

# The Municipal RISK MANAGER

SPRING 2020

A Publication of the Maine Municipal Association

## A Message from the RMS Director

As you all know by now, the world as we know it has changed. Along with many of you, many Risk Management staff are working remotely. We hope it will appear seamless to you, but it is possible some answers may be delayed. To avoid delays, we encourage you to email us and to send forms and information electronically. As always, our team is available to answer any questions you may have.

As our members grapple with responses for protection of their citizens and employees, some recurring questions are surfacing. Unfortunately, answers are not always easy to provide. Most kinds of insurance were not designed for a pandemic situation and, in fact, specifically exclude such situations. To put some perspective on that, there is no way for an insurer to ever fully access, or establish a price to underwrite the types of risk that a worldwide pandemic implicates.

The most common questions have been directed to the Workers' Compensation Fund and the Unemployment Fund. As well, we have provided some Risk Management tips that we hope will be useful during these difficult times.

### Workers' Compensation Fund Members:

**Question:** Would an exposure to coronavirus/COVID-19 in the workplace be covered by workers' compensation?

**Answer:** Whether the Maine Workers' Compensation Act will cover workers who contract the Coronavirus (COVID-19) is a complex question that is difficult to answer with any certainty. Contagious viruses, particularly those that are community spread, simply do not fit well in the definitions of an occupational injury or an occupational disease.

Exposure to COVID-19, including a quarantine, is similar to exposure to other illnesses such as the flu in that

exposure does not constitute an injury and the employee has not been diagnosed with a disease. Simply stated, an evaluation of compensability begins with a diagnosis (not merely a potential exposure); then an investigation can ensue to determine if contraction of the virus is related to a work event. The investigation will hinge on whether the worker experienced a work-related exposure.

The more widespread the outbreak, the less likely a specific time, place and event can be established for a single exposure. As employees go to public places like the grocery store, pharmacy, etc. chances increase that employees could be exposed during their time away from work.

A workers' compensation investigation for benefits will ask those types of questions. An additional factor is the incubation period of up to 14 days, which makes it more difficult for anyone to identify exactly where they were during the 14 days. If you have an employee who is diagnosed with the virus and they feel the exposure arose out of their employment, submit the claim as you normally would. We will conduct our investigation into the claim and provide a timely decision.

### Unemployment Compensation Members:

As many of you are aware, Governor Janet Mills has introduced and the Legislature passed emergency legislation to support workers and businesses impacted by COVID-19, please refer to the Unemployment Insurance FAQ Regarding COVID-19 provided by the Maine Department of Labor.

We ask that you please perform all duties and responsibilities as normal and we will assist you through the process. If you receive anything directly from the



Maine Department of Labor regarding unemployment, please forward it to us. We will work with you and will respond on your behalf. We are here to help you with quarterly wage reporting, claims management, hearings, fact-findings and benefit assessments. Denise Kolreg is the MMA UC Unemployment Coordinator and is available to assist with all your questions related to unemployment.

### Property & Casualty Pool

#### Members - Risk Management Tips:

- Cyber risks are on the rise during the COVID-19 Pandemic. Due to the reliance on email and IT infrastructure at an all-time high, cyber criminals are taking advantage of the higher frequency of companywide emails to employees to execute phishing and malware scams. While we as individuals may be particularly focused on health-related hygiene, it is important for local governments to consider their cyber hygiene during this pandemic. This can be as simple as checking to ensure the email address you received the email from does not contain typos and that it matches the domain of the organization it is supposed to be from.
- Take time to plan for securing and

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*A Message from the RMS Director (cont'd)*

monitoring municipal properties and schools that are closed. It is likely that some municipal properties will be closed while others may be open. We encourage that provisions are made to monitor the property much the way you would with closures for school vacations and extended holidays. In this edition, we have included

a checklist to use to assist with the facility inspections, it will also be available on [www.memun.org](http://www.memun.org)

- Obtain legal advice at key decision points to ensure you are meeting your duty of care while staying within your authority.
- Review contracts and consider whether COVID-19 makes it impossible to comply with contractual obligations.

