



# THE MUTUAL EFFORT

Wisconsin County Mutual Insurance Corporation

Volume 14.3

## County Mutual Recognizes Safety and Risk Prevention

The Wisconsin County Mutual Insurance Corporation (County Mutual) has highlighted the close relationship between member counties and the company with its "2008 County Mutual Performance Awards." This year's awards were presented at the County Mutual's Annual Representative Assembly, held in conjunction with the Wisconsin Counties Association (WCA) Annual Conference, on September 14, 2009, in La Crosse County.

The County Mutual is the insurance carrier for close to 75% of the counties in the state, with the awards going to those member counties that have proved their commitment to safety and risk prevention efforts.

### INSIDE



- 1 Safety and Risk Prevention Efforts Recognized
- 2 County Mutual Officers/Board of Directors
- 3 Save Money by Mastering Your Workers' Compensation Modifier
- 4 Supreme Court Decision Weakens Immunity Doctrine
- 5 Project ADAM Saves Lives
- 6 ReadyWisconsin Continuity of Operations
- 7 Emergency Supply Checklist
- 8 Portage County Wisconsin Emergency Traffic Control and Scene Management Training

### THE 2008 PERFORMANCE AWARD WINNERS ARE:

- **Overall Best Loss Ratio:** Oconto and Pepin Counties
- **Overall Best Loss Control Program:** Adams County
- **County Sheriff's Department Best Loss Ratios:** Barron, Calumet, Door, Florence, Green, Green Lake, Iron, Langlade, Marquette, Oconto, Pierce, Richland, Sawyer, Taylor, Vernon, Waushara, and Winnebago Counties
- **County Sheriff's Department Best Loss Ratio Honorable Mention:** Clark, Portage, Shawano, and Wood Counties
- **County Highway Department Best Loss Ratios:** Douglas and Florence Counties
- **County Highway Department Honorable Mention:** Ashland, Forest, Green, Green Lake, Iron, Oconto, and Sawyer Counties

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Leland Rymer, Oconto County Board Chair (middle) and Kevin Hamann, Oconto County Administrative Coordinator (right) receive the Overall Best Loss Ratio Award presented by Erhard Huettl, WCMIC Vice President.



❄️ *Happy New Year from The Mutual Effort* ❄️



“The County Mutual stands out in the insurance industry because we have always worked very closely with our members to ensure that their workplace and practices are as safe as possible,” says Jon H. Hockhammer, Director of Insurance Operations for WCA. “This close relationship is highly effective and the winners of this year’s awards prove it.”

The County Mutual offers a wide array of services to member counties and municipalities. Some of these services include loss control incentive programs, online safety training, safety newsletters, and educational seminars on a wide variety of topics, such as defensive

driving and workplace violence. In addition, the company owns a firearms training simulator for members of law enforcement agencies.

“These recognized members for 2008 are to be congratulated for their dedication to risk prevention and their focus on safety,” said John Dirske, Executive Vice President of Aegis Corporation, which administers the County Mutual. “Because of the County Mutual’s presence in the insurance marketplace, we have been able to keep our communities safer, while saving taxpayer dollars, we are proud of this strong partnership and commend this year’s winners.”



Wisconsin County Mutual Insurance Corporation

## Officers/Board of Directors

### OFFICERS

President:	<b>LELAND RYMER</b> Oconto County	Secretary-Treasurer:	<b>BILL BARRIBEAU</b> Calumet County
Vice-President:	<b>ERHARD HUETTL</b> Forest County	*Asst. Secretary:	<b>JON HOCHKAMMER</b> Permanent Madison <i>The Assistant Secretary is a non-voting member</i>

