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*The Newsletter for The Southwest Center for Agricultural Health, Injury Prevention and Education*

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*From the Director...*

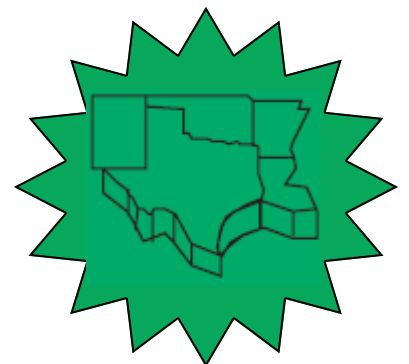
**Jeffrey L. Levin, M.D., M.S.P.H.**

## **Musings About Workers' Compensation and Unique Aspects Relative to Agriculture, Forestry, and Fishing**

In 2009, just say the words “workers’ compensation” and anyone within ear shod cringes. It doesn’t seem to matter if you are an employer, employee, doctor, insurance adjustor, or other stakeholder in the system. If a person is injured or becomes ill in any other insurance environment, the perceived complexity and visceral disdain are minimal by comparison. Why so? A brief background explanation is in order.

Before workers’ compensation, if a worker was injured on the job, he or she was considered expendable. I recognize that is a harsh term, but in many respects, it is true. There was no simple mechanism to recover damages and proving that an employer was negligent could be a long process, costly for both the employer and employee. Workers’ compensation represented a no fault compromise whereby an injured employee could receive a lesser, but quicker monetary recovery in exchange for accepting this process as an exclusive remedy in place of legal action. Disputes are typically handled by administrative bodies and disability is usually based upon a somewhat arbitrary, yet generally consistent impairment rating system. In a perfect, black and white, and trusting world, this would seem to be an ideal compromise. Unfortunately, many costs associated with the system are driven by forces different than in the standard health care arena. Three important issues are utilization of medical services, “replacement pay” for workers while recovering away from the job, and a sometimes poor functional outcome for the employee. All of these could be discussed at great length, but said discussion is beyond the scope of this editorial. Suffice it to say that in the world of work, workers’ compensation remains among the most acceptable solutions to addressing unfortunate injuries on the job except perhaps for one – preventing work-related injury, illness, and disability altogether.

That said, the work of the Southwest Ag Center must take note of where workers’ compensation fits into the picture of occupational injury and illness in this sector. Historically, workers’ compensation has been perceived to be less applicable in agriculture as farms were smaller and largely family owned and operated. The relationship which evolved between employer and worker during the industrial revolution lagged far behind in agriculture. Although the purchase of workers’ compensation insurance remains proportionately lower in this sector, changes in the agricultural landscape, with increases in mechanization and workforce size, may also change this circumstance. This is true in numerous areas of agriculture including, for instance, forestry. It is incumbent upon the agricultural community to carefully examine information available from a changing workers’ compensation experience in order not only to reduce costs, but to better focus preventive initiatives. In this context the Southwest Ag Center is beginning to uncover data sources in our region to see how this goal can be better accomplished. We look toward our numerous stakeholder partners in order to achieve success with this common endeavor. Thanks for your support.



*Fall 2009*

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## Meet the Advisory Board

### Featured Member: Luis Escobedo, MD, MPH

Luis G. Escobedo, MD, MPH became the Texas Department of State Health Services Regional Director for Regions 9 and 10 on June 1, 2006. He is board-certified in preventive medicine and public health. Dr. Escobedo served as a Commissioned Corps Officer for the US Public Health Service from 1986 to 2006. He received his medical degree in 1979 from Stanford Medical School and holds master's degrees in public health and health policy and management from the Harvard School of Public Health. Dr. Escobedo is a graduate of the Epidemic Intelligence Service and completed a pre-

ventive medicine residency at the Centers for Disease Control and Prevention in 1988. He has a bachelor's degree from New Mexico State University in chemistry. Dr. Escobedo was born in Mexico, grew up in communities on both sides of the US-Mexico Border, and graduated from Gadsden High School in rural Southern New Mexico.

