



County Connection

News from the Washington Counties Risk Pool

July/August 2011

Summer Conference News



Liz Miser and Mike Croke (*not pictured*) of Arthur J. Gallagher Risk Management Services, Inc., and Brian Whooley and Richard Vincelette of ACE presented a check for \$50,000 to President Marilyn Butler at the Annual Board of Directors Meeting in Walla Walla. This check represented the first half of funds promised to the Risk Pool for loss control enhancements. Mr. Vincelette commented, "It's all about the losses. We want to help address frequency losses, keep the corridor under control and partner with WCRP. I would rather spend the money on training than on inspection." In addition to the promised funds, Mr. Vincelette offered to fund half the cost for the next three years for additional producer-furnished risk control consulting services.

The Board approved funds, \$57,500 for the first of three years, for Arthur J. Gallagher to conduct optional (Phase III) risk control consulting services in 2011-12.

During the meeting, Laura Merrill, Commissioner from Pend Oreille County, was elected to the Executive Committee to fill the vacant position created by Rose Elway's retirement. Laura was also elected to a full term on the Committee from 10/1/11 through 9/30/14.

Lee Grose (Lewis), Keith Goehner (Chelan) and Tammy Devlin (Thurston) were reelected to the Executive Committee through 9/30/14. Steve Bartel (Spokane) was elected President for Py2012 and Mark Wilsdon (Clark) was elected Secretary/Treasurer for Py2012.



WHAT'S NEW IN THE SAMPLE POLICY LIBRARY?

The Sample Policy Library on the WCRP website is organized by broad subject categories, including Accident Prevention, Computer Security, Contract Management, Facilities, Fairgrounds & Special Events, Financial Management, Health Care, Human Resources/Employment Policies, Law Enforcement (Sheriff, Jail, Juvenile Detention), Public Records, Recreation, Reductions in Force, Risk Management, Roads, and Vehicle Use.

New documents are frequently added to the Library. Here are a few of the latest:

Contract Management—Clark County Land Lease for Food Bank, Clark County Construction Insurance Coverage, and Island County Franchise Template.

Human Resources—Various Clark County documents related to park volunteers and consent forms, various documents from Whatcom County about performance and conduct requirements, and discipline guidelines, and links to several documents related to dress codes and personal appearance.

Law Enforcement—Various Whatcom County documents related to the dispensing of prescription drugs in jail, and sexual conduct policies.

Recreation—CPSC Guidelines for Retrofitting Bleachers and their Public Playground Safety Handbook (see article on pages 3 and 4).

Risk Management—WCRP's Risk and Claims Management Policy and the Risk Exposure Self-Assessment Summary.

Roads—Okanogan County Agreement to Control Vegetation on County Right of Way.

If you have any documents that would be good additions to the Sample Policy Library, please email them to Jill Lowe at jill@wcrp.wa.gov for her review.

Executive Committee

2010/11 President

Marilyn Butler, Skamania County

2010/11 Secretary/Treasurer

Steve Bartel, Spokane County

Other Members

Tammy Devlin, Thurston County

F. Lee Grose, Lewis County

Laura Merrill, Pend Oreille County

Steve Clem, Douglas County

Randy Watts, Whatcom County

Andrew Lampe, Okanogan County

Keith Goehner, Chelan County

Jay Winter, Walla Walla County

Mark Wilsdon, Clark County

Risk Pool Staff

Administration

Vyrie Hill, Executive Director

Sue Colbo, Auditing/Accounting Officer

Claire Thompson, Assistant/Editor

Claims

Susan Looker, Manager

Candy Drews, Senior Analyst

Mike Cook, Senior Analyst

Tammy Cahill, Representative

Lisa Daly, Assistant

Member Services

David Goldsmith, Member Services

Jill Lowe, Loss Control Coordinator

To access *County Connection's* e-version, go to www.wcrp.info

To receive by email, send your email address to claire@wcrp.wa.gov or call (360) 292-4480. Got story/photo ideas? Please submit them to the email address above.

