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The

Risk Connection

Summer 2016

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The Risk Connection is a publication of Local Government Risk Management Services, Inc., a service organization of the Association County Commissioners of Georgia and the Georgia Municipal Association, whose purpose is to educate and inform cities and counties about loss control methods and risk management.

The opinions expressed in this publication are those of the authors and are not necessarily those of the ACCG or GMA, and further, are not intended to provide specific legal advice. Readers should seek legal advice on specific concerns from their own legal advisors. Any questions or comments should be directed to: *Dennis Watts, Editor, 3500 Parkway Lane, Suite 110, Norcross, Georgia 30092, 678.686.6284, dwatts@gmanet.com.*

Effectively Manage Local Governments' Risk through Contractual Risk Transfer

By Matt Autry, ARM-E, CIC, CSRM, Marsh & McLennan Companies

When undertaking any project or business transaction, significant risks and financial consequences are present. Those risks can be effectively managed through contractual risk transfer, which is the approach of combining the non-insurance risk transfer methods of indemnification and hold harmless clauses with insurance risk transfer. This article summarizes the basics of managing proper contractual insurance requirements for your county.

In many contract situations, insurance is the only source of funds available for another party to honor its indemnity obligations, so it is critical that the insurance requirements are properly drafted and included in each contract. Considerations for all contract situations are as follows:

Determine desired insurance requirements by contract type.

Construction contracts and those for professional services or

special events, for example, will have differences in the types of insurance that are needed. A few different standard requirement templates will be adequate to address most contracts. The templates will detail all coverage types, limits, and special policy provisions that are required.

Address any special or unique risks.

Some contracts will inherently present greater exposure to frequent losses or potentially severe losses, such as those with large crowd exposures, hazardous materials, or significant construction. Those contracts involving access to sensitive data or information also present unique risks. A risk assessment



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checklist and limits matrix will help determine when to require additional types of insurance or higher limits.

Provide insurance requirements as soon as possible.

It is important that other parties are aware of the insurance requirements of the county early so that they can adequately obtain the required coverage and account for any potential increased costs. It is a best practice to include the requirements in a Request For Proposal or other solicitation process, reducing negotiation time and increasing compliance once the contract has been awarded.

Obtain certificates of insurance and verify. Use a certificate checklist to easily help determine that the coverages, named insured, insurance carrier, and policy effective dates are adequate. It is important to obtain recently issued certificates prior to

starting work, and it is recommended to receive the certificates directly from an authorized insurance representative to ensure authenticity. Updated certificates should be obtained at appropriate intervals such as semi-annually throughout each contract for proactive certificate management. Reserve the right to obtain full copies of the policy and/or endorsements to verify coverage is as described on the certificate of insurance.

For more information on contractual risk transfer, attend one of the Contracts for Local Governments classes offered by LGRMS during July and August. For class dates and registration, please visit the LGRMS Event Calendar. A Local Government Contracting and Risk Management Manual will be provided.

Office Safety Quiz

Name _____ Date _____

1. True or False: As long as it doesn't have wheels or casters, a chair can safely be used as a ladder.
☐ True
☐ False
2. True or False: Copier toner can cause skin and eye irritation.
☐ True
☐ False
3. True or False: When filling a new filing cabinet you should always fill the drawers from the top down.
☐ True
☐ False
4. Heavy or fragile items should always be stored on which shelves?
☐ Highest shelves
☐ Lowest shelves
5. True or False: It is safe to use a frayed electrical cord as long as any exposed areas are less than an eighth of an inch in length.
☐ True
☐ False
6. True or False: To help relieve eyestrain when working with computer monitors, keep general office lighting as bright as possible.
☐ True
☐ False
7. True or False: Improper posture can injure your back just as badly as physical labor.
☐ True
☐ False

Killer Distractions

By Dennis Watts

Every day, every hour, every minute, someone in this nation is killed or injured in a vehicle collision. Sadly, according to the National Highway Transportation Safety Administration (NHTSA), 94% of these collisions were preventable by the actions of one or both drivers. You only have to look in your local newspaper, listen to the morning radio, or see those roadside memorials to realize how many people are affected by these deaths and injuries. Preliminary reports show 32,675 traffic deaths in the United States as of the end of 2014. For each of these fatalities, there are dozens of family members, friends, and coworkers who are also affected.

