

*Working Together  
for Vermont*

<http://www.labor.vermont.gov>

P.O. Box 488 • Montpelier, VT 05601-0488

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## Commissioner's Message

Patricia A. McDonald, VDOL Commissioner

### VDOL Launches New and Improved Website

The Vermont Department of Labor (VDOL) is pleased to announce the launch of their new website at [www.labor.vermont.gov](http://www.labor.vermont.gov).

The new site is the result of many months of work that involved a partnership with Creative Consulting (C2) and the help of many VDOL staff located throughout the agency. Over the past year, we listened to the concerns of our customers resulting in what we think is a user-friendly, much enhanced Web-based information system for Vermonters. *Some highlights include:*

- **24-hour a day access from home or place of business**
- **Easy navigation to business, worker and job seeker information**
- **One stop shopping for workforce related services and information**
- **Multiple links to related sites**
- **Search feature**
- **Regularly updated news items**
- **On-line forms - the number of which will continue to be expanded**

In addition to technical assistance from Creative Consulting, designated employees, called content managers, from each VDOL program area worked together to design, develop and migrate information to the new website. We recognized early on that websites need to be flexible and open to change. To that end, the content managers within VDOL have been trained and will be responsible for updating and ensuring accuracy through a "content management" platform.

The new website is, in part, a response to the merger last July of the Departments of Labor and Industry and Employment & Training to form the Vermont Department of Labor. In announcing the merger, Governor Douglas indicated that the new department will improve and enhance services to the public by combining under one department: employment security, employment related services, labor market information, and safety and training for Vermont workers and employers. We believe that our new website incorporates this goal by providing customers one-stop shopping access to departmental services and information.

*(Continued on page 2)*

## The Edge

### Labor Market Information: WHY YOU SHOULD CARE.

My name is Andy Condon. I am the new head of the Economic and Labor Market Information Section, (LMI) at the Vermont Department of Labor. I wanted to take a few minutes and (re)introduce to you to our section, the data products we build and provide for employers, employees, analysts and policy makers. Suffice it to say that LMI provides you with some of the best, most timely and reliable Vermont specific economic and workforce information available. The economic data you have come to depend on every month in this Labor Market Newsletter is collected and produced by the hard working staff here at The Vermont Department of Labor.

In this first article, I will focus on the four major data programs we at LMI maintain. In future articles, I will talk about some less frequent, but equally useful data products produced by LMI to help Vermonters understand their economy and where it is going. All of the following products are produced in cooperation with the US Labor Department Bureau of Labor Statistics.

### Current Employment Survey, (CES):

CES is a monthly employer establishment survey that tracks employment by industry across the Vermont economy. CES provides the most timely estimates possible on job trends in the state. CES employment data provides the latest employment trend information possible to business owners, analysts, and policy makers in the state. We publish CES data in our

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# Commissioner's Message –

(continued from front page)

And this is only the beginning. We will be taking advantage of the creative and innovative energies of a part-time Webmaster, and will regularly explore ways to expand and improve, making the new website an on going work-in-progress.

Questions regarding the new website should be directed to Patty Houston in the VDOL Office of Outreach and Planning at 828-0281.



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## The Edge -

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monthly Labor Market press release as well as in interactive tables on our website [www.vtlni.info](http://www.vtlni.info).

### Quarterly Census of Employment and Wages, (QCEW):

Every establishment in Vermont which hires employees covered by Unemployment Insurance is required to report job numbers and wages paid on a quarterly basis. QCEW tracks this information and provides periodic reports by industry on job trends and wages. QCEW differs from the CES program in that it is a "census," all establishments must report, whereas CES uses a sample of the state's businesses. Because it is a census,

## Contact VDOL

If your address has changed or to discontinue your subscription, please email: [sredpath@labor.state.vt.us](mailto:sredpath@labor.state.vt.us)

QCEW reports contain the most accurate possible information on employment and wage trend information. The sheer volume of reporting and quarterly reporting periods mean that QCEW data reporting is significantly time lagged. When QCEW data becomes available it replaces the historical CES employment series.

### Local Area Unemployment Statistics, (LAUS):

The LAUS program uses a monthly household survey and statistical modeling to provide a regular estimate of the state's labor force, number of employed, unemployed, and the state's unemployment rate. Unemployment estimates are also generated for the state's 17 defined Labor Market Areas.

