

ILCA 2021

October 18th, 19th and 20th

Chicago Marriott Northwest
Hoffman Estates, Illinois



NOTICE

INSURANCE LOSS CONTROL ASSOCIATION (ILCA) ASSUMPTION OF RISK STATEMENT OCTOBER 2021

We have taken enhanced health and safety measures. All participants of the ILCA Conference must follow all local requirements in addition to all posted and stated instructions while attending the conference.

An inherent risk of exposure to COVID-19 exists in any public space where people are present. COVID-19 is an extremely contagious disease that can lead to severe illness and death. According to the Centers of Disease Control and Prevention (CDC), senior citizens and people with underlying medical conditions are especially vulnerable.

By attending the ILCA Conference you voluntarily assume all risks related to exposure to COVID-19.

Information and guidance on protecting yourself and others is available at the following websites:

[cdc.gov](https://www.cdc.gov) – Centers for Disease Control and Prevention

[osha.gov](https://www.osha.gov) – Occupational Safety and Health Administration

Information regarding local requirements is available at the following websites:

[dph.illinois.gov](https://www.dph.illinois.gov) - Illinois Department of Public Health

[cookcountypublichealth.org](https://www.cookcountypublichealth.org) – Cook County Department of Public Health

The ILCA 2021 Digital Binder has additional information and is available at this QR Code link until October 20, 2021. After this date the digital binder will only be available in the ‘members only’ section of [insurancelosscontrol.org](https://www.insurancelosscontrol.org).





Feeling Sick?

Stay home when you are sick!

If you feel unwell or have the following symptoms
please leave the building and contact your health care provider.
Then follow-up with your supervisor.

DO NOT ENTER if you have:



FEVER



COUGH



**SHORTNESS OF
BREATH**



[cdc.gov/CORONAVIRUS](https://www.cdc.gov/CORONAVIRUS)

ILCA 2021 Digital Binder
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Symptoms of Coronavirus (COVID-19)

Know the symptoms of COVID-19, which can include the following:



Symptoms can range from mild to severe illness, and appear 2–14 days after you are exposed to the virus that causes COVID-19.

Seek medical care immediately if someone has Emergency Warning Signs of COVID-19

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Pale, gray, or blue-colored skin, lips, or nail beds, depending on skin tone

This list is not all possible symptoms. Please call your healthcare provider for any other symptoms that are severe or concerning to you.



FACE COVERINGS ARE REQUIRED FOR EVERYONE



**VACCINATED AND UNVACCINATED
INDIVIDUALS MUST WEAR A FACE
COVERING IN INDOOR PUBLIC SPACES.**



Cook County DEPT
of
Public Health

Promoting health. Preventing disease. Protecting you.

COOKCOUNTYPUBLICHEALTH.ORG

ORDER OF THE COOK COUNTY DEPARTMENT OF PUBLIC HEALTH

No. 2021-10

COVID-19 MITIGATION

Effective: August 23, 2021

WHEREAS, On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19, a respiratory illness spread by close contact through respiratory droplets, presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020.

WHEREAS, The Cook County Department of Public Health is the Illinois certified local health department for suburban Cook County, Illinois, with the exception of Evanston, Skokie, Oak Park, and Stickney Township, serving 127 municipalities.

WHEREAS, The Cook County Department of Public Health is responsible for determining when a danger to the public health exists within its jurisdiction, and to order measures deemed necessary to protect the public health until such time that the danger to the public health is eliminated or reduced in such a manner that an immediate threat no longer exists.

WHEREAS, pursuant to the Cook County, Illinois, Code of Ordinances Sec. 38-33(b), a law enforcement officer with proper jurisdiction shall be authorized to enforce orders issued by the Cook County Department of Public Health with respect to public health measures and shall assist in enforcing such orders.

WHEREAS, The Cook County Department of Public Health has determined that mitigation measures are necessary to protect the public health.