Take advice from your municipal solicitor. Be proactive and start a dialogue to finesse a compromise where possible.

We know that our members are on the front lines of community services and support, especially during adversity. We will continue to provide you with the services you need so that we can stay safer together during this challenging time. 🏠

## Protect Yourself from Fraudulent Impersonations and Phishing Hacks by Verification – And then Verify Again!

Municipalities and governmental entities are prime targets for phishing scams and fraud. According to the Merriam-Webster Dictionary: Phishing is “to try to obtain financial or other confidential information from Internet users, typically by sending an email that looks as if it is from a legitimate organization, usually a financial institution, but contains a link to a fake website that replicates the real one.”

Especially now in this crazy time of global pandemics and volatility, scam artists hope you will be distracted and either not follow protocols or believe that policies have changed. Recently, we at MMA Risk Management Services have been advised of similar attacks and have been threatened by hackers ourselves. We wish to share these stories as a lesson learned for you.

On recent occasions, municipalities here in Maine have received typical business phone calls from local businesses asking to update their bank account information. The person on the other end of the phone provides a name and title, which are accurate to the account. This is a common practice with what is called a *Spear Phishing Attack*, which is the fraudulent act of using electronic communication that is being sent from a presumably trusted source.

These criminal enterprises do research on the group that they are impersonating and use the names, titles and other contact information details to gain trust. As a result, the municipal employee may trust the information provided and view the person making the request as legitimate.

The person conducting the phishing attack then follows up with an email requesting a copy of their Automatic Clearing House/Electronic Funds Transfer (ACH/EFT) form. The municipal

employee sends the ACH/EFT form to the person who they incorrectly think is the authentic vendor, allowing the criminal to complete and return the electronic form. The completed form is returned and the banking information for the “vendor” is updated in the municipal computer system. Following this change, legitimate-looking invoices are submitted to the municipality – but when they are paid, the payment is actually sent to a fraudulent bank account.

This can and does go unnoticed until the *actual* vendor calls to check on the status of payment. Unfortunately, this occurs after the payment has been made and several thousands of dollars were sent to the fraudulent bank account.

You might read this and find yourself asking: What more could have been done? With the implementation of a few minor verification procedures, this event may have been averted.

We strongly recommend that you establish the following minimum verification tools:

1. Set up key contacts for your accounts and only provide information to those designated individual.
2. Use multi-factor authentication for account access and changes. Multi-factor authentication is confirmation from two points of contact prior to the release of information or the altering of accounts.
3. Never use an email as your primary form of verification.
4. Call the account holder utilizing your original contact information, not that in the email communication and verify.
5. Increase awareness. Educate your entire staff and keep diligent to always follow the established rules.

6. Look out for fake emails:

- **Don't trust display names** as these can be anything a scammer wants them to be.
- **Check for fake email domains;** they'll often be slightly different versions of the real thing.
- **Look at the logo** and other images; low resolution images can be a giveaway.
- **Review links carefully** by hovering over the link text (without clicking). A link that is different from the one in the link text is a sign of a malicious link.
- **Look out for bad spelling and grammar,** as this can be a tell-tale sign that it's not a legitimate message.

Remember that the best defense against phishing attacks is employee training and education. A good security awareness program is most effective when you communicate through multiple formats. Consider awareness posters in common areas, helpful hints distributed to employees via email, and classroom training sessions.

MMA Risk Management Services Online University offers the course, “Preventing Phishing,” which raises employee awareness and offers practical advice on avoiding phishing attempts.

Training your employees to detect phishing and other fraudulent activity is one of the most important safeguards against cybercrimes. If you need assistance with employee training, contact the MMA Risk Management Services at 800-590-5583, or find online training at [www.memun.org](http://www.memun.org).

