

Risk Advisor

December 19, 2012

Issue 1



Utah Risk Management Mutual Association

In This Issue:

- ◆ Verbal Defense and Influence Instructor now on board
- ◆ Staying safe in winter weather
- ◆ Do Process—Lessons from Litigation
- ◆ Lindon City says goodbye to a great leader and welcome to his successor
- ◆ They 'really' said that?
- ◆ LTAP Trainer
- ◆ Contest Winners
- ◆ Quarterly Training Calendar

MOTIVATION

"We treat people like ladies and gentlemen, not necessarily because they are, but because we are."

North Dakota Highway Patrol

John H. Geilmann, Board Chairman



On August 16, 2012, the URMMA Board of Directors along with City Risk Managers, Legal Personnel, other City Employees and the URMMA Staff met in Midway to discuss, among other items, URMMA's Strategic Plan. One

of the primary elements brought forward from that discussion was the creation or re-creation of the URMMA Newsletter. That was a GREAT idea! This is the first edition of that newsletter.

URMMA is a dynamic entity, and the ability to share "happenings" among our member cities adds a communication component to our organization that will undoubtedly bring added value to the already outstanding service we receive from the URMMA staff.

With this inaugural newsletter, please know that URMMA is fiscally sound and conservatively operated for the benefit of all our members. The URMMA paradigm is risk management, not just insurance from which claims are paid. When we avoid claims, we keep money in our own city budgets. The statement from our old friend Gordon Graham that "if it is predictable, it is preventable" always resonates with the URMMA philosophy.

Please accept my sincere appreciation to all the Board Members, Executive Committee Members, and URMMA Staff for all the time, energy and dedication they provide in helping us all have the best Risk Management organization anywhere.

Lastly, at this time of year, may each of you have the Merriest of Holidays and a prosperous New Year.

Dean Steel, URMMA CEO

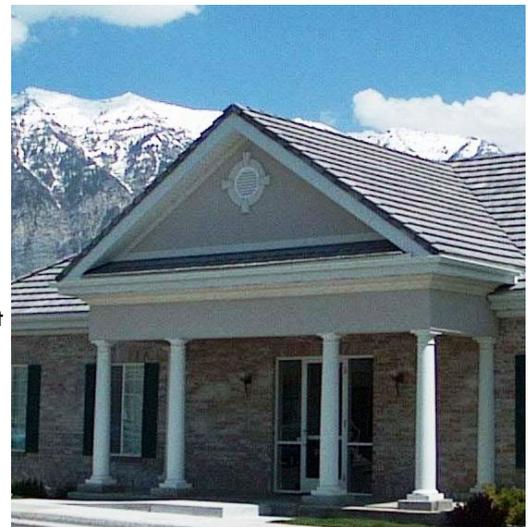
It's hard to believe that it is December and half of the year is now past. Much has happened since the Strategic Planning meeting in August.

First, we are pleased to bring to you this first edition of the new URMMA newsletter. We plan to provide information that is new, timely and sometimes just a friendly reminder to keep risk and safety a high priority.

To report on goals from the strategic planning—Staff is moving forward on the development of the URMMA web site. It should be up and running early next year. I express appreciation to those of you who helped to identify the resources to move this forward.

The annual audit and actuarial studies were presented to the Executive Committee at our November meeting. Once again both the actuarial study and the audit were prepared without a hitch thanks to the good work of Ms. Kenison who always has the books well prepared and in order. URMMA continues to be financially sound!

The URMMA staff thanks all of you who make our cities the best and safest in the State of Utah. Have a wonderful Christmas and the very best New Year!



URMMA Office

NEW VERBAL DEFENSE AND INFLUENCE INSTRUCTOR



URMMA is pleased to announce that our Education Manager, Joanne Glantz, has been certified through the Vistelar Group as a Verbal Defense and Influence Instructor. She is certified to present up to 24 hours of material and is able to create custom presentation blocks ranging from 1 1/2 to 4 hours in length.

Verbal Defense and Influence is based on the work of Dr. George Thompson, who founded the Verbal Judo Institute in 1983. Since then and until his death in 2011, he trained more than one million individuals and published four books (over 300,000 copies sold) on his structured communications methodologies.

Verbal Defense and Influence trains organizations to use Dr. Thompson's five universal truths of human interaction to prevent and de-escalate verbal conflict, enhance cooperation and collaboration within a team, and improve customer service. The company also trains individuals on how to stop verbal abuse, bullying and harassment and maintain mental and emotional safety in the midst of conflict.

