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At a Glance

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Easy tips to help you profit from your website

... and more

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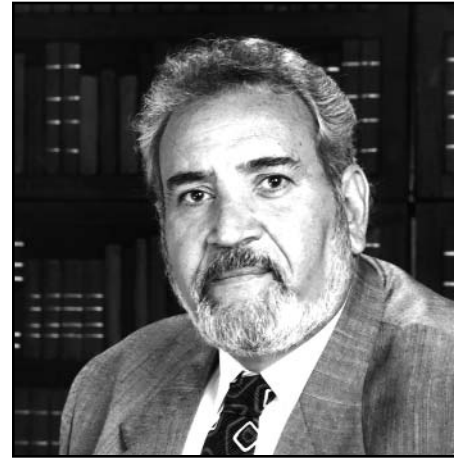
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LAW TALK

By Sam Abdulaziz
Abdulaziz, Grossbart & Rudman



Workers' compensation and insurance

Williams and Simon opened a business called Rhino USA of Santa Fe Springs. Simon was the on-site person and Williams was in charge of finances and insurance etc. Rhino referred Williams to Robyn Thaw, who was then employed by the Robert F. Driver Company, an insurance agency.

Williams was lead to believe that Thaw knew Rhino Linings operations very well, that she understood it very well and had special plans for the Rhino USA companies. She was the "go to person" to take care of insurance needs for Rhino Lining dealerships.

Williams called Thaw in January of 1999 and asked to meet with her to review its insurance needs. Thaw stated that a meeting would not be necessary because she was very familiar with the Rhino Lining programs and was the

expert on the product necessary to satisfy Rhino insurance needs. Williams did not even know enough about what kind of insurance was needed to make a specific request, and therefore, he did not request any specific type of insurance. Therefore, Williams asked Thaw for whatever insurance was needed to operate the business.

Thaw faxed a blank application form to Williams. Thaw indicated that the program was designed for Rhino Linings dealers. Williams filled in only basic information and he signed the application and returned it to Thaw, who selected the insurance coverages since Williams left that blank. Thaw did not send the application (which had a section for workers' compensation insurance) back to Williams after she completed it. She submitted the application to Travelers Insurance herself.

Sometime after all of this, Thaw switched the insurance agency she worked for but took all of the Rhino Insurance business with her to the new agency.

Unfortunately, there was no provision for workers' compensation insurance in the package, with either of the policies. Furthermore, Thaw knew that workers' compensation insurance is mandatory in California. The lack of workers' compensation was discovered only after an employee was injured in a catastrophic fire during the third year of business operations. The employee obtained a multi-million dollar judgment against the owners (Williams & Simon) of the business and the business. The owners then sued the insurance agency.

The court found that the insurance agency was negligent, by not getting more

information from its clients who were the people who were making all the decisions.

The Court of Appeal held that the evidence was clear that a finding of negligence on the part of the agency was sufficient to hold them liable.

Attorney Sam Abdulaziz of Abdulaziz, Grossbart & Rudman has been practicing construction law for over 30 years. He has written a book called "California Construction Law" which is updated annually. He represents numerous construction trade associations and contractors. He appears at Contractors State License Board meetings and has argued a number of cases before the appellate courts, including the California Supreme Court dealing with the "Pay-If-Paid Clause." Abdulaziz, Grossbart & Rudman provides this information as a service to its

friends & clients. This document is of a general nature and is intended to highlight areas of the subject matter being discussed and may not contain all of the information; it should not be used as a substitute for legal advice. This document does not create an attorney-client relationship, or protect any confidential information until a written agreement is signed. You should seek the aid and advice of a competent attorney, accountant and/or other professional instead of relying on the presentation and/or documents. Sam Abdulaziz can be reached at Abdulaziz, Grossbart & Rudman, P.O. Box 15458, North Hollywood, CA 91615-5458; (818) 760-2000, Facsimile (818) 760-3908; or by E-Mail at info@agrlaw.net. On the Internet, visit our Website at www.agrlaw.net

Health Insurance News Update

March/April 2010



ATTN: Blue Cross Anthem Members:

Yes... the rumors are true, rates are going up as of March 1st ... however, you do have options and you could possibly stay with Blue Cross and lower your rates.. Call us today to find out how.

Top Selling Individual Family Plans

With the economy as it is and people needing to tighten their belts and get the most bang for their buck, Blue Shield leads the way with new cost effective plans! Vital Shield and Vital Shield Plus are our two top selling plans:

Vital Shield and Vital Shield Plus

- * Low monthly rates
- * Office visits and generic prescription benefits prior to meeting a deductible
- * A range of deductible options to fit your specific needs
- * 100% coverage for most services after meeting the out-of-pocket maximum.
- Vital Shield Plus Advantages
- * 3 additional office visits at a lower copayment
- * Optional brand name prescription coverage
- * \$1,000 lower out-of-pocket maximum
- * Fourth-quarter deductible carryover

Looking for coverage while traveling Abroad?

