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to the professional  
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control representative*

INSURANCE LOSS CONTROL ASSOCIATION

eNews

MAY 2014

[www.insurancelosscontrol.org](http://www.insurancelosscontrol.org)



## ILCA 2014 Conference

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The ILCA 2014 Annual Conference will be held October 20, 21 and 22 at the Renaissance Indianapolis North Hotel in Carmel, Indiana.

Topics included in the agenda for this conference are:

- Experience Mod / Return to Work
- Disaster Planning
- Ergonomics
- Risk Assessment of Alternative Energies
- Fall Protection
- Sprinkler Protection
- Driver Safety

If you are interested in presenting during the conference, please contact Kristi Ruxlow at:

[administration@insurancelosscontrol.org](mailto:administration@insurancelosscontrol.org).

Agenda details as well as registration information coming soon. Mark your calendar!



# Call for Speakers / Presenters

The Insurance Loss Control Association (ILCA) invites those interested in presenting at its 2014 Annual Conference on October 20, 21 and 22, 2014 in Indianapolis, Indiana to contact the Conference Planning Committee.

## **Suggestions for presentations:**

Identify key/specific issues facing Loss Control professionals  
Expand their knowledge or improve professional skills  
Identify challenges in the Insurance Loss Control field  
Engage attendees in discourse concerning the profession  
(Round Table Discussions)

The committee is particularly interested in advanced, technically oriented and practical presentations.

## **Session levels:**

Basic: 2 to 5 years' experience  
Intermediate: 6 to 10 years' experience  
Advanced: 10 plus years' experience  
Executive: Executive level material

Length of Presentation: Conference sessions last 1 to 1 1/2 hours, including 15 minutes for Q & A.

If interested, please contact Kristi Ruxlow at:  
[administration@insurancelosscontrol.org](mailto:administration@insurancelosscontrol.org)

2014 ILCA ANNUAL  
CONFERENCE  
OCTOBER 20—22  
INDIANAPOLIS, IN

## SPONSORSHIP OPPORTUNITIES FOR THE 2014 ANNUAL CONFERENCE

ILCA is pleased to announce the following sponsorship and advertisement opportunities available during the two and a half day conference on October 20—22, 2014.

*Any company participating in sponsorship and/or advertising in the 2014 Conference will also receive free advertising in ILCA eNews for one year.*

### **Conference Partner—\$1,500**

Includes: Exhibit space and 2 full registrations. (Registrations must be in our hands by **9/19/14**)

We welcome you to make a ten minute “presentation” to the attendees during the conference. We will insert your 3 hole punched brochure into our conference binder. This fee does not include Hotel registration.

### **Exhibitor**

1 Table—One day only—\$200

1 Table—Entire conference—\$350

### **Luncheon—\$600**

Includes: Announcements before and after lunch, signage, notation and thank-you in conference agenda, web link to your website, table for materials and a vendor’s insert in the conference binder. Encouraged to have small logo giveaways and all the possible contacts you can create by networking. Luncheon sponsors will also receive a special mention and a 3.5”x5” advertisement space in the post-conference newsletter.

### **Break—\$300**

Includes: Announcement before and after break, signage, notation and thank-you in conference agenda, web link to your website and a vendor’s insert in the conference binders. Get all of the possible contacts you can create by networking.

### **Vendor’s Insert—\$150—Insertion of your company brochure and information.**

- ⇒ B&W advertisement—the company can either provide an electronic file which we can reproduce in black and white or the company can submit the pre-printed material (3-hole punched) to us for inclusion in the binder. Material must be submitted by **September 12, 2014**.
- ⇒ Color advertisement, brochure, or flyer—the company must submit the pre-printed (3-hole punched) material to us for inclusion in the binder. Materials must be submitted by **September 12, 2014**.

Sponsorship opportunities are on a first come, first serve basis. Sponsorship payments must be received no later than **September 26, 2014**.

Contact Kristi Ruxlow at 309-696-2551 or by email at [administration@insurancelosscontrol.org](mailto:administration@insurancelosscontrol.org) for reservations and payment information.

