

P&C TAKES POL IN-HOUSE

MMA Risk Management Services Property & Casualty Pool (P&C Pool) is taking the sponsored Public Officials and Employees Liability (POL) program into the fold. July 1, 2000 will mark the changeover from an MMA-sponsored POL program through a commercial insurance company to a self-insured component of MMA's Property & Casualty Pool. One Stop Shopping is the goal: providing municipal and other public entities with premier coverage and service.

Public Officials Liability is insurance every municipality and other public entity needs, to protect officials and volunteers, should lawsuits arise from their discretionary actions in the course of their municipal duties. The included Employment Practices Liability covers unfair employment practices: discrimination, wrongful termination, harassment, employment-related misrepresentation, wrongful failure to employ or promote, wrongful deprivation of career opportunity, wrongful discipline, negligent employee evaluation, among others.

A second significant change to the Public Officials Liability/ Employment Practices Liability program is the change from "Claims Made" coverage to "Occurrence" coverage.



"Claims made" coverage covers only those claims actually made and reported during the term of the policy. "Occurrence" coverage covers claims of alleged wrongful acts, no matter when the claim is reported, as long as the wrongful act happened during the term of the policy. All the liability programs in the P&C Pool, with the exception of Employee Benefits Liability, are now occurrence coverage.

By taking these coverages into the P&C Pool and administering claims and underwriting in-house, we feel we can take better advantage of the immunities and liability limits provided municipal and other public entities by the Maine Tort Claims Act. Our purpose is to eliminate potential gaps in coverage by offering an entire range of coverage that municipal and other public entities need. In addition, in-house claims handling and underwriting afford cost savings for our members.

Since its inception in 1987, the Property & Casualty Pool has tried to identify and offer as many specific types of coverage as our municipal and quasi-municipal members must have. Starting with basic municipal liability that included police, ambulance/nurse malpractice and fire fighters legal liability, building & contents, fleet coverage, computer and mobile equipment coverage, the P&C program added crime and fidelity bonding, boiler & machinery, as well as the optional property enhancements for blanket building and contents, building reconstruction coverage for historic buildings, deductible reimbursement for emergency personnel using their personal vehicles, as well as agreed value coverage for fire trucks and now public officials liability/employment practices liability.

The Municipal Risk Manager

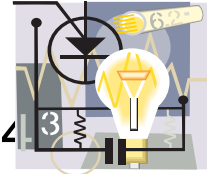
The Municipal Risk Manager is published seasonally to inform you of developments in municipal risk management which may be of interest to you in your daily business activities. The information in these articles is general in nature and should not be considered advice for any specific risk management or legal question; you should consult with legal counsel or other qualified professional of your own choice.

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Electrical Hazards

There is no question that electricity makes our lives easier. Unfortunately, if not used properly, electricity can also make our lives shorter.

Unsafe conditions such as overloaded circuits, damaged insulation, and faulty appliances, as well as misuse of extension cords and other electrical devices, create fire hazards and may result in serious injury, including electrocution. Injuries include electrical burns, minor shocks that cause falls, and shocks that result in death. **Over the last ten years we have incurred losses of about \$250,000 for 40 serious Workers' Compensation injuries caused by electrical hazards.** That's a lot of pain for the injured and, what is worse, each incident had the potential to be fatal.



We all need to know how to work safely with electricity.

There are *two* steps to safety:

Step 1: Awareness

Awareness not only involves accepting the fact that electricity can kill, but recognizing the specific hazards in your workplace.

Step 2: Action

Action involves doing what is needed to remove those hazards so that the probability of injury or fire is reduced.

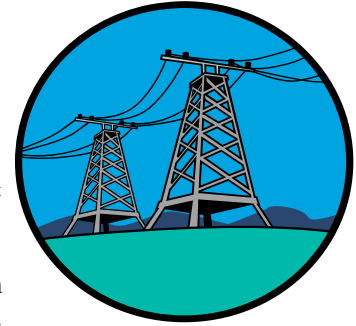
We hope the following information will not only help you to recognize electrical hazards, but help you to take the necessary actions to avoid them.