### Occupation Employment Statistics, (OES):

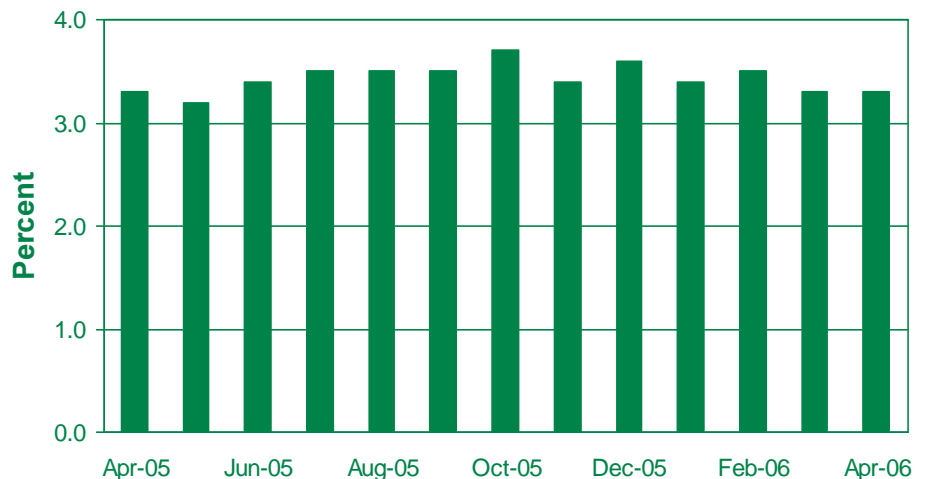
The OES program uses a twice a year survey of Vermont establishments to generate data on the specific occupations employed by businesses in the state, how many are employed in each occupation and the range of annual wages being paid in each occupation. This information is invaluable to business owners and managers as well as those seeking information about career choices.

**In future articles I will let you know about the many other data products produced by us in LMI at the Vermont Department of Labor. In the mean time please feel free to contact me with any questions you may have about how to use these programs, or any of our LMI data products.**

**Andy Condon**

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## Vermont Seasonally Adjusted Unemployment Rate



## Vermont Unemployment Estimates Statewide *(Seasonally Adjusted)*

	Apr. '06	Mar. '06	Apr. '05	Changes from:	
				Mar. '06	Apr. '05
<b>TOTAL LABOR FORCE<sup>1</sup></b>	360,300	361,100	354,100	-800	6,200
<b>EMPLOYED</b>	348,300	349,000	342,400	-700	5,900
<b>UNEMPLOYED</b>	12,000	12,100	11,800	-100	200
<b>RATE (%)</b>	3.3	3.3	3.3	0.0	0.0

<sup>1</sup>Includes proprietors, professionals, and unpaid family workers.

## Labor Market Areas By Residence *(Not Seasonally Adjusted)*

AREA	Total Labor Force	Number Employed	Number Unemployed	Apr-06 Rate (%)	Mar-06 Rate (%)	Apr-05 Rate (%)
Barre-Montpelier	29,500	28,250	1,250	4.2	4.8	4.0
Bennington	12,500	12,050	450	3.5	4.0	3.9
Bradford	5,100	4,900	200	4.2	4.6	4.1
Brattleboro	25,000	24,050	1,000	4.0	3.5	3.8
Burlington-South Burlington	113,850	110,050	3,800	3.4	3.5	3.2
Hartford	18,900	18,500	400	2.1	2.2	2.3
Manchester	11,750	11,250	500	4.4	3.7	4.3
Middlebury	17,750	17,100	650	3.6	4.0	3.5
Morristown-Stowe	20,050	19,150	900	4.5	4.6	4.6
Newport	14,200	13,400	800	5.8	6.6	6.1
Randolph	8,300	7,900	400	4.5	3.8	3.7
Rutland	28,900	27,700	1,200	4.1	3.7	4.0
Springfield	12,050	11,500	550	4.7	4.2	4.5
St. Johnsbury	14,950	14,350	600	4.1	4.8	4.0
Swanton-Enosburg	14,400	13,650	750	5.2	6.5	5.2
Warren-Waitsfield	4,200	4,050	150	3.2	2.4	2.7
Woodstock	3,450	3,350	100	2.6	2.3	3.2
Vermont Total	357,150	343,350	13,800	3.9	4.0	3.8

### AREAS FROM ADJOINING STATES INCLUDING VERMONT TOWNS *(Not Seasonally Adjusted)*

Colebrook, NH-VT	3,350	3,150	200	6.0	4.1	7.4
Lebanon, NH-VT	44,600	43,550	1,050	2.3	2.3	2.2
Littleton, NH-VT	15,050	14,500	600	3.9	3.7	3.6
North Adams, MA-VT	16,750	15,850	900	5.3	6.3	5.1

Monthly estimates are preliminary and subject to revision. Detail may not add to totals due to rounding.