### BOARD OF DIRECTORS

Southeast District: <b>WILLIE JOHNSON JR.</b> Milwaukee County	North Central District: <b>DUANE BROWN</b> Waupaca County	Western District: <b>EDMUND WAFLE</b> Juneau County
<b>ROBERT BROOKS</b> Ozaukee County	<b>ERHARD HUETTL</b> Forest County	<b>DEL TWIDT</b> Buffalo County
East Central District: <b>BILL BARRIBEAU</b> Calumet County	<b>BRUCE OSTERBERG</b> Florence County	Southern District: <b>WAYNE WILSON</b> Lafayette County
<b>DONALD SOMMERS</b> Calumet County	<b>LELAND RYMER</b> Oconto County	<b>JOHN TRAMBURG</b> Columbia County
<b>PATRICK BRENNAND</b> Winnebago County	<b>LANCE PLIML</b> Wood County	Advisory Members:
		<b>VINCENT MARCHETTI</b> Town of Necedah, Juneau County
Northwest District: <b>HAL HELWIG</b> Sawyer County		<b>GERALD DERR</b> Town of Bristol, Dane County
	<b>ELDON SKOGEN</b> Rusk County	
West Central District:	<b>RICHARD JOHNSON</b> Dunn County	
	<b>WAYNE HENDRICKSON</b> Clark County	



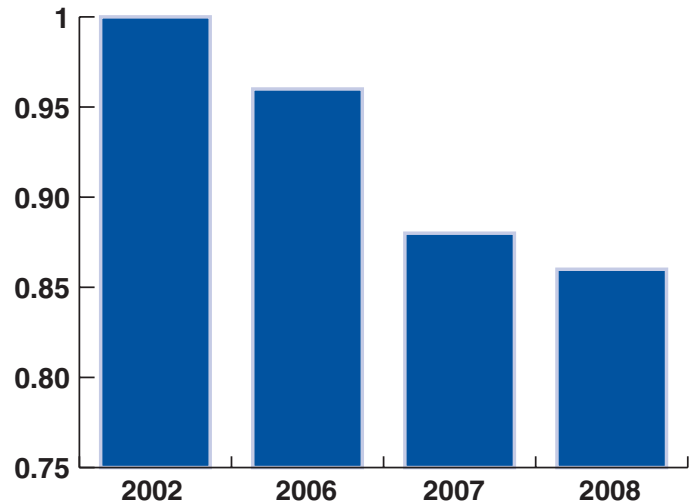
## Save Money by Mastering Your Workers' Compensation Modifier

By Cristin Fieber, Workers' Compensation Claims Supervisor

Taking ownership for the costs associated with work place injuries is the most effective way in reducing workers' compensation costs. An employer must make a commitment to reducing their modification factor (mod) in order to gain long term financial stability. The savings generated by controlling your mod allow you to invest more in your operations. By doing so, you can improve efficiencies and quality. Also, with lower workers' compensation losses come healthy, happy and more productive employees. This increases productivity and further lowers overall costs. Safety, therefore, can become its own profit center with significant payback.

In a simplified form, an experience modification factor would be the ratio of your company's losses to the average company with similar operations. A mod of 1.0 is average and a company should strive to decrease their losses in order to beat the average and lower their insurance costs. If the experience is better than expected, you are "rewarded" with a low mod, less than 1.0, and you pay less for your workers' compensation insurance. The mod is computed using claims data for a period of three years. The most recently completed year is excluded. For example, the mod for 1/1/2010 would contain experience from the policies that were effective 1/1/06, 1/1/07 and 1/1/08.

Shopping around for the lowest quote may not prove to be an effective way of controlling your workers' compensation costs. An employer should resist being tempted by large dividends as being a financial windfall to save dollars. Carriers offering workers compensation coverage do not have the flexibility to adjust a policy's premium. The rates are set by the Rating Bureau and all carriers are required to use those established rates. Many carriers may offer attractive dividends, regardless of loss history or loss prevention measures. This is a short-term "grab" for market share and is never a long-term solution. A dividend is not a guaranteed reduction in premium; it is declared after policy expiration and does not offset your upfront premium payment.



Aegis Corporation began providing workers' compensation claims administration services to the public entities in the State of Wisconsin in 2001. The average modification factor for the counties in 2002 was a 1.0. Over the course of the first three years (2002, 2003, and 2004) of Aegis' claims and loss control services, the average modification factor dropped an average of 4 points. By the fifth year the average modification factor was a .88 and the sixth year it dropped again by 2 points, thus resulting in a significant savings in premium to the counties in the Wisconsin County Mutual Insurance Corporation program. The Counties who participated in the program during this period are as follows: Ashland, Barron, Bayfield, Buffalo, Burnett, Columbia, Florence, Forest, Green Lake, Iowa, Iron, Langlade, Oconto, Rusk, Sawyer, Vernon, and Washburn.