Travel Gap Single Trip provides international health insurance for trips lasting up to 6 months including services to help you to identify access and pay for quality healthcare services anywhere in the world. Even if you are already enrolled in a health plan, your coverage is limited when you travel abroad. Coverage is offered through HTH Worldwide. For more details or a quote please contact us.

EX: 50 year old with a \$250 deductible and \$500,000 medical limit would be a daily rate of \$3.76. For a 10 day trip, the plan cost would be \$37.60.

Don't go uninsured!

The health insurance landscape in the United States is rocky, and at this time more than 47 million Americans are without insurance. Don't fall into that ratio... There are new plans out there that are affordable and cover you in the event you need to go to the Hospital or ER.

Dental and Vision Plans with Choice

Choice Builders offers employers with 2 - 99 employees' access to dental, vision, chiropractic and life carriers - all in ONE program. With Choice Builders you can pick and choose the benefits you like best and build a program that makes sense for your business, your budget and your employees.

Common safety slogans

Many of these slogans will sound familiar to most people. One of the characteristics of a lot of slogans is to incorporate rhyme or acronyms. Also, short slogans are easier to remember than long ones. Some safety slogans you may encounter include:

- Wipe up and avoid a slip up!
- Use your wits...use padded mitts
- Be aware--take care
- To avoid a scene, keep your workplace clean
- KISS--Keep It Safe and Sound
- Safety is as simple as ABC: Always Be Careful
- Lifting's a breeze when you bend at the knees
- A spill, a slip, a hospital trip
- Look before you leap
- In case of injury, remember RICE--rest, ice, compress and elevate
- Leave horseplay to horses
- An ounce of prevention is worth a pound of cure
- Protect your back; use a jack.
- One rung too high and you could die
- The chance taker is the accident maker
- Night doubles traffic troubles
- 30 Days has September--safety first, please remember

These slogans are made for a variety of places and situations, but many of them can be used in more than one instance. Slogans that are used for water safety can be used for boaters and swimmers. Safety rules that urge caution against horseplay are valid for school or for work, especially jobs that involve dangerous elements. Slogans such as "Be Aware - Take care" can apply to just about any situation.

For more information please contact us at 888-321-0141 or ICBENEFITS.COM
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SAFETY MATTERS



Why the safety meeting?

The violation of a safety regulation often results in a self-incriminating “if only....” Almost without exception, anyone who has been involved in an accident has later said, “If only I had...” In most violation cases, a safety regulation has been broken or “bent” a little.

In many violation instances, it's the newer employee of a company who has broken a safety rule, either because of ignorance of the rules, failure to remember what he/she was told or neglect born out of never having seen the results of not following the safety rule.

This is not saying that these “rule-breakers” are totally at fault for accident statistics being too high. The older, more experienced “bender” is also a prime target for disability

pains and payments. These workers have been around for years, and have experienced many phases of the operation throughout the years. These workers have seen - and sometimes will relate in descriptive detail - past accidents that have maimed, disabled or killed workers they've known on the job. These experienced workers know better than to pull “weasel stunts,” and yet, when the accident reports come in their names are sometimes on those accident reports. Why?

One of the unfortunate things about experience is that it breeds overconfidence. And, although this may be an asset in some professions, it's a definite detriment when it relates to safety. Routine can dull alertness and a relaxed attitude sometimes replaces the caution that existed when everything about the



impressed even more by the graphic examples frequently interjected by the more experienced workers who've been on the job for a while. “Speaking of fall protection reminds me of a worker a few years ago who...”

Secondly, what about that worker who's been around a long time? That worker may sit and half listen to the

job was new and interesting. The same job pattern is repeated daily, using the same power tools, climbing the same ladder, working on the same roof, etc. “Hey, I could do this job with my eyes closed.” Unfortunately, that attitude prevails subconsciously more times than not, as the job becomes more routine. Without some periodic reawakening to the ever-present hazards, lethargy deepens and the odds of making a tragic mistake increases.

Safety training's two-fold purpose is being fulfilled with or without the knowledge or acceptance of the workers who are being trained. First, the newer worker is learning the hazards of the occupation, and this newfound knowledge is

things he/she has heard at least a hundred times or more, and if the instructor happens to stop in mid-sentence, chances are his/her mind will finish the phrase from memory. The benefit that he/she derives from the meeting is possibly unknown to him/her, but it's there. A reminder that the dangers still exist and that no one is immune is underscored by the accident and injury reports from workers they've known with as much or more experience than them.

It takes less than a second to lose the rest of your life. An “if only” when said by a surviving loved one or friend will bring little consolation.



OSHA CORNER

Cal/OSHA Safety Publications

Please visit the following address on the web to download helpful safety posters, guides and pamphlets for a safer workplace.

<http://www.dir.ca.gov/dosh/PubOrder.asp>

Poor sales and real estate depress small business access to credit

New poll shows declining sales, uncertainty and real estate all contribute to the credit problem

The National Federation of Independent Business Research Foundation released a new national small business poll today that takes a deeper look at what the underlying credit problems are for small businesses. The report, “Small Business Credit in a Deep Recession1” shows that access to credit has become increasingly more difficult for a segment of the population and identifies the key contributing factors to the credit problem.

