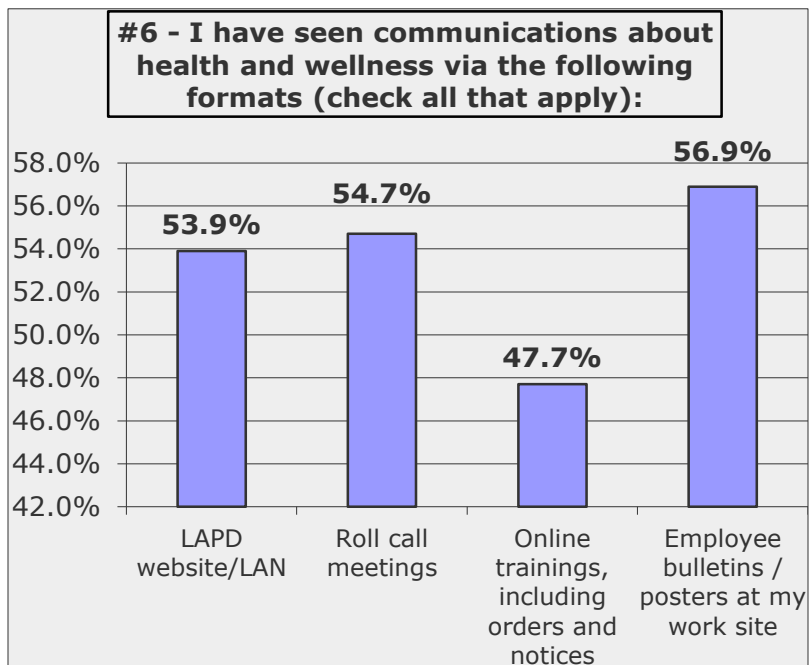
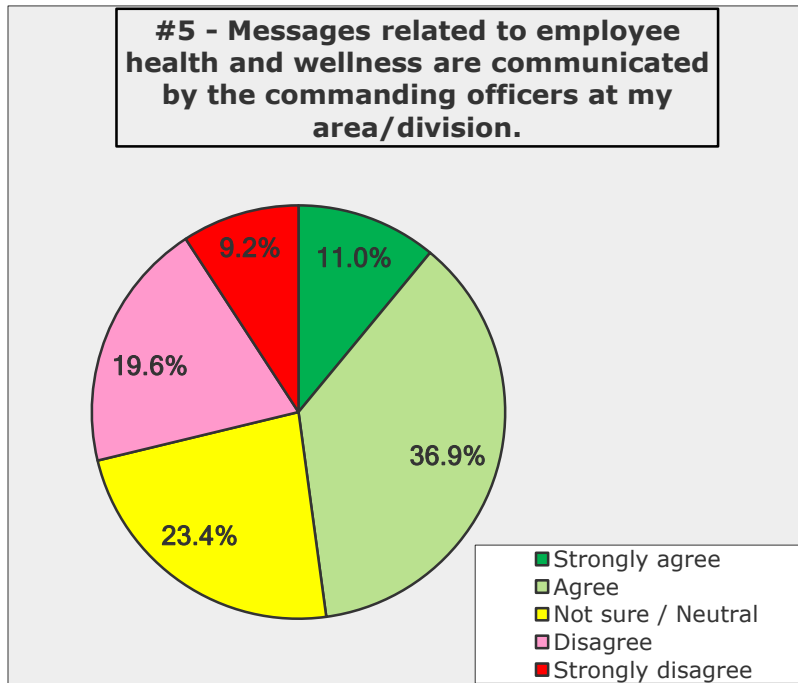
On July 21, 2014 we sent a confidential survey from the Controller's Office to all LAPD sworn employees. Since we needed to ensure confidentiality, we do not have break-down by rank or location. We present the responses to the 15 questions asked.



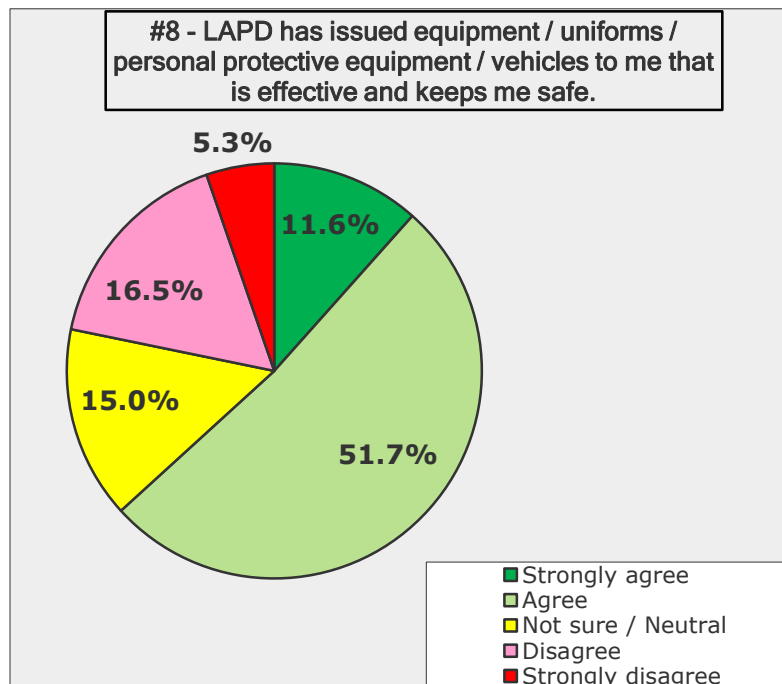
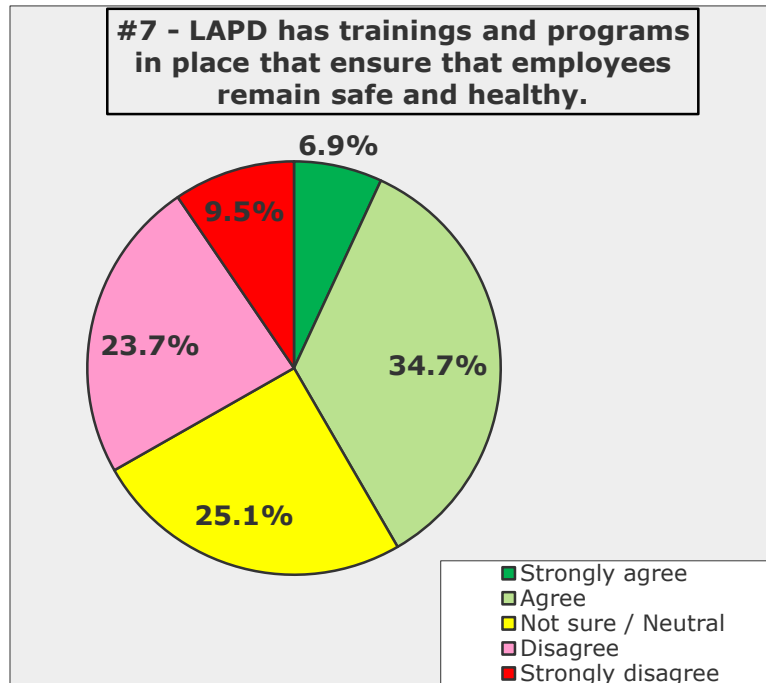
APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY



APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

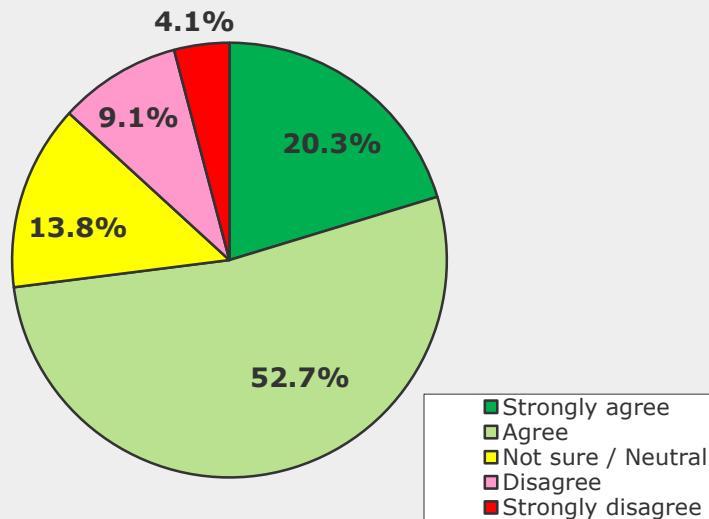


APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

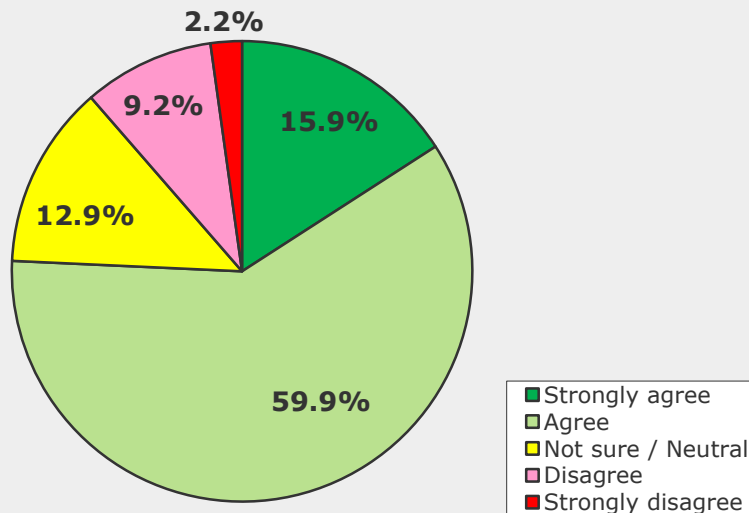


APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

#9 - I know to whom I should report any unsafe condition regarding facilities / equipment / uniforms / personal protective equipment / vehicles.

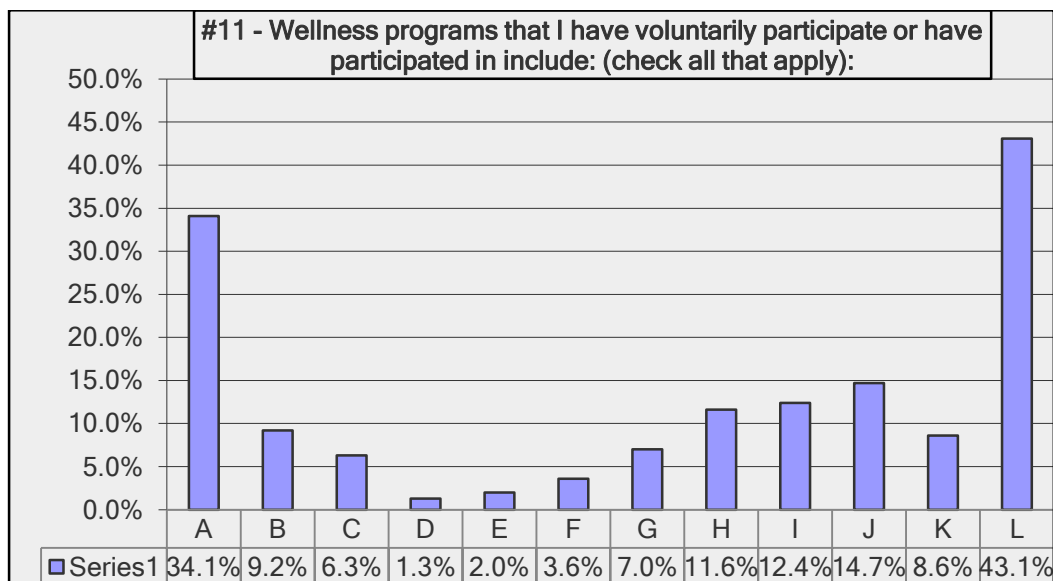


#10 - I have received the right type (quality and applicability) of training to perform my job safely, yet effectively.



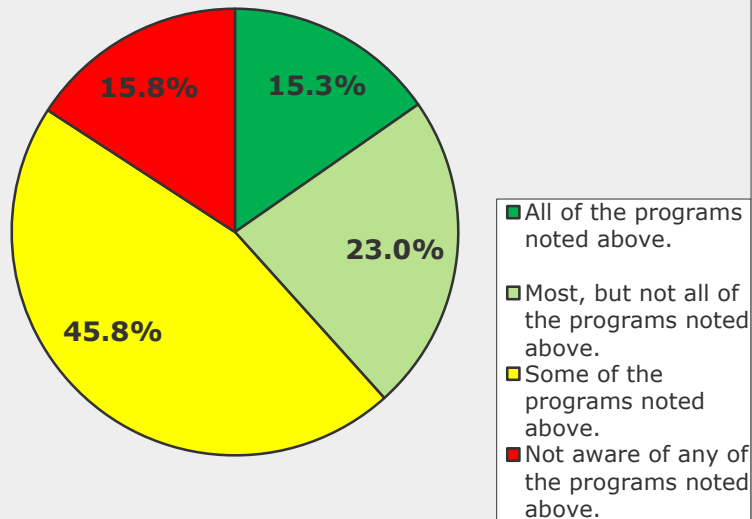
APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