Dr. Escobedo joined the SW Ag Center in early 2009. We hope to learn much from his professional and personal experiences with agricultural health and safety.

## SW Ag Center Partners Co-hosts "A Day at the Farm" Workshop

Farm Safety for Just Kids received funding from the United States Department of Agriculture Risk Management Agency to hold 2 workshops in each of 4 regions around the country. The workshops aimed to increase safety and health program activities in each region, especially those designed for youth.

The SW Ag Center partnered with Farm Safety for Just Kids to coordinate and host a workshop for the Oklahoma/Texas/ New Mexico region. A planning committee of 15 members met at the Noble Foundation and decided on content and workshop design.

The workshop was held at the Noble Foundation Pavilion in Ardmore, Oklahoma on August 19th. Over 30 people, mostly extension agents, participated in the one-day workshop. As determined by the committee, the topics covered were pesticide & chemical safety, tractor & machinery safety and animal handling safety.

Wes Lee from OSU Cooperative Extension spoke on pesticide and chemical safety. Wes offered great ideas for teaching challenging issues related to pesticide and chemical safety to children. Bob Williams,

PhD from Texas A&M Commerce delivered the tractor and machinery safety portion. He has extension experience with tractor certification programs in Texas. Ron Gill, PhD from Texas Agrilife Extension presented animal handling safety. Dr. Gill is currently the Extension Livestock Specialist.

In addition to the presentations, Robert Williams from the Noble Foundation led a demonstration and presentation outside to address the safety features on 2 pieces of machinery. Robert also discussed youth-focused presentation ideas. Shari Burgus from Farm Safety for Just Kids shared information regarding childhood agricultural injuries.

All the participants were given educational materials in order to facilitate the delivery of youth focused safety and health programs in their areas.



Participants from Oklahoma and Texas listen to Shari Burgus from Farm Safety for Just Kids.

## New NASD Training Session

“Sharing the Road with Agricultural Equipment”, the newest NASD training session, is now available online. You can check it out by visiting [www.nasdonline.org](http://www.nasdonline.org) and selecting the NASD Training Series section.

The training session educates motorists of the appropriate behavior and attitude they should have with agricultural equipment they encounter on the road. This 25 minute program would be a great addition to any driver’s education program.

Craig Morgan sings about this topic in his county music single “International Harvester”. You can view the video at <http://www.youtube.com/watch?v=SJUz-ILVzWs>.

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September 20-26 was National Farm Safety & Health Week. The theme this year was Rural Roadway Safety. Continue to keep this important topic in mind when planning educational events.



## Search NAGCAT Now!

The North American Guidelines for Children’s Agricultural Tasks is an online resource to help parents assess when children are ready to perform specific agricultural chores. NAGCAT takes a child’s growth and development into consideration when making their recommendations. The recommendations are not based solely on age.

The website has recently been updated and viewers are now able to search the guidelines by the agricultural task they are interested in.

NAGCAT’s goal is to help kids do the job safely. Ideas for incorporating the guidelines and the related posters into agbusiness, research and health care are also available.

Go to <http://www.nagcat.org/nagcat/> to see and search the guidelines.

## Top 10 NAGCAT Guidelines

1. [Milking cows \(using a pipeline\)](#)
2. [Farming with an ATV](#)
3. [Driving a farm tractor \(no implement attached\)](#)
4. [Cómo cosechar a mano los vegetales](#) (Hand harvesting vegetables)
5. [Cómo manejar un tractor agrícola, sin remolcar implementos](#) (Driving a tractor)
6. [Lifting](#)
7. [Cómo cosechar las fresas](#) (Harvesting strawberries)
8. [Feeding hay to horses \(square bales\)](#)
9. [Working with large animals \(horses, cattle, etc.\)](#)
10. [Trabajo agrícola con un vehículo para todo terreno, atv](#) (Using an ATV for farmwork) (PDF 768KB)