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MEETING NOTICE:

The Advisory Council on Workers' Compensation and Occupational Disease Disablement has a virtual meeting set for 1 p.m., Thursday, November 5, 2020. To virtually attend the meeting, tune in to the WCA's Facebook page at: <https://www.facebook.com/NMWCA>.

Safe Driving an Important Part of Workplace Safety

By Aileen O'Catherine

October is Distracted Driving Awareness Month, an issue the National Safety Council has highlighted for the past 10 years. The increasing trend of "driver inattention" has resulted in an uptick in motor vehicle accidents, to include motor vehicle accidents in the workplace.

In 2019, of the 3,835 indemnity claims reported to the New Mexico Workers' Compensation Administration (WCA), 182 injuries, or 21.07% of claims, cited "motor vehicles" as the cause of injury. According to the WCA Claims Database, motor vehicles were the leading cause of occupational fatalities in 2019, as they have been since 2012. In 2019, there were 41 workplace deaths in New Mexico. Of those, 17, or 41.5%, listed "motor vehicle" as cause of death, the largest number in the "cause of death" category. For more information on 2019 workplace injuries and accidents, see the 2019 Annual Report at <https://workerscomp.nm.gov/Publications>.

According to the National Safety Council, the top five distractions for drivers are:

1. Daydreaming, Drowsy, Not Focused:
Be mindful when driving. Plan ahead, and be sure to be well rested before driving.
2. Using Cell Phone While Driving:
Place phone on "do not disturb" and leave all calls, texts and social media updates for when the vehicle is stopped.
3. Activity Happening Outside Vehicle:
Stay focused and aware of the distance traveled when taking your eyes off the road.
4. Talking to People in the Vehicle:
Be mindful of when conversations become distracting. Pull over if the conversation needs your full attention.
5. Eating and Drinking While Driving:
Make a conscious decision to stop and eat or complete your meal before driving.

Distracted driving creates unsafe conditions that can be not only dangerous, but deadly. Commit to a safe workplace. Take the pledge to save lives by not driving distractedly.

Distracted Driving Can Be Likened to Driving Blindfolded

Research shows simply listening to a phone conversation:

- Decreases brain activity by more than one-third
- Results in safety performance issues, like the inability to react quickly in congested driving zones

In America, eight people die every day in distracted driving crashes



Motor Vehicle Safety Issues: Distracted Driving. National Safety Council/Injury Facts. November 2019. <https://injuryfacts.nsc.org/motor-vehicle/motor-vehicle-safety-issues/distracted-driving/>

Michael Holt Named Enforcement Bureau Chief

Michael Holt began as the WCA Enforcement Bureau Chief on September 8, 2020. Holt graduated from Northern Arizona University in Flagstaff, Ariz., with a degree in geology in 1984. In 1990, he graduated from John Marshall Law School in Chicago.

Holt was in private litigation practice in Illinois for 27 years, with a focus on workers' compensation and personal injury. He and his wife have relocated to Corrales to be closer to family. They have two grown children. In his personal time, Holt enjoys working in the yard, exercise, and seeing firsthand the geologic wonders of New Mexico and the southwest.

Holt is happy to have landed in the beautiful southwest, and at the WCA. "I look forward to being part of a group of dedicated professionals pulling together to achieve the goals of the WCA," he said. "It will be good to play a role in enforcing insurance requirements so if a worker becomes injured on the job, they'll be covered by workers' compensation insurance."

Acting Deputy Director Kenneth Owens is excited to have Holt on board. "We are very fortunate to have Mike join the agency," Owens said. "His extensive experience in workers' compensation law has been an immediate benefit to our enforcement efforts."



*Enforcement Bureau Chief
Michael Holt*

Holt replaces Lucy Solimon, who was appointed to the New Mexico 2nd Judicial Court bench.

2020 Annual Report Now Available Online

By Aileen O'Catherine

The WCA's 2020 Annual Report was published in early October online at the agency website. The report highlights the WCA's successes and places where improvements can be made. Several highlights from the report include:

- Injuries, non-indemnity claims and

fatalities rose slightly in 2019.

- Work-related fatalities rose in 2019, with motor vehicles the most common cause of occupational fatalities (see story on page 1).
- The average premium per \$100 of payroll decreased in 2019.
- More disputes were closed in 2019 in a shorter, 90-day period compared to 2018.
- The WCA continued its work despite the challenges posed by COVID-19, finding workarounds that have kept departments functional and operations timely.
- Early data on COVID-19 workplace claims.

To request a printed report, email WCA-PIO@state.nm.us, or find it



The 2020 Annual Report

online at <https://workerscomp.nm.gov/NMWCA-Publications>.

NM Workers' Comp. Adm. Quarterly Bulletin

Loretta Lopez, Director
Diana Sandoval-Tapia, Public Information Officer
Aileen O'Catherine, Public Relations Specialist

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

What is the Advisory Council?

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

Owen Johnson Joins Mediation Bureau

Owen Johnson joined the WCA mediation bureau as an attorney mediator in July 2020. The Utah native grew up in St. George and received a B.A. in English from the University of Utah. Johnson has called New Mexico home for the past 13 years, graduating from UNM School of Law in 2012.

Prior to entering the legal field, Johnson worked in communications and public relations, most recently at Naropa University in Colorado. Since earning a J.D., he has worked with tribunals adjudicating unemployment insurance and social security disability.

Johnson was most recently employed with the State Environment

Department's Office of General Counsel. He has also worked for the Social Security Administration and as an administrative law judge for the New Mexico Department of Workforce Solutions. Johnson and his wife have a toddler daughter.

