



MarshMcLennan
Agency

Minors at the jobsite – Insurance and Risk Management

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Insurance

Does your insurance prevent you from hiring minors?

General Liability

- Third Party Injury – Bodily Injury and Property Damage
 - Operations – at the job site
 - Completed Operations – after the job is completed

Business Auto

- Third Party Injury – Bodily Injury and Property Damage – Accidents

Workers Compensation

- Employee Injury

Workers Compensation Benefits

- The statutory time frame in which to claim compensation is set aside until a guardian is appointed or the minor reaches majority
- **AS 23.30.105** – Time for Filing a Claim
 - **(c)** If a person who is entitled to compensation under this chapter is mentally incompetent or **a minor**, the provisions of (a) of this section are not applicable so long as the person has no guardian or other authorized representative, but are applicable in the case of a person who is mentally incompetent or a minor from the date of appointment of a guardian or other representative, **or in the case of a minor, if no guardian is appointed before the person becomes of age, from the date the person becomes of age.**

Workers Compensation Benefits

Workers If the injured employee is a minor whose wages would normally have increased during the period of disability, the board can consider the projected increase in computing the gross weekly wages of the employee
Compensation

AS 23.30.220. Determination of Spendable Weekly Wage

(8) if an employee **when injured is a minor**, an apprentice, or a trainee in a formalized training program, as determined by the board, whose wages under normal conditions would increase during the period of disability, the projected increase may be considered by the board in computing the gross weekly earnings of the employee; **if the minor**, apprentice, or trainee would have likely continued that training program, then the compensation shall be the average weekly wage at the time of injury rather than that based on the individual's prior earnings;

Insurance Underwriting

Coverage Forms

- Standard and Proprietary
 - Exclusions and Limitations – Verify - read your policies or ask your insurance broker

Underwriter responses

- While it is likely folks know these laws, my first focus is on the child labor law. It is quite strict, and goes by age. Work permits are required under several of the groups:

<https://labor.alaska.gov/lss/childlaw.htm>

- The next item is training. OSHA training (10 hour or equivalent) is highly recommended. Especially the parts that include workers' rights. Training should be site specific, task specific, and include high supervision by professionals who understand exposures and controls in the construction industry. I would advise against any working from heights greater than 6 feet.

Alaska National

Underwriter responses

- In general, our concerns with young drivers (25 and younger) is the lack of driving experience. In a perfect world these drivers would go through driver training with the insured or an outside organization program, and then continuing training there after which could include training videos for example.
- Running and reviewing MVRs at hire and annually or even semiannually is ideal. When we receive notice of a young driver we review their MVR every 6 months as continued monitoring.
- Orientation for young drivers should include ride-alongs with experienced drivers to provide them with hands on training and best practices.
- Young drivers should be limited in their driver responsibilities to the least hazardous driving routes and conditions. For example, we would not want a young driver driving between Anchorage and Fairbanks or the Kenai or driving during a winter storm.

Alaska National

- 1. Verify Ages of Youth-aged Workers
- 2. Ensure Managers Are Trained on Child Labor Laws
- 3. Educate Youth-aged Workers on Prohibited Jobs and Permitted Schedules
- 4. Review Time Records
- 5. Post Warning Labels on Prohibited Equipment
- 6. Train Youth-aged Workers on Job Hazards and Safety Precautions
- 7. Encourage Youth-aged Workers to Raise Safety Concerns

Additional Risk Management

- Recognize potential hazards.
- Eliminate any issues present in your workplace that could injure a young worker.
- Make sure that equipment used by workers is safe and legal.
- Supervise young workers.
- Be certain that young workers are appropriately supervised at all times.
- Inform supervisors and adult workers of the tasks that teens should not perform.
- Make sure that young workers are appropriately supervised at all times.
- Label the equipment that teens cannot use, or color-code their uniforms so that others know they may not perform certain tasks.
- Periodically verify through supervisors that teens are obeying safety practices.
- Provide training

Risk Management continued

- Educate young workers to ensure that they recognize hazards and are competent regarding safe working practices.
- Training should include how to prepare for fires, accidents, violent situations and protocol for injuries. Teens need to know that they have a right to file a claim to cover their medical benefits and lost work time if they are injured.
- Have young workers demonstrate that they can perform assigned task safely and correctly.
- Implement a mentoring or buddy system for new young workers. Have either an adult or an experienced teen worker act as a buddy, and answer questions to help the inexperienced worker learn the ropes of the new job.
- Ensure that equipment used by teen workers is both legal and safe.
- Develop an injury and illness prevention program.
- Work with supervisors and experienced staff members to create a comprehensive safety program that includes an injury and illness prevention initiative.
- Identify and solve safety and health problems that arise or typically have been an issue in the past.



Questions?

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