## Tips for Working from Home

Due to recent events, many of us find ourselves working remotely from our homes. Such a transition can be performed with greater ease if we implement a couple of recommendations and some planning.

Step one consider your work environment. Designate an area of your home, specifically for getting work done and commit to working in this space every day. This could be an empty or spare bedroom that you convert to a home office. If you are pressed for space, you can set up a desk for your computer and office supplies in the corner of an occupied room like the dining room or den. It is recommended to pick a location that will allow for a comfortable and quiet workspace that will allow you to focus on the task at hand.

Planning allows you to create an office that works for you. Attempt to design an office that is functional and conducive to you. We are not recommending that you need to run out and purchase a top of the line desk, but you do want a workspace that has the room and capabilities for you to perform your work responsibilities in a comfortable manner. You may want to consider attaching a monitor arm to your desk or table so that you maximize your desk space. Also the addition of a filing cabinet will help you to stay organized and clutter free. Remember, that you are creating a space that you will be working from daily, so make one

that works for you. Purchase comfortable and functional furniture and equipment with ergonomic considerations. Invest in what you need to comfortably and efficiently do your job. OSHA has an ergonomic self-assessment survey available at [https://www.osha.gov/SLTC/etools/computerworkstations/checklist\\_evaluation.html](https://www.osha.gov/SLTC/etools/computerworkstations/checklist_evaluation.html).

Next, look to organize your time. It can be challenging to keep track of what you have to do throughout your workday when working from home. Start your day by reviewing your priorities for the day and for the week. Take time to document tasks and responsibilities and place them in order of importance and then place them in a calendar or task list. We all know that when working from home that it can be easy to lose sight of priorities, tasks, and deadlines, but with organizations we can stay on point and alleviate stress. When you make your task list, stick to it. It may be tempting to just leap into your email, but with a little extra focus, you can keep moving forward while working from home.

- Set goals and time limits for each task
- Utilize tools such as online calendars and task list with reminders
- After you complete each task, cross it off the list. This simple technique is both effective and fulfilling.
- Always consider what is working for you and what could use a little help and keep positive.

Avoid the tempting trap of television and social media. Social media, television and text messaging can be a giant time-suck and distraction if you are not careful. You should take some time to get familiar with your town's/company's social media guidelines. If you love using social media, then you may want to make it a habit to shut off social media notifications during the day and consider muting your notifications on your phone so that you can focus on the job on hand.

Working from home can get pretty lonely, especially if you are single or live alone. Dedicate time to have meeting with your team so that you all stay connected. Advise your coworkers of the dates and hours of your work, and the recommended form of contact so that

others know when and how to communicate with you. A common limitation of working from home is that team chat messaging sometimes falls short of expressing ideas clearly. Remind yourself not to take seemingly short or direct responses offensively.

Remember to place some focus on you and your needs. Self-care and Exercise are shown to naturally boost endorphins, which in turn increases happiness, enjoyment, and interest levels, all of which are important for productivity. Regularly stretching helps you maintain great posture and ease tension. At a minimum, stretch throughout the day so you don't get sore or hinder your quality of life. If your day allows, take a lunch break and go for a walk or do some light yoga

When you are home all day, family and friends might interrupt you without knowing better. This can be difficult, especially if you have young children at home, or have multiple pets all of whom want your attention. Set boundaries with your family while you work. Set and stick to specific work hours and communicate those hours clearly with your family and friends.

Computer safety is always a consideration. Just because you're not in the office doesn't mean you're not vulnerable. Your work computer is a target for thieves and hackers, so take care to work securely.

- Be aware of how your employer's network policies such as the use of Wi-Fi, personal devices, and more.
- Employ a "trust but verify" mentality for documents sent to your inbox.
- Use a business-grade Virtual Private Network (VPN) for encryption. Or your employer's approved VPN solution.
- Know how to get IT assistance and report security threats.
- Close your room's door to avoid disclosing sensitive information to family members or visitors.
- Keep work and personal websites, emails, and web browsing separate.
- Don't slack off on your duty to keep your home office equipment secure.



