

Property & Casualty Pool Members – Enhanced Coverage Coming Soon

The MMA Property & Casualty Pool is excited to announce that qualifying Members will soon have the ability to add “Cyber Liability” and “Data Breach Expense” coverage at no additional charge. The Pool takes security of your personal data seriously, and some of you may have noticed that we now send encrypted emails containing sensitive personal data. We do this to protect both of us from a data breach. Even the most security focused organizations can fall victim to a data breach. The most common cause of a cyber event (which is any event that allows for the release of confidential and/or sensitive information) today is not hacking, but human errors that involve confidential information stored outside of your network system and found on laptops, thumb drives, smartphones, etc.

A public entity is a perfect target for a cyber event. Public entities commonly store personally identifiable information, including social security numbers, birth dates, address and driver’s license numbers. They may also store confidential and sensitive personal medical and health information on its citizens and employees.

Coverage Highlights

Cyber Liability - \$1,000,000 aggregate limit

- Protects you from a negligent act resulting from a cyber event.

Data Breach Expenses - \$50,000 aggregate limit

- Reimbursement for expenses incurred due to a data breach, including but not limited to forensic services, crisis management, legal aid and credit monitoring.

In order to ensure that you have security measures in place, an application for Cyber Liability will be required prior to this important coverage being added (by endorsement). We have examples of Best Practice security policies available for Members who need assistance. Please watch your mail and/or email for more information. If you have any questions, please contact the Risk Management Department at 1-800-590-5583. ■■

Dividends Approved

We are pleased to announce that, due to the continued good risk management practices and favorable loss experience of its members, the Board of Trustees of the MMA Workers Compensation Fund and the Board of Directors of the MMA Property and Casualty Pool approved the payment of annual dividends to eligible members of the two programs.

On May 23rd, 2014 the respective Boards of the Property & Casualty Pool and Workers Compensation Fund approved the scheduled distribution of \$1.2 Million in dividends to their members. We look forward to delivering your dividend check later this summer. ■■

New Maine Driving Dynamics Instructors

Congratulations to Senior Loss Control Consultants Bob Thomas, Lance Lemieux and John Waterbury and to Loss Control Supervisor Ann Schneider who have recently obtained certification from the Bureau of Highway Safety as Maine Driving Dynamics (MDD) Instructors!

The certification process requires observation of a course, completion of an instructor course, co-instruction of a course and instruction under observation. The five-hour interactive MDD course includes discussion of collision avoidance techniques, safety issues, driver habits and attitudes, and the basic elements that constantly challenge drivers on Maine’s highways.

Anyone completing the course will receive a three-point credit on their driving record from the Maine Bureau of Motor Vehicles. Maine Municipal Association’s CEVO III - Fire, Coaching the Emergency Vehicle Operator classroom defensive driver program has also been approved by the Bureau of Highway Safety to receive a three-point driving record credit. This course, in addition to the defensive driving components, includes instruction on Maine law governing rescue and fire apparatus (Title 29-A), apparatus inspection, specific traffic situations, highway vs. rural operation, total stopping distance, driving with lights and sirens, backing, apparatus positioning, responding in personal vehicles and more. This course is five hours, usu-

Story Continued on Page 22

Managing BYOD

It is common practice these days for employees in every line of business to access work related information such as emails, calendars, contacts and data with their personal devices. As a result, the separation of our work and home lives becomes more complex



than ever. Employees increasingly use personal devices, smartphones, tablets, and thumb drives as tools for work to improve productivity and as a matter of convenience, to the point that there's an acronym now for the practice: BYOD, which stands for Bring Your Own Device.

Storing business information on a personal device has many potential benefits but it also creates security risks as well as human resources management implications. Employers should consider the creation of a policy which sets reasonable guidelines for Bring Your Own Device (BYOD). At a minimum, guidelines should recognize and address the following:

Recognize the Risk

Protect your entity's information. It

is important to assess the exposure and determine what information you need to protect and what information your organization would like to grant employee access and when.

Ownership

Make sure employees clearly understand that the organization owns the information and if the employee elects to utilize a BYOD then the organization has the right to audit, access and delete the information as necessary. This is especially critical in the event of an employee separation or in a time-critical situation such as a security breach.