Published by



**WASHINGTON COUNTIES
RISK POOL**

Created by Counties for Counties

There's lots of good stuff on the WCRP website. Check it out at:
www.wcrp.info



PLAYGROUND SAFETY TIPS

According to the U.S. Consumer Product Safety Commission, more than 200,000 injuries annually on playgrounds across the country require emergency room treatment. An estimated 148,000 of these injuries involve public playground equipment and an estimated 51,000 involve home playground equipment. Also, about 15 children die each year as a result of playground equipment-related incidents. Most of the injuries are the result of falls.

The U.S. Consumer Product Safety Commission offers these playground safety tips from its *Handbook for Public Playground Safety*.

1. Protective Surfacing—Since almost 60% of all injuries are caused by falls to the ground, protective surfacing under and around all playground equipment is the most critical safety factor on playgrounds.

Asphalt and concrete are unacceptable. They do not have any shock absorbing properties. Similarly, grass and turf should not be used. Their ability to absorb shock during a fall can be reduced considerably through wear and environmental conditions.

Certain loose-fill surfacing materials are acceptable, such as double shredded bark mulch, wood chips, fine sand, and fine gravel.

Certain manufactured synthetic surfaces also are acceptable; however, test data on shock absorbing performance should be requested from the manufacturer.

2. Fall Zones—a fall zone, covered with a protective surfacing material, is essential under and around equipment where a child might fall. This area should be free of other equipment and obstacles onto which a child might fall.

Stationary climbing equipment and slides should have a fall zone extending a minimum of 6 feet in all directions from the perimeter of the equipment.

Swings should have a fall zone extending a minimum of 6 feet from the outer edge of the support structure on each side. The fall zone in front and back of the swing should extend out a minimum distance of twice the height of the swing as measured from the ground to the top of the swing support structure.

3. Swing Spacing—To prevent injuries from impact with moving swings, swings should not be too close together or too close to support structures. Use the following guide:

- A. No more than two swing seats suspended in the same section or bay of the support structure. Use the following clearances for conventional to-fro swings: Horizontal distance between adjacent swing seats should be at least 24 inches; horizontal distance between swing seat and adjacent structural component should be at least 30 inches.
- B. No more than one tire swing suspended in same section or bay of support structure. Distance between the outermost edge of a tire swing and adjacent upright of the support structure should be at least 30 inches when the tire is swung to a position closest to the support structure.
- C. No swings attached to multi-activity equipment.
- D. No heavy animal swings with rigid metal framework.

4. Elevated Surfaces—Platforms more than 30 inches above the ground should have guardrails to prevent falls.

(Continued on page 4)



SAFETY NEWS



(Continued from page 3)

5. Potential Head Entrapment Hazards—

In general, openings that are closed on all sides should be less than 3 1/2" or greater than 9". Openings that are between 3 1/2" and 9" present a head entrapment hazard because they are large enough to permit a child's body to go through, but are too small to permit the head to go through. When children enter such openings, feet first, they may become entrapped by the head and strangle.

6. Potential Entanglement Hazards—

Open "S" hooks, especially on swings, and any protrusions or equipment components/hardware which may act as hooks or catch-points can catch children's clothing and cause strangulation incidents. Close "S" hooks as tightly as possible and eliminate protrusions or catch-points on playground equipment.

7. **Pinch or Crush Points**—There should be no exposed moving parts which may present a pinching or crushing hazard.

8. Playground Maintenance—

Playgrounds should be inspected on a regular basis. If any of the following conditions are noted, they should be removed, corrected or repaired immediately to prevent injuries:

- A. Hardware that is loose or worn, or that has protrusions or projections.
- B. Exposed equipment footings.
- C. Scattered debris, litter, rocks, or tree roots.
- D. Rust and chipped paint on metal components.
- E. Splinters, large cracks, and decayed wood components.
- F. Deterioration and corrosion on structural components which connect to the ground.
- G. Missing or damaged equipment components, such as handholds,

guardrails, swing seats.

For more detailed information on playground safety, refer to the CPSC's **Handbook for Public Playground Safety**. The Risk Pool has provided a link to this document in the Sample Policy Library under Recreation, where you will also find guidelines for retrofitting bleachers.