The NHTS has identified driver inattention or distraction as the cause of an increasing number of all collisions. This percentage is probably higher; many drivers will not admit they are talking on the cell phone – or worse, text messaging – or doing some other activity other than focusing on driving. A driver's full attention should be on driving. Doing anything else can adversely affect the safe operation of the vehicle and impact reaction time. In 2014, 3,179 people nationwide were killed in crashes involving a distracted driver. An additional 431,000 people were injured in motor vehicle crashes involving a distracted driver – 18% of injury crashes. 10% of all drivers under the age of 20 involved in fatal crashes were reported as distracted at the time of the crash. This age group has the largest proportion of drivers who were distracted.

Think on your daily drive. What are the activities you see other drivers doing besides driving. As they multi-task, are they paying attention? Do they know the light has turned green? Do they change lanes without looking, almost running you off the road?

Seconds make a difference when we drive. At 60 miles per hour, your vehicle is moving around 88 feet per second. It takes the average person one or two seconds to react to a hazard or change in driving condition. Looking away for only a second, adding the time it takes to refocus and recognize what is happening, means that by the time you start doing



something, your vehicle may have traveled 300 feet – the length of a football field.

The National Safety Council uses a three-part collision prevention formula. If applied by drivers, it would eliminate most collisions, including those by distracted drivers.

Recognize the Hazard

Identifying the hazard early on, or even before it becomes a hazard, is a key step. Stay focused on the road, not letting yourself become distracted (and understanding that other drivers may be). Scan the road to the front, back, and each side. Play the “what if” game – what if that kid chases that ball into the street; what if that car stops suddenly.

Understand the Defense

Know what to do when hazards or conditions change. Keep an adequate following distance (the three-second rule). Slow down when the weather changes (like rain, ice, or visibility), and watch your speed.

Act Correctly in Time

In driving, it is all about time and distance. Keeping to a safe speed with adequate following distance, paying attention, and anticipating what other drivers may do gives you that time.

The three steps can be put in an easily remembered context: RUA. Are You A Safe Driver? Oh, and most importantly...Wear Your Seatbelt.

LGRMS offers to members as a service the National Safety Council's Six Hour Defensive Driving Course. Contact your LGRMS field representative to schedule this great class.

PROFILE

OF AN ACTIVE SHOOTER

An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area, typically through the use of firearms.

CHARACTERISTICS

OF AN ACTIVE SHOOTER SITUATION

- Victims are selected at random
- The event is unpredictable and evolves quickly
- Law enforcement is usually required to end an active shooter situation



COPING

WITH AN ACTIVE SHOOTER SITUATION

- Be aware of your environment and any possible dangers
- Take note of the two nearest exits in any facility you visit
- If you are in an office, stay there and secure the door
- Attempt to take the active shooter down as a last resort

Contact your building management or human resources department for more information and training on active shooter response in your workplace.

CALL 911 WHEN IT IS SAFE TO DO SO

HOW TO RESPOND

WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

1. EVACUATE

- Have an escape route and plan in mind
- Leave your belongings behind
- Keep your hands visible

2. HIDE OUT

- Hide in an area out of the shooter's view
- Block entry to your hiding place and lock the doors
- Silence your cell phone and/or pager

3. TAKE ACTION

- As a last resort and only when your life is in imminent danger
- Attempt to incapacitate the shooter
- Act with physical aggression and throw items at the active shooter

CALL 911 WHEN IT IS SAFE TO DO SO

HOW TO RESPOND

WHEN LAW ENFORCEMENT ARRIVES

- Remain calm and follow instructions
- Put down any items in your hands (i.e., bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements toward officers such as holding on to them for safety
- Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

INFORMATION

YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR

- Location of the active shooter
- Number of shooters
- Physical description of shooters
- Number and type of weapons held by shooters
- Number of potential victims at the location

Reduce Risk of Heart Attacks for Law Enforcement: An Element of the Fifth Tenet of the Below 100 Program

By Julie Hyer, LGRMS Public Safety Risk Consultant

The United States has failed to see a year where line-of-duty police deaths have been fewer than 100 since 1943. The Below 100 initiative provides a rational solution to lowering a number that has remained far too high for far too long. The initiative has five tenets. Wear Your Belt; Wear Your Vest; Watch Your Speed; WIN – What’s Important Now; Remember: Complacency Kills.