**IMPORTANT UPDATE!****JOB POSTING POLICY**

## Job Posting Policy

The purpose of this policy is to formalize and publish the Insurance Loss Control Association (ILCA) policy for posting job openings on the association website [www.insurancelosscontrol.org](http://www.insurancelosscontrol.org).

Job Postings may be listed on the “Jobs” section of the chapter website which is available for public viewing.

Effective June 1, 2014, Job postings will be accepted and posted, free of charge for current ILCA Members and Employers that submit a job posting on behalf of their organization. The posting will expire and automatically be removed from the website after a 30 day period. Prior to the expiration of the 30 day period, the posting may be renewed at the request of the submitter for one additional 30 day posting period. Exceptions may be granted upon the approval of association leadership.

Job postings for any other submitter or organization, such as employment recruiters, job boards or others that may receive direct or indirect compensation for successfully referring or placing candidates with an employer will be charged \$25 for each 30 day posting period. The posting will expire and automatically be removed from the website after a 30 day period. Prior to the expiration of the 30 day period, the posting may be renewed at the request of the submitter at a rate of \$25 for each subsequent 30 day period. Payments must be made by check and payable to “Insurance Loss Control Association”. Payment arrangements and delivery address will be provided upon coordination of the job posting.

All job postings must have a contact email address, phone number or mailing address listed. The association will not be responsible for collecting, filtering or screening responses on the behalf of the job posting submitter.

The association reserves the right to restrict, edit, remove or prohibit any job posting at the discretion of the association leadership.

2014 ILCA ANNUAL  
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OCTOBER 20—22  
INDIANAPOLIS, IN

Join our **GROUP** on



[www.linkedin.com](http://www.linkedin.com)

**Insurance Loss Control Association**  
has a Members Only group.

Send a **REQUEST TO JOIN** to the  
Insurance Loss Control Association  
group.

The group will post discussions, job postings,  
conference information updates, etc.

LINKEDIN

2014 ILCA ANNUAL  
CONFERENCE  
OCTOBER 20—22  
INDIANAPOLIS, IN

## Dealing with Heat Stress in the Metal Shop Work Environment

U.S. Reports, Risk Services

Heat stress in the work environment is a common problem during the hot summer months. This issue is most commonly thought of as a problem for people working outdoors in the sun, such as construction workers and gardeners, but it can also pose a health hazard for factory employees working indoors in non-air conditioned buildings. This is particularly true for welders and painters that must wear protective suits or barrier clothing such as aprons, chaps, or sleeves. Operations involving high air temperatures, radiant heat sources, high humidity, direct physical contact with hot objects, or strenuous physical activities have a high potential for inducing heat stress in employees engaged in such operations.

What is heat stress, and how can it be prevented? The issue is regulation of body heat. In order to maintain a fairly constant internal temperature, the body finds ways to get rid of excess heat by varying the rate and amount of blood circulation through the skin and by the release of fluid onto the skin by the sweat glands. This process requires the heart to pump more blood, and blood circulates closer to the surface of the skin so the extra heat is lost to the environment, while evaporation of sweat cools the skin. But when ambient relative humidity is high, sweat evaporation decreases. More blood goes to the external surface of the body, with less going to muscles, the brain and other organs, causing a drop in strength, an increase in fatigue, and possibly a change in mental condition. Thus, there is an increased risk of accidents due to slippery, sweaty palms; dizziness; fogged safety glasses; and a heat-related decline in alertness. Also, when people are overheated, they tend to become more irritable and angry and may be more likely to take unsafe shortcuts.

The Heat Index can be used to help determine the risk of heat-related illness. Depending on the heat index value, the risk for heat-related illness can range from lower to very high to extreme. As the heat index value goes up, more preventive measures are needed to protect workers.

