



BLUEPRINTS

Your Newsletter for Quality Workers' Compensation Information



Happy New Year! We hope you had a wonderful Christmas and New Year's season with lots of yummy (and of course non-fattening) food and time spent with family and friends.

2021 was better than 2020, and while we hope that that trend continues into 2022 we still have some hills to climb.

Builders Trust continues to work hard to keep your work comp as affordable as possible and continue to offer industry leading solutions to this end.

Again, Builders Trust lowered overall rates for 2022 an average of 7.5%. However, we have not reduced or rolled back any of our programs. Instead, we have added to our training with the traveling training trailer where we bring the training right to your jobsite. We still offer our Tool Box Talks via e-mail every Friday as well as an extensive library of video training. Our Field Safety Services staff offer many different in-person classes from OSHA 10 and OSHA 30 to Ladder Safety and Confined Space training.

In June you will again have the opportunity to take advantage of our Claims Payment Option (CPO) program. This program helps you to control your work comp costs and your ability to bid on jobs by keeping your experience modifier low.

Don't forget that our website at builderstrust.com and the BT PAL (Builders Trust Participant Agent Login) portal has a lot of information on workers' compensation in general and in the portal access to all of your policy information such as loss and payment history for all policy years. If you don't currently utilize the portal, we encourage you to get set up as a user.

For information on any of these services, please contact our **Policy Administration Department** at (800) 640-3369 or (505) 345-3477.



Craig Kemper



David Gallegos

A New Chairman and Vice-Chairman Take the Helm of Builders Trust

Beginning 1/1/2022, Craig Kemper of Alvarado Roofing, Inc. in Albuquerque is the new Chairman of the Builders Trust Board of Trustees. Craig has spent the last several years learning the ins and outs of Builders Trust as a Board Advisor and Trustee. The last two years were spent chairing the Finance Committee. In addition, our new Vice-Chairman is David Gallegos of Ramirez & Sons, Inc. in Hobbs. David has served as a Board Advisor and Trustee as well and will be Chairing the Finance Committee this year.

Audit Season Is Upon Us

It's that time of year again and our auditors will soon be contacting you to set up your annual work comp audit. Your audit may be conducted in person, via mail or virtual-

ly via our secure website. The auditor may be Builders Trust staff, an audit consultant, or an auditor from Lowry and Associates.

The following information will be needed to complete your audit:

- Payroll summary, detailed listing of all employees and wages
- Federal 941 quarterly reports, Federal 940 FUTA report, NM SUTA quarterly reports
- Form 1096 and all corresponding 1099 forms
- A detailed vendor list for all outside labor paid, subcontractors and contract labor
- Certificates of Insurance for all subcontracted services



For more information or to speak with our Audit Department, please call us at (505) 345-3477 or (800) 640-3369. This information is also available on our website at builderstrust.com under the Premium Audit tab.

2022 Officer/Owner Limitations

Each year the New Mexico Office of the Insurance Superintendent approves payroll limitations for included officers and owners. For 2022 these are as follows:

Corporate Officers and Members of LLCs:

Minimum \$950 per week OR

Maximum \$3,800 per week

Sole Proprietors and Partners

Flat amount of \$49,100 per year OR

\$4,092 per month.

Due Date Reminder!

Just a reminder that your monthly premium payments are due by close of business on the **15th of each month** for the prior month's payroll. Paying on time ensures you receive an additional 2.5% prompt pay discount!

Updated Participant Manual

For your reading pleasure, the Participant Manual has been , refreshed, updated and posted to the portal. To make it easier to navigate, the bookmark panel on the left has been hyperlinked to take you directly to the page you need.

Board of Trustees

Craig Kemper

Chairman, Albuquerque, NM
Alvarado Roofing, Inc.

Lee Rawson

Trustee, Las Cruces, NM
Rawson Inc. Builders Supply

Mark Carpenter

Trustee, Clovis, NM
Mark Carpenter Plumbing, Inc.

Jason Lorenz

Board Advisor, Las Cruces, NM
Veloz Homes

David Gallegos

Vice-Chairman, Hobbs, NM
Ramirez and Sons Inc.

Kevin McGinley

Trustee, Mesilla, NM
McGinley Construction, Inc.

Gabe Martinez

Trustee, Santa Fe, NM
GM Emulsion/GM Septic Services

Brandon Snoy

Ex-Officio, Santa Fe, NM
Palo Santo Designs, LLC

Rob Liessmann

Trustee, Farmington, NM
Liessmann Construction Co. Inc.