Circuits

Circuits are designed to handle a maximum amount of wattage or power. If the total wattage of all electrical products connected to the circuit exceed that maximum wattage, serious problems can result. When this happens, fuses or circuit breakers will trip frequently. You should have a licensed professional electrician examine and repair the system. **DO NOT** simply install larger capacity breakers or fuses. Here are a few other things to consider:

- All electrical panel disconnecting switches and circuit breakers should be labeled to indicate their use or equipment served.
- Maintain at least three feet of clearance (no storage) all around electrical panels.

Receptacle Outlets & Switches



Switches are used to turn the power on and off.

Receptacle outlets are usually mounted in walls and supply electricity to appliances through a plug and cord. Many injuries occur at these two locations while “flipping a switch” or plugging in an appliance or tool. They should not be overlooked. Here are some things to consider:

- Make sure all switches, junction boxes, and outlets have tight fitting cover plates in place. Look for any signs of discoloration that could indicate arcing or over heating. Exposed wiring and connections present a serious shock hazard.
- Are switches or outlets unusually warm or hot to the touch? If so, it could indicate that an unsafe wiring condition exists. Turn the power off by tripping the circuit breaker. Unplug cords carefully and “lock out” the plug or switch until a qualified professional can check it out.
- Before using a three wire grounded plug, test it to make sure it is wired correctly. An inexpensive circuit testing tool (less than \$5) is available at most hardware stores.

Light bulbs

A bulb of too high a wattage rating or the wrong type may lead to a fire through overheating. Ceiling fixtures, recessed lights and lamps will trap heat. Check the manufacturer's directions or the fixture itself for the proper bulb size.



Shock Protectors / GFCI's

Ground Fault Circuit Interrupters (GFCI) detect any leakage of electrical current in a circuit that might be flowing through a person using an electrical device. When such a loss is detected, the GFCI turns electricity off before serious injuries or electrocution can occur. It is possible that a person will receive a shock during the time it takes the GFCI to shut the power down, but the more serious injuries can be prevented. They should be used in any area where there is a possibility of moisture or wetness including bathrooms, kitchens, basements, garages and outdoor work areas.

- GFCI's should be installed by licensed professionals.
- Plug in GFCI's are available for temporary use.
- All GFCI's should be inspected frequently. Be sure to follow manufactures directions.

Cords

Cords carry electrical current from the building system to the tool or appliance. In addition to shock and fire hazards, cords can present a serious tripping hazard. Here are some things to consider:

- All cords should be placed out of the flow of traffic and never stretched across walkways.
- Never allow furniture or equipment to rest on cords; never run cords under rugs or carpet.
- Avoid attaching cords to walls or the floor with nails or staples, use tape. Nails and staples can damage the cord and present shock and fire hazards. Never try to remove a nail or staple from a cord before UN-plugging the cord.
- **Never remove the 3rd (grounding) prong. It exists to prevent shock and serious injury!**
- Inspect cords frequently; look for damage or frayed insulation. Pay particular attention to the plug. Look for cracks in the insulation as well as loose or missing prongs. UN-plug the cord before inspecting and have repairs made professionally.
- If a cord is taken out of service, cut both ends off and attach a label indicating that the wire is defective before discarding it.
- Never use a tool or appliance that has a damaged cord or plug, especially one that has the 3rd or grounding prong removed.
- Never Un-plug an appliance or tool by pulling or "jerking" on the cord. This will cause hidden damage to the connection at the plug and can lead to serious shock and fire hazard.
- **Recognize that extension cords may be handy for temporary use but should not be used in place of permanent wiring.**

- If you do use an extension cord, make sure it has the proper amp or wattage rating to handle the device connected to it.
- Consider replacing older #18 gauge cords with larger #16 gauge cords as well as replacing older 2 prong ungrounded extension cords. The #18 gauge cords can overheat with as little as 15 amps. Ungrounded 2 prong cords encourage the elimination of grounding and ungrounded circuits can kill.