**Aegis Corporation offers personalized service in working with the policyholder to control claims costs, taking a proactive approach to safety and loss prevention and utilizing early return to work practices.**

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Policy Year	Experience Mod Factor	Additional or Decreased Premium
2002	1.46	+\$44,000
2003	1.30	+\$39,000
2004	1.32	+\$39,000
2005	1.18	+\$19,000
2006	.96	-\$4400
2007	.75	-\$30,000
2008	.72	-\$38,000
2009	.75	-\$30,000

Above is one example of the cost savings when a County reduces their experience modification factor. Above is a chart of Forest County's experience modification decline

and the premium savings over the past seven years. The difference is a swing of \$74,000 in savings for a policy year from 2002 to 2009.

Aegis Claims Administration & Loss Control Services is proud to recognize that the Counties that entered the program in 2002 have committed to reducing their modification factor. Learning how to manage workers' compensation insurance was one key to lowering their modification factor, making the workplace safe and enabling the counties to become proactive instead of reactive to reduce their workers' comp costs.

## Supreme Court Decision Weakens Immunity Doctrine

By Andrew T. Phillips, Centofanti Phillips, S.C.



On June 17, 2009, the Wisconsin Supreme Court held that a University of Wisconsin-Madison official can be held liable for the death of a television cameraman who died after falling from an unguarded platform while working at Camp Randall Stadium.

Richard Umansky, an ABC Sports employee, fell from an eight-foot platform while installing a camera the day before a football game. He died days later.

Umansky's family filed a lawsuit, claiming that Barry Fox, the director of facilities for Camp Randall Stadium, negligently caused Umansky's death by failing to install a railing around the platform as required by state and federal safety regulations, including Occupational Safety and Health Administration (OSHA) rules.

The Wisconsin Department of Justice, which represented Fox, argued that he could not be sued under the doctrine of public officer immunity.

As a general rule, government officers and employees are immune from personal liability for injuries resulting from acts performed within their official duties. However, a government officer or employee is not shielded from liability for the negligent performance of a purely ministerial duty. A ministerial duty is one that is "absolute, certain and imperative, involving merely the performance of a specific task when the law imposes, prescribes and defines the time, mode and occasion for its performance with such certainty

that nothing remains for judgment or discretion."

This case involves the application of public officer immunity for state public officers and employees, which is grounded in common law. County officers and employees also enjoy immunity pursuant to Wis. Stat. § 893.80(4).

The Supreme Court held that the doctrine of public officer immunity did not shield Fox from liability. As director of facilities for Camp Randall, Fox was responsible for compliance with state and federal safety regulations, and the platform's compliance with OSHA requirements would have been his decision. The Court held that the safety regulations were "very specific" about the railing requirement, and Fox was therefore "under a ministerial duty to act to ensure that a railing was on the platform."

Because the Court held that Fox is not protected by public officer immunity, the case can now move forward to trial.

This case is significant to government entities because it weakens the doctrine of government immunity and broadens the circumstances under which a government employee may be held liable for injury to a third party.

In addition, as Justice Annette Ziegler noted in her dissent, this ruling allows "a windfall" for private workers injured in state buildings because the worker could obtain worker's compensation benefits from his or her employer as well as recovery from the state.



# Project ADAM<sup>®</sup>

SAVES LIVES

Automated External Defibrillators (AEDs) save lives. Recently, several counties have inquired as to policies and procedures for selecting, purchasing, training, and implementation of AED's for their facilities and squad cars.

Project ADAM (Automated Defibrillators in Adam's Memory) is a not-for-profit program of Herma Heart Center at Children's Hospital of Wisconsin, whose mission is to serve children and adolescents through education and deployment of life-saving programs that help prevent sudden cardiac arrest.

Project ADAM began in 1999 after a series of sudden deaths among high school athletes in southeastern Wisconsin. Many of these deaths appear due to ventricular fibrillation. The project began after Adam Lemel, a 17-year-old Whitefish Bay, Wisconsin, high school student, collapsed and died while playing basketball. Adams's parents—Patty Lemel and Joe Lemel—along with David Ellis, a childhood friend of Adam's, collaborated with Children's Hospital of Wisconsin to create this program in Adam's memory.

