

The

OHIO PLAN

Report
SPRING 2005

- Police Department
- Fire Department
- Parks Department
- Street Department
- Water Department
- Administration
- Council/Trustees
- Wastewater Department

www.ohioplan.org · ohioplan@hylant.com


 We would appreciate your assistance in distributing The Ohio Plan Report to the key people in your operation.
THE OHIO PLAN *ADVANTAGE*

It's Almost Here – Are you Prepared to take Advantage?

JUST A REMINDER.....

Most Ohio Plan Members have the ability to directly affect their 2006 premium by lowering their annual premium up to 10%!

The Ohio Plan *Advantage* was announced a year ago and it is almost here. Beginning with your 2006 renewal, Ohio Plan Members may qualify for the *Advantage*. If you have been an Ohio Plan member for 5 consecutive years or more, you may qualify for up to a 10% credit (of your 2003 premium) on your 2006 renewal premium. For those Ohio Plan Members with 3 or 4 consecutive years of membership, you may qualify for up to a 5% credit (of your 2003 premium) on your 2006 renewal.

THE CREDIT IS WEIGHTED 60/40

based on your entity's loss experience and responses to your Ohio Plan on-site risk management survey. For more detail, visit the Ohio Plan website at .

YOUR 2006 RENEWAL PREMIUM

will be calculated the same as previous years. Any *Advantage* credit, which is applied to your renewal premium, will be a

percentage of your 2003 premium, which is the beginning of the *Advantage* development period.

SOUND COMPLICATED?

It isn't, but your Ohio Plan Representative will be available to answer any questions. Also, look for a detailed informational mailing in late summer 2005.

WHAT DO YOU NEED TO DO?

Be active in risk management, which is also known as loss prevention, and always respond to the Ohio Plan's Risk Management survey recommendations in the requested timeframe. If you are consistently active in loss prevention, your overall claims should decrease.

Why is the *Advantage* being introduced? The *Advantage* is intended to reward Ohio Plan Members (after a 3 year claim development period) for their efforts in minimizing or eliminating claims. If claims are minimized for the Ohio Plan as a whole, rates will remain low for all members. Those Members with better loss experience and who do the right things in preventing claims will receive the largest percentage of their Ohio Plan *Advantage*.

THE OHIO PLAN *ADVANTAGE* IS ANOTHER BENEFIT OF MEMBERSHIP!!!!

The Ohio Plan Report is published three times a year by the Ohio Government Risk Management Plan Administrator-Hylant Administrative Services, 811 Madison Avenue, 11th floor, Toledo, OH 43624

Additional information about The Ohio Plan can be accessed via The Ohio Plan website: www.theohioplan.org Then contact your Ohio Plan Regional Representative (agent), one of the current Board Members, or the Plan Administrator about your interest.

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SEMINAR/EDUCATION

REIMBURSEMENT PROGRAM

In addition to offering "in house" education and seminars, The Ohio Plan recognizes that there are many useful educational seminars on a variety of subjects available from outside sources.

One of the benefits The Ohio Plan offers is the reimbursement of qualified education training expenses. A member is eligible for reimbursement for 50% of

any one-day seminar/training tuition fee for an individual (up to a maximum of \$150.00 per event). This reimbursement is limited to two attendees annually. The two individuals do not have to attend the same training seminar. Note that this reimbursement does not include any travel, lodging, meal expenses, etc. It is only for the cost of the training seminar.

Also, a member is eligible for up to \$250.00 reimbursement for the cost of any seminar conducted by a qualified third party for a group of the member's employees. These seminars are normally hosted at the member's location and are usually department or work topic specific. This reimbursement is limited to one event annually.

EXAMPLES OF QUALIFIED TRAINING OPPORTUNITIES INCLUDE

(BUT ARE NOT LIMITED TO):



PADGETT-THOMPSON SEMINARS:

Information can be found at www.pttrain.com or www.natsem.com or by calling 800 255-4141 to select a seminar and to register.

TOPICS INCLUDE:

- ▣ Workplace Safety
- ▣ Wage & Hour Law Compliance 2003
- ▣ The Basics of Human Resource Law
- ▣ Human Resources & the Law
- ▣ How to Motivate, Manage & Lead a Team
- ▣ Conducting Employee Performance Evaluations
- ▣ How to Deal with Unacceptable Employee Behavior
- ▣ Coaching, Mentoring & Team Building Skills
- ▣ The Essentials of OSHA Compliance

THE OHIO LOCAL TECHNICAL ASSISTANCE PROGRAM (LTAP) SPONSORED BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) @ WWW.DOT.STATE.OH.US/LTAP OR 1-877-800-0031

PUBLIC AGENCY TRAINING COUNCIL @ WWW.PATC.COM.