Define Privacy Expectations

When personal information and business data combine, privacy is an issue and a topic to be addressed. Employers may find themselves in a situation which requires them to examine all data on the device, such as in the event of a security breach. As a result, the personal device may need to be retained while it is being examined, thereby limiting or preventing personal access to the device. Therefore, it is important that your employees are aware of the potential practice and they should set their expectations of

privacy accordingly.

Establish Security Protocols

In order for BYOD to work, organizational security protocols should be incorporated to include BYODs and employees must agree to carry out the security protocols. You may wish to require password protections and encryption to prevent unauthorized access to information. Some organizations have elected to provide data access through a virtual infrastructure solution only. This method allows the employee to use a BYOD to access/view data remotely through pre-established and secured protocols but never permits the downloading and storing the data on employee's device. If data must be stored on the employee's device, employers may want to again consider passwords, encryption and applications to clean the device of data remotely in the event of a potential breach, loss or theft of the device.

Human Resources Implications

While the security of business information is the primary issue to be addressed within the BYOD policy, one must also recognize the human

Story Continued on Page 21

ACCIDENT INSURANCE FOR VOLUNTEERS

July 1, 2014 – June 30, 2015

REDUCED PREMIUM EFFECTIVE 07/01/2014

Maine Municipal Association Risk Management Services is pleased to announce that the Accident Insurance for Volunteers (AIV) coverage is now available through The Hartford Life Insurance Company at a reduced premium **effective July 1, 2014**. The program provides coverage limits of \$50,000 for accidental medical expenses at a reduced rate of **\$2.25 per volunteer**. Last year 99 members participated in this MMA sponsored program, providing excess medical coverage to 6,149 volunteers.

If you have any questions with Accident Insurance for Volunteers (AIV) or the Volunteer Firefighter Blanket Accident Program (VFF), please contact Judy Doore
jdoore@memun.org or 1-800-590-5583, ext 2255



Maine Municipal Association
Risk Management Services



HUB International New England, LLC



Welcome New Members

Property & Casualty Pool

City of Caribou
City of Eastport
Town of Fryeburg
Town of Island Falls
Town of Lincoln
Town of Paris
Windham Economic
Development Corporation

Unemployment Compensation Fund

Town of Canton
Town of Paris
Presque Isle Utilities District

What's Going On?



Online training – RMS has extended a three year service agreement with FirstNet Learning Inc. to provide online safety and risk management courses to participating members of the Workers Compensation Fund and Property and Casualty Pool. In partnership with FirstNet since the fall of 2004, more than 17,800 users have taken over 105,000 courses. Available on the MMA website, courses are provided at no cost to members of the Fund and Pool. Upgrades to the website are underway, and courses addressing property and liability exposures will be added. The current offering of 50+ courses will be expanded throughout the three year period. Watch the *Risk Manager* for announcements of new courses and if you haven't used it, visit the website to preview courses and the online university <http://www.memun.org/InsuranceServices/RiskManagementServices.aspx>.

Safety Enhancement Grants – Maine Municipal Association Risk Management Services continues to reward safety. Since 1999, Risk Management Services has been assisting the safety efforts of participating members of the Workers Compensation Fund through the Safety Enhancement

Grant Program. The Safety Enhancement Grant and Scholarship Grant Programs offer financial incentives to members of the Maine Municipal Association Workers Compensation Fund. Safety Enhancement Grants are used to purchase safety equipment or services that assist in reducing the frequency and severity of workplace injuries. Grants are awarded in May and October each year.

In May, 182 grant applications requesting \$230,276 of grant assistance were received. Following committee review, 124 grants have been funded for a total commitment of \$154,499. Due to the overwhelming success of the program, the number of requests exceeded the ability to fund, so several applicants were asked to resubmit their requests for the September 2014 grant period. As of June 2014, more than \$3.2 million has been committed to participating members of the Workers Compensation Fund for grants and scholarships.

For more information about the Safety Enhancement Grant Program or Scholarship Grant Program call (207) 626-5583 or visit our website at <http://www.memun.org/InsuranceServices/GrantsScholarships.aspx>.

