



Spring into Safety: Insurance Considerations for High-Risk Seasonal Work

For many landscapers and nursery owners, spring is an exciting, yet busy, return to the regular work season after a long, slow winter. With a flurry of client requests right around the corner or already underway, spring is when many business owners embark on necessary hiring, purchasing and scheduling initiatives.

While these efforts are essential to keeping your business running smoothly, they also expose inexperienced employees to seasonal risks, such as driving company vehicles, operating heavy machinery and following fast-paced timelines. For your business, these factors unfortunately open the door to work-related injuries, property damage and related claims.

Continue reading to gain a better understanding of how seasonal hiring, new drivers and outdoor conditions can impact your workers' compensation and liability coverages, plus what steps you can take to keep claims low and control these costs.

The Spring Season: A Bouquet of Possibility and Risk

To run a successful landscaping or nursery business, you need workers to handle client projects, assist customers at your storefront and complete other important duties, such as making deliveries. While seasonal hiring can support these efforts, inexperienced employees can also introduce costly complications and even fatalities if not properly managed.

Here are some scenarios that might seem familiar to you, based on your hiring efforts:

- You hire a new box-truck driver for large plant deliveries. While he was an avid student during your explanation on how to secure the plants to keep them safe and undamaged, he didn't apply the same approach to the truck itself. He strikes another vehicle while backing out of your client's driveway.
- A new employee is eager to make his mark on the job site. When you explain how important it is to keep the work area free of harmful debris, he jumps right into action, picking up broken masonry shards. Unfortunately, he uses his bare hands, and you have to drive him to the emergency room for stitches after he earns himself a serious cut.
- You need help in the greenhouse moving large containers of fertilizer and other chemicals. You make sure to tell your new hire to always wear proper footwear, watch out for puddles from the plant misters and not to pick up more than she can reasonably carry. Later, you watch on the security cameras as she slips in a puddle, grabs onto the open container of fertilizer as she falls and spills it all over herself.



- Despite your warnings of cold-related injuries, a new hire is convinced that the moderate spring temperature means he can work in a simple t-shirt. It's a windy, damp day, and soon your crew supervisor informs you that he had to be taken off the job site due to symptoms of **cold stress** — a condition where the body works harder to maintain core temperature, often resulting in shivering, numbness and exhaustion.

How to Keep Your Crew Safe

Workers' compensation provides a vital financial safety net for your employees by helping them access quality medical care and wages if they are unable to work due to an employment-related injury or illness, such as those listed in the examples above. However, you don't want too many of your employees enrolled at any given time. Filing too many claims or experiencing high-cost claims can increase your premiums by changing your experience modification rate, which compares your claims to the industry average.

At the same time, too many liability claims, such as those associated with property damage caused by an employee or physical injuries sustained by a third party at your store or job site, can easily cause your premiums to skyrocket and even require you to pay out of pocket if your coverage limits are exceeded.

Therefore, keeping claims down offers two-fold benefits for your landscaping business or nursery: It not only encourages you to foster an environment where employee safety is paramount but also helps you save on insurance premiums.

Institute Safety Protocols

Due to your industry, your workers face a wide variety of potential exposures, ranging from chemical exposure and weather-related hazards to injuries, cuts, amputations and more. With such a diverse array of risks, it's important to implement comprehensive safety protocols to protect your workforce and reduce claims frequency and severity.

Here's where you can find guidance on keeping your employees safe against landscape- and plant nursery-related risks:

- **Occupational Safety and Health Administration (OSHA) landscape and horticultural services hazards and solutions** – This [incredibly detailed resource](#) from OSHA can help you identify areas of concern in your business and possible solutions. As the experts in protecting the safety and health of workers in America, OSHA's resources are evidence-based, easy to understand and proven to reduce work-related injuries and fatalities.
- **Commercial Vehicle Safety Alliance (CVSA) Operation Safe Driver Program** – Your new drivers need to understand the [challenges](#) they can face on the road, such as inattentive, distracted and aggressive drivers. On top of that, you can improve their own driving performance with safety tips that every driver needs to know.

This [Sample Driver Policy](#) from Gallagher can help develop your own by outlining the foundation of a comprehensive program, covering topics such as prohibited behavior and drug and alcohol testing, as well as insurance requirements and basic vehicle operation guidelines.

- **National Association of Landscape Professionals (NALP) safety program guidance** – Need insights from an organization that understands your career-specific risks? **NALP** offers a checklist to help landscaping supervisors develop effective health and safety programs, plus a list of dos and don'ts for employees.

Establish a Return-to-Work Program

Depending on the severity of their injuries or illnesses, employees can struggle returning to their full-time duties after being away on workers' compensation. Creating a comprehensive return-to-work (RTW) program provides valuable guidance to all employees on how they can safely resume their tasks — usually on light- or medium-duty with modified roles that keep them working in some capacity until they're fully recovered — and how other members of your workforce will play a role.

Not only will these guidelines help your employees return to work faster and avoid any harmful health repercussions, but they can also help lower your insurance costs. A RTW does so by:

- Shortening the claim duration of wage replacement payments through modified or light-duty roles.
- Lowering lost time when an employee is unable to work, saving you money per claim.
- Reducing the company's **workers' comp experience modification rate**, also known as an EMR or X-Mod, which compares your three-year loss history to that of your peers. With a beneficial rate, i.e., one that shows a low frequency of future claims, you can net insurance premium discounts.

When employees are stressed or anxious about their ability to work and its impact on their finances, especially when it concerns workers' compensation, they can develop harmful mental health conditions **that further increase their suffering during this time**. RTW programs provide valuable structure in your employees' lives, setting expectations and reducing the fear of returning too soon, on top of providing valuable peace of mind in the event of a workplace illness or injury.

For guidance on how to develop your RTW program, **consult the general guidelines from the New York State Workers' Compensation Board** — a thorough resource on the topic — remembering that state-specific guidance can vary.

Poor workplace safety can harm your employees, damage your finances and ruin your professional reputation. Take a stand against seasonal risks and protect your employees by taking their wellbeing seriously and instituting multifaceted safety programs. Doing so not only keeps your employees happy, safe and at work, but it can also help control your insurance costs.

Contact MNLA's insurance expert, Ashley Thomas, for a free risk analysis your business risks this spring. Learn more about available coverage at gallagheraffinity.com/MNLA or contact Thomas at [918.764.1619](tel:918.764.1619) or ashley_thomas@ajg.com for a coverage review.

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