According to Dr. Thompson, instead of focusing on how people are different, we should focus on how people are the same. Here are his five universal truths:

1. All people want to be treated with dignity and respect.
2. All people want to be asked rather than being told to do something.
3. All people want to know why they are being asked to do something.
4. All people want to be give options rather than threats.
5. All people want a second chance.

The goals of this course include personal safety, enhanced professionalism, decreased citizen complaints, decreased vicarious liability, lessen stress, court power and articulation and increased employee morale.

Check the education schedule included in this newsletter for multiple sessions already scheduled.

Contact Joanne Glantz (801) 319-2578 to discuss customized options for your city.



Tactical Schizophrenia

Tactical Schizophrenia is a professional survival trait that allows you to leave your Personal Value System at home and utilize your Professional Value System at work creating an Alter Ego that will keep you and others safe.

George Thompson, Ph.D.
of the Verbal Judo Institute

Comments from participants in a recent Verbal Defense & Influence class hosted by the West Valley City Justice Court:

- * *"The time flew by. I truly enjoyed the class and I learned lots. I wish I would have gotten this course a long time ago."*
- * *"Loved it! Never had any training like this before. Looking forward to more classes! Everyone should take this training."*

Tactical Empathy

Tactical Empathy refers to the active intelligence gathering of a professional investigator who is attempting to learn what a person is thinking in an attempt to learn how to generate his/her voluntary compliance, cooperation, and collaboration.

George Thompson, Ph.D.
of the Verbal Judo Institute

Lindon City Manager Retires After Years of Devoted Service



Ott Dameron will be retiring after serving as City Administrator with Lindon City for almost 18 years, 33 years in public service and 6 years in the U.S. Navy as a Naval Aviator. He had the privilege of serving with 4 mayors in Lindon who each brought individual strengths needed at the time

they served. He has seen tremendous growth in Lindon including a new City Center, Public Works building, the Aquatics Center, 13 new city parks and an additional ten miles of walking trails. Mr. Dameron stated that working for Lindon City has been a wonderful experience with outstanding co-workers and citizens. Mr. Dameron also stated, "My experience in Lindon City serves as the perfect capstone for my career."

He and his lovely wife Cynthia have been married for 36 years and are the parents of two sons and two daughters and have five grandchildren. They are looking forward to

new adventures together in retirement and hope to serve an LDS mission. URMMA staff appreciates all that Mr. Dameron has contributed to both Lindon City and also the URMMA organization. He will be greatly missed, but we wish him every success as he moves forward!



Adam Cowie is new City Administrator for Lindon City. Mr. Cowie was previously the Planning and Economic Development Director for the past 8 years; prior to that he was a planner in Oregon.

He is married to Sharie and has four boys, ages

12 through 5. He's anxious to continue working with the great staff at Lindon City.

URMMA staff looks forward to working with Mr. Cowie and Lindon City in the future.



Lyle Kunz, Claims Adjuster

IT HAPPENED LIKE THIS . . .

If you have ever had a job for a long time, you may think that you have heard just about everything. If you have ever thought that, you can count on something new coming along.

Thanks to the internet, we have found some real insurance claims that have been made that are a little unusual and definitely not something that anyone in any of our cities would be guilty of doing. The statements below were taken from actual accident report forms:

1. The pedestrian ran for the pavement, but I got him.
2. To avoid hitting the bumper of the car in front, I struck a pedestrian.
3. My car was legally parked as it backed into another vehicle.
4. I started to slow down, but the traffic was more stationary than I thought.

5. I pulled away from the side of the road, glanced at my mother-in-law and headed over the embankment.
6. I didn't think the speed limit applied after midnight.
7. Windshield broke. Cause unknown. Probably Voodoo.
8. No one was to blame for the accident, but it would never have happened if the other driver had been alert.
9. The accident happened because I had one eye on the truck in front, one eye on the pedestrian, and the other on the car behind.

Accidents take place all over the world. This last one is my favorite:

"I started to turn and it was at this point I noticed a camel and an elephant tethered at the verge. This distraction caused me to lose concentration and I hit a bollard."



Carl R. Parker

WINTER DRIVING-

1. Vehicle Condition-

The condition and maintenance of the vehicle becomes your responsibility once you turn the key. Check your tires, clear all ice and snow from the vehicle, especially all windows, and make sure your vehicle is operating properly.

2. Prepare for the Worst-

Weather conditions can change quickly. If the weather is clear and warm, bring a coat and winter walking shoes anyway. Don't get stuck in the cold or walking a short distance without proper clothing.

3. Seat Belts Save Lives-

Always click-it (or ticket), even on those short trips. Your skills may be great, but don't trust your life to the skills of the other guy.

4. Increase your following distance-

If you are traveling 60 mph it will take 302 feet or a football field to stop on dry pavement. It will take 1046 feet or over three times the distance to stop in snow and ice conditions. Slow down and give yourself some space.