Managing BYOD (cont'd)

components that will impact your Human Resources Department. Keep in mind that the Fair Labor Standards Act (FLSA) establishes rules that entitle non-exempt (or “hourly”) employees to compensation for all time worked. Some employees may find it difficult to resist the temptation of using their personal device on work-related activities after hours. When employees have personal devices with them outside the workplace, they may read and respond to work emails and phone calls during non-working hours. Make sure your BYOD policy includes a method to properly record and compensate employees for this time, or you may wish to design the policy to restrict the use of personal devices by non-exempt employees. BYOD issues should also be included as part of your “Exit Procedures” to ensure exiting employees do not inadvertently or intentionally keep business information on their devices.

The use of BYODs is probably occurring within your organization regardless of whether or not your organization has officially approved the practice. Developing and implementing a BYOD policy will ensure data security and ensure that employees know their responsibilities and the parameters of reasonable use. BYOD policies also provide managers the means to access information held on employee owned devices when needed. Develop a BYOD policy, utilize the expertise of your attorney to make it relevant and compliant with FLSA, and then clearly communicate it to all employees. ■



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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Driving Dynamics *(cont'd)*

ally presented in two sessions.

For participating members of the MMA Workers Compensation Fund or the MMA Property and Casualty Pool, the MDD and CEVO III-Fire courses are provided at no cost through RMS Loss Control Services. Courses will be offered periodically on a regionalized basis and CEVO-III may be hosted by an individual fire

department. A minimum class size of twenty-five is desired.

To express interest in these and other defensive driving training courses, or to obtain more information about improving driver awareness to reduce motor vehicle injuries, fatalities and their resultant high cost, contact your assigned Loss Control Consultant or the RMS Loss Control Department at (207) 626-5583. ■



John Waterbury, Lance Lemieux, Ann Schneider and Bob Thomas

Be a HERO

In order for our members to more easily and effectively handle their workers compensation claims, the MMA WC Fund has created the HERO program. The HERO (Helping Employees Recover Occupationally) program is designed to educate the members of the WC Fund on the basics of workers compensation. This presentation allows members to become more familiar with the frequently used workers compensation board forms, such as the first report of injury, wage statement, memorandum of payment, discontinuance and notice of controversy. It also provides guidance on the timeframes implemented by the Workers Compensation Board for filings of incapacity and forms, so to avoid reporting violations and penalties.

Additional topics discussed in the HERO presentation are utilizing your preferred provider and accommodating light duty. We strongly believe that, if an injured employee is brought

back to work under modified duties, it will help speed recovery, maintain productivity and decrease claim costs.

If interested in scheduling a training session, please contact your adjuster. Be a HERO today! ■

MMA Risk Management Services
Top 10 Steps to REDUCE Your Workers' Compensation COSTS

1. Commitment of Management and Leadership.
2. Establish a Safety Committee - involve your employees.
3. Establish written Safety Programs, Policies and Procedures.
4. Support Employee training and encourage safety awareness.
5. Provide the right "tools" for the job.
6. Control hazards and exposures through inspections with corrective actions. Do internal accident investigations.
7. Obtain Certificates of Insurance that list your entity as Additional Insured when using contractors.
8. Support Injury Management:
 - Timely reporting
 - Use Preferred providers
 - Use Transitional Return to Work
9. Understand your Experience Mod and its impact on your entity.
10. Commit, cooperate, and communicate with RMS!

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Time out for Training at the 23rd Annual Highway Congress

Risk Management Services again supported the Annual Highway Congress held June 5th at the Skowhegan Fairgrounds. The "Time Out for Training" booth has become a fixture at the Highway Congress and provides our loss control staff an opportunity to visit with many of our members and with vendors in a casual setting.

In conjunction with an OSHA Safety Stand-Down, June 2-6, our booth was part of a national effort to prevent fall injuries. The purpose of the Stand-Down is to raise awareness of preventing fall hazards in construction. Falls are a significant cause of workers compensation losses for the MMA Workers Compensation Fund and a leading cause of workplace fatalities nationally. Approximately 25% of these fatalities happened at heights of 10 feet or less. The booth featured displays, provided handouts and asked visitors to conduct an inspection of a stepladder.

More than 191 persons visited the booth, inspected the ladders and registered to win a Werner 6-foot, ANSI type 1A, stepladder. Winner of the raffle was Bruce Smith, Dexter Highway Department. ■



John Waterbury, Senior Loss Control Consultant, provides safety training on fall protection and ladder safety.