TOPICS INCLUDE:

- ▣ Law Enforcement Training
- ▣ Fire Service Training
- ▣ Legal & Liability Risk Management

THE OHIO ASSOCIATION OF CHIEFS OF POLICE @ WWW.OACP.ORG

THE OHIO FIRE CHIEFS ASSOCIATION @ WWW.OHIOFIRECHIEFS.COM

THE OHIO PARKS & RECREATION ASSOCIATION @ WWW.OPRAONLINE.ORG

HERE IS HOW THE PROGRAM WORKS:

member must have paid for its employee(s) to attend a seminar. Additionally, verification of the employee(s) attendance at the training seminar must be obtained. Reimbursement will not occur without proof of payment and attendance verification being received. Note that most training seminars provide a certification of attendance at the conclusion of the training.

Mail or fax both the proof of payment and the certificate(s) of completion to:

Hylant Administrative Services
P.O. Box 2083
Toledo, OH 43603-2083
Attn: HAS Risk Management Dept
FAX: 419-259-6099

Any questions regarding this Seminar / Education Training Reimbursement Program should be directed to Bill Balmat, Director of Risk Management Services. He can be reached at either bill.balmat@hylant.com or by calling 1-800-249-5268, ext. 1923.



The DANGERS of Police Pursuit Driving

From 1993 to 2003, across the nation 3,877 people were killed as a result of police pursuits - 1,251 of them were bystanders who were not involved in the pursuit and just happened to cross paths with the chase. The State of Ohio ranked 9th out of all states with 130 fatalities, 52 of who were not indirectly involved in the police pursuit.

Following are some examples of fatal pursuits and high speed chases:

- A fleeing driver who allegedly left a gasoline station without paying for \$16 in gas hit another car which in turn was forced off the road, killing a pedestrian.
- An alleged purse-snatching suspect in a stolen car, rammed two police cars, then flipped the stolen car, killing both himself and a bystander who came out of a store when he heard the sirens.
- A 16 year old girl was killed when the car in which she was a passenger crashed into a tree, while the 18 year old driver was being chased because it had been reported that she might have been drinking.
- Police chased a 24 year old person at speeds up to 110 mph for allegedly trying to cash a bad check. During the chase the fleeing car hit another vehicle at an intersection, killing the 80 year old driver.

- A 27 year old mother and her 9 year old son were killed when a drunk driver rammed her car while trying to outrun police at speeds exceeding 80 mph.
- A 28 year old mother and her infant son were killed when a fleeing driver hit their van at 100mph.
- Two law enforcement agencies chased a fleeing motorcyclist for 11 miles at speeds that topped 170 mph. They did not catch him.
- Three law enforcement agencies chased a suspect at speeds topping 160 mph, for an alleged traffic violation.
- Nine officers, from four agencies, chased a fleeing suspect for 15 minutes, covering 22 miles, at speeds in excess of 130 mph.



Other facts include:

- About 70% of high speed chases started as a result of a traffic related incident.
- 1 in 5 police chases resulted in some form of injury or death.

1 in 3 police chases result in property damage.

- In only about 3% of high speed cases was a driver charged with a violent felony.

How prepared is your police department to react to a possible high speed chase situation and still maintain overall public safety?

Some points to consider in developing your own Pursuit Driving Policy include:

- Only permitting chases when it is known a violent felony has been committed
- If there is not a known immediate threat to the public, do not pursue
- Do not permit high speed chases for traffic violations
- Require officers to get permission from a supervisor within the first minute of a pursuit, otherwise break it off
- Train your officers on your policy - annually!!
- Keep documented records of attendance and training content
- Enforce adherence to your pursuit driving policy by your officers



Coping with Difficult Risk Management Issues

ARE YOU 'STEPPING AROUND OR STEPPING UP?'

NOTE: The idea for and portions of this article are being reprinted here with the permission of Linda Varando, the Volunteer Program Director, Audit Services at the American Red Cross. Ms. Varando was the original author.