Rick Davis

Trustee, Albuquerque NM
R.E. Davis Construction Co. Inc.

McChristie Curry

Trustee, Alamogordo, NM
White Sands Construction Inc.

Just what is a Competent Person?

We hear the term **Competent Person** in the construction industry repeatedly, but how many of us truly understand the meaning as it relates to compliance with industry standards. Common sense tells us that a *Competent Person* is someone who has experience, skill and more than likely some sort of training that deems someone competent in addressing many of the issues encountered on any given jobsite. This is the answer given when asked if they have a competent person onsite, but they then hesitate when asked if they know the definition of this term as it relates to the industry standard.

So, let's clear it up and in doing so you may find that having a *Competent Person* in compliance with the industry standard is much easier than you thought. More importantly, we can understand the benefit of having an authorized *Competent Person*.

Subpart C, CFR-1926.32(g), General Safety and Health Provision, provides us with the following definition: *Competent Person* means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has the authority to take prompt corrective measures to eliminate them.

This is a general definition but as employers review the standards as it relates to their specific operations the definition of competent person expands to include formal training, experience, and on-site monitoring of operations as they are being performed.

The standard does not state specific training for competent persons other than it has to be related to the specific equipment, materials, operations and the environment in which operations are being performed.

The standard does not list a set number of years or required experience. This is left to the employer to determine based on his expertise and hazard assessments. However, your policy should outline the required number of years and it is expected to be implemented consistently.

The standard does not outline the required number of hours required for training to be an authorized competent person because of the many variances in types of equipment, materials, and operations.

The regulations and standards allow for an employer to determine much of this if a proper hazard/risk assessment is performed, a plan and policy is developed, and proper documentation is maintained.

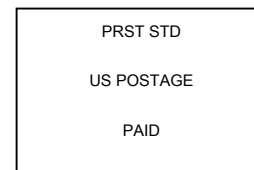
In some Subparts of the CFR-1926, the *Competent Person* is also responsible for inspections, supervision of installations, use and dismantling of certain equipment and training of co-workers. Many employers authorize safety officers, superintendents, and foremen to be their assigned competent person. Unfortunately, these positions often require these individuals to cover multiple jobsites, attend project meetings or leave jobsites to maintain proper reporting away from the work being performed. The employer in fact can have several authorized competent personnel and on larger operations, this may be essential.

To summarize, a *Competent Person* is an employee who has received specific training determined by the employer related to the equipment, materials, operations and the environment in which those operations are performed. They have a set number of years of experience as outlined in the organization's safety program, has demonstrated abilities to identify common and reasonably predictable hazards and has the authorization of the employer to take prompt corrective measures to eliminate those hazards including shutting down operations.

Lastly, an authorized *Competent Person* should be a team leader that co-workers respect and depend on for immediate safety. This may not be a supervisor or management but may grow into that position.



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PLEASE ENJOY THIS COMPLIMENTARY ISSUE OF BT BLUEPRINTS

To find out how you can join Builders Trust of New Mexico AND receive the best value in workers' compensation coverage for New Mexico Home Builders Association members, please contact us at PH: (505)345-3477, (800) 640-3369 or www.builderstrust.com

COVID-19/Omicron Variant

As of January 13th, 2022, there have been 36-additional deaths added to the total resulting 6,109 in our state. The 7-day positivity rate is now at 27.8%. Bernalillo County having the highest new confirmed cases at 1513 adding to the statewide of 5,547. Since the beginning of this pandemic New Mexico has had 393,736 positive cases confirmed.

Below are some common safety tips we provided previously that help in reducing the spread of this virus.

- If you are sick, stay home and self-isolate.
- If there is a sick family member at home diagnosed with COVID-19, stay home and self-isolate.
- Get tested if sick and again before returning to work.
- Wash your hands properly and constantly.
- Cover your cough and sneezes properly.
- Practice social distance at all times.
- Clean common surfaces and common workplace items and do not use co-worker's workplace equipment.
- Utilize approved PPE. We are back to recommending N-95, KN-95, or surgical masks that provide better protection than cloth masks.

These are the most common practices. Each organization is unique in their inherent risks and hazards and therefore may require additional protections. There are ongoing changes to federal, state and local restrictions that will require monitoring in an effort to provide updates to your current workplace programs.

Protecting our employees our from harm, assessing hazards and providing protections is our responsibility. There is never a 100% guarantee that we will be successful, the effort is to reduce and minimize risk.

For current updates please visit the links provided below:

<https://www.cdc.gov> or <https://www.nmhealth.org/>