### NOAA's National Weather Service

#### Heat Index

Temperature (°F)

	80	82	84	86	88	90	92	94	96	98	100	102	104	106	108	110
40	80	81	83	85	88	91	94	97	101	105	109	114	119	124	130	136
45	80	82	84	87	89	93	96	100	104	109	114	119	124	130	137	
50	81	83	85	88	91	95	99	103	108	113	118	124	131	137		
55	81	84	86	89	93	97	101	106	112	117	124	130	137			
60	82	84	88	91	95	100	105	110	116	123	129	137				
65	82	85	89	93	98	103	108	114	121	128	136					
70	83	86	90	95	100	105	112	119	126	134						
75	84	88	92	97	103	109	116	124	132							
80	84	89	94	100	106	113	121	129								
85	85	90	96	102	110	117	126	135								
90	86	91	98	105	113	122	131									
95	86	93	100	108	117	127										
100	87	95	103	112	121	132										

Likelihood of Heat Disorders with Prolonged Exposure or Strenuous Activity

Caution
  Extreme Caution
  Danger
  Extreme Danger

Most people can work safely when the heat index is <91°F with only basic measures for worker safety and health, as required by OSHA. As minimum measures, employers have a duty to:

- **Provide adequate amounts of drinking water** in convenient, visible locations close to the work area.
- **Ensure that adequate medical services are available.** Where medical services (e.g., emergency medical services, clinic, hospital) are not available within 3—4 minutes, have appropriately trained personnel and adequate medical supplies on site.
- **Follow additional precautions for workers wearing heavy or non-breathable clothing or impermeable chemical protective clothing** because they are at greater risk even when the risk to other workers is lower. Workers in heavy, non-breathable or “impermeable” protective clothing can experience heat-related illness at temperatures as low as 70°F. They should be monitored closely for signs of heat-related illness.
- **Acclimatize new and returning workers performing strenuous work.** These individuals may be at high risk for heat-related illness, even when the heat index is low. People who have not worked in hot weather for a week or more need time for their bodies to adjust, and need to take more breaks and not do too much strenuous work during their first weeks on the job.

#### **Heat disorders and health effects include, from the most to least serious:**

**Heat Stroke**—this occurs when the body’s temperature regulation system fails and body temperature rises to critical levels. *Heat stroke is a potentially life-threatening medical emergency.* The primary signs and symptoms are confusion; irrational behavior; loss of consciousness; convulsions; a lack of sweating (usually) with hot, dry skin; and an abnormally high body temperature (>104°F).

**Heat Exhaustion**—signs and symptoms of heat exhaustion include headache, nausea, vertigo, weakness, thirst, and fainting. This should be taken very seriously, because fainting associated with heat exhaustion can be dangerous because the victim may be operating machinery or controlling an operation that should not be left unattended. Also, the victim may be injured when he or she faints. Fortunately, this condition responds readily to prompt treatment: workers suffering from heat exhaustion should be removed from the hot environment and given fluid replacement.

**Heat Cramps**—usually caused by performing hard physical labor in a hot environment. Heat cramps have been attributed to an electrolyte imbalance caused by sweating. Note: cramps can be caused by both *too much* and *too little* salt. Cramps appear to be caused by the lack of water replenishment, and thirst cannot be relied on as a guide to the need for water. Instead, water must be taken every 15 to 20 minutes in hot environments. Drinking commercially available carbohydrate-electrolyte replacement liquids can also be effective in minimizing physiological disturbances during recovery.

**Heat Rashes**—the most common problem in hot work environments. Prickly heat occurs in skin that is persistently wetted by unevaporated sweat, and heat rash papules may become infected if they are not treated. In most cases, heat rashes will disappear when the affected individual returns to a cool environment.



**Heat Fatigue**—caused primarily by a lack of acclimatization. The use of a program of acclimatization and training for work in hot environments is advisable to prevent this condition. The signs and symptoms of heat fatigue include impaired performance of skilled sensorimotor, mental, or vigilance jobs.

**Evaluating Workplace Conditions for Heat Stress Potential**

A trained and experienced consultant, such as an industrial hygienist certified by the American Board of Industrial Hygiene (a CIH) can conduct an inspection of your facility to evaluate workplace heat stress potential using the same methods and procedures used by OSHA field investigators. Such an inspection would typically include:

- Determining building and operations characteristics;
- Evaluating whether engineering controls are functioning properly;
- Reviewing OSHA 300 logs for indicators of trends in heat-related illness; and
- Performing Wet Bulb Globe Temperature (WBGT) measurements and making other determinations to identify potential sources of heat stress.