#11 - Wellness programs that I have voluntarily participate or have participated in include: (check all that apply):			
Answer Options		Response Percent	Response Count
A	I am unsure or do not want to answer this question	34.1%	253
B	Weight loss programs through my medical insurance plan	9.2%	68
C	Weight loss program through Behavioral Science Services	6.3%	47
D	Smoking cessation through my medical insurance plan	1.3%	10
E	Alcohol and/or Substance abuse help through my medical plan	2.0%	15
F	Alcohol and/or Substance abuse help through the Dept. / Behavioral Science Services	3.6%	27
G	Nutrition counseling through my medical insurance plan	7.0%	52
H	Nutrition counseling through Behavioral Science Services	11.6%	86
I	Therapy / Counseling through my medical insurance plan	12.4%	92
J	Therapy / Counseling through Behavioral Science Services	14.7%	109
K	Health screenings, for example, blood pressure testing or cancer screenings through the Dept. Wellness fair and / or Behavioral Science Services	8.6%	64
L	Health screenings, for example, blood pressure testing or cancer screenings through my medical insurance plan	43.1%	320
answered question			743
skipped question			292

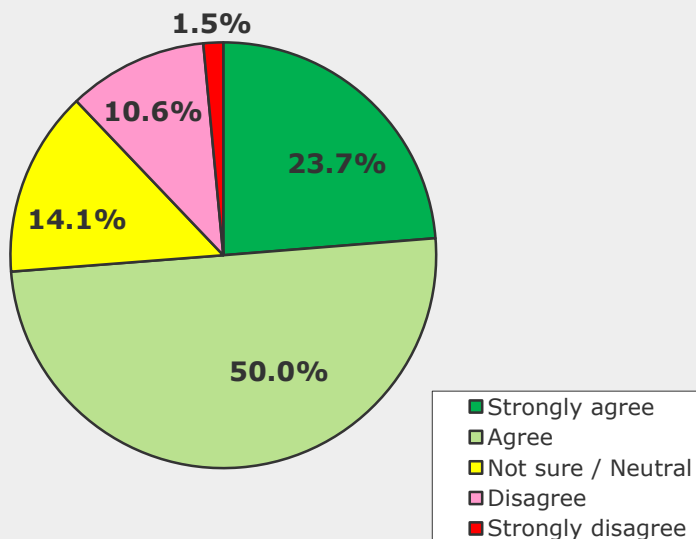


APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

#12 - I am aware of the wellness programs noted in the preceding question.

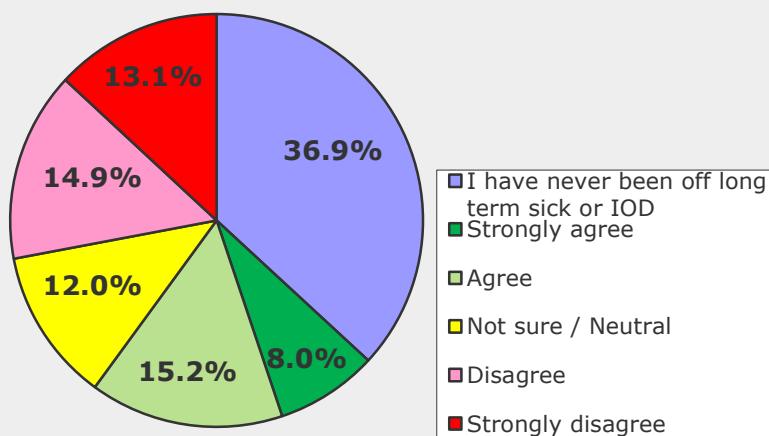


#13 - I regularly participate in a fitness activities and consider myself physically fit.

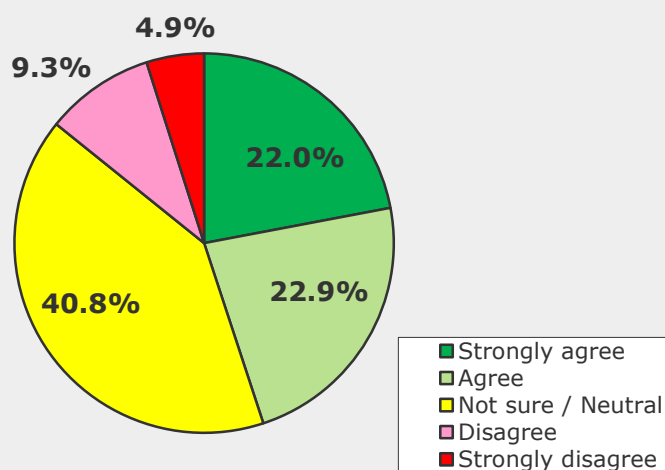


APPENDIX V – RESULTS OF LAPD SWORN EMPLOYEE SURVEY

#14 - When I have been off long term sick or off IOD, the sick/IOD coordinator in my division stayed in contact with me and helped facilitate my return to work after the treating physician cleared me for resuming duties.



#15 - Generally, do you feel that there are an excessive number of workers' compensation claims filed?



APPENDIX VI – PROPOSED RISK MANAGEMENT DATA NEEDED BY DEPARTMENTS

An ideal claims tracking reporting that provides LAPD, and other Departments with important risk management information is presented in the table below; this information could be presented through useable download (e.g. Excel or Access database) in detail or summarized by various classifications.

Field(s)	Existing Data Field	New Data Field	Comments/Drop-down wording/Examples for New Data Field
<u>Claim - Injury/Illness Information:</u>			
Claim #			
Date of Injury	X		
Day of Week of Injury		X	New collection of data
Time of Injury		X	New collection of data
Date Claim was Opened	X		
Was Claim Accepted?		X	While collected; not previously a separate field for reporting purposes
Injury	X		Per State codes – e.g. Communicable Disease, Multiple Injuries
Specific Injury/Illness		X	e.g. chicken pox, etc. Also, include ability to list all body parts, versus general "Multiple" classification.
Summary Body Part		X	e.g. combines each finger and wrist into hand, etc. Also, include ability to list all body parts, versus general "Multiple" classification.
Detailed Body Part	X		Per State codes – e.g. Right little finger, etc.
Prior Claims for Injuries to this Body Part?		X	Yes/No/Don't Know (or Can't be Determined) While information is in the system, it has not been readily determinable
Cause of Injury	X		Per State Codes – e.g. Trip, fall on same level; Multiple; etc.