### 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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## Critical Incident Stress Management Presentation

MMA Risk Management Services was honored to sponsor a two-day Group Crisis Intervention course, presented by Dr. Laurie Cyr-Martel, on March 7<sup>th</sup> and 8<sup>th</sup> in the City of Brewer. The course was offered at no charge to all members of the MMA Workers Compensation Fund with a specialized focus towards fire, police, emergency dispatchers, and EMS employees. The program was presented by Dr. Laurie Cyr-Martel. Dr. Cyr-Martel has over thirty-five years of experience in the field of emergency services and mental health and wellness. Her practice, "Health Strategies Consulting", provides training and consultation for public safety departments and organizations to assist in their health and wellness.



Presenter Dr. Laurie Cyr-Martel

Dr. Cyr-Martel discussed the core elements of a comprehensive, systematic and multi-component crisis intervention curriculum. This Group Crisis Intervention course provided guidance and tools to prepare the participants to understand a wide range of crisis intervention services. Fundamentals of Critical Incident Stress Management (CISM) were discussed and outlined providing the participants with the knowledge to develop several group crisis interventions techniques, specifically RITS (Rest Information and Transition) CMB's (Crisis Management Briefings), Defusing's, and the Critical Incident Stress Debriefing (CISD).



The need for appropriate follow-up services, health and wellness, and referrals when necessary, will also be discussed. Attendees who complete both days received a certificate indicating 14 Contact Hours, which qualifies in ICISF's continuum.

Due the success and need of this program, MMA Risk Management Services is planning on offering another course this summer in the southern region of the state. We will be providing further information on the MMA website <https://memun.org/Insurance-Services/Risk-Management-Services> when it becomes available. If you want to be placed on our Critical Incident Stress Management mailing list, all that you need to do is email [rmslosscontrol@memun.org](mailto:rmslosscontrol@memun.org) or call us at 207-624-0140. 📞

## EMERGENCY PROPERTY INSPECTION CHECKLIST

As we all work together to respond to the needs of our communities, coworkers and family members during the COVID-19 pandemic, we send a reminder to also secure, monitor and inspect the numerous municipal properties which may sit unoccupied. During this emergency or any emergency, it is likely to have a number of municipal properties closed or operating with only limited essential staff.

We recommend that you dedicate some time to review your properties and verify that the structures are secured and staged for a closure or for occupancy by only a partial staff.

Below is a basic checklist of items to be reviewed, performed and monitored:

- Set thermostats to a level that will prevent freezing
- Close and secure all doors and windows
- Unplug unnecessary electrical items
  - Coffee pots
  - Heaters
  - Copiers
- Create a plan for the periodic inspections/walk-through of all locations
  - Identify key shut-offs
- Make a list of key vendors and providers and include them in your planning
  - Heating
  - Plumbing
  - Electrical
  - Fire/Alarms
- Check water connections that show signs of leaks or deterioration
  - If possible, turn off those areas until normal activities are resumed
- Inspect remote detectors and sensor technology if applicable. Low temperature alarms provide early warning and can help avoid greater problems. Ensure that all alarms and sensors are working and that batteries have been replaced or have a full charge
- Clean out sump pits and test sump pump operation
- Maintain exterior lighting
  - Above doors, along walkways, in parking lots
  - lights are a real deterrent to people intent on criminal behavior
- Maintain steps, walkways, and driveways in "ready to use" condition
- Collect mail and delivery items daily or suspend deliveries to the location or re-direct deliveries to a staffed location

We all appreciate your dedication to our municipalities, utility districts and our assets. These facility management best practices will help us all to protect the community that we have worked so hard to create. 📞

### Welcome New Members

#### PROPERTY & CASUALTY POOL

Town of Deer Isle

Town of East Millinocket

#### WORKERS COMPENSATION FUND

Town of Deer Isle

We thank our dedicated members for their partnership.