Portable electronic WBGT heat stress monitors can calculate the WBGT index according to established *American Conference of Governmental Industrial Hygienists (ACGIH®) Threshold Limit Value® (TLV®)* equations. With this WBGT data and information on the type of work being performed, it can be determined how long a person can safely work or remain in a particular hot environment:

<b>Work/Rest Regiment</b>	<b>Light</b>	<b>Moderate</b>	<b>Heavy</b>
(continuous work)	86°F	80°F	77°F
75% work, 25% rest, each hour	87°F	82°F	78°F
50% work, 50% rest, each hour	89°F	85°F	82°F
25% work, 75% rest, each hour	90°F	88°F	86°F

**(values are in °F, WBGT)**

These TLV®’s are based on the assumption that nearly all acclimatized, fully clothed workers with adequate water and salt intake should be able to function effectively under the given working conditions without exceeding a deep body temperature of 100.4°F.

They are also based on the assumption that the WBGT of the resting place is the same or very close to that of the workplace. Where the WBGT of the *work area* is different from that of the *rest area*, a time-weighted average (TWA) should be used (see current edition of the ACGIH® Threshold Limit Values® for Chemical Substances and Physical Agents and Biological Exposure Indices).

*These TLV®’s apply to physically fit and acclimatized individuals wearing light summer clothing. If heavier clothing that impedes sweat or has a higher insulation value is required to be used, the permissible heat exposure TLV®’s in this table must be reduced by the corrections shown in the following table:*



<b>Clothing Type</b>	<b>Clo* Value</b>	<b>WBGT correction (in °C)</b>
Summer lightweight work clothing	0.6	0
Cotton coveralls	1.0	-2
Winter work clothing	1.4	-4
Water barrier, permeable	1.2	-6

**\*Clo Value (Insulation value of clothing). One clo = 5.55 kcal/m<sup>2</sup>/hr of heat exchange by radiation and convection for each degree °C difference in temperature between the skin and the adjusted dry bulb temperature.**

**Source: OSHA Technical Manual, Section III, Chapter 4: Heat Stress**

In summary, you can “beat the heat” and reduce the risk of heat stress related injury and illness among your metal shop employees by:

- Evaluating workplace conditions (e.g., by using WBGT measurements) and making engineering changes if possible, such as improving ventilation and providing shielding from heat sources, or adjusting work schedules:
- Monitoring the NOAA Heat Index, and providing workers with cool, palatable drinking water and/or carbohydrate-electrolyte replacement liquids during high heat index days; and
- Training your employees in the potential hazards of, and procedures and methods for, coping with heat stress in the workplace.

This article has been written and provided from noted sources by David A. Wilson, CIH, CHMM our lead Certified Industrial Hygienist (CIH) at USR Risk Services. Dave is one of our Industrial Hygienists and serves as project lead with our clientele as requested. Dave travels nationally and performs onsite assessments, evaluations, sampling, presentations and consultations. He was also a guest speaker at the 2013 ILCA Conference. With over 30 years experience in the business he is the best in the business and an integral part of our industrial hygiene services offered across the country.

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## **PRIDE GOES BEFORE THE FALL: OSHA'S EMPHASIS ON FALL PROTECTION**

By Mark A. Lies II<sup>1</sup> & Kerry M. Mohan<sup>2</sup>

### **INTRODUCTION**

#### **GRAVITY**

Ever since Sir Isaac Newton's book *Philosophiæ Naturalis Principia Mathematica*, published in 1687 quantifying the principles of gravity, there has been no question that falls due to the hidden force of gravity can result in personal injury. This hazard is greatly magnified in the workplace because of the nature of work at heights and employee exposure to falling from platforms, catwalks, equipment and structures onto other equipment or structures. Despite this well-known hazard, employees frequently and tragically expose themselves to this hazard because they either arrogantly or mistakenly believe that they can avoid a fall by their actions. It is the employer's responsibility to prevent such careless conduct.