APPENDIX VI – PROPOSED RISK MANAGEMENT DATA NEEDED BY DEPARTMENTS

<u>Field(s)</u>	Existing Data Field	New Data Field	Comments/Drop-down wording/Examples for New Data Field
Detailed cause of injury		X	e.g., Fell while pursuing suspect; Lifting weights; Continued strain on back from duty belt; etc. Include ability to list each for multiple causes.
Who caused the injury?		X	e.g. no one else, suspect, another officer, etc.
What caused the injury?		X	e.g. uneven sidewalk, police car, etc.
Is this a cumulative trauma injury/illness?		X	Yes/No/Don't Know (or Can't be Determined)
List whether an illness or injury		X	Injury/Illness
Was this a presumptive injury/illness?		X	Yes/No/Don't Know (or Can't be Determined)
Which presumptive injury/illness?		X	e.g. Hepatitis C, tuberculosis, back injury
Was employee performing routine job function (e.g. Police duty)?		X	Yes/No/Don't Know (or Can't be Determined)
Was injury preventable, per investigation forms?		X	Yes/No/Don't Know (or Can't be Determined)
Source(s) used for determining preventable cause		X	e.g. SAI, Traffic Adjudication Letters, Dept. comments, etc.
Was injury deemed preventable per other Dept investigation?		X	Yes/No/Don't Know (or Can't be Determined)
Was injury deemed preventable per claims analyst?		X	Yes/No/Don't Know (or Can't be Determined)
Preventable cause per investigation form		X	Specific boxes from the Supervisor's Accident Investigation (SAI) form – e.g. not following policy - see Appendix VII for SAI form
Preventable cause notes from Departments		X	Free form field, did not stretch before weight lifting
Preventable cause notes from claims analyst		X	Free form field, or if analyst has standard identification
Was a Corrective Action Plan identified on investigation forms?		X	Yes/No/Don't Know (or Can't be Determined)

APPENDIX VI – PROPOSED RISK MANAGEMENT DATA NEEDED BY DEPARTMENTS

<u>Field(s)</u>	Existing Data Field	New Data Field	Comments/Drop-down wording/Examples for New Data Field
Are Departmental/City changes needed to policy, equipment or training?		X	Yes/No/Don't Know (or Can't be Determined)
What changes are needed?		X	e.g. Policy - eliminate basketball from approved covered activities
Where did injury occur?		X	Free form field, e.g. alley behind Hollenbeck station
<u>Personal Identifying Information:</u>			
First Name	X		
Last Name	X		
Employee ID	X		
Department ID (needed for LAPD)		X	
Date of Birth	X		
Date of Hire	X		
Age at Date of Injury		X	
Number of Years of Service at Date of Injury (date opened –CT)		X	
Assigned Division #	X		
Assigned Division Name	X		
Current Division #		X	
Current Division Name		X	
Supervisor's Name (per SAI)		X	
Supervisor's Contact Info		X	
Witness Name per Investigation form(s)		X	may need multiple, as could be multiple witnesses
Witness's Contact Info per Investigation form(s)		X	may need multiple, as could be multiple witnesses
<u>Monitoring Information:</u>			
Primary Treating Physician		X	While collected; not previously a separate field for reporting ability
Primary Treating Physician Contact Info		X	While collected; not previously a separate field for reporting ability
Date of Last Doctor's Appt		X	While collected; not previously a separate field for reporting ability
Date of Next Doctor's Appt.		X	While collected; not previously a separate field for reporting ability
Does employee have work restrictions?		X	While collected; not previously a separate field for reporting ability

APPENDIX VI – PROPOSED RISK MANAGEMENT DATA NEEDED BY DEPARTMENTS

<u>Field(s)</u>	Existing Data Field	New Data Field	Comments/Drop-down wording/Examples for New Data Field
List work restrictions		X	While collected; not previously a separate field for reporting ability
Is employee off work?		X	While collected; not previously a separate field for reporting ability
Is employee on modified duty?		X	While collected; not previously a separate field for reporting ability

APPENDIX VII – SUPERVISOR'S ACCIDENT INVESTIGATION FORM (SAI)

The form shown below is from the Personnel Department as one of the required investigative forms needed when filing a workers' compensation claim. Note that this is an online form and formatting was not transferred into this appendix. Per the Personnel Department, the check boxes below highlighted are all indicators that the injury/illness was preventable.

Supervisor's Accident Investigation

(To be completed by the employee's supervisor or other responsible administrative official)

Location where accident occurred Employer's Premises: Yes No

Job site: Yes No

Date of accident or illness

Who was injured? Employee / Non-Employee

Time of accident a.m.p.m.

Job title or occupation

Name of dept. normally assigned

How long has employee worked at job where injury or illness occurred?

What property/equipment was damaged?

Property/equipment owned by:

What was employee doing when injury/illness occurred?

What machine or tool was being used?

What type of operation?

How did injury/illness occur?

List all objects and substances involved.

Part of body affected/injured?

Any prior physical conditions?

If so, what? Yes No

Nature and extent of injury/illness and property damaged (be specific)

PLEASE INDICATE ALL OF THE FOLLOWING WHICH CONTRIBUTED TO THE INJURY OR ILLNESS

☐ Improper instruction ☐ Failure to lockout ☐ Unsafe arrangement or process
☐ Lack of training or skill ☐ Unsafe position ☐ Poor ventilation
☐ Operating without authority ☐ Improper dress ☐ Improper guarding
☐ Horseplay ☐ Improper protective equipment ☐ Improper maintenance
☐ Physical or mental impairment ☐ Unsafe equipment ☐ Inoperative safety device
☐ Failure to secure ☐ Poor housekeeping ☐ Other ☐

Supervisor's corrective action to ensure this type of accident does not recur:

Was employee trained in the appropriate use of Personal Protective Equipment/Proper safety procedures? Yes / No

Was employee cautioned for failure to use Personal Protective Equipment/Proper safety procedures? Yes / No

Did employee promptly report the injury/illness? Yes / No

Is there modified duty available? Yes / No

Supervisor's name

Supervisor's Signature

Phone #

Date

APPENDIX VIII – DEPARTMENTS’ RESPONSES

This section contains Departments’ responses from the following:

- LAPD
- The Personnel Department

LOS ANGELES POLICE DEPARTMENT

CHARLIE BECK
Chief of Police



ERIC GARCETTI
Mayor

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March 16, 2015

Honorable Ron Galperin
Controller, City of Los Angeles
Room 399, City Hall East
Los Angeles, CA 90012

Dear Controller Galperin:

Thank you for providing a copy of your audit of LAPD's Workers Compensation Prevention Program with its findings and recommendations. As you know, the Department is steadfastly committed to improving the health and welfare of its nearly 13,000 employees and we have some of the most extensive programs to prevent work-related injuries experienced by our dedicated workforce. In addition, the LAPD is known throughout the world for its training programs and tactical capabilities, especially our programs and systems designed to ensure officer safety while facing the many physical dangers necessary to protect our community. In fact, the Department has a world-renowned reputation for the physical fitness of its workforce which is emphasized through our many training exercises, athletic programs, fitness challenges, and participation in international competitions. In addition, the LAPD's long-standing traditions and culture have always placed tremendous value on the health, fitness, and physical capabilities of its officers.