“There's been much speculation over the credit problem plaguing many small businesses with precious little data to help policymakers understand the fundamental issues,” said Denny Dennis, senior fellow, NFIB Research Foundation and author of this report. “Our survey seeks to provide data from small business owners to explain what is really happening across America. The findings show that while obtaining credit has become more difficult,



declining sales and/or depressed real estate values typically lie at the base of credit problems. That means current small business problems will not be solved by simply focusing on lending issues. Policymakers need to tackle weak demand and real estate.”

“For those seeking to borrow, conditions have deteriorated,” said Dennis. “Not only have banks changed the terms and conditions on loans and lines of credit, but poor

sales and real estate values have damaged balance sheets making it difficult to qualify for loans. Still, it appears that some banks treat their small business customers better than others. The reason for this is not clear.”

Key findings:

Fifty-five (55) percent of small employers attempted to borrow in 2009; 45 percent did not, although five percent of owners, so-called discouraged borrowers, did not try because they did not think they could obtain credit.

Forty (40) percent of small business owners attempting to borrow in 2009 had all of their credit needs met; 10 percent had most of their needs met; 21 percent had some of their needs met; and, 23 percent had none of their credit needs met. The current level of borrowing success is significantly lower than in the mid-2000s when up to 90 percent had their most recent credit request approved.

The financial institution extending a line of credit changed the terms/conditions of the line(s) during 2009 for 29 percent of small employ-

ers having at least one. About 10 percent with a business loan had the same experience as did 22 percent with a business credit card. The most frequent change was increased interest rates.

The best predictors of success in meeting credit needs were higher credit scores, customers of banks with less than \$100 billion in assets, more properties collateralized for business purposes, and fewer second mortgages held.

Overwhelmingly, the most common planned purpose of credit rejected was to fill cash flow needs.

Broad and deep real estate ownership is a major reason why small businesses have not yet begun to recover, why larger businesses have been able to recover more quickly than small businesses, and why this recession is different, at least for small business owners, from recent ones.

Data for this report was collected by The Gallup Organization for the NFIB Research Foundation. The results are based on 751 small business employers, defined as business employing 1 to 250 people not counting the owner(s). The survey was conducted mid-November through mid-December of 2009.

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Easy tips to help you profit from your website

By Joshua Watson

Hundreds of thousands of webmasters across the world make money online with their websites. Why not you? Here are 10 easy tips that you can use on your website to make it profitable. As with any good website however, you first need quality original content!



1. Google AdSense - Make money selling advertising space. While banner ads are not worth your time for the most part, Google AdSense is. Many web site owners make a comfortable living off of AdSense profit alone.

2. Affiliate Marketing - Make money referring your website traffic to other websites. Don't have a product? That is 100% O.K. Just add someone else product to your site by joining an affiliate program and forget about it. If you have related content (free information) you will see a slow trickle of income from your affiliate links.

3. Write an eBook - Sell your own idea or product. I know it sounds like a day dream, but people do this all the time. In fact, it is the most common method that people use to make money. Write an eBook, offer consultations, or make something people will use. In this category, you are only limited by your imagination.

4. Create an online directory - Sell text links. Add a directory area to your site and offer to place links to other web sites for a small fee.

5. Become a Paid Blogger. Offer to blog for companies. Blogging is fast becoming an important link building strategy for online companies. There are hundreds of small businesses that could benefit from a professional blog but, do not have the resources to hire a full time employee. You have a website, put it to use!

6. Open your own eBay store. Buy low, sell high. There is no easier place to sell than online with your own eBay store. You can concentrate on a particular type of product like coins and antiques or you can sell a wide variety.

7. Host an online competition. Offer prizes for the first, second and third place winners. Your competition can be on almost anything. Think of a way to offer a competition, create a small entry fee and you are set!

8. Create a member only area. You can create a members only site about anything from Fan Clubs, Online Newsletters, Courses and Training, Stock Trading Tips, Dating Sites, Personal Advice, Horoscopes, Family Trees, and so on. Again, your only limitation is your imagination. If you have a site already up and running, offer something in your paid member's area that they cannot easily get for free.

9. Begin a paid advice service. Free information is great and will draw readers to your site. Once there, help the reader out with some basic information. Save the real "meat" for those that are willing to pay a small fee.

10. Sell your site. Why drag on a project for years when you can get in, get out and turn a quick (albeit smaller) profit? Create your site, get it listed in the search engines, make sure you get a few dollars a week in online advertising and sell your site for a few thousand dollars.

Joshua Watson is the author and webmaster for both Making Money Online and www.urhowto.com websites. In addition to being a webmaster for over 10 years, Joshua has also worked as an Engineer for ABC and Dish Network as well as a Project Manager for AOL Broadband. He can be contacted via email at jwatson1@yahoo.com

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