Recently many newspapers across the country carried an article (1) with a startling headline: "Body Lay in Kitchen for Two Years". The news item went on to report that an elderly woman had fallen in her kitchen in mid-2003, apparently died a couple of weeks later from her injuries, but she was not found until March 2005. That could be plausible if the woman lived alone and had no close neighbors, family or friends. However, that was not the case here. It turns out that the woman's husband and son had just stepped around her body and continued to use the kitchen for all that time.



While the images that this news report leaves in one's head are not pleasant, this situation could be a metaphor for other situations that we are confronted with. One in particular could

be the idea of risk management in public entities. Admittedly public entities have become increasingly skilled at identifying and managing obvious risks. And slowly but surely they are getting more astute at recognizing subtle risks. But - are there times when we continue to step around delicate or difficult risk management issues?

SOME OF THE SITUATIONS OR ISSUES THAT COME TO MIND ARE:

PEOPLE ISSUES - Every public entity should have a stack of rules (often collected in the form of an Employee Handbook, Operating Guidelines, etc.) that describe key policies and procedures. But many organization leaders avoid confronting the issue of an employee who isn't performing as expected and needed. Consider the situation where everyone knows that an employee's work is substandard, but management fails to take action.

PROPERTY ISSUES - Public entity leaders understand that facilities and equipment make it possible to deliver mission-critical services. Yet some organizations fail to implement policies

and procedures to safeguard the physical resources necessary for service delivery. "We don't need any more rules!" or words to that effect, are often said by employees throughout agencies. It would be refreshing to operate in an environment where everyone intuitively knew what to do and how to do it. That, unfortunately, is not the case in the real world today.

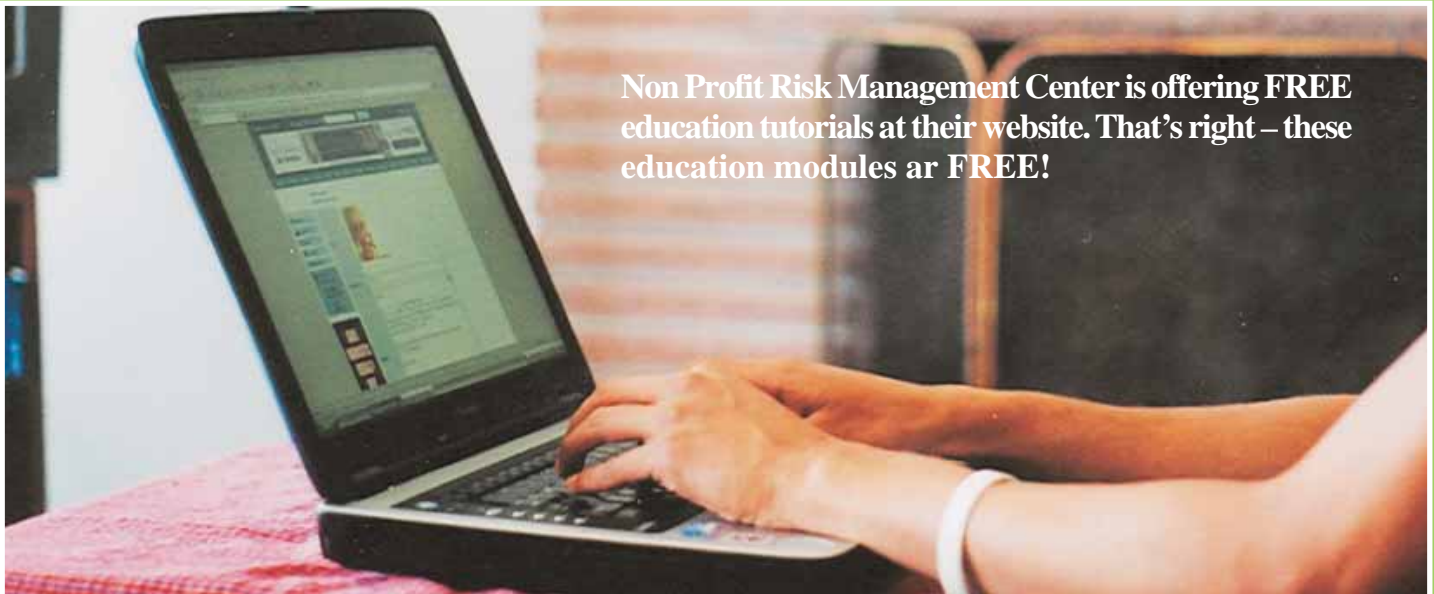
FINANCIAL ISSUES - A public entity's risk financing needs can be summarized as the amount of funds it will need at various times in the future to pay for losses. And a significant issue in this analysis is the short-term budget process. Does your entity proactively engage in the forecasting, estimating and analysis of loss history to plan for the future - OR - do you react to the need for more funds by raising taxes or fees, issuing debt instruments and/or obtain emergency appropriations?