The Department always strives for quality through continuous improvement and is undergoing significant structural and strategic changes to further enhance our efforts to prevent work-related injuries and other harms. As you know, the LAPD's Board of Police Commissioners recently approved a new Risk Management and Harm Reduction Strategy which incorporates prevention, intervention and mitigation strategies to prevent and reduce physical, organizational, and financial harms to the public, our employees, and the City. A key component of our new approach is to develop new, innovative methods to prevent and reduce work-related injuries and the associated harms. This new strategy will incorporate many of our existing programs including robust data analysis and tracking through COMPSTAT and our extensive investigations of personnel suspected of abusing benefit programs. In addition, the Department will continue our broad-based efforts to reduce injuries caused by the many hazards prevalent in policing the city.

Our new Risk Management and Legal Affairs Group, led by the Department's new Risk Manager, and our recently created Risk Management Division are spearheading the implementation of our new strategy and will continue to work closely with your office as we improve our systems and programs. We will be incorporating many of your recommendations into these ongoing efforts and look forward to working with you and your team as we continue to prevent and reduce work-related injuries in the LAPD.

If you have any questions, please do not hesitate to contact my office at (213) 486-0150.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'C. Beck', with a stylized flourish at the end.

CHARLIE BECK
Chief of Police

Attachments

Response to the Controller's Audit of LAPD's Workers' Compensation Prevention Program

Controller's Recommendation	Entity Responsible	Recommendation Status	Department Response
1.1 Establish and implement an operational injury and illness prevention program with dedicated resources (funding and staffing) and measurable Department-wide goals and objectives to minimize its workers' compensation claims and related costs.	LAPD	In Progress	The Department is updating its Injury and Illness Prevention Program (IIPP) with guidance from Cal/OSHA. The updated IIPP will be distributed Department-wide via the Learning Management System (LMS) and be made available on the Department's Local Area Network (LAN). Additionally, the Department is conducting an extensive trend analysis of work-related injuries to establish Department-wide goals and objectives to minimize these types of injuries going forward.
1.2 a) Manage workers' compensation prevention by regularly reporting to Mayor and City Council on workers' compensation statistics, Departmental prevention efforts, and results of corrective actions. b) Consider whether existing strategies used for mitigating use of force and traffic collision incidents can be expanded to all injury risk exposures.	LAPD	Not Yet Implemented In Progress	a) This specific Recommendation should be redirected to Personnel Department as they are responsible for managing the City's Workers' Compensation Program. The Department, however, can provide information on prevention efforts and programs. b) The new Risk Management & Legal Affairs Group (RMLAG) is reviewing the successful use of force and traffic collision prevention and review process to incorporate systems and solutions to enhance work-related injury prevention.
1.3 Consider allocating or charging back workers' compensation costs to Departments' budgets, to provide a strong incentive to Departmental management to monitor, control and reduce their workers' compensation costs. Ensure LAPD is held accountable for reducing workers' compensation costs and that it is	Mayor/City Council		

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provided adequate resources (funding, staffing, information, tools) for a functional injury and illness prevention program.			
2.1 Expand Department-wide and divisional goals and strategies to reduce occupational injuries/illnesses, specifically: a) Incorporate best practices from safety experts and other agencies. b) Monitor the effectiveness of its strategy to prevent occupational injuries/illnesses. c) Strategies should include an evaluation of claims and near-misses and reasons for claims filed based on claims, types of injuries, costs, employee's demographics, at-risk employees who file multiple claims, and other factors. d) Evaluate and address the reasons for employees filing multiple claims. Review the circumstances and causes of the injuries experienced by frequent filers and develop a process to address them, which may include counseling on safety protocols, adjusting job functions, and/or investigating potential abuse of workers'	LAPD	In Progress In Progress	a) Risk Management Division (RMD) is contacting organizations participating in Cal/OSHA's Voluntary Protection Program. These entities are recognized for their outstanding health and safety management systems for protection of workers and go beyond minimal compliance with the Title 8 California Code of Regulations. Additionally, RMD is working with other large law enforcement agencies to learn of new effective methods for injury prevention and accident investigation. b-d) The Department will implement as stated in its response to Recommendations 1.1 and 1.2b above. The Department will also continue operating its Benefits Abuse Teams to investigate and refer for criminal prosecution personnel found to be unlawfully applying for or receiving workers compensation payments.

Response to the Controller's Audit of LAPD's Workers' Compensation Prevention Program

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compensation.			
<p>3.1 Address the Departmental culture by communicating illness/injury prevention efforts and holding employees and management accountable. For example,</p> <ul style="list-style-type: none"> a) Develop comprehensive messaging of workers' compensation prevention to include risk, training, monitoring, to all ranks and using all communication methods. b) Require all divisions and sections to monitor and report to senior management their workers' compensation prevention results (see Recommendation #1.2), and expand COMPSTAT reporting to include workers' compensation metrics and preventable claims. c) Incorporate officer safety and workers' compensation prevention as criteria in supervisor and management employee evaluations. d) Request City Attorney to provide training to supervisors/managers on Workers' Compensation Fraud, tailored to focus on LAPD claims history and the unique operations of the Department. 	LAPD	<p>In Progress</p> <p>In Progress</p>	<ul style="list-style-type: none"> a) The LAPD has a well-established culture of valuing physical fitness and health. The Department encourages this important characteristic of LAPD officers in its many fitness programs, exercise facilities, sports programs, athletic competitions, and nutrition and wellness initiatives. The Department will enhance the use of the intranet, the LMS, and log-in banners as methods to provide information and training on work-related injury prevention. b) The Department will soon dedicate sworn personnel in the 21 geographic Areas to serve as Divisional Risk Management Coordinators who will be reporting to management their workers' compensation prevention results, including the identification of any best practices for Department-wide implementation. Currently, the Department tracks Sick/IOD hours, traffic collisions, and other risk management metrics, for each Command, through the COMPSTAT system of metrics and accountability. In addition, the Department is exploring COMPSTAT or some other type of system to monitor prevention efforts and measure the effectiveness of interventions.