"As a former administrative law judge, Owen has brought a tremendous amount of experience to his role as a mediator and has quickly demonstrated his ability to listen and find common ground that benefits all sides," said Mediation Bureau Chief Kenneth Owens, who also currently serves as Acting Deputy Director.



WCA Mediator
Owen Johnson

The WCA is adding a fourth attorney mediator position. For details, or to apply, visit <https://www.spo.state.nm.us>.

WCA Holiday Food Drive to Benefit Roadrunner Food Bank

By Aileen O'Catherine

The WCA will hold a holiday food drive to benefit the Roadrunner Food Bank (RRFB). In the final months of 2019, the WCA collected 395 lbs. of donated food, enough for 474 meals. Contributions came from the workers' compensation community and agency staff.

This year, the WCA will implement safety practices to mitigate any spread of COVID-19. A box will be placed outside the front entry lobby area so those who want to donate food can do so without having to enter the building.

The campaign will run November 2 to 25, 2020. WCA staff will drop donated goods off at the RRFB when the collection has ended, in time for Thanksgiving.

This year, it is especially important to remember those who might need food, as the pandemic has created a

great deal more food insecurity. The impact of COVID-19 in New Mexico shows 1 in 3 children is at risk of hunger, and 1 in 5 people overall.

Items needed for the food drive include non-perishable foods that do not require refrigeration. No homemade food items or any food items without ingredient labels are allowed.

Helping the food drive doesn't necessarily mean driving to the WCA offices to drop off donations. Giving money through the RRFB's website portal also helps. Donate through the WCA link at the RRFBhere, or cite WCA Food Drive in the notes field of your online donation.

A third way to help is to drop off at one of the RRFB's drop off locations. In Albuquerque, each location accepts non-perishable items during their operating hours.



WCA Staff with 2019 Food Drive Collection

The RRFB Albuquerque distribution hub is located at 5840 Office Blvd. NE and is open Monday through Friday from 8 a.m. to 4 p.m. and Saturday from 8 a.m. to 2 p.m. APD substations are open Monday through Friday from 8 a.m. to 5 p.m. Libraries and community centers take items as well. Check individual locations for hours.

Michael Gauthier Named Employee of the Quarter

The New Mexico Workers' Compensation Administration (WCA) announced Facilities Clerk Michael Gauthier as its Employee of the Quarter for the third quarter of 2020. The quarterly award recognizes agency employees who exemplify excellence in the workplace.

Mike was nominated for his work in cleaning and repairing the lift station at the WCA's Las Vegas building. The lift station is part of the building's wastewater system that transfers sewage to the city lines. "It was a hot, dirty, smelly job that saved the WCA money

since someone didn't have to come out to do it," said a nominator. It was also noted that Mike is always happy to help, whether that means helping entire bureaus move computers and equipment, or in the cleanup afterward. "He always has a friendly, professional attitude," noted one nominator.

Employees who receive the award are given a specially marked parking space for the duration of the quarter, and get their name added to a plaque displayed at the Albuquerque building.



*Employee of the Quarter
Facilities Clerk Michael Gauthier*



HOLIDAY CLOSURE

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

- Veteran's Day,
Wednesday, November 11**
- Thanksgiving Holiday,
Thursday, November 26**
- Friday, November 27,**
- Christmas Day,
Friday, December 25**
- New Year's Day
Friday, January 1**
- Martin Luther King Day
Monday, January 18**

Fee Schedule Changes Available for Review

The New Mexico Workers' Compensation Administration's Proposed "2021 Health Care Providers' Fee Schedule & Billing Instructions" is available for review on its website <https://workerscomp.nm.gov/Healthcare-Providers>. The NM WCA will hold a public hearing on the proposal at 1:30 p.m. Thursday, October 29, 2020, via virtual setting, and streamed to the agency's Facebook

New Mexico Workers' Compensation Administration Offices:

MAIN OFFICE

Location & Main Mail Address:

2410 Centre Ave. SE
Albuquerque, NM 87106-4190

Alternate Mailing Address:

PO Box 27198
Albuquerque, NM 87125-7198

Phone Numbers:

Phone: (505) 841-6000
In state toll-free phone:
1-800-255-7965
Fax Clerk of the Court:
(505) 841-6060
Director's Fax: (505) 841-6009

Regional Offices

Farmington:

2700 Farmington Ave., Bldg.
E, Ste. 2
Farmington, NM 87401
Phone: (505) 599-9746
In state toll-free phone:
1-800-568-7310
Fax: (505) 599-9753

Hobbs:

James M. Murray Building
2120 North Alto, Unit 3
Hobbs, NM 88240
Phone: (575) 397-3425
In state toll-free phone:
1-800-934-2450

Las Cruces:

2407 W. Picacho, Ste. D
Las Cruces, NM 88007
Phone: (575) 524-6246
In state toll-free phone:
1-800-870-6826
Fax: (575) 524-6249

Las Vegas:

32 NM 65
Las Vegas, NM 87701
Phone: (505) 454-9251
In state toll-free phone:
1-800-281-7889
Fax: (505) 454-9248

Roswell:

Penn Plaza Building
400 N. Pennsylvania Ave., Ste. 425
Roswell, NM 88201
Phone: (575) 623-3781
In state toll-free phone:
1-866-311-8587
Fax: (575) 623-0078

Santa Fe:

Aspen Plaza
1596 Pacheco, St. #202
Santa Fe, NM 87505
Phone: (505) 476-7381
Fax: (505) 476-7390

WCA Helpline-Hotline: (toll free in New Mexico)

1-866-WORKOMP 1-866-967-5667

WCA Website:

<https://workerscomp.nm.gov>