Private Use of Town Property

With spring and summer near, requests by the public to use municipal facilities and property is a common occurrence. While it is comforting knowing that member municipalities of the MMA Property & Casualty Pool are covered, you may be surprised to discover the independent entities that use your municipal facilities are not. This opens the possibility of your municipality becoming drawn into unnecessary claims. We are pleased we have a solution to this dilemma. MMA Risk Management Services sponsors the Tenant User Liability Program or TULIP for short. Your Tenant User now has access to generate a quote and bind general liability insurance via the TULIP online system. TULIP provides opportunity for low cost general liability insurance for the outside entities and private groups that wish to use the municipal properties or facilities owned by members of the MMA Risk Management Services Property and Casualty Pool. The program protects both the Tenant User and the municipality itself against claims by “third parties” who may be injured or have property damage as a result of the activities of the private party. Events may range from very low risk activities, such as seminars, receptions or weddings, to higher risk events including camps, sporting events and concerts.

Coverage and Limits:
Coverage limits of $1 million are available for the event, including liability for bodily injury and property damage. The policy will pay those sums that the insured (the tenant user) becomes legally obligated to pay as damages because of bodily injury or property damage to which the insurance applies.

Here is how it works:
Your municipality registers in the TULIP program at no cost through MMA Risk Management Services/HUB International New England and obtains an access ID Code. When

Step Safely

Slips, trips and falls continue to rank in the top five claims types in both frequency and severity for Workers Compensation claims. You can help reduce the risk by making sure walking surfaces are properly maintained.

Some key checkpoints:
• Is the footwear appropriate for the conditions?
• Are aisles and passageways kept clear?
• Are wet surfaces covered with non-slip materials?
• Are holes in the floor, sidewalk or walking surface repaired, covered or otherwise made safe?
• Are materials or equipment stored in such a way that they will not interfere with the walkway?
• Are travel paths, walkways, entrances and exits kept free of ice and snow and properly sanded?
• Are spilled materials cleaned up immediately?
• Are standard guardrails provided wherever aisle or walkway surfaces are elevated more than 30 inches above any adjacent floor or the ground?
• Are aisles or walkways that pass near moving or operating machines, welding operations or similar operations arranged so employees will not be subjected to potential hazards?

Welcome New Members

Workers Compensation Fund
Town of Caratunk
Augusta Housing Authority

Unemployment Compensation Fund
Augusta Housing Authority
Town Property (cont’d)

there is a request to use a municipal facility or property, the facility manager directs the Tenant User to www.onebeaconentertainment.com and provides the access ID code that the user enters to link the coverage request to the municipality. The Tenant User then answers a few basic questions about the activity, attendance and event dates; then the program provides an on-line quote. If the Tenant User decides to purchase coverage through TULIP, they simply enter their credit card information and coverage is bound. A copy of the Certificate of Insurance is automatically forwarded to the facility and the Tenant User.

For more information please contact:

Marcus Ballou mballou@memun.org or Judy Doore jdoore@memun.org at Maine Municipal Association, 1(800) 590-5583, or Susan Khudjian at HUB International New England is also available to help answer your questions at (800) 370-0642 or visit Entertainment Brokers web site at www.onebeaconentertainment.com/tulip

The information provided explains the general purposes of the coverage described, but in no way changes or affects any coverage as actually issued on the policy for any insured.

Reading
Eating
Driving is hazardous enough without distractions!
Learn new skills and refresh your previous driving knowledge.

Take Defensive Driving at
Maine Municipal Association Online University.

Available to participating members of the Workers Compensation Fund and Property & Casualty Pool
Learn accident prevention methods, vehicle protection systems, rules of the road,

9 PEOPLE DIE EVERY DAY IN CRASHES CAUSED BY DISTRACTION.
And 1,060 people are hurt...every day.

April is National Distracted Driving Awareness Month

Property & Casualty Pool Renewal Reminder

We would like to thank our Members for their cooperation with the completion of the Property & Casualty Renewal Applications. The Property & Casualty Pool renewal application was due by March 31, 2014 and we want our Members to know that help is available. If you would like assistance with the completion of your application or just have a question, please contact Marcus Ballou (mballou@memun.org) or Judy Doore (jdoore@memun.org) at 1-(800) 590-5583, so that we can help.

Serving Maine Communities Is What We Do And All We Do

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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* Statistics from the CDC February 2014
Look Out Behind You

Although the majority of accidents occur while vehicles are moving forward, you may not realize that nearly a third of all accidents involve a vehicle moving in reverse. Backing hazards are many and include blind spots, reduced visibility, clearance and objects entering the path of traffic. These accidents cause property damage, injuries and potential liabilities.

What steps can be taken to prevent such backing accidents from occurring? Prevention, as always, begins with making everyone aware of the danger and providing tools to avoid the exposures. The following are some tips that will help to prevent backing claims.

- Back up only when necessary.
- Plan your routes and the placement of your vehicles to avoid the need to back up.
- Familiarize yourself with the vehicle’s blind spots.
- Perform a walk around prior to moving the vehicle.
- Confirm that backup lights and alarms are functioning properly.
- Turn off distractions such as radios.
- Clear obstructions.
- Use a helper or spotter when possible.