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		Not Yet Implemented	c) The Department will explore the legal and labor-related issues regarding this Recommendation to determine the feasibility of implementation.
		In Progress	d) Fraud awareness training is presented as part of the Workers Compensation Training block presented during both Sworn and Civilian Supervisor schools. This training is currently being evaluated to identify areas of enhancement and improvement.
4.1 Review and update the Police Manual, outstanding special orders, and policies and procedures to provide the necessary level of guidance. Ensure these are clearly communicated on a timely basis.	LAPD	In Progress	Personnel Group is working with Planning & Research Division to update all related special orders, policies, and procedures to provide the necessary guidance on the worker injury process to IOD coordinators, supervisors conducting such investigations, and employees who get injured.
5.1 Prioritize the implementation of the Risk Management Plan related to workers' compensation. The plan should: a) Identify the trends for Department-specific workplace injuries and determine preventable causes; b) Develop measures to prevent similar types of injuries; and c) Implement strategies to achieve the Risk Management Plan goal to reduce the number of new workers' compensation claims filed each year.	Personnel Department/ LAPD	In Progress	Under the direction of the newly appointed Special Assistant for Constitutional Policing, the Department recently introduced a new Risk Management and Harm Reduction Strategy with a focus of reducing work-related injuries. This approach differs from the previous Risk Management Plan in that it: 1) shifts the focus from managing risk to reducing identifiable harms; 2) identifies and focuses on the specific and prioritized concentration of harms, rather than using an overly broad approach dealing with managing probabilistic risk in numerous areas; 3) concentrates on the areas of harm that have consistently caused more injury as revealed by the data; 4) uses collaborative, problem-solving teams to develop innovative solutions to specific problems at the

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			operational and tactical level; 5) informs the problem-solving process with robust data analysis; 6) implements structural changes around the concentrations of harms and provides the necessary support for success; and, 7) constantly evaluates the effectiveness of the interventions and measures the reductions. Full implementation of this Strategy will institutionalize this Recommendation into operations.
6.1 Ensure appropriate data and information needs are met to facilitate workers' compensation prevention efforts until a City-wide workers' compensation risk management system is implemented to provide the necessary information. a) Identify system options to meet those needs. b) Ensure data resources are available. c) Ensure necessary data is consistently collected.	Personnel Department/ LAPD	In Progress	<p>Department employee access to the iVOS system is currently limited. Requests for data must be submitted directly to Personnel Department, which limits the utility of the iVOS system for the LAPD. Risk Management Division has initiated a project to review information currently contained in iVOS, the level of detail that could be collected from investigations, the additional information that may be needed for risk management purposes, and the feasibility of gaining full access to the iVOS system. Any possible enhancements identified will then be discussed with Personnel Department for potential implementation.</p> <p>Additionally, the Department is working with Information Technology Bureau to develop a Department-wide tracking system.</p>
6.2 Develop a strategy to implement a workers' compensation risk management reporting system.	Personnel Department		
7.1 Improve tracking and management of workers' compensation by working with the Personnel Department by	LAPD	In Progress	The Department will implement as stated in its response to Recommendation 6.1 above.

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creating an interface of internal systems with iVOS to ensure LAPD's claims information needs are met through standardized system access/reporting. This should include enabling divisions to monitor IOD usage, light (restricted) duty and return to work dates and status, and to provide information for risk management purposes.			
7.2 Periodically confirm the new LMS system contains accurate information related to employees' compliance with all safety trainings.	LAPD	In Progress	The LMS system provides reporting capability through the COGNOS system. Training Coordinators at Areas/Divisions run various reports that show completion/non-completion of courses by employees. The Department will send a reminder to Training Coordinators to review LMS to confirm safety training completion by employees, including, but not limited to first/aid and CPR (if applicable).
8.1 Ensure a standardized process to obtain conclusive data for workers' compensation claims, regarding preventable determinations and action plans. For example, a) Provide training and require supervisors to submit investigation reports centrally (e.g. to Risk Management and/or MLS). b) Ensure all investigative reports note a clear conclusion of whether the injury was potentially	LAPD	In Progress	The Department is obtaining guidance from Cal/OSHA to develop training specifically focused on the completion of quality accident investigations. Additionally, the Department will soon dedicate sworn personnel in the 21 geographic Areas to serve as Divisional Risk Management Coordinators who will review injury investigation reports to identify any lessons learned and investigation deficiencies. Furthermore, RMD will be reviewing significant work-related accidents involving employee death or aggravated injuries to identify any lessons learned that can be disseminated Department-wide.

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preventable, and provide details on the injury cause, and a corrective action plan. <i>Note: If the Department allows other investigative reports to replace the Supervisor's Investigation Forms (Use of Force, Traffic Collision), those reports should address all workers' compensation data needs to enable analysis (also see Recommendations #2.1 and #9.1).</i>			
9.1 Ensure that Safety Committees are operational at all divisions and ensure they perform the responsibilities outlined in the IIPP, including conducting facility inspections for safety hazards, ensure posting of Cal/OSHA Summary Forms, and review all workplace injuries and workers' compensation claims to determine whether it was preventable, by ensuring use of investigative reports (see Recommendation #8.1).	LAPD	In Progress	The Department is in the process of reactivating divisional and bureau Safety Committees, providing additional guidance on their responsibilities to review injury investigation reports, the frequency of meetings and facility safety inspections, and the postings of Cal/OSHA Summary Forms.
9.2 Prioritize safety within the Department through a) an evaluation of MLS and Department's Safety Officer role and responsibilities and level of authority; b) establishing an overarching Department Safety Committee, or a	LAPD	In Progress	The RMLAG will be reviewing the responsibilities of MLS and the Department's Safety Officer, as well as, evaluating whether there is a need for a Department Safety Committee. The Department has recently taken a number of steps to equip officers with safer uniforms and equipment. Specifically, new motorcycle helmets with better technology

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<p>Liability Management Committee to address a unified approach to workers' compensation prevention; c) equipping officers with safer uniforms and equipment based on leading practices, and injury occurrences. These may include motorcycle helmets, light-weight duty belts/accessories, shatterproof glass or film on car windows, delay in body armor distribution, and other areas identified by ongoing reviews of claims injury causes.</p>			<p>and full face coverage have been distributed, recruits are now being issued light weight duty belts, and body armor is being distributed appropriately based upon deployment. Furthermore, due to new regulations, the Level 2 body armor vest was no longer pliable and made of a heavier weight, which resulted in the vests were not fitting properly. This has been rectified and the Department will be acquiring a higher level rated vest (Level 3) that is more pliable and lighter weight at no additional cost to the City. Regarding glass in vehicles, the Department complies with federal regulations on glazing materials for all glass in motor vehicles. The glazing requirements reduce injuries by ensuring a necessary degree of transparency for driver visibility and to minimize the possibility of occupants being thrown through the vehicle windows in collisions.</p> <p>Currently, shatterproof glass is not offered on side windows from vehicle manufacturers that meets federal regulations. However, research is being conducted to determine if laminated side glass, similar to that in windshields, is feasible as side window glazing. The concern is the ability to extract victims from a car quickly in the event of an emergency. Additionally, there are no aftermarket solutions evaluated for crash testing by vehicle manufacturers.</p>
<p>10.1 Design training programs, as needed, which are data-driven from claims analysis and input from staff review for common causes of injury that</p>	<p>LAPD</p>	<p>In Progress</p>	<p>The Department will implement as set forth in its response to Recommendation 5.1 above.</p>

