



Utah Risk Management Mutual Association

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Individual commitment to a group effort—that is what makes a team work, a company work, a society work, a civilization work.

Vince Lombardi

Risk Advisor

November 21, 2013

Issue 4

During the first week of October, I attended the Association of Risk Pools Leadership Conference in San Antonio, Texas. If you have not been there, the River Walk, the location of the conference, was a beautiful develop-



ment that highlighted the downtown area of their city. One of the many interesting topics of the conference was Cyber Risk in Pools. The presenter was Mr. Michael Bazzell, a young man with fifteen years experience in the FBI who is currently assigned to the FBI's Cyber Crimes Task Force. It was a fascinating presentation of the multiple ways crooks from all over the world try to steal information through electronic means. He even demonstrated some of their tactics. The FBI is constantly monitoring cyber space.

A few of his points from the presentation were:

- ◆ Use a good password, at least eight characters with a mixture of letters, numbers and symbols and change them regularly.
- ◆ Don't be afraid to lie on the security questions. For instance, your mother's maiden name or elementary school attended. Be creative to make it more difficult for the bad guys to break your code.
- ◆ Never plug anything into your computer that you do not know where it came from (a lost flash drive, rubber ducky, etc.). Some companies said they actually disable the USB drives to eliminate any threat.
- ◆ Always log out when you finish your work, especially when on the internet.
- ◆ Finally, beware of telephone hacking, remote access and public Wi-Fi. Many viruses are spread by these means and hackers love to use technology to spread their destruction and steal valuable information.

It was a very interesting presentation that we may want to repeat here to share these insights in more detail.

As we move into the fall enjoy the change in seasons and remind your employees to prepare for the harsher winter conditions and remember "Safety First." Have a great fall!

Dean Steel, URMMA CEO

On November 14, 2013, we held our Quarterly Executive Committee meeting. I enjoyed the passion expressed for the great organization that we have a privilege of membership in. The dialog was healthy as we debated and evaluated our current status and what our vision should be. We didn't solve all the issues, but initiated ideas and topics for future discussions.

As an Executive Committee, we are interested in representing all URMMA member cities. Please contact us with your concerns or ideas to help us mature as an organization. You may contact me anytime with your thoughts or any other member of the Executive Committee. You can find the list of the committee members on our website at URMMA.org.

As we approach the holiday season, I wish for the best for each of you and your families. Be safe and happy!

Cheers,

Mark Johnson, Chairman, URMMA Board of Directors



Congratulations Dave Oyler



Susan and Dave Oyler with painting which was presented to them at the luncheon

Mr. David Oyler, Spanish Fork City Manager, received the N. Dale Wright Distinguished Alumni Award at a luncheon held in the Hinckley Assembly Hall on November 8, 2013.

The award is one of the most esteemed accolades given by the Romney Institute of Public Management at Brigham Young University. The recipient is chosen by the Romney Institute faculty annually to recognize a graduate who has demonstrated service and leadership in the work environment and community; maintained and exhibited high standards of excellence; and gained the respect and loyalty of colleagues, peers and family. The award was named for former Romney Institute director and professor of 33 years N. Dale Wright.

URMMA staff wishes to add our congratulations to Dave and recognize his excellent contributions to Spanish Fork City, as well as our organization.

Farmington, Draper and Lindon

were listed among *Money Magazine's* 50 Best Places to Live in America.

Money Magazine evaluated all U.S. towns with populations of 10,000 to 50,000.

Farmington received praise for its close location for commuters to Salt Lake City and outdoorsy charm. The new \$200 million Station Park development, with its combination of office space, housing, stores and restaurants belies the town's small population.



Farmington City



Lindon City



Draper City

Draper residents have outdoor playgrounds on all sides with access to the Jordan River Parkway to the west and Corner Canyon to the east, with opportunities for hiking, biking and equestrian trails. The annual Arts and Crafts Festival highlighted the many community events available in the city. Draper is also the home of big employers, including the 1-800 Contacts headquarters and an eBay campus.

Lindon scored high with help from Teleperformance USA and Symantec, contributing to an unemployment rate of 4.5%, one of the lowest on the list. A growing job market and population that has doubled in the past two decades were also mentioned. Lindon came in at No. 1 on the *Money Magazine* list for ease of living.

Police Physical Fitness Testing

As most of you are aware, URMMA has reviewed the original validation study which gave us the police physical fitness tests currently used by URMMA cities. We have an updated study as well as a legal opinion that verify the validity of the tests. As part of the new study, the Board made a decision to delete the bench press requirement from the fitness testing. We have an opinion from the authors of the study (Fitness Intervention Technologies-FIT) that the fitness test is still valid without the bench press. All cities should delete that component of the test.

As part of its review of the original study, FIT also reviewed the Job Task Simulation Test (JTST). Although URMMA did not request a review of the JTST, FIT has given us an updated version of the test, ***in which the first two elements of the test have been eliminated.*** The test originally comprised three scenarios: roadway clearance (pushing a car), vehicle extraction (getting a dummy out of the car and dragging it) and a pursuit and arrest over a 500 yard obstacle course. FIT has determined that the first two scenarios do not provide any meaningful cut points that were predictive of an officer's ability to perform the physical components of the job. They have therefore eliminated those scenarios. From now on, the Job Task Simulation Test only has the pursuit and arrest scenario. All cities should run their JTST accordingly.