Be Safe Out There!

(This excerpted information is reprinted with the approval of the U.S. Consumer Product Safety Commission.)





Helpline NEWS



Here are the latest Questions of the Month from the HelpLine for WCRP Members' HR Express Update:

July Question:

Three months ago we advertised a job posting. One of the best candidates that applied for the position was not hired, primarily because we felt that the applicant was over qualified for the position and we were afraid that she would be bored and not stay in the job long after she mastered it. Now we anticipate an opening that we believe she would be perfectly suited for and one in which we think she would excel and grow professionally. Can we simply hire her to fill the anticipated opening or must we advertise the position and start from scratch with her and anyone else who may apply?

Response:

As a general matter, we are not aware of any specific state or federal employment law that requires an employer in the private sector to hire and recruit from any particular source. And in this regard, we are not aware of any general requirement that employers post vacant jobs only or at all internally or that precludes an employer from using outside resources to recruit external candidates, either.

That said, public sector employers, and particularly those with government funding or requirements, may have obligations relative to the manner and means in which it recruits and hires employees to perform certain tasks, including posting requirements, and in this regard we recommend that you consult local counsel for your city to ensure the employer's efforts in this regard are compliant. If there are no such regulatory requirements as to recruitment and hiring, to our knowledge the employer would be within its rights to hire directly, and including seeking to hire someone who previously applied for a position with the organization.

The employer must ensure its decisions are legitimate and non-discriminatory, and if hiring someone who previously applied and is determined to be a good fit for the current opening, we are not aware of a specific law that would be violated by doing so. If, however, as noted above, there are contractual or regulatory requirements

imposed on the employer in connection with recruitment and hiring through public sector laws and regulations or ordinances, the employer must ensure it satisfies those obligations to ensure compliance and continued funding, etc.

Source: HR Risk Management HELPLINE for WCRP Members, www.hrhelpline.com/wcrp, July 2011

© 2011 Gordon & Rees, All Rights Reserved

August Question:

We have an employee who is currently out on maternity leave. This employee started with us before she was pregnant. She became pregnant and worked up until the time she had her baby. She is now getting ready to come off of maternity leave but she has notified us that she can only work a very part-time schedule which is unfortunately not substantial enough for us to keep her employed. How do we position ourselves in this situation? We want to be sure that we don't do anything illegal in this sensitive case.

Response:

If the employee is the one seeking to return to part time work, absent a governing contract or agreement, we are not aware of any law which requires that the employee be placed in a part time position unless it is consistent with company policy or past practice to do so. In other words, if your organization has accommodated similar requests from other employees, then we would recommend doing so here in a consistent manner so as to avoid possible discrimination claims.

If in the past such accommodations were made for other employees but now the employer cannot do so, then in the face of a discrimination claim, the employer will need to articulate its legitimate, non-discriminatory business reasons for why the employee could not be placed in a part-time position (i.e. work requires full-time employee). Employees who were on maternity leave are not entitled to better or more preferential treatment, they just cannot be treated any worse, and that is why consistency is important.

Source: HR Risk Management HELPLINE for WCRP Members, www.hrhelpline.com/wcrp, August 2011

© 2011 Gordon & Rees, All Rights Reserved



CLAIMS NEWS



The Washington Counties Risk Pool is seeking a qualified (casualty) Claims Analyst to join its staff of dedicated professionals. The position’s primary focus is to, **“Assist the Claims Manager and Sr. Claims Analyst(s) in handling and processing claims in a manner consistent with the Pool’s established goals and objectives.”**

This position requires an Associate degree in business or public administration, or an Associate in Claims (AIC) from the Insurance Institute of America or comparable certification, **with** a minimum of three (3) years of claims management experience; **or** any combination of education and progressively responsible experience which would provide the applicant with the abilities to perform the job duties. *NOTE: AIC certification is required within two (2) years of appointment.*

The approved salary range for Claims Analyst is \$50,886 to \$62,583 annually, DOQ. A benefits package is available that includes health, dental & life insurances as well as paid holidays, sick leave and vacation, and Washington PERS.