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could be prevented, had the officers been better trained in that area. Consider designing training based on an evaluation of injuries/illnesses by age or years of service.			
11.1 Establish procedures, training and controls to ensure that the new Learning Management System provides management reporting to training coordinators and commanding officers to ensure full compliance with mandated safety training.	LAPD	In Progress	The Department is in progress with implementation as set forth in its response to Recommendation 7.2 above.
12.1 Enhance the Return to Work program. a) Clearly define roles and responsibilities for all LAPD staff involved with IOD monitoring, reporting and facilitating employees' return to work. This should include developing detailed policies and procedures, effective IT systems and monitoring processes. b) Measure attainment of goals for RTWS and MLS (per Recommendation #2.1) through performance metrics and provide regular updates on progress and results. c) Ensure that IOD reporting (e.g. COMPSTAT) is	LAPD	In Progress	The Department and Board of Police Commissioners recently approved a new comprehensive Risk Management and Harm Reduction Strategy as set forth in the response to Recommendation 5.1 above. Reporting, metrics, and additional policies and procedures will be analyzed and updated to be consistent with the Department's new Strategy.

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accurately coded, verified and reconciled to PaySR.			
13.1 Establish and update policies (including Police Manual) and related procedures (including desk manuals) for IOD that clearly state: a) the frequency of employee contacts; b) the content of communications by the sick/IOD coordinators; c) the appropriateness of monitoring and contacts between the injured employee and the division's management, supervisors and sick/IOD coordinator; and d) system access and IOD reporting procedures.	LAPD	In Progress	As set forth in the Department's response to Recommendation 4.1, the Department is reviewing and updating all orders, policies, and procedures to enhance and improve tracking and reporting requirements.
13.2 Establish standardized training for sick/IOD coordinators and ensure that all new coordinators promptly receive training on their new roles.	LAPD	In Progress	A standardized LMS training for all current and future sick and IOD coordinators will be implemented by the fourth quarter of 2015. This training will augment the bi-annual training already in place for all sick and IOD coordinators.
14.1 Develop and document standardized desk procedures for the RTWS and MLS Sections. The procedures should incorporate a standardized data system to monitor IOD usage and Return to Work processes (as discussed in Recommendation #6.1).	LAPD	In Progress	The Department is developing standardized desk procedures for the RTWS and MLS and evaluating their current role in monitoring IOD usage and Return to Work processes.
15.1 Address how the Department implements temporary disability	LAPD	In Progress	The Department is in the process of revising Special Order No. 7 (2006), Temporary Modified Duty/Reasonable

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evaluations/accommodations and complies with the City's policy for accommodating modified duty employees. The Department should: a) Establish a consistent monitoring process whereby the Department's Disability Management Coordinator is periodically evaluating employees at appropriate timeframes; b) Ensure that all injured employees on IOD are referred to the RTWS as soon as feasible, but no longer than 180 days.			Accommodation. The revised special order will enhance the oversight of temporary disability evaluations/accommodations. Additionally, the Department will evaluate whether the decision to refer an employee to RTWS after 180 days should be mandatory or remain the discretion of the Area/Division Commanding Officer
16.1 Implement a comprehensive Department-wide health and wellness program: a) Evaluate existing and new health and wellness programs for outcomes, comparing program costs against workers' compensation costs by reviewing impact on claims and examining industry studies to determine whether to expand existing or add new programs; b) Work with the Los Angeles Police Protective League or another support organization to establish a program for police officers (below Captain) that is similar to "BlueLife" to promote health and wellness	LAPD	<p>In Progress</p> <p>Implemented</p> <p>In Progress</p>	<p>a) Behavioral Science Services will conduct a detailed evaluation of existing and new health and wellness programs and offer recommendations as appropriate.</p> <p>b) As of January 2015, the Los Angeles Police Relief Association (LAPRA) has made the My Healthy Lifestyles Wellness Program available to its members, which includes free gym membership, weight loss challenges, and a nurse-practitioner hotline to supplement existing wellness programs in the Department.</p> <p>c) Documented safety inspections, including any workout areas, will be conducted as part of the Divisional Safety Committee activity.</p>

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throughout LAPD; c) Evaluate how to ensure consistency with access to adequately maintained and monitored gyms and fitness activities; d) Better define and support health and wellness roles, such as identifying the need for and designating physical fitness coordinators and wellness coordinators at divisions.		In Progress	d) Department policy requires divisions that maintain Department-approved weight training equipment to assign a Physical Fitness Coordinator to certify employees are properly trained in the use of such equipment and to conduct regular inspections of the equipment. The Department will conduct an assessment to determine whether a physical fitness or wellness coordinator should be assigned at all Areas/Divisions.
17.1 Evaluate how the Department can promote healthy lifestyle, physical fitness and healthy weight, including the consideration of Department-wide physical fitness qualification tests and incentives.	LAPD	Not Yet Implemented	The Department will implement as set forth in its response to Recommendation 3.1c above. In addition, civilian and sworn personnel will continue active participation in Department athletic leagues and law enforcement competitions, including fielding more than 30 running teams in the annual Baker to Vegas relay.
17.2 Form a joint labor management committee to evaluate the potential savings from full implementation of wellness and fitness programs including the benefit of providing incentives to sworn police employees who meet related fitness standards.	LAPD, in conjunction with CAO	Not Yet Implemented	The Department will implement as set forth in its response to Recommendation 3.1c above.
18.1 On an annual basis identify the sports and physical fitness activities that are approved as work-related. The approved list of activities should be formally documented and provided to the TPA.	LAPD	Implemented	As of March 2015, the Office of Administrative Services has formalized this process and the list of Department approved work-related fitness activities will now be officially signed off by the Chief of Police each year.

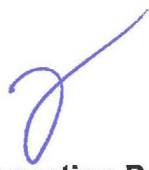
Response to the Controller’s Audit of LAPD’s Workers’ Compensation Prevention Program

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18.2 Evaluate its policy of approved sports activities for sworn personnel that are covered by workers’ compensation.	The City		

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: March 16, 2015

To: Farid Saffar, Director of Auditing
Office of the City Controller

From: Wendy Macy, General Manager
Personnel Department 

Subject: **Audit of LAPD's Workers' Compensation Prevention Program**

We received your correspondence regarding the upcoming release of the "Audit of LAPD's Workers' Compensation Prevention Program" and request to provide an action plan with respect to the following revised recommendation:

Recommendation 6.2 - The Personnel Department should develop a strategy to implement a workers' compensation risk management reporting system

We have also reviewed the draft report section concerning Finding #6 and Recommendation #6.2. In summary, we share your observations regarding the need for the departments to have access to necessary data and conduct on-the-job injury root cause analysis as part of an overall risk management strategy. However, we believe the development of a workers' compensation risk management reporting system should be part of a broader discussion about a citywide risk management system and involve the following Departments: City Administrative Office Risk Management, City Attorney's Office, Information Technology Agency and key operating departments. We would welcome the opportunity to participate in that discussion.

