



County Connection

News from the Washington Counties Risk Pool

January/February 2012

TRAINING AND EVENTS



WASHINGTON COUNTIES RISK POOL 2012 Spring Conference

Wednesday, March 21 – Friday, March 23, 2012

The conference will take place at the Lodge at Suncadia located on the Eastern slopes of the Cascade Mountains overlooking the Cle Elum River. See the Suncadia website at www.suncadiaresort.com for more information.

THERE ARE 2 IMPORTANT STEPS IN ORDER TO COMPLETE YOUR CONFERENCE REGISTRATION:

- 1. Online Conference Registration:** Log onto the WCRP homepage (www.wcrp.info) and click on the “Events & Training Calendar” link. Select the blue “Register Online” box. From the drop down menu select “2012 Spring Conference” and fill in the registration form, checking each of the conference sessions you plan to attend. Driving directions will be provided after completing your on-line registration.
- 2. Reserve Your Lodging:** A block of overnight accommodations has been set aside for Wednesday and Thursday nights (March 21st and 22nd) at the State’s per diem rate (\$77 + T&F). Phone the lodge directly to book your room at 866-904-6300 and request the group rate for Washington Counties Risk Pool.

Schedule:

Wednesday, March 21st

- 4:00 pm – 5:30 pm Training for the newer WCRP Directors/Alternates/Appointees (or any of you feeling the need for a little more pooling knowledge or updated information)
- Evening Nothing formal planned – ON YOUR OWN

Thursday, March 22nd (Times Approximate)

- 7:30 – 8:30 am Buffet Breakfast
- 8:30 – Noon Roundtable with County Claims Administrators and Risk Managers with 2010-11 Loss Control and Claims Activities Reports and Presentations by:
- Wendy Jones, Chief of Corrections, (Whatcom County) – The Mentally Ill in Jail; the Hidden Liability for your County
 - Michael Patterson, Attorney – Tort Reform Update (1 C.L.E. credit available)
- Noon – 1:15 pm Luncheon with WSAC Legislative Update from Eric Johnson, Executive Director
- 1:15 pm – 2:15 pm Roundtable continues with Liz Miser, AJGRMS, Inc. – Contracts: Insurance/Indemnification Clauses
- 2:30 pm – 5:30 pm Spring 2012 Board Work Session including 2010-11 Reserving Study and “Pooling Metrics” (Kevin Wick, PwC)
- Evening Nothing formal planned – ON YOUR OWN

Friday, March 23^d

- 7:30 – 8:30 am Buffet Breakfast
- 8:30 am – Noon (est.) Spring 2012 Board of Directors Meeting (1 CPO Elective Credit available)



Jay Winter
Walla Walla
County

Executive Committee Vacancy

We were saddened to learn that Walla Walla County Personnel/Risk Manager Jay Winter is retiring at the end of this month (February 29, 2012). Jay has been a part of the Risk Pool as an employee and as a Director representing Lewis and Walla Walla Counties for more than 20 years. Jay's departure will leave vacant a position on the Risk Pool's Executive Committee due to expire September 30, 2013. According to the Pool's Bylaws, a vacancy on the Executive Committee must be filled by the Board at either the meeting during which notification of a vacancy is received or the meeting next following receipt of notification of a vacancy. WCRP President Bartel has decided to address this impending vacancy during the March 23, 2012 Board (of Directors) Meeting.

The Pool's Bylaws also provide that the Nominating Committee shall nominate at least one Director or Alternate Director to fill each new term and any vacancy in the Executive Committee. Executive Committee members are to be chosen from Directors and Alternate Directors, but limited to one committee member per county, and to fairly represent the diversity and interests of member counties. Thirteen of the WCRP counties are considered western and fourteen eastern, while six counties have presently selected larger deductibles (\$250-500K), eight medium deductibles (\$50-100K), and thirteen smaller deductibles (\$10-25K).

The remaining ten Executive Committee members are... with terms expiring 9/30/2012, Steve Clem (Douglas), Randy Watts (Whatcom) and Mark Wilsdon (Clark); with terms expiring 9/30/2013, Marilyn Butler (Skamania), Steve Bartel (Spokane), and Andy Lampe (Okanogan); and with terms expiring 9/30/2014, Lee Grose (Lewis), Laura Merrill (Pend Oreille), Keith Goehner (Chelan), and Tammy Devlin (Thurston). Together, they consist of and/or represent: five elected and five appointed officials; four from western counties and six from eastern counties; and four from counties with larger deductibles, three with medium deductibles, and three with small deductibles.