Ensure that the spotters are accounted for and clear prior to moving the vehicle.
- Park defensively with easy exits that are not crowded by other vehicles.
- Take your time, do not hurry.

You may wish to consider some long term and technological solution to aid in safe backing such as:
- Installation of rear vision cameras
- Extended mirrors
- Creation of a backing policy
- Safety awareness program

The use of safe vehicle backing tips by us all can help prevent accidents. Driving backwards can be done safely, but caution, awareness and planning are the keys to keep this program driving forward.

APRIL – National Distracted Driving Awareness Month

Distracted driving is any activity that could divert a person’s attention away from the primary task of driving. All distractions endanger driver, passenger and bystander safety. There are three main types of distraction:

- Manual – taking your hands off the wheel.
- Visual – taking your eyes off the road.
- Cognitive – Taking your mind off driving.

Causes of distractions include: Texting, using a cell phone or smart phone, eating and drinking, talking to passengers, grooming, reading (including maps), using a navigation system, watching a video, adjusting a radio, CD player or MP3 player.

Cell phone use has been reported in 18% of distraction related fatalities in America. Engaging in visual-manual subtasks (reaching for a phone, dialing and texting) associated with hand-held phones and other portable devices increase the risk of getting into a crash by three times. Because of the cognitive distraction, headset cell phone use is not substantially safer than hand-held use.

Text messaging requires manual, visual and cognitive attention from the driver and is far the most alarming distraction. Sending or receiving a text takes drivers eyes from the road for an average of 4.6 seconds. At 55 miles per hour, that’s like driving the length of an entire football field blindfolded!

Join the MMA Risk Management Services this April in urging those you care about to:

- Stop using cell phones while driving.
- Inform people who call you while driving that you would be happy to continue the conversation when they (or you) have reached a destination.
- Never text while driving.
- Recognize that hands-free devices offer little safety benefit.
- Understand the dangers of manual, visual and cognitive distractions.
- Tell others about the dangers of distracted driving.
- Take a defensive driving course.

Statistics adopted from NHTSA

Important Reminder for Volunteer Programs

The Accident Insurance for Volunteers Program (AIV) is due to renew this July. Please note that renewal in the AIV program is not automatic. Watch for the July 1, 2014 – June 30, 2015 enrollment mailing this May.
Disaster Preparation Helps Avoid Disastrous Outcomes

We can never say for certain when a disaster may strike, but there are things you can do both before and after an event to help streamline the recovery process and alleviate the stress that inevitably follows.

First, review your insurance and coverage details. Your coverage details depict what is covered for your particular entity, as well as the coverage limits and deductibles. It is important that you review yours annually.

Next, review your property schedules. Is everything scheduled that needs to be? If not, can you justify excluding those properties? In other words, if something happened to the building which is not covered, could you continue normal operations if you did not have funds to repair or replace that building?

It is then recommended you develop and put a business continuity management plan in place. A good plan will provide a step-by-step guide that will help you navigate a disaster without letting panic take over. Outline responsibilities and tasks with names and contact information. Include a sequence of actions such as contacting your key officials, insurance carrier and emergency personnel to insure that nothing is forgotten. Then provide the emergency communications plan to your staff so everyone can stay informed.

Plan for and create a list of vendors you may need. If you don’t have a local source for building materials, or certain skilled professionals are not locally available, make sure you know where to find the materials and expertise you may need, as well as what transportation may be available. Keep in mind that a widespread disaster such as a flood, may require alternative suppliers if local sources are affected. If you do experience a property loss, immediate mitigation measures are necessary to prevent additional damage and remember to document all recovery expenses and keep all receipts.

Be prepared for the non-physical impact of physical property damage. When a major disaster impacts a large portion of the community, you will feel the impact. Your employees may be dealing with their own property damage and protecting their families. Utility receipts and taxes may dwindle and impact your normal cash flow. The better you understand the potential repercussions, the better prepared you will be.

We never know when a disaster may strike, but you can take preemptive action to protect your properties, employees and the public. Perform regular property inspections and promptly repair any damage discovered and practice good housekeeping to help eliminate hazardous conditions for employees and the public. If we all take a little time to make sure our properties are in good condition, we will be better prepared for what disasters may come our way.

Need Funding for Safety?

Does your municipality need to purchase safety equipment but can’t find the money? If the answer is “YES”, then MMA Risk Management Services is here to help. Current members of the Maine Municipal Association’s Workers Compensation Fund are eligible to participate in the Safety Enhancement Grant Program. Safety Enhancement Grants provide members with financial support to purchase equipment or services that aid in the reduction and severity of workplace injuries. Grants are awarded in May and October of each year. To be eligible for the May awards, the one page application must be received by April 30. Applications for the October awards must be received by September 30. Each eligible member can submit up to 2 applications for each review period.

For more information about Safety Enhancement Grants eligibility and applications, or any of the Maine Municipal Association Risk Management Service programs, please visit our website www.memun.org or call us at 1-800-590-5583 if you have any questions.

Coming Soon:
Privacy and Network Security Liability Coverage

During 2014 the Property & Casualty Pool will be offering Privacy and Network Liability coverage to its membership. Privacy and Network Liability is an emerging exposure that typically encompasses the liability associated with the failure to protect the unauthorized release or disclosure of confidential personal information of customers, employees or other sensitive business information. Watch for updates!