5. Limit Distractions-

It only takes a second to reach for that drink cup or change the radio. Don't Do It! Think first, that second may be your last. Is it worth it? Never text behind the wheel!

6. Practice-

Each vehicle handles differently in snowy conditions. Find an open parking lot with no other vehicles or light posts and practice turning, stopping and sliding so you know how your vehicle will behave.

2012-2013 First Quarter Training Schedule

Each member has individual training requirements

January 10, 2013 Thursday	"Verbal Defense & Influence" Farmington 8:30-12:30	March 5, 2013 Tuesday	LTAP Supervisors Communication Skills Salt Lake City To attend call 435-797-2931
January 15, 2013 Tuesday	Verbal Defense & Influence Spanish Fork 8:30—12:30	March 13, 2013 Wednesday	Hazard Identification 101 Draper 9:00-11:00
January 23, 2013 Wednesday	Verbal Defense & Influence Spanish Fork 1:00—5:00	March 26, 2013 Tuesday	Emotional Survival for Law Enforcement w/Dr. Gilmartin St. George-full day To attend contact Utah Chief of Police Association via website
January 31, 2013 Thursday	Verbal Defense & Influence Spanish Fork 8:30-12:30	March 27, 2013 Wednesday	Emotional Survival for Law Enforcement w/Dr. Gilmartin West Valley City-full day
February 12, 2013	Police Liability w/Paul Johnson Riverdale 10:00-12:00	April 10, 2013 Wednesday	Police Liability w/Paul Johnson Cedar City— 9:00-11:00
February 14, 2013 Thursday	Verbal Defense & Influence West Valley City 1:00-5:00	April 18, 2013 Thursday	LTAP Supervisors Communication Skills Salt Lake City To attend call 435-797-2931
February 28, 2013 Thursday	Tactical Communications Rural Water Association St. George 9:00-10:00 To attend call 801-756-5123	Unless otherwise stated, you may call the URMMA office at (801)225-6692 and ask for Jan to register or email at jan@urmma.org	



DO PROCESS— LESSONS FROM LITIGATION

You're fired. Those are never fun words, whether delivered by your lips or meant for your ears. URMMA is currently defending 5 wrongful termination lawsuits. This type of suit is always messy and somewhat tragic, even when the City did everything right. If the City has misstepped, the lawsuit is doubly ugly.

When one of our cities was sued for wrongful termination recently, I met with them to get the facts and review the history of the case. I was relieved to find that the employee had been previously warned, the warnings had been documented in written evaluations and notices, and the employee had even been disciplined with days off. He cannot say he wasn't warned. He knew exactly what he needed to do to keep his job, yet he continued to go down the path of self-destruction. I am amazed that even in this difficult economy employees insist on doing stupid things when their jobs are on the line.

Judges, juries and appeal boards love it when a termination does not surprise an employee. They love it when we make it clear to the employee what he or she is doing wrong, tell them what they must do to correct their behavior and then give them a chance to fix it. We should

document the problems and document all attempts by the supervisor to correct the behavior, whether they be verbal or written.

Sometimes employees are surprised when they get terminated because they mistakenly believe what their supervisors have put in their evaluations. If you have an employee who isn't doing a good job, it doesn't seem prudent to score them high on their evaluations in an effort to make them feel good about themselves. We have to be honest in our evaluations, as difficult as that may be. It will be really hard to successfully fire someone who has consistently scored a 4.5 on a scale of 1 to 5.

There are occasional problems of a very serious nature that justify termination even when they happen just once. In those cases, the past disciplinary record will be less relevant. The employee should not be too surprised due to the egregiousness of the conduct. However, they might still be surprised if other employees have gotten away with similar conduct without being fired. Consistency in meting out discipline is something the courts look very carefully at.

Terminations are tricky. They still make me nervous and I have been dealing with them for over 30 years. I suggest that you always consult legal counsel to make sure you're handling it right.

Paul Johnson, Claims & Litigation Manager

NAME THE NEWSLETTER CONTEST WINNERS

Mr. Tracy Probert submitted the winning entry of "Risk Advisor" for our contest and received a gift card for \$25.00. Mr. Probert definitely understands money since he is the Finance Director for Layton City and previously worked as a finance manager for Ogden City and at the CPA firm of Schmitt, Griffiths, Smith, PC.

Mr. Seth Perrins, Assistant City Manager with Spanish Fork City also submitted a winning entry, "Ask Aunt URMMA" which will be used for a column in other issues.

Thank you also to the following who participated in our contest! - **Paul Larsen, Becky Wood** and **Gay Motley**.