# Vermont Seasonally Adjusted Nonfarm Employment in Thousands

BY NAICS	Prelim.	Revised	Revised	Changes From:	
	Apr. '06	Mar. '06	Apr. '05	Mar. '06	Apr. '05
<b>Total - All Industries</b>	<b>307.1</b>	<b>306.2</b>	<b>305.5</b>	<b>0.9</b>	<b>1.6</b>
<b>Private Industries</b>	<b>253.9</b>	<b>252.9</b>	<b>252.6</b>	<b>1.0</b>	<b>1.3</b>
Construction	17.0	16.4	16.6	0.6	0.4
Manufacturing	36.7	36.8	37.0	-0.1	-0.3
Trade, Transportation & Utilities	59.9	59.9	59.5	0.0	0.4
Retail Trade *	41.0	41.0	40.6	0.0	0.4
Financial Activities	13.1	13.2	13.2	-0.1	-0.1
Professional & Business Services	22.3	22.3	21.8	0.0	0.5
Education & Health Care	55.0	54.9	54.2	0.1	0.8
Private Ed. Services*	12.6	12.4	12.5	0.2	0.1
Health Care & Social Assistance*	42.5	42.5	41.8	0.0	0.7
Leisure & Hospitality	32.7	32.5	33.1	0.2	-0.4
Other Services	10.0	10.0	10.1	0.0	-0.1
<b>Total Government</b>	<b>53.2</b>	<b>53.3</b>	<b>52.9</b>	<b>-0.1</b>	<b>0.3</b>

\*These estimates are not endorsed by the U.S Bureau of Labor Statistics.

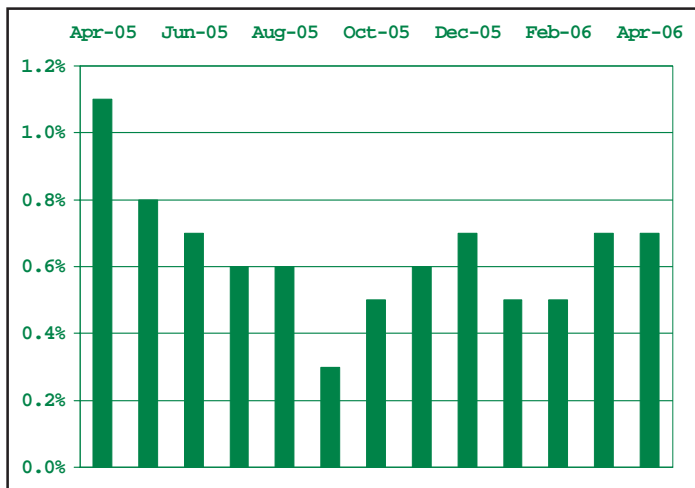
Note: Total - All Industries estimate is seasonally adjusted independently.

All seasonal adjustment performed with X12-ARIMA. Seasonal factors available from VDOL/LMI on request.

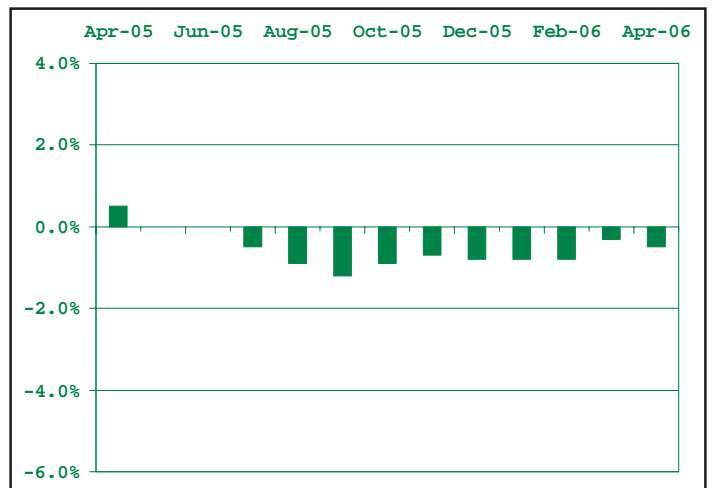
Produced by the Vermont Department of Labor in cooperation with the U.S Bureau of Labor Statistics, unless otherwise noted.