Portable Tools / Appliances

If electrical current comes into contact with tool housings or other parts that we touch, shock, including electrocution, can occur. Protection from shock while using conventional portable power tools depends on 3rd wire grounding. Double insulated tools are available that provide more reliable



shock protection without the 3rd wire ground. Tools in this category are permanently marked with the words "double insulated" and often, but not always, have external parts made of non-conductive materials such as plastic. There are now a number of rechargeable battery operated tools available. These present the least degree of shock hazard and, as an added benefit, eliminate the need for an extension cord. When tools are not properly cared for or begin to age, the internal insulation and/or grounding devices can break down. Failure of this insulation is harder to detect than worn or broken external wiring. Thus, frequent inspection, testing with an insulation-resistance tester and thorough maintenance are needed.

BEWARE Summer Insect Bites & Stings

For an insect bite or sting, follow these steps:

1. Wash the bite site with soap and water.
2. Apply a cold pack for 15 to 20 minutes.
3. Use aspirin or acetaminophen to relieve pain.
4. Use a topical steroid cream to further relieve itching and swelling.
5. If the victim shows signs of an allergic reaction, infection, or has other unexplained symptoms, seek medical attention immediately.

WELCOME NEW MEMBERS!!!

Property & Casualty Pool

Town of Stetson
 Lincoln Water District
 Auburn-Lewiston Municipal Airport
 Town of Freedom
 Town of Newcastle
 Town of Guilford
 Town of Unity
 Town of Newburgh
 City of S. Portland
 Town of Rangeley
 Town of Otis
 Lake George Corp.
 Kingfield Water District
 Town of Fayette
 Town of Eustis
 Town of Etna
 Town of Castine

Public Officials and Employees Liability

Town of Freedom
 Lake George Corp.
 Town of Unity
 Town of Westport
 Town of Springfield
 Town of Stoneham
 City of S. Portland
 Town of Rangeley
 Town of Newburgh
 Town of Monmouth
 Town of Lowell
 Town of Great Pond
 Town of Eustis
 Town of Etna
 Town of Charleston
 Town of St. John

Workers' Compensation Fund

Sanford Sewerage District
 Town of Newburgh
 Winslow School Dept.
 Vassalboro School Dept.
 China School Dept.
 Town of Gray
 Town of Etna
 Town of Beaver Cove

Unemployment Compensation Fund

Old Town Residential Services Corp.

Mark Your Calendar....!

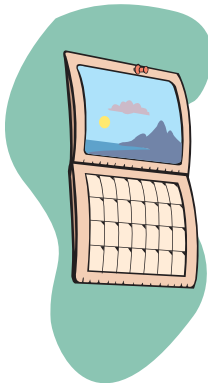
September

Threat of Violence Training

Violence in the workplace - Even Maine has seen it. This seminar aids you in planning against the worst happening: reviewing office layout, security, who is responsible for what, danger signals, how to behave toward a potentially violent person, and much more.

The presenter is **Pamela Porter**, Senior Trainer with Crisis Management International, Inc. of Atlanta, Georgia.

Two Locations:
Monday, September 18, 2000 at
Holiday Inn Express, Saco
&
Tuesday, September 19, 2000 at
MMA in Augusta.



October

Police Liability Seminar

Randy Means, police attorney and trainer, will be at MMA this fall. The topic this year is "Emergency Vehicle Operation: Response, Pursuits and Post Pursuit Issues". The presentation is recommended for all line officers though all law enforcement officials are welcome. Maine Criminal Justice Academy Training Credit: 8 hours.

Two Locations:
Monday, October 16, 2000 at
MMA in Augusta
&
Tuesday, October 17, 2000 at
Holiday Inn Express, Saco