Project ADAM provides everything schools need to plan, fund, and develop their program. Counties and municipalities can also benefit from many of the items Project ADAM has developed and provided. In the next *Mutual Effort*, you will learn the benefits of AED's being provided in the buildings and squad cars through Sheboygan County's history of AED implementation and training.

On May 30, 2006, Governor Jim Doyle signed into law a bill (Wisconsin Senate Bill 186) that expands immunity for users and providers in good faith of automated external defibrillators, encouraging more people to help in emergencies and more establishments to carry the life-saving device. This provides immunity from civil liability for users, owners, and providers of AEDs for acts or omissions in rendering emergency care.

### **Project ADAM provides resources in the following areas:**

- **Provide information about risk factors and symptoms of sudden cardiac arrest**
- **How to choose an AED**
- **Where to place an AED**
- **How to use the AED**
- **How to maintain the AED**
- **Budget worksheet**
- **CPR/AED Training (who, how many and how often)**
- **Working with local emergency responders**
- **Mock drill scenarios**
- **Sample news releases**
- **Program planning checklist**
- **A Policy and Procedure Template!**

Project ADAM provides a quarterly e-newsletter that keeps your public entity up to date on the latest information and issues. The Fall 2009 issue highlighted an AED recall.

All of the program materials are available for download and perusal at [www.projectadam.com](http://www.projectadam.com).

For more information, please contact: Debra Klich, Project ADAM Administrator at [dklich@chw.org](mailto:dklich@chw.org) or 414-266-3066.



## Continuity of Operations – From ReadyWisconsin



If an emergency strikes your neighborhood, will your employees be available for work? Communities across the country have found that absenteeism has been most pronounced among those employees who have failed to make plans for their families to respond to emergency situations.

You can increase your organization's capacity to operate during and following a disaster by asking your employees to get prepared. In addition to the checklists, forms and disaster information available from ReadyWisconsin, citizens can use interactive online tools to generate their plans.

Please tell your employees about these resources and encourage them to be ready.

- **ReadyWisconsin**

<http://ReadyWisconsin.wi.gov>

- **ReadyAmerica**

<http://ready.adcouncil.org/beprepared/fep/index.jsp>

### Free Brandable Materials

A unique feature of ReadyWisconsin is the wide array of free outreach materials that can be customized and branded for use by any governmental entity, volunteer organization or emergency preparedness stakeholder.

Items like the following can be used, customized and branded to any organization or any individual and new materials are continually being developed:

Pre-produced television and radio messages addressing dozens of themed preparedness issues

- Brochures
- Posters
- Checklists and templates
- Hazard and need-specific hand-outs
- PowerPoint presentations
- Children's materials

Preview them at:

<http://readywisconsin.wi.gov/ReadyWI/default.asp>

[http://readywisconsin.wi.gov/ReadyWI/Resources/Manager\\_Resources.asp](http://readywisconsin.wi.gov/ReadyWI/Resources/Manager_Resources.asp)

For daily preparedness messages and valuable links to additional resources, we invite you to join our Facebook community at <http://www.facebook.com/pages/Madison-WI/ReadyWisconsin/136323011443?ref=nf>.

Our Twitter link is [http://twitter.com/WI\\_EOC](http://twitter.com/WI_EOC). We have a YouTube channel at <http://www.youtube.com/readywis>.

For additional information, a presentation or help with customizing materials, contact Susan Burleigh at ReadyWisconsin: [susan.burleigh@wisconsin.gov](mailto:susan.burleigh@wisconsin.gov), 608-242-3324.

## We Want to Hear from You

This newsletter is provided as a service to you. Our goal is to provide informative and interesting articles. Your input and suggestions will assist our publication of this newsletter.