## Vermont Annual Job Growth Not Seasonally Adjusted Data

### All Industries



### Manufacturing



# Nonfarm Employment In Vermont *(Not Seasonally Adjusted)*

Compiled by the Vermont Department of Labor in cooperation with the Bureau of Labor Statistics, U.S. Department of Labor

INDUSTRY BY NAICS	Prelim.	Revised	Revised	Changes From:	
	Apr. '06	Mar. '06	Apr. '05	Mar. '06	Apr. '05
<b>TOTAL NONFARM</b>	<b>304,300</b>	<b>305,700</b>	<b>302,250</b>	<b>-1,400</b>	<b>2,050</b>
<b>TOTAL PRIVATE</b>	<b>248,600</b>	<b>249,950</b>	<b>247,150</b>	<b>-1,350</b>	<b>1,450</b>
<b>GOODS PRODUCING</b>	<b>53,200</b>	<b>51,100</b>	<b>52,900</b>	<b>2,100</b>	<b>300</b>
MANUFACTURING	36,500	36,300	36,700	200	-200
Durable Goods	26,450	26,350	26,450	100	0
Computer & Electrical Equipment Mfg.	9,400	9,300	9,200	100	200
Fabricated Metal Products Mfg.	3,100	3,100	2,950	0	150
Machinery Mfg.	3,050	3,000	3,050	50	0
Transportation Equipment Mfg.	2,450	2,450	2,450	0	0
Furniture & Related Product Mfg.	1,950	1,950	2,100	0	-150
Non-Durable Goods	10,050	9,950	10,250	100	-200
Food Mfg.	3,600	3,650	3,650	-50	-50
CONSTRUCTION	15,950	14,100	15,400	1,850	550
NATURAL RESOURCES & MINING	750	700	800	50	-50
<b>SERVICE-PROVIDING</b>	<b>251,100</b>	<b>254,600</b>	<b>249,350</b>	<b>-3,500</b>	<b>1,750</b>
TRADE, TRANSPORTATION AND UTILITIES	59,150	58,700	58,500	450	650
Wholesale Trade	10,050	9,950	9,950	100	100
Retail Trade	40,200	40,000	39,800	200	400
Food & Beverage Stores	9,450	9,500	9,300	-50	150
General Merchandise Store	2,600	2,650	2,800	-50	-200
Transportation, Warehousing and Utilities	8,900	8,750	8,750	150	150
Utilities	1,700	1,700	1,700	0	0
Transportation & Warehousing	7,200	7,050	7,050	150	150
INFORMATION	6,400	6,350	6,150	50	250
FINANCIAL ACTIVITIES	13,050	13,050	13,050	0	0
Finance & Insurance	9,900	9,900	9,900	0	0
Real Estate, Rental & Leasing	3,150	3,150	3,150	0	0
PROFESSIONAL AND BUSINESS SERVICES	22,050	21,550	21,700	500	350
Professional, Scientific and Technical	13,100	12,900	12,800	200	300
Administrative, Support and Waste	8,700	8,300	8,600	400	100
EDUCATIONAL AND HEALTH SERVICES	55,400	55,350	54,550	50	850
Educational Services	13,000	12,950	12,900	50	100
College, Universities and Professional	7,000	6,900	7,050	100	-50
Health Care and Social Assistance	42,400	42,400	41,650	0	750
Ambulatory Health Care Services	15,600	15,650	15,800	-50	-200
Hospitals	10,750	10,800	10,400	-50	350
Nursing and Residential Care Facilities	6,750	6,750	6,700	0	50
LEISURE AND HOSPITALITY	29,450	34,050	30,300	-4,600	-850
Arts, Entertainment and Recreation	3,150	3,200	3,400	-50	-250
Accommodation and Food Services	26,300	30,850	26,900	-4,550	-600
Accommodations	8,750	13,000	9,250	-4,250	-500
Hotel & Motels	7,900	12,150	8,400	-4,250	-500
Food Services and Drinking Places	17,550	17,850	17,650	-300	-100
OTHER SERVICES	9,900	9,800	10,000	100	-100
<b>GOVERNMENT</b>	<b>55,700</b>	<b>55,750</b>	<b>55,100</b>	<b>-50</b>	<b>600</b>
Federal Government	5,950	5,900	6,050	50	-100
State Government Education	8,800	8,850	8,750	-50	50
Local Government Education	24,500	24,400	24,300	100	200
Other State Government	9,550	9,500	9,250	50	300
Other Local Government	6,900	7,100	6,750	-200	150