COMMUNITY GOODWILL - Is your entity regarded as one that is open or is just run by a small clique? Do you report your entity's finances and activities to the community by presenting clear, honest information, or is data manipulated to present a not-so-clear picture of activities? What organization can afford to lose the support of the community it serves or the community at large? That is what's at stake every day in every organization if we do not operate with honesty and integrity.

Every time we fail to take responsible action about people issues, property challenges, financial issues or maintaining goodwill, we are just stepping over that body in our own kitchen. If something doesn't change from within proactively, then the potential exists for some external event to occur that will force change, but at a cost! That cost could be either an injury to an employee or a citizen, loss of property and/or equipment, or potential claims and lawsuits resulting in financial cost. The question is: "Are you willing to identify your situations and then resolve your issues from within before some negative event occurs?"

The choice of stepping over - or stepping up - must be answered by management and leadership.

(1) Phillips, Kelli. Knight-Ridder "Body lay in kitchen for 2 years." San Antonio Express News, March 22, 2005: Nation.



Non Profit Risk Management Center is offering **FREE** education tutorials at their website. That's right – these education modules are **FREE!**

FREE Education Tutorials: On-Line

The Nonprofit Risk Management Center is offering FREE education tutorials at their website. That's right – these education modules are FREE!

The current education modules available include:

Basic Risk Management:

This tutorial looks at the discipline of a risk management program and how it can help to identify, assess and control risks that might be present in operations, service delivery, staffing and governance activities.

Workplace Safety:

There are ten sections that discuss topics from Setting-up an Effective

Safety Program, Workplace Safety Training, Accident Reporting and Accident Analysis.

Volunteer Risk Management:

If your municipality has a volunteer program, then you are probably applying "common sense" participation guidelines. This tutorial will help you to identify your decisions and strategies so that your volunteer program can achieve its' mission.

Accident Response:

This tutorial looks at preparing for and responding to several types of accidents –

- ✔ Auto Accidents
- ✔ On-premises accidents
- ✔ Off-premises accidents

These tutorials can be accessed at the following website:
<http://nonprofitrisk.org/tools/tools.htm>

The Nonprofit Risk Management Center was established in 1990 to provide assistance and resources to community-serving nonprofit organizations. Their mission is to help nonprofits cope with uncertainty and to provide practical ideas for controlling risks that may threaten a nonprofit's ability to accomplish its' mission.



Contact Us!

We want to hear from you!

Please use any of the following methods to contact us.

☎ Call 1 (800) 249-5268 x1923 for Bill Balmat, the Director of Risk Management Services

✉ E-mail your question to bill.balmat@hylant.com

📄 Go to The Ohio Plan website: www.ohioplan.org/pages2/regional.htm to identify your assigned risk management representative.

We want to provide you the assistance you are looking for!



Member Connection

The City of Wapakoneta in Auglaize County, Ohio is presently in its' seventeenth year as a member of The Ohio Plan. Mr. Rex Katterhienrich, the City's Safety Service Director for the last 16 years, and Mayor Don Wittwer, on the job for 33 years, recently talked with their agent, Jason Chapman, of the Stolly Insurance Group. Following are some of the highlights of their comments and observations regarding the City's longevity as a satisfied member of The Ohio Plan:

Service Above and Beyond

Sometime ago the City experienced a near tornado situation where their electrical distribution center received major damage, leaving the majority of customers without power. The Ohio Plan responded with claims representatives immediately, who

worked very closely with all departments within the City. Power was restored to ALL households within 36 hours. After the initial crisis was addressed, the Plan's risk management team worked with the City to identify all of their property, vehicles and inland marine equipment and to determine proper valuation with the ultimate goal of insuring all assets at their correct values. The City has been repeating this activity on a regular basis ever since.