NOW, THEREFORE, in accordance with the authority delegated to it by the Illinois Department of Public Health pursuant to the Illinois Public Health Act (20 ILCS 2305/1.1 et seq.); the Illinois Department of Public Health Powers and Duties Law (20 ILCS 2310/2310-15 et seq.); and the Cook County, Illinois, Code of Ordinances (Chapter 38, Article II et seq.), the Cook County Department of Public Health hereby directs and orders:

All Businesses and Individuals

- Any individual aged two and older and able to medically tolerate a mask shall be required to wear a mask when indoors in a public place, regardless of vaccination status.
- For the purposes of this Order, indoor public spaces include any common or shared space in: (1) a residential multi-unit building or (2) any non-residential building, including but not limited to retail stores, restaurants, bars/taverns, health and fitness clubs, museums, hotels, personal services, performance venues, movie theaters, commercial buildings, event venues, healthcare settings, congregated facilities, on public transportation and in transportation hubs.
- Mask refers to a complete and tight knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snugly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.
- All businesses open to public must post signage, in a form and size approved by CCDPH, advising patrons and staff that masks are required to be worn on the premises. Such signage must be posted at all entrances to

the premises as well as prominently posted in an area visible to patrons and staff within the establishment.

- Masks may be removed at restaurants, bars and other eating/drinking establishments by patrons when they are actively eating/drinking while stationary. Masks can also be removed for certain activities that require their removal, such as beard shaves or facials.

Exemptions

- Free exercise of religion. This Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are strongly encouraged to consult and follow CDC recommendations for Communities of Faith. Religious organizations are strongly encouraged to take steps to ensure social distancing, and implementation of other public health measures.
- Governmental functions. This Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.

In addition to any other penalty provided by law, violations of this Order shall be subject to the penalties as set forth in the Cook County, Illinois, Code of Ordinances Sec. 38-38.

This Order repeals and replaces Cook County Department of Public Health Order 2021-9.

Nothing in this Order shall, in any way, alter or modify the legal authority of the State or any county, or local government body.

If any provision of this Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are declared to be severable. This Order is meant to be read consistently with any Court order regarding this Order.

This Direction and Order by the Cook County Department of Public Health shall remain in effect for the duration of the COVID-19 public health emergency as declared by United States Secretary of Health and Human Services, or until such time the Cook County Department of Public Health makes a written determination that the threat to public safety has diminished to the point that this Order can be safely repealed.

Cook County Department of Public Health Mandates Indoor Mask Wearing

Aug 20, 2021

*Rising
COVID-
19 Case*

Counts, Highly Contagious Delta Variant Force Remediation Action

Forest Park, IL – Aug. 20, 2021 – The Cook County Department of Public Health today announced that all individuals, regardless of vaccination status, will be required to wear a mask indoors, beginning on Monday, Aug. 23. The order (below) requires that all people above age two who can medically tolerate a mask to wear one in multi-unit residential buildings and public places, such as restaurants, movie theaters, retail establishments, fitness clubs, and on public transportation.

“We are in a dangerous period, with the Delta variant surging, during which we must return to previous remediation measures,” said Dr. Rachel Rubin, Co-Lead and Senior Medical Officer of Cook County Department of Public Health. “We have no choice but to mandate that people wear masks indoors to help contain this spread of the virus.”

According to the order, businesses will be required to post signage that states that masks are required. CCDPH has created a sign that can be posted by employers and it can be found on the CCDPH website at: <https://cookcountypublichealth.org/ccdph-covid-19-communications/>

“As the virus changes, we need to adapt our guidance and recommendations to keep residents safe,” said Dr. Kiran Joshi, Co-Lead and Senior Medical Officer of Cook County Department of Public Health. “This variant is highly contagious and represents over 90 percent of our recent cases. We must act now.”



Illinois Department of Commerce & Economic Opportunity

JB Pritzker, Governor

FAQ on Face Covering and Vaccination Requirements

September 3, 2021

On September 3, 2021, the Governor signed [Executive Order 21-22](#) which requires all individuals over the age of 2 and who can medically tolerate a face covering to wear a face covering when in indoor public places. The Executive Order also requires health care workers, school personnel, higher education personnel and students, and employees and contractors of state-owned or operated congregate facilities to be fully vaccinated, as described in the Order.