Directors and Alternate Directors interested in filling the remainder of the unexpired term on the Executive Committee are encouraged to contact either Nominating Committee Chair Steve Bartel at SBartel@spokanecounty.org (509-477-6113) or Executive Director Vyrle Hill at vyrle@wcrp.wa.gov (360-292-4495) by March 15, 2012.

Executive Committee

2011/12 President

Steve Bartel, **Spokane County**

2011/12 Secretary/Treasurer

Mark Wilsdon, **Clark County**

Other Members

Tammy Devlin, **Thurston County**

F. Lee Grose, **Lewis County**

Laura Merrill, **Pend Oreille County**

Steve Clem, **Douglas County**

Randy Watts, **Whatcom County**

Andrew Lampe, **Okanogan County**

Keith Goehner, **Chelan County**

Jay Winter, **Walla Walla County**

Marilyn Butler, **Skamania County**

Risk Pool Staff

Administration

Vyrle Hill, **Executive Director**

Sue Colbo, **Accounting Officer**

Stacey Spears, **Assistant/Editor**

Claims

Susan Looker, **Manager**

Candy Drews, **Senior Analyst**

Mike Cook, **Senior Analyst**

Tammy Cahill, **Analyst**

Lisa Daly, **Representative**

Carli Gochnour, **Assistant**

Member Services

David Goldsmith, **Member Services**

Jill Lowe, **Loss Control Coordinator**

To access *County Connection's* e-version, go to www.wcrp.info

To receive by email, send your email address to stacey@wcrp.wa.gov or call (360) 292-4490. Have story/photo ideas? Please submit them to the email address above.

Published by



**WASHINGTON COUNTIES
RISK POOL**

Created by Counties for Counties



SAFETY NEWS

This time of year is an opportune time to think about playground safety. The checklist below is from the U.S. Consumer Product Safety Commission. The complete report with safety information, checklists, and inspection recommendations can be found on the WCRP website in the Sample Policy Library, under the Recreation section. There are several other recreational safety documents available including: Ball Field Safety Checklist, Play Equipment Checklist and sample waivers. Check out the full (and readable) version at www.wcrp.info!

APPENDIX A: SUGGESTED GENERAL MAINTENANCE CHECKLISTS

Surfacing (§2.4)

- Adequate protective surfacing under and around the equipment.
 - Install/replace surfacing
- Surfacing materials have not deteriorated.
 - Replace surfacing
 - Other maintenance: _____
- Loose-fill surfacing materials have no foreign objects or debris.
 - Remove trash and debris
- Loose-fill surfacing materials are not compacted.
 - Rake and fluff surfacing
- Loose-fill surfacing materials have not been displaced under heavy use areas such as under swings or at slide exits.
 - Rake and fluff surfacing

Drainage (§2.4)

- The entire play area has satisfactory drainage, especially in heavy use areas such as under swings and at slide exits.
 - Improve drainage
 - Other maintenance: _____

General Hazards

- There are no sharp points, corners or edges on the equipment (§3.4).
- There are no missing or damaged protective caps or plugs (§3.4).
- There are no hazardous protrusions (§3.2 and Appendix B).
- There are no potential clothing entanglement hazards, such as open S-hooks or protruding bolts (§2.5.2, §3.2, §5.3.8.1 and Appendix B).
- There are no crush and shearing points on exposed moving parts (§3.1).
- There are no trip hazards, such as exposed footings or anchoring devices and rocks, roots, or any other obstacles in a use zone (§3.6).

NOTES:

DATE OF INSPECTION:

Security of Hardware (§2.5)

- There are no loose fastening devices or worn connections.
 - Replace fasteners
 - Other maintenance: _____
- Moving parts, such as swing hangers, merry-go-round bearings, and track rides, are not worn.
 - Replace part
 - Other maintenance: _____

Durability of Equipment (§2.5)

- There are no rust, rot, cracks, or splinters on any equipment (check carefully where it comes in contact with the ground).
- There are no broken or missing components on the equipment (e.g., handrails, guardrails, protective barriers, steps, or rungs).
- There are no damaged fences, benches, or signs on the playground.
- All equipment is securely anchored.

Leaded Paint (§2.5.4)

- Paint (especially lead paint) is not peeling, cracking, chipping, or chalking.
- There are no areas of visible leaded paint chips or accumulation of lead dust.
 - Mitigate lead paint hazards

General Upkeep of Playgrounds (§4)

- There are no user modifications to the equipment, such as strings and ropes tied to equipment, swings looped over top rails, etc.
 - Remove string or rope
 - Correct other modification
- The entire playground is free from debris or litter such as tree branches, soda cans, bottles, glass, etc.
 - Clean playground
- There are no missing trash receptacles.
 - Replace trash receptacle
- Trash receptacles are not full.
 - Empty trash

INSPECTION BY:



Helpline News

Here you will find the latest risk management Questions of the Month from the HR Risk Management HELPLINE for WCRP Members' HR Express Update:

January Question:

Can a potential employer ask a candidate for a copy of a past year's W-2 in order to verify the salary from a previous position?

