



WCRP

County Connection

News from the Washington Counties Risk Pool

WHAT'S NEW AT THE POOL?



WCRP Conference Registration is OPEN!

The WCRP Fall Conference & Board of Directors' Meeting will be taking place in Spokane, November 20-22, 2019 in conjunction with WSAC's County Leaders Conference.

Please visit the [WCRP Conference](#) page to learn more or to register.

[REGISTER NOW](#)



Retirement Announcement

Since January of 2007, Jill Lowe has been a staple of the WCRP, building relationships with members, staff and vendors. She has been a huge resource for the counties, staff, other pools, and other agencies throughout the State. After over 12 years with the Pool, she has announced her retirement date of October 1, 2019. We are very happy for her...and very sad for us. Please enjoy the group photo above taken at Jill's last WCRP Conference. You still have the rest of this week to reach out and wish her well!

Career Opportunity at the Pool!

The WCRP is in search of an individual seasoned in property and liability risk management to fill our current Senior Risk Analyst vacancy. Please visit the [WCRP Employment](#) page to learn more about the position and to apply!

WCRP RISK MANAGEMENT NEWS

Obesity is a Disability under Washington's Law Against Discrimination

Most courts addressing the question of whether obesity is a disability under the Americans with Disabilities Act (ADA) have concluded that it will constitute a disability under the Act only when caused by an underlying physiological condition or disorder, such as metabolic disorder. On July 11, 2019, the Washington Supreme Court, in response to a certified question from the 9th Circuit Court of Appeals, held that obesity constitutes a disability for purposes of Washington's Law Against Discrimination (WLAD), regardless of the underlying cause. *Taylor v. Burlington Northern Railroad Holdings*, 444 P.3d 606 (2019).

[READ THE FULL WRITE-UP](#) by Elizabeth McIntyre, of Law, Lyman, Daniel, Kamerrer & Bogdanovich, PS

PRA Investigation Exemptions

There has been a significant development in Washington State law regarding the public disclosure of investigation records. The Washington State legislature recognized how reluctant employees are to file a complaint and/or cooperate in an investigation when their identities will likely be disclosed. To address this concern, the legislature created a new exemption from public disclosure for investigation records that involve complaints of unlawful discrimination, harassment, or retaliation.

[READ THE FULL WRITE-UP](#) by Michael Bolasina, of Summit Law Group.

Juror Debriefs with Professional Facilitator?

WCRP Risk Management was recently asked if member counties should provide a formal debrief for jurors with a professional facilitator (i.e. psychologist, social worker or counselor) with expertise in post-traumatic stress disorder or counseling sessions. The county was concerned about claims that might come back to them. We asked the Executive Director of the Washington Association of Prosecuting Attorneys (WAPA) and he cited *Bolin V. Kitsap County*, 114 Wn.2d 70 (1990). In that case, it was determined that jurors are considered

“employees” for workers compensation. If jurors are considered employees then they are unable to sue the County. It would seem that allowing jurors access to EAP would be a somewhat low cost to counties and would show goodwill. In a particularly gruesome trial, counties might consider informing jurors of their ability to utilize EAP services rather than waiting for them to request services.

As always, we suggest you consult with your own prosecutors and human resources departments prior to making any final decisions in this regard.

WCRP TRAINING & SCHOLARSHIPS

Training

[Navigating the Performance Evaluation Process](#)

December 11, 2019 | Grays Harbor County

Performance evaluations are an essential step in creating a positive, efficient workplace. Many employment law related cases can be avoided or successfully defended if performance reviews are conducted regularly and work deficiencies are properly documented and discussed. Audience: Managers and Supervisors.

Scholarships

PAW Land Use Bootcamp | November 15, 2019 | Mercer Island

The WCRP will be offering 10 scholarships for the upcoming PAW Land Use Bootcamp, on Mercer Island, November 15, 2019. Scholarships will be awarded on a first come first serve basis and will reimburse the cost of registration only. Bootcamp registration will be opening soon, and we can certainly award scholarships in advance. Please visit the [Planning Association of WA Website](#) for more information and contact your county risk manager if you are interested!

More training and scholarships to come!

Please visit the [WCRP Training & Scholarships](#) page to view the most current listings.

[Request a Training in your County!](#)

SAVE THE DATE!

WCRP Conferences & Board Meetings

Spring Conference & Board Meeting | March 18-20, 2020

Suncadia Resort, Cle Elum | Kittitas County

Summer Conference & Board Meeting | July 22-24, 2020

Hilton, Vancouver | Clark County

WCRP Committee Meetings

Risk Management Committee Meeting | September 27, 2019

Executive Committee Retreat | October 3-4, 2019

Executive Committee Meeting | November 1, 2019

Contact us with any questions!



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