Face Covering Guidance

Who is required to wear a face covering indoors?

- All individuals the age of 2 or over who can medically tolerate a face covering are required to wear a face covering over their nose and mouth when in an indoor public place.
- All employees must wear face coverings in indoor workplaces.

What is a public indoor place?

- Public indoor places refer to indoor events, facilities, or premises in which community/persons visit or work. Public indoor places include but are not limited to businesses, retail establishments, office buildings, entertainment venues, hotel meeting rooms and ballrooms, lobby areas, indoor sports complexes, and other places of leisure.

Does the face covering requirement apply to employees who wear other safety equipment on their heads or faces?

- There are circumstances when wearing a face covering may not be possible. According to [CDC guidance for wearing masks](#), face coverings should not be worn by a person for whom wearing a face covering would create a risk to workplace health, safety, or job duty as determined by the [workplace risk assessment](#).

Does this guidance apply to public outdoor places?

- As recommended by the [CDC](#), individuals are encouraged, but not required, to wear face coverings in crowded outdoor settings and for activities that involve close contact with others who are not fully vaccinated, especially in communities with [higher numbers of COVID-19 cases](#).

Do I have to wear a face covering indoors if I'm able to maintain six feet of physical distancing some or most of the time?

- Yes. Individuals in indoor public places must wear a face covering at all times, unless they can consistently maintain six feet of distance (such as when working in an office or cubicle).
- All employees in indoor workplaces must wear a face covering.

Should an employee wear a face covering while working in an office or cubicle?

- Face coverings may be removed by workers at workplaces when they can consistently maintain six feet of distance, such as when workers are in their office or cubicle space.

Do manufacturing employees need to wear face coverings?

- Face coverings may be removed by workers at workplaces when they can consistently maintain six feet of distance.

Do people have to wear face coverings in health and fitness centers if they can stay six feet apart?

- Face coverings must be worn at all times when inside a health and fitness center, including while exercising.

What about retail settings?

- All employees and customers, regardless of vaccination status and ability to physically distance, must wear face coverings in a retail setting.

Can customers sitting inside at bars or restaurants remove their face coverings when eating and drinking?

- Yes. Customers can remove their face coverings when actively eating and drinking but should wear face coverings at all other times when inside a bar or restaurant. It is recommended that tables be arranged so that seated patrons are a minimum of six feet away from patrons at other tables.

Are tents considered public indoor places?

- Tents, including those used for weddings, must have at least 50% of the sides open in order to be considered an outdoor area. Tents that do not have at least 50% of the sides open are considered public indoor places and occupants must wear face coverings, regardless of vaccination status or physical distancing.

What does it mean for a person to have a medical condition that prevents the person from wearing a face covering?

- A person who [cannot wear a mask or cannot safely wear a mask](#) because of a disability as defined by the Americans with Disabilities Act (ADA) (42 U.S.C. 12101 et seq.) is not required to wear a face covering pursuant to the Executive Order. Employers should discuss the possibility of [reasonable accommodation](#) with workers who are not fully vaccinated, who are unable to wear a mask, or who have difficulty wearing certain types of masks because of a disability.

- A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations is not required to wear a face covering while working.
- Persons who cannot medically tolerate a face covering are exempt from the Order.

What if a customer is unable to wear a face covering due to a medical condition?

- Persons who cannot medically tolerate a face covering are exempt from the Order. Individuals and businesses might consider the following alternatives:
 - Allow a person to wear a scarf, loose face covering, or full-face shield instead of a face covering;
 - Allow customers to order online, by phone, with curbside pick-up or no contact delivery in a timely manner;
 - Allow a person to wait in a car for an appointment and enter the building when called or texted; and/or
 - Offer appointments by telephone or video calls.

Should businesses and venues post signage for patrons and the public?

- Yes. Businesses and venues should post clear signage for patrons and the public instructing them on face covering requirements. Signage should be posted at places of ingress and in various locations throughout the premises, especially those where individuals may congregate.