## Workers' Compensation:

### EMPLOYERS BENEFIT FROM EARLY COMMUNICATION WITH THEIR CARRIERS

In the April 2005 issue of *Vermont Labor Market*, we discussed the requirement that employers must file a First Report of Injury (Form 1) for work-related injuries. Specifically, the law requires employers to record and report all work injuries that require either medical attention or absence from work for one day or more. All such work-related injuries must be reported to the Department of Labor, Workers' Compensation and Safety Division (Division), by the filing of a First Report of Injury (Form 1).

In this issue of *Vermont Labor Market*, we discuss why it is important for employers to communicate with their workers' compensation insurance carrier immediately after they receive notice or knowledge of an employee's injury. Not only can a prompt and complete exchange of information between an employer and an insurance adjuster save a business money by reducing transactional costs and the potential assessment of penalties, but it can often improve employer/ employee relations and increase the likelihood of a satisfactory resolution of a claim.

First, it is important to know that, in general, if an employee suffers an injury that arises out of and in the course of employment with an employer, the employee is entitled under Vermont law to workers' compensation benefits. Even if an employer disputes whether the injury occurred in the course of employment or disputes the cause, type or treatment of the injury, the employer must file a First Report of Injury with the division in order to inform the Department of Labor and initiate the claims process. Such filing with the division must be made *within 72 hours* of notice or knowledge of that injury (excluding Sundays and legal holidays). Failure of an employer to file a First Report of Injury within this time frame may subject the employer to an administrative penalty.

The second point to bear in mind is that *the date that an employer receives notice or knowledge of a work-related injury is deemed the same date as notice or knowledge of such injury by the employer's carrier*. The law requires that any denial of a claim by a carrier must be filed within 21 days of receipt of notice or knowledge of a work-related injury. This is why it is essential that an employer immediately contact his or her workers' compensation carrier following an employee's accident or complaint of injury so that an investigation can be started immediately.

Third, employers should advise their supervisors and floor managers of the short time frame to report injuries to the division and also the short period of time that carriers have to complete their investigations before making a decision whether to accept or deny a claim. Employers should emphasize the need for expeditious reporting of any accidents or complaints of injury promptly to the appropriate manager or human

resources personnel, no matter how insignificant an incident of injury may appear at the time. Keeping good records of accidents, injuries and complaints, whether or not a particular incident is eventually determined to be compensable, is just plain good business practice. It helps management figure out strategies for making the workplace safer while serving as an important investigation tool should a First Report of Injury need to be filed.

Fourth, prompt communication with an employer's workers compensation insurer enables the insurer to initiate an investigation without delay. The carrier's adjuster can advise the employer what information it should gather to further an investigation and what forms besides a Form 1 should be completed by the employer and filed with the division *prior* to the completion of an investigation in order to facilitate the claim review process. For example, if an employee becomes disabled from working at least three calendar days due to the alleged injury, the employer must complete and file a Certificate of Dependency and Employee Exemption Report (Form 10/10s) signed by the claimant, a Wage Statement (Form 25), and perhaps other information. Likewise, an employer can help secure an employee's signature on a Medical Authorization (Form 7) which will greatly facilitate and increase the speed with which a carrier can obtain the injured employee's medical records for independent evaluation.

Another consideration is employer/employee good will. Employees often appreciate it when employers show interest in their alleged injuries and expedite

## Workers' Compensation: (continued)

the processing of their workers' compensation claims. Good communication between the employer and the employee and the employer and the carrier at the earliest stages of a claim investigation can often improve the chances of a resolution of a claim to the satisfaction of all parties. By resolving claims early in the workers' compensation process, the costs of litigation are either eliminated or greatly reduced, resulting in greater savings on insurance premiums. If, however, an employee does not cooperate by either signing or timely returning medical authorizations or other required forms, the fact that an employer attempted to work with a carrier to secure these documents promptly following the injury may be evidence of their "good faith efforts" to complete, albeit unsuccessfully, their investigation within the 21-day period immediately following the notice or knowledge of injury. This evidence may be offered in support of an extension (up to another 21 days) to complete the investigation.