#### **OSHA**

Over the past several months, OSHA has again targeted its cross-hairs on fall protection and is forcefully reminding employers of actions they should take to prevent injuries and deaths related to fall hazards. For instance, on February 14, 2014, OSHA issued a letter specifically addressed to the communication tower industry, "reminding" employers of their duties to ensure employees are trained and fully-protected from fall hazards. **(OSHA Letter to Communication Tower Industry Employer)**<sup>3</sup> More recently, on March 19, 2014, OSHA issued a national "stand down for fall prevention in construction" to raise awareness among

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<sup>3</sup> [https://www.osha.gov/doc/topics/communicationtower/Letter\\_CT\\_Employers.html](https://www.osha.gov/doc/topics/communicationtower/Letter_CT_Employers.html)

employers and employees about fall hazards. **(OSHA Announces National Stand-down for Fall Prevention in Construction)**<sup>4</sup> By taking these actions, OSHA has placed all employers on notice that OSHA will more closely scrutinize employers' fall protection programs and will likely issue more severe citations and penalties for violations of OSHA's regulations. Further, although OSHA's recent announcements have focused largely on the construction-related industry, employers subject to OSHA's General Industry standards should be prepared to face similar scrutiny. This article addresses OSHA's fall protection requirements and the potential issues employers may face related to fall protection.

### **OSHA'S CONSTRUCTION INDUSTRY FALL PROTECTION STANDARDS**

Section 1926.501 of OSHA's Construction regulations provides that all employees walking or working on a surface with an "unprotected side or edge which is 6 feet (1.8 m) or more above the lower shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems." Further, Section 1926.105 provides that "[s]afety nets shall be provided when workplaces are more than 25 feet above the ground or water surface, or other surfaces where the use of ladders, scaffolds, catch platforms, temporary floors, safety lines, or safety belts is impractical." Though these two standards require different forms of protection, the common denominator is that employers in the construction industry are required to provide employees fall protection if employees are exposed to a fall hazard of 6 feet or more. In addition, there are extensive fall protection regulations relating to steel erection and residential construction.

### **OSHA'S GENERAL INDUSTRY FALL PROTECTION STANDARDS**

OSHA's General Industry regulations also require employers to ensure employees are protected from fall hazards. In Section 1910.23, OSHA provides that "every wall opening from which there is a drop of more than 4 feet" or "every open-side floor or platform 4 feet or more above adjacent floor or grounded level" shall be guarded by a standard railing or other means of fall protection.

In addition, to citing employers under the four foot rule, OSHA has often utilized its personal-protective equipment ("PPE") standard, Section 1910.132, which requires employers to conduct a hazard assessment and provide appropriate PPE, including fall protection, if fall hazards exist in the workplace. Thus,

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<sup>4</sup> [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=NEWS\\_RELEASES&p\\_id=25755](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=25755)

in the event OSHA finds a violation under Section 1910.23 for failing to provide fall protection, OSHA may also cite the employer under Section 1910.132 for failing to conduct an appropriate hazard assessment to determine that fall protection should have been provided and thereafter to provide the PPE.

### **POTENTIAL FALL PROTECTION ISSUES FROM SEEMINGLY INNOCUOUS SITUATIONS**

It is generally understood by all employers that employees working at significant heights must be provided some form of fall protection, whether it be by guardrails, a personal fall arrest system, safety nets, or something else that is equally effective. However, employers subject to OSHA's General Industry standards can sometimes overlook how OSHA's fall protection requirements apply to more than just employees working at such heights. For instance, because OSHA may consider almost any place an employee can stand on to be a "working/walking surface," OSHA has issued citations to employers because employers were not provided fall protection when they were on:

- Loading docks;
- Beds of a flatbed truck;
- Hoods and tops of a motor vehicle;
- Machinery housings;
- Scissor lifts;
- Storage racking systems; or
- Roofs and parapets.