The draft report indicates the LAPD partially utilizes the workers compensation claims management system (iVOS) to extract on-the-job injury information and that the iVOS system does not contain all necessary information to meet the department needs. As previously indicated in the comments submitted on January 29, 2015 (Attachment A) when the iVOS project was approved, its primary purpose was to facilitate claims payments, and a separate system for risk analysis and reporting was recommended. The iVOS system went live on May 27, 2014 and the Personnel Department has since provided departments with training and access to iVOS. The Personnel Department will continue work with departments and encourage them to maximize iVOS current capabilities. The Personnel Department will also work with LAPD and determine the feasibility to enhance iVOS to meet their workers' compensation risk management needs. However, significant system and program enhancements to iVOS will need to be part of the City overall budget and contracting approval processes.

I hope the feedback and suggestions are helpful in our mutual goal of reducing injuries. If you have any questions, please contact David Noltemeyer at david.noltemeyer@lacity.org or Alex Basquez at alex.basquez@lacity.org.

attachment A

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: January 29, 2015

To: Cynthia Varela
Office of the City Controller

From: Wendy Macy, General Manager
Personnel Department

Subject: **Audit of LAPD's Workers' Compensation Prevention Program**

Thank you for giving us the opportunity to review and comment on the draft audit of LAPD's Workers' Compensation Prevention Program. I have read and reviewed the draft and have provided comments for your consideration.

In summary, current City policies require an investigation of work related injuries at the time of the accident and adherence to this is the most effective approach to loss prevention. An effective risk management reporting system would be a helpful tool to analyze trends. When the iVOS was implemented, its primary purpose was to facilitate claims payments, and a separate system for risk analysis and reporting was recommended.

The following are some key points we believe the audit should address:

- **City and State Policies Regarding Safety and Accident Prevention**

Current City policies and state law require each Department to investigate work injuries and illness to prevent and reduce recurrence. We believe that Department adherence to these policies would help to identify the root cause of workplace injuries and assist in developing strategies to minimize workers compensation claims. It would be important to emphasize adherence to the current safety and accident investigation requirements outlined in the attached Safety Bulletins related to Cal OSHA Reporting and Injury and illness Prevention Program (IIPP) or state policies.

- **iVOS**

In April 2008, the City Attorney's Office issued a Request for Proposal (RFP) to address a broad range of related risk management activities including workers' compensation claims management, calendaring, and case management for non-workers' compensation civil cases, and overall risk management reporting. An RFP review panel representing the Personnel Department, City Attorney's Office, ITA, and CAO found Aon eSolutions, Inc. (Aon), the technology services arm of Aon Corporation, to be the most qualified and best overall value provider of a workers' compensation solution that resolved the inadequacies of the LINX system. The City Council concurred. The review panel further determined that a

separate solution for risk management reporting and civil case management outside of workers' compensation would be more cost-effective.

The iVOS Claims Administration system (iVOS) was implemented to replace the City's workers' compensation claims management system which assists with claims administration and processes benefit payments. The City Council approved the City's workers' compensation claims management computer replacement project and scope in 2012 (CF # 07-1618 and 06-060-59). This did not include a risk management reporting component. We think the Audit should be clear that the original scope of the iVOS system did not include risk management reporting.

The Personnel Department has provided LAPD personnel with several iVOS training sessions. LAPD personnel have access to iVOS data and reporting capability as well as IOD payment data via PaySR. We would be happy to open a dialog with LAPD to ensure they maximize the data currently available in iVOS and PaySR.

- **LAPD Lacks Risk Management System**

The audit indicates that LAPD is unable to identify preventable injuries or illness because the department lacks adequate information systems. The audit also seems to indicate that LAPD needs to improve the reporting strategy. We believe the later item needs to be addressed before developing an automated system.

- **Work Restriction Data**

The Personnel Department is currently working with the PaySR Team to automate the process of tracking employee work restriction data for both workplace injuries and non-workplace injuries. This would allow department human resource staff to access current work restriction data and facilitate return to work efforts. The work restriction feature has been on the PaySR wish list for over 10 years. The draft audit report indicates that work restriction data should be entered into a risk management system; however this may not be the most effective way to allow users to access the data needed for return to work efforts, as opposed to the PaySR solution.

I hope the feedback and suggestions are helpful in our mutual goal of reducing injuries. If you have any questions, please contact David Noltemeyer at david.noltemeyer@lacity.org or Alex Basquez at alex.basquez@lacity.org.

Attachment



Safety Bulletin

INJURY & ILLNESS PREVENTION PROGRAM

The California Code of Regulations (CCR), Title 8, General Industry Safety Orders, Section 3203 requires all employers have an Injury and Illness Prevention Program (IIPP). The IIPP is a comprehensive plan that will assist management in determining what hazards exist in the work place, how to correct hazards and what steps to take to prevent them from recurring. An effective IIPP will protect the health and safety of employees, improve morale, reduce the costs/risks associated with workplace injuries and illnesses and minimize the potential for regulatory violations/penalties from the California Occupational Safety and Health Administration (Cal-OSHA).

Your IIPP must be a written plan that includes the following procedures and is put into practice. The required elements are as follows:

1. System for ensuring that employees comply with health and safety policies.
2. Means of communicating on matters relating to occupational health and safety, including provisions designed to encourage employees to inform their managers/supervisors of workplace hazards without fear of reprisal.
3. Procedures for identifying and evaluating workplace hazards including scheduled periodic inspections of the workplace.
4. Accident investigations.
5. Methods for correcting unsafe or unhealthy work conditions, practices and/or procedures in a timely manner, based on the severity of the hazard.
6. Provide training and instruction as needed, such as upon hire, change of process or equipment or when hazards are identified.
7. Recordkeeping and documentation.

The City has a wide variety of departments and each one is required to have an IIPP. In larger departments where work practices and job requirements vary greatly, more than one IIPP may be necessary. Check with the City Safety Administrator in the Personnel Department's Occupational Safety and Health Division (OSHD) to verify. The IIPP(s) need to be approved by the department's General Manager and once approved a copy should be sent to the City Safety Administrator. Creating your written IIPP is only the start. The OSHD of the Personnel Department will help you develop and implement your program. Below are links you may find helpful in the development and implementation of the IIPP:

http://per.lacity.org/safety/Safety_Intro_Prevention_Prog.htm

https://www.dir.ca.gov/dosh/dosh_publications/iipp.html

For further assistance you may contact the City Safety Engineer, Allan Tan at 213 473-6981