In addition to wearing face coverings, what can individuals do to help prevent the spread of COVID-19?

- All individuals should consider vaccination. Additionally, individuals should take [extra precautions](#) when around large crowds, especially in an indoor setting. The CDC recommends:
 - Avoid crowds and poorly ventilated areas;
 - Maintain physical distance; and
 - Monitor your daily health and avoid leaving your home if you experience COVID-19 symptoms.

Can a municipality or business impose face covering restrictions that are stricter than those contained in the Executive Order?

- Yes. Local jurisdictions and business owners may impose face covering requirements that are stricter than the EO.

Do I have to wear a face covering on public transportation?

- All individuals, including those fully vaccinated and in areas of all levels of transmission, are required to wear a face covering when:
 - On public transportation and in transportation hubs;
 - In congregate facilities such as correctional facilities and homeless shelters;
 - In healthcare settings; and
 - Where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.

Who is responsible for enforcing the Executive Order?

- All Illinoisans should follow the Order so that they can protect themselves, their families, and their communities from COVID-19. Local police and local health departments may utilize their traditional police powers and public health authority to address matters of non-compliance.

Does the face covering requirement apply in churches and places of worship?

- No. The free exercise of religion is exempted from the face covering requirement. However, to protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health. Religious organizations are encouraged to take precautions for their congregants and visitors to ensure physical distancing, the use of face coverings, and implementation of other public health measures.

Vaccination Requirements

Who is required to get vaccinated?

- Health care workers, school personnel, higher education personnel and students, and state-employees and contractors who work at state-owned or operated congregate facilities are required to be fully vaccinated.

Are there any exemptions from the vaccination requirement?

- Any individual who is not fully vaccinated, regardless of the reason, must undergo weekly testing. State and federal law requires exemptions for certain medical and religious reasons. Employees who are exempted from the vaccine requirement due to a medical or religious reason must still undergo weekly testing, as set out in the Order.

Can health care workers, school personnel, higher education personnel, and higher education students choose to be tested rather than be vaccinated, even if they do not meet the requirements for a medical or religious exemption?

- Yes. Individuals covered by the requirement to be vaccinated can choose to be tested on a weekly basis, rather than be vaccinated, regardless of the reason that they choose not to be vaccinated. However, an employer may choose to impose stronger health and safety requirements beyond the requirements of the Executive Order, such as permitting exceptions and weekly testing only for individuals with a medical or religious exemption.

When do health care workers, school personnel, higher education personnel, and higher education students need to be vaccinated?

- Health care workers, school personnel, higher education personnel, and higher education students must receive their first dose of a two-dose COVID-19 vaccine series or a single dose vaccine by **September 19, 2021**, and if applicable, receive the second dose in a two-dose vaccine series within **30 days** (no later than **October 19, 2021**).

Do employers have to exclude an employee from the premises if they are not fully vaccinated?

- Yes, unless they undergo weekly testing and can provide confirmation of a negative test result on a weekly basis.

Are employers required to pay for testing for employees who are not vaccinated?

- The Executive Order does not require employers to pay for testing if an employee is not fully vaccinated. However, we encourage all employers to consider making it as easy as possible for employees to get vaccinated and tested for the safety of all workers.
- Pursuant to a federal Executive Order and guidance from CMS, Department of Labor, and Department of Treasury, health plans must provide coverage for COVID-19 diagnostic tests for individuals who are asymptomatic and who have no known or suspected exposure to COVID-19. Such testing must be covered without cost sharing, prior authorization, or other medical management requirements. More information is available here: <http://dph.illinois.gov/testing>.

Section 6(b) of the EO states that nothing prohibits any entity from implementing vaccination or testing requirements for personnel, contractors, students, or *other visitors*. Can we get clarification that this allows facilities to require proof of vaccination status of visitors?

- Entities covered by the Executive Order may choose to develop more rigorous policies or standards that impose higher vaccination or testing requirements for any individuals, including visitors.

Health Care Workers and Health Care Facilities

Who is considered a “health care worker”?

- “Health Care Worker” means any person who (1) is