In all of these situations, while the risk of falling may appear to be minimal, employees can often be exposed to falls of 4 feet or more. Thus, employers must conduct a fall hazard assessment to evaluate all potential surfaces employees may access and determine whether the employees are exposed to a fall of 4 feet or more and, if so, what type of fall protection must be provided.

### **FALL PROTECTION CONCERNS IN MULTI-EMPLOYER WORKSITES**

Because we live in a world of specialization, many employers often have sub-contractors at their facilities to perform any number of jobs. In such a situation, OSHA will evaluate employee exposure to hazards and violations under the multi-employer worksite doctrine, where a host employer can be issued a citation even when their employees were never exposed to the hazard. The host employer's citation can be based on the claim that the host employer "controlled" the hazard, "created" the hazard, or failed to "correct" the hazard.

In a 2011 OSHA Review Commission decision, OSHA expanded the application of its fall protection requirements to a host employer, even when its employees were never exposed to the hazard. In *Secretary of Labor v. Ryder Transportation Services*, OSHRC Docket No. 10-0551 (ALJ, February 28, 2011), the employer, Ryder Transportation Services (Ryder), owned a facility that it used to rebuild automotive equipment for its vehicles. Since 2006, no Ryder employee had been on the roof and the roof was classified as a restricted area where employees were forbidden to access the roof. In 2009, Ryder requested an outside electrical contractor, M. C. Dean (Dean), to install exhaust fans in the facility. After the fans were installed and failed to function, the Dean employees decided to access the roof to determine why the fans, which protruded through the roof, did not function. While on the roof, a Dean employee fell through an unguarded skylight to his death.

Though none of Ryder's employees had accessed the roof (and were never exposed to the hazard), OSHA cited Ryder under multi-employer worksite doctrine as the "controlling employer" for failing to protect the Dean employee from the hazard. The Administrative Law Judge found that the multi-employer workplace doctrine applied and that Ryder was the controlling employer. But, he vacated the citation on a narrow finding that Ryder had "neither actual nor constructive knowledge that an employee would be exposed to unguarded skylights that were *remote* from his work area" (emphasis added). OSHA has appealed the decision.

This decision graphically demonstrates how an employer who engages an outside contractor to perform work is potentially exposed to liability if it does not confirm that the outside contractor employees are protected from fall hazards. This will require the host employer to confirm that sub-contractors are aware of potential fall hazards, have provided their employees fall protection, and have properly trained their employees on how to use fall protection.

### **RECOMMENDATIONS**

To avoid potential liability based on fall hazards, an employer should consider the following actions:

- Conduct a job hazard analysis of its facility to determine whether fall hazards exist;
- Once the job hazard analysis has been completed, consider what type of fall protection is required and feasible for employees (and outside contractors) who may be exposed to the fall hazard;

- After the feasible means of fall protection are identified, develop a written procedure that incorporates these measures and also sets out under what circumstances “authorized” employees can work in areas with fall hazards and what type of fall protection will be required;
- Conduct documented training for the “authorized” employees who access work near the fall hazards, monitor their compliance, and discipline the employees who are non-compliant;
- When the employer is utilizing an outside contractor to perform work in areas that contain fall hazards, conduct and document a meeting with the outside contractor and provide the outside contractor with information on the presence and location of any fall hazards; and
- Confirm and document that the outside contractor has been informed of these hazards and that the outside contractor has the means and methods to provide the necessary fall protection for its employees and that it will supervise, monitor and enforce compliance with its fall protection program.

If an employer undertakes these actions, it will minimize its potential liability for fall hazards for its own employees and those of the outside contractor.

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## **2015 ILCA Conference Site and Dates Selected**

The ILCA Board of Directors is pleased to announce that a contract has been signed with the Cincinnati Marriott Northeast in Mason, Ohio! Mark your calendars, the dates for the 2015 conference are October 5-7, 2015. This is a great suburban area, just a short drive Northeast of Cincinnati. Watch the ILCA eNews for more information as it develops.



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**Thank you to our vendors!**

**Please visit the ILCA Website. Follow the links to our Vendor Directory for info about these companies and their services:**



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