A sixth consideration that employers and carriers should bear in mind relates to what happens if an employer fails to timely file a Form 1 or a carrier fails to pay benefits after 21 days from the date of notice or knowledge of injury except with an approved extension. The commissioner may impose administrative penalties for failing to file required forms, and a \$5,000 penalty for failing to comply with the Workers' Compensation Rules or the commissioner's order regarding the payment of benefits. Additionally, the commissioner

may order payment of past benefits due plus interest, and award attorney fees to a claimant if he or she prevails at hearing in its claim to secure benefits.\*

Good employers try to comply with their obligations under the law, and Vermont employers are no exception. They strive to report workplace injuries to their carriers and appropriate state authorities quickly and appropriately. Compliance with the filing requirements of Vermont's Workers' Compensation Program requires attention to deadlines and prompt communications with the injured employee, the carrier, and the division that administers and enforces Vermont's workers' compensation laws. Knowing your assigned adjuster, and developing good internal practices to report alleged work-related injuries quickly and thoroughly to facilitate the carrier's investigation and the filing of a Form 1 and other required documents, can reduce costs and exposure to penalties and increase the odds of an expeditious resolution of the claim.

You can find more information about Vermont's Workers' Compensation Program on the Department of Labor's new web site <http://www.labor.state.vt.us>. You also can find and download the Forms discussed in this article at "Forms & Publications" on this web site.

**To reach the program staff by phone, call (802) 828-2286.**

*\* Pursuant to Workers' Compensation (WC) Rule 45.5500, an employer who fails to submit any form required by law, including the timely filing of a Form 1, shall be assessed a penalty of \$100 for each violation. Also, pursuant to WC Rule 45.5510.1, if an employer refuses or neglects to provide an injured employee a copy of a Form 1 filed on his or her behalf, "on or about the same time" as filing this form with the division, that employer "shall be assessed a penalty of \$50 for each violation." Pursuant to 21 V.S.A. section 688(a), the Commissioner of DOL may, after notice and opportunity for a hearing, assess "administrative penalties of not more than \$5,000 against any employer, insurance company, or their agents that the commissioner finds has refused or neglected to comply with the reasonable rules and regulations of the commissioner or any order issued by the commissioner, or to adjust and pay compensation and medical bills in accordance with the provisions" of Title 21, chapter 9. Finally, under 21 V.S.A. section 675(c), an employer who fails to make payment to an employee under Title 21, chapter 9, pursuant to an interim order of the commissioner "within 15 days after the payment is due shall also pay the employee interest on the unpaid compensation at the statutory rate." Pursuant to 21 V.S.A. section 678(a), necessary costs of proceedings to secure benefits, including attorneys fees, may also be assessed against the employer or carrier when a claimant prevails.*



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## Announcements

### ***Workers' Compensation Boot Camp***

June 20, 2006, 9:00AM – 12:00PM, at Vermont Technical College Enterprise Center, Randolph, Vermont

*Here is what you will miss if you don't attend this seminar:*

- How to manage skyrocketing Workers' Compensation insurance premiums
- Understanding the financial impact of work related injuries
- Valuable tools and techniques to control costs associated with injuries
- How to defend a questionable claim or injury
- How to reduce your Experience Modification Factor

**Presenters:**

Kelly E. Grasso, Comprehensive Risk Services, Andrew C. Boxer, Esquire  
REGISTER at: [www.vtsbdc.org](http://www.vtsbdc.org)

AND

### ***Vermont Safety & Health Council, Quarterly Membership Meeting***

#### **Applied Ergonomics a Success Story**

Wednesday, June 21<sup>st</sup> Noon – 3:45pm, Vermont Teddy Bear Factory

**For more information or to register, please contact: Doug Little at 802-479-9501 or [Douglas.Little@uvm.edu](mailto:Douglas.Little@uvm.edu)**

**Equal Opportunity is the Law** - The State of Vermont is an Equal Opportunity/Affirmative Action Employer. Applications from women, individuals with disabilities, and people from diverse cultural backgrounds are encouraged. Auxiliary aids and services are available upon request to individuals with disabilities. 711 (TTY/Relay Service) or 802-828-4203 TDD (Vermont Department of Labor).