Bob Hoffman from FIT gave a one day training course in West Valley in September for all police department training coordinators. These changes were discussed in that training session and new instruction booklets for both the fitness test and the JTST were distributed. Most departments had representatives at the training, but there were a few URMMA cities who did not have anyone there. Please contact us if you have not received the revised testing procedures.

Since this newsletter does not go to all your employees, please forward this to your police administration and training coordinators so everyone is aware of the changes and can implement them in your testing.

Paul Johnson, Claims & Litigation Manager



It is hard to believe we are already into November and our fourth newsletter. Please let me know if you have news to share from your city. We want the newsletter to be informational and educational. You are welcome to contact me at (801)225-6692 or jan@urmma.org.

Have a wonderful holiday season and stay happy and healthy!

Jan Brimhall, URMMA Newsletter Editor

Roundtable Review

Over the last several months we have been able to share ideas, concerns and generally network on several topics. The Roundtable on Swimming Pools was held in Brigham City and was very well attended. It was a great opportunity to discuss those areas of risk associated with pool maintenance and use. A key element brought from the discussion was the need to document incidents and gather as much information as possible while it is still fresh in the minds of those present. Pool employees move on at the end of the season and it can be difficult to track them down to gather details later. When in doubt, document.



The recent Roundtable on Terminations/Discipline was held in South Jordan and also very well attended. We discussed many areas of personnel law and practice within the cities. The critical issue of documenting performance and building support for discipline within the file led the way. It was determined that secondary files, files maintained by a supervisor for performance issues, should be avoided if possible. There is only ONE personnel file. If an issue rises to the level that it is discussed with the employee, it should be documented in the employee's file. Remember, an employee should never be surprised by disciplinary action.

Other Roundtables have included sidewalks and sewer system operations. Watch the website for announcements of future roundtables. Look for one that fits your needs and pass the word.

Carl R. Parker, Loss Control Manager

Executive Committee Accepts FY 2012-13 Audit

At the November 14th meeting, the Executive Committee had a chance to review the financial audit with representatives from Larson & Rosenberger. After reviewing the Association's financial position, the Executive Committee voted to accept the audit. The Association had an unqualified or clean audit report and there were no deficiencies found with compliance or controls.

Our thanks to Ms. Geri Douglas, audit partner and Mr. Karsten Hatch, audit manager, and their staff.

Kathy Kenison, Administrative Services Manager



Supervisors Corner

Paul Johnson has recently updated our Top Ten Personnel Problems (see below). As risk management entities, we need our supervisors to recognize and understand our top ten in order to help us reduce the chance of claims. Remember Gordon Graham's saying "Predictable is Preventable"

URMMA's Top Ten Personnel Problems

1. Failure to document performance problems
2. Inaccurate performance evaluations
3. Not using progressive discipline (surprising the employees when you fire them)
4. Making them mad when they go - not allowing them a little dignity
5. Supervisors not supervising
6. Sexual harassment
7. Religious harassment/discrimination
8. Retaliation
9. Having outdated policies or not following policies
10. Hiring problem employees - not doing background checks



Commentary: Should supervisors address all problems with employees or deal with issues one at a time?

When it comes to supervisors discussing issues they think employees should be working on, the *"Communication Bulletin for Managers and Supervisors"* April 23, 2013 supports supervisors using a "one at a time" approach. They say that "stockpiling" problems and unloading them all at once can be overwhelming for the employee.

And don't forget to BE SPECIFIC. Don't use CONCLUSIONS, such as:

- "You have an attitude problem" or
 - "You are not a team-player"
- Starting a conversation with a conclusion invites confrontation.

Don't forget the definition of conclusion: the last part of something, a final summation.

Have specific examples of behavior, including times, dates of occurrence and other relevant information that have led you to the conclusion. Your in-house counsel and ours will appreciate it and having frequent sessions throughout the year discussing performance on areas of concern and giving kudos where appropriate will make the annual performance appraisal that much easier. This also would address URMMA's top ten personnel problems #1, #2, #3 and #5.

Good luck to those of you working on your performance appraisals!

Joanne Glantz, URMMA Education Manager

WINTER DRIVING

The annual arrival of winter brings with it those slippery road conditions that can be so intimidating. White knuckle winters.

Ask anyone who has driven in winter conditions and you're sure to find that nearly everyone has had at least one scary experience on snow and ice.

According to the Bridgestone Winter Driving School, driving in the United States is not taken as seriously as it is in most other countries. In Europe, drivers must go to a school to learn about skid control just to get their drivers licenses. If Americans thought about driving like they do other winter activities, most would take a completely different attitude when they get behind the wheel.

Speed and awareness are probably the two most important factors in successful winter driving. Even the best drivers must adjust their driving speed to the road conditions. If you don't look ahead, and stay alert to what is going on around you, you could be caught off guard.

Panic can cause mistakes, create a dangerous situation, or make a bad situation worse. Only through practice and experience can you build the confidence that will allow you to avoid panicking. With this confidence, you can take an active approach, anticipate problems, and cruise through the winter.

Pay attention, watch your speed and be safe. We don't want any of the employees of our URMMA member cities to have any unfortunate accidents this winter.

Lyle Kunz, URMMA Claims Adjuster