For suggestions, please write or call:

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## Emergency Supply Checklist

When disaster strikes, immediate help may not be available. Every household should have an emergency kit with enough supplies to see you through three days following a natural disaster or terrorist attack. The checklist below includes basic items that every kit should include. You may need to supplement this list with additional items based on where you live, the type of potential disasters you might face and the unique needs of your family. You should also consider having at least two emergency supply kits: one complete kit at home and a more portable kit at your workplace or in your vehicle. Include the following in your home kit:

### For Everyone

- Water (3 gallons per person for drinking and sanitation)
- Food that does not need electricity for storage or preparation
- Manual can opener (if kit contains canned food)
- Battery-powered NOAA Weather Radio and a commercial radio or hand crank radio
- Flashlights and extra batteries
- Sleeping bag or warm blanket for each person
- First aid kit and emergency medical reference manual
- Prescription medications and eyewear
- Mess kits, paper cups, plates and plastic utensils, paper towels, moist towelettes, garbage bags and ties
- Complete change of clothing, including a long-sleeved shirt, long pants, socks and sturdy shoes

### Additional Items

- Cash in small denominations or traveler's checks and change
- Copies of important family documents, such as insurance policies, identification and bank account records in a waterproof, portable container
- Wrench or pliers to turn off utilities
- Matches in a waterproof container
- Household chlorine bleach and medicine dropper (When diluted nine parts water to one part bleach it can be used to disinfect)
- Dust mask (to help filter contaminated air) and plastic sheeting/duct tape (to shelter where you are)
- Local maps
- Books, games, puzzles or other activities for children
- Paper and pencil
- Fire Extinguisher
- Whistle to signal for help

### For Baby

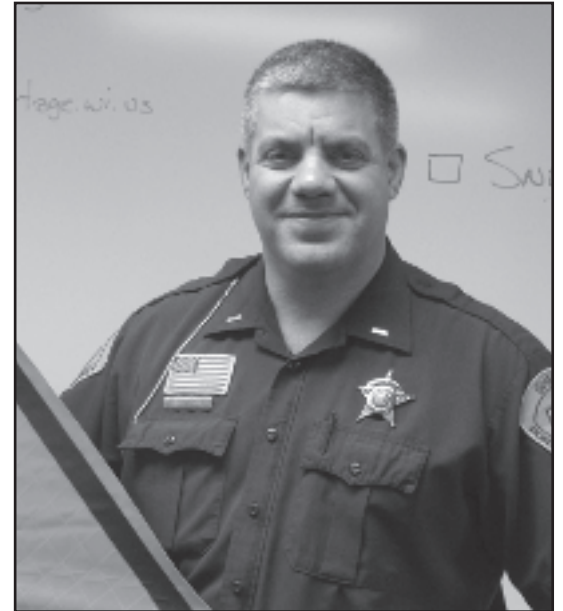
- Formula
- Bottled water to mix with formula and to wash bottles
- Bottles
- Blankets (both emergency blankets and receiving blankets)
- Diapers—keep the diaper size current
- Disposable wipes
- Copy of a current shot record
- Bath towels and wash cloths
- Burp cloths, bibs
- Cotton swabs
- Medications
- Diaper rash ointment
- Binkies and toys
- Cotton swabs
- Medications

### For Pets

- Identification tags on collars
- Medications, immunization records
- Food, drinking water, bowls, cat litter/pan and can opener
- Sturdy leashes or carriers to transport pets safely (Carriers should be large enough for the pet to stand up, turn around and lie down)
- Towels or blankets
- Current photos of you with your pets
- Feeding schedules, medical conditions, behavior problems, and the name and number of your veterinarian
- Pet beds and toys



## Portage County Wisconsin Emergency Traffic Control and Scene Management Training



Lieutenant Daniel Kontos, TIM Committee Chair, provided the beneficial and effective training session.

Every year emergency responders are injured and killed on our highways and roadways.

In an effort to stem the tide, the Wisconsin Department of Transportation and Portage County Traffic Incident Management (TIM) Committee have developed state- and county-wide protocols for responding to highway emergency scenes.

For far too long, “emergency responders” have been thought of as only fire, EMS, and law enforcement personnel.

All towing and recovery professionals are valued members of this multi-disciplinary approach. Towing and recovery companies fill a vital role in the safe and efficient methodology for responding to these scenes.

Therefore, the Portage County Traffic Incident Management Committee invited attendees to a class that has been specifically tailored to towing and recovery professionals.

Topics included establishing and participating in traffic incident management areas, safety equipment, new laws and regulations, staging and parking, communicating with dispatch and on-scene responders, the Incident Command System, and how you as a highway response professional fit into this new coordinated response plan.