While the position will be considered *Open until Filled*, **only those qualified candidates submitting their completed WCRP Application Form before the close of business Tuesday, September 6, 2011 will be considered part of the initial selection pool.** The WCRP Application Form and the Claims Analyst job description can be obtained from the Pool’s website www.wcrp.info or by direct contact at 2558 R.W. Johnson Rd. SW, Suite 106, Tumwater, WA 98512-6103 – phone 360/292-4500 x107, fax 360/292-4501, or e-mail info@wcrp.wa.gov.

Claims Manager Susan Looker (susan@wcrp.wa.gov) or Executive Director Vyrle Hill (vyrle@wcrp.wa.gov) will address any questions regarding the Claims Analyst position and this recruitment.

Position: CLAIMS ANALYST
Reports to: Claims Manager
FLSA Status: Exempt

Nature of Work: Assist the Claims Manager and Sr. Claims Analyst(s) in handling and processing claims in a manner consistent with the Pool’s established goals and objectives. Assists member counties in the development and maintenance of their claims management programs and evaluates effectiveness and efficiencies. Position requires overnight travel to member counties as necessary.

Duties and Responsibilities:

Manage and monitor moderately complex liability claims and lawsuits as assigned by the Claims Manager.

Attend settlement conferences.

Respond to specific inquires on claims.

Assist Claims Manager and Sr. Claims Analyst in the selection of adjusters and attorneys.

Maintain liaison with excess carrier or reinsurer as directed.

Review legal billings for services and fees.

Prepare portions of newsletter dedicated to claims and underwriting.

Assist in annual collection and preparation of information for underwriting and actuary for insurance

(Continued on page 7)



CLAIMS NEWS



(Continued from page 6)

purchasing and renewal process.
Review contracts for member counties upon request for indemnification and insurance provisions.
Instruct at various training seminars.
Perform other functions as assigned.

Knowledge, Skills and Abilities:

One year of experience in computer claims management information systems.
Excellent interpersonal, communication, and marketing skills.
Ability to plan, organize, multi task, and perform work with minimal supervision and direction.
Demonstrated ability in the art of explaining, evaluating, negotiating and completing a variety of resolutions on moderately complex liability claims and coverage issues.
Ability to establish and maintain cooperative and effective working relationships.
Problem solving and negotiation skills.
Flexibility to travel and work irregular hours.
Ability to keep sensitive and privileged information confidential.

Working Conditions and Physical Effort:

Work is normally performed in a typical interior/office work environment.
No or very limited physical effort required.
No or very limited exposure to physical risk.

Minimum Qualifications:

Associate degree in business or public administration, or *Associate in Claims* from the Insurance Institute of America (AIC) or comparable certification, **and** a minimum of three (3) years of claims management experience; **or** any combination of education and progressively responsible experience which would provide the applicant with the ability to perform the job duties*.

*AIC certification required within two (2) years of appointment to position.

A valid unrestricted (except vision) Washington State driver's license and a driving record meeting WCRP standards.

The WCRP Application Form and the Claims Analyst job description can be obtained from the Pool's website www.wcrp.info or by direct contact at 2558 R.W. Johnson Rd. SW, Suite 106, Tumwater, WA 98512-6103 – phone 360/292-4500 x107, fax 360/292-4501, or e-mail info@wcrp.wa.gov.



TRAINING & EVENTS



November 2-4, 2011

WCRP 2011 Autumn Conference and Board (of Directors) Meeting, Campbell's Lake Chelan's Waterfront Resort, Chelan, WA.

March 21-23, 2012

WCRP 2012 Spring Conference and Board (of Directors) Meeting, The Lodge at Suncadia, Cle Elum, WA.

July 25-27, 2012

WCRP 2012 Summer Conference and Annual (Board of Directors) Meeting, Shilo Inn, Ocean Shores, WA.

**You can get more information, access driving directions,
and register for classes and events at:**

www.wcrp.info

Look for the 2011-12 lineup of
classes in the September/October
edition of *The County Connection*.