The fifth tenet of the Below 100 initiative is “Complacency Kills.” Complacency is defined as “self-satisfaction, especially when accompanied by unawareness of actual dangers or deficiencies.” This tenet requires each and every officer do all they can to help themselves stay safe and healthy. It places responsibility on the individual officer to be willing to make any necessary changes. This includes becoming more aware of one’s personal health and needs.

According to the Officer Down Memorial Page, in the last ten years an average of fourteen line-of-duty deaths per year were because of heart attacks. Heart attacks have been the third leading cause of line-of-duty deaths for law enforcement for over ten years. Gunfire and auto related are the only two areas that have higher rates.

Heart attacks can happen to anyone of any age, gender, or race – even to those who seem to be in good health. Most everyone knows someone who has suffered a fatal heart attack where it was totally unexpected.

The American Heart Association says that most heart and blood vessel diseases can lead to sudden cardiac arrest. Many risk factors of heart disease can also contribute to sudden cardiac arrest. Common risk factors include family medical history, high cholesterol, high blood pressure, diabetes, lack of exercise, smoking, age, and obesity.

Officers may not know their personal risk for sudden cardiac arrest. It is important to take steps to prevent risk where possible. Receiving regular checkups and living a healthier lifestyle will assist in helping officers to live a longer, happier life.

Don’t become complacent; be willing to make the changes that are needed. Choose to eliminate use of tobacco products, limit alcohol use, eat a healthy and nutritious diet, and remain physically active.

Safety Quiz Answers

1. True or False: As long as it doesn't have wheels or casters, a chair can safely be used as a ladder.
FALSE. Always use the proper tool for the task. If the task calls for a ladder, use one. Many accidents happen when using office furniture for a purpose it's not designed for.
2. True or False: Copier toner can cause skin and eye irritation.
TRUE. As with any chemical, read the safety data sheet or hazard label to see what are the potential hazards.
3. True or False: When filling a new filing cabinet, you should always fill the drawers from the top down.
FALSE. Filling from the top down creates instability and increases the chance of a tip over. Always fill from bottom, and make sure the heaviest items are at the bottom.
4. Heavy or fragile items should always be stored on which shelves?
LOWEST SHELVES. As with filing cabinets, the heaviest items should be at the lowest level.

5. True or False: It is safe to use a frayed electrical cord as long as any exposed areas are less than an eighth of an inch in length.
FALSE. Any frayed electrical cord increases the chance for a short, fire, or potential electrocution. Always replace worn out electrical cords. When using them, ensure that no weight or sharp edges are on the cords.
6. True or False: To help relieve eye strain when working with computer monitors, keep general office lighting as bright as possible.
FALSE. Lighting in an office environment is important. Evaluate for proper lighting, whether it is too bright or too dim. Adjust your screen's brightness if needed; use curtains or screens to eliminate glare.
7. True or False: Improper posture can injure your back just as badly as physical labor.
FALSE. Poor posture causes fatigue and puts improper stress on your back. This can cause injury over time. Position yourself in a good ergonomic position. Take periodic breaks, and stand when possible. Many workstations are designed for standing use as well as the traditional sitting position.



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Training Classes

Contracts for Local Governments

July 19	Cornelia
July 20	Cartersville
August 2	Tifton
August 3	Statesboro

Advanced Workers' Compensation

August 10	Statesboro
September 13	Cartersville
September 15	Gainesville
October 6	Macon
October 13	Tifton

Local Government Safety Coordinator 1 & 2

August 31	Savannah
September 7	Cornelia
September 21	Tifton
October 4	Macon

Local Government Safety Coordinator 3

September 1	Savannah
September 9	Cornelia
September 22	Tifton
October 5	Macon

Health Promotion Champion

September 21	Tifton
September 22	Statesboro
September 27	Macon
September 28	Jefferson
September 29	Cartersville

*More information on our training classes,
including descriptions of all courses,
is available online.*

*Our online calendar is always the most up
to date, so be sure to check it frequently!*