Support and Knowledge

The City has always been very comfortable and pleased with the responsiveness of both their Agent and The Ohio Plan service. Whenever there has been a question that needed to be answered or a situation that needed to be addressed, someone was there for them.

Looking to the Future

Both Rex and Mayor Wittwer were in agreement that they look forward to periodic risk management inspections of the City's property and equipment. They both acknowledge the importance of keeping your property and equipment insured to their fullest values and also how important it is to reduce potential liability exposures wherever possible. In closing, Rex mentioned that "he liked the idea of the new Ohio Plan Advantage where an entity can be rewarded at their renewal time if they keep up with their proactive risk management obligations and their claims ratio is in good standing. A program like this indicates how much The Ohio Plan is truly looking out for their members."



FIRE/EMS 'PUBLIC SAFETY VEHICLES'

Personal vehicles used by volunteer firefighters and/or EMS personnel to respond to an emergency are referred to as "Public Safety Vehicles" in Ohio. To use a personally owned vehicle (POV) as a public safety vehicle, **ALL of the following conditions MUST be met:**

- ◆ The vehicle IS to be inspected annually at an inspection site approved by the fire department and following Ohio set standards.
- ◆ A current vehicle decal - issued annually
- by the State Fire Marshall MUST be displayed.
- ◆ Vehicle decals are issued at the REQUEST of a department's fire chief.
- ◆ A personal vehicle MUST be used in accordance with established and documented departmental policies and procedures.
- ◆ Lights and Siren MUST be used while responding – AND – the driver is NOT exempt from street and highway laws. Lights and Siren are only a means of "requesting" the right-of-way.



Information regarding Ohio's laws governing the operation of personal vehicles by emergency service personnel is located primarily in Sections 4511.01 (E) (3) and Chapter 4513 of the Ohio Revised Code. The Code Sections can also be found on the following website: <http://onlinedocs.andersonpublishing.com>



Distribution of

Policy and Procedures Handbooks

One of the more effective risk management tools available to management is to secure an acknowledgement of receipt from their employees when disseminating employee handbooks and/or departmental operating policies and procedures. This usually creates a paper trail when the employee signs and returns such an acknowledgement. It is often a slow tedious process tracking this paperwork. To improve productivity and make this communication process more efficient, many organizations have begun utilizing electronic email for the purpose of disseminating information to their employees.

However, be careful that you do not inadvertently 'paint yourself into the proverbial corner!' The question becomes when the distribution of these important documents is done electronically, how do employers gather and track the employees' acknowledgement of receipt of this material?

A recent ruling by a U.S. District Court held "that merely sending mass emails to a group of employees, without something else, fails to constitute the minimal level of notice required..."

The Court further held "that the employer could not establish that its employees had actual notice of the new policy through email distribution alone."



THIS DECISION WAS BASED ON THE FOLLOWING **3** FACTORS:

- 1** The email gave no indication to the employee of the significance of the message it contained.
- 2** The email did not inform the employee when the new policy was effective.
- 3** The employer did not require its employees to acknowledge that they had seen the email or understood its meaning.

The simplest method of acknowledgement and most difficult for an employee to challenge is still to require a signed piece of paper. However, if email is used to communicate this type material, then there are various options available to secure an employee's acknowledgement. An employee can be required to reply with a pre-worded message to the sender of the email. An email system can also be set-up to automatically return 'received and read receipts'. Also, emails of this type must be appropriately labeled so the recipient understands the importance of the message and the content of the email should contain a clear description of the message and any impact it may have to the employee's rights and/or responsibilities.

Remember, regardless of how information regarding employment and departmental policies and procedures is released to employees, employers must implement a tracking mechanism to confirm that every employee has been notified and received the information.

BIG & BACKED BEST

BY THE



www.ohioplan.org



Since its establishment in 1988, The Ohio Plan has grown to approximately 500 members; the largest group property/casualty program for public entities in the state. One reason for this growth is the Plan's long-term stability. As a member, you'll rest easy knowing your coverages are solid and supported by some of the best-known names in the business.

Plan Members Working for You

Board Member
Law Enforcement Committee Member
Fire/EMS Committee Member

For more information about The Ohio Plan, contact Hylant Administrative Services. We'll put you in touch with a public entity specialist near you.

The Ohio Plan

We cover the state.

Administered by Hylant Administrative Services. A member of Hylant Group, the largest independent insurance broker in Ohio.

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