Response:

While we are unaware of any law that expressly precludes it, we generally do not recommend that an employer require candidates for employment to produce a copy of their paystub or W-2 during a job interview or otherwise during the recruitment/hiring process because, among other things, a W-2 and/or pay stub may contain information that the employer is not entitled to see.

As well, if there is certain information on the W-2 or pay stub that reveals an employee's protected class status (i.e. perhaps marital status, medical deduction information, etc.), an employer may be later accused of using that information in making an employment decision (which ordinarily is prohibited), even if that was not the case. If the employer never saw the information, it cannot be accused of having used it to make an improper employment decision. It is best not to see the pay stub or tax statements at all, even if a candidate volunteers to provide it.

If the employer absolutely must have this information (although there are other ways to confirm the candidate's prior salary -- including by contacting the prior employer), the employer should have the candidate redact any personally identifiable information that was not otherwise disclosed so that the individual is providing only confirmation of his or her prior salary. As well, this is a request that must be made of all candidates, and not just some of them, to avoid discrimination concerns, although as noted it is not a best practice or our recommendation.

February Question:

The company is undergoing reorganization affecting departments, reporting relationships, and employee issues. Due to these changes, is it legal to change the title and reduce the pay of an employee to become more congruent with other employees in her job classification? These changes are not retaliatory; they are solely intended to make this particular job

classification more consistent with the company's new organizational structure.

Response:

In an at-will employment environment, an employer is generally within its rights to make decisions of this nature as it sees fit. Assuming no employment contract, where the employer has a legitimate, non-discriminatory justification for reducing an employee's salary (and changing the job title), and where such decision is consistent with company policy and practice, the employer would be within its rights to go forward with it.

In this regard, where there is no applicable contract, the employer can change the title and reduce the employee's wages commensurate with the lower-rated position for which the employer believes in good faith the employee is better suited, or that better matches the employer's organizational structure (or re-structure), and particularly if the employee bore a title and position that no longer comports with the direction of the company. Note, however, that any reduction in the employee's salary or wages can only be on a going-forward basis and cannot apply to any time already worked, and cannot fall below statutory minimum thresholds (which differ if the employee is exempt or non-exempt).

As well, as a best practice the employee should be notified somewhat in advance of the reduction in pay so that he or she can make plans to adjust to the new compensation level. The employee should be told candidly of the employer's reasons for its decision and perhaps given a brief period to consider his or her options (i.e., accept the new, lower paying position, or exit the company, if those are the alternatives -- it does not appear that the employer is willing to allow him or her to retain the status quo). If the employee is unable or unwilling to work at the lower compensation level and thus cannot continue to remain employed, keep in mind that in this situation the separation may not be in the nature of a voluntary quit, and could be considered a discharge if the terms of the position were vastly changed and the subject employee may likely qualify for unemployment compensation benefits, if he or she applies for them, if this is the case.

Source: HR Risk Management HELPLINE for WCRP Members, www.hrhelpline.com/wcrp, February 2012



2012 Training and Conference Dates

February	March
2/29 – 3/1 Management and Supervisory Training Class Location: Kittitas County	3/13 Conducting Excellent Performance Evaluations Class Location: Spokane County
	3/15 Conducting Excellent Performance Evaluations Class Location: Kittitas County
	3/21 – 3/23 Spring Conference Lodge at Suncadia Cle Elum
	3/28 Conducting Excellent Performance Evaluations Class Location: Thurston County
April	May
4/4 Permit Error Webinar 10:30 – 11:30 AM	5/1 Conducting Difficult Conversations Class Location: Lewis County
4/10 Conducting Difficult Conversations Class Location: Spokane County	5/3 Conducting Difficult Conversations Class Location: Clark County
4/12 Conducting Difficult Conversations Class Location: Chelan County	5/14 Conducting Difficult Conversations Class Location: Jefferson County
4/17 Conducting Difficult Conversations Class Location: Benton County	5/16 Conducting Difficult Conversations Class Location: Skagit County
4/19 Conducting Difficult Conversations Class Location: Kittitas County	
June	July
	7/25-7/27 Summer Conference and Annual Board of Directors Meeting, Shilo Inn Ocean Shores

Find more detailed information including class descriptions and register for classes and events on our website: www.wcrp.info

PLEASE NOTE: These training classes are open to all member county attendees, regardless of the class location. There is no registration fee to attend these classes, but you must pre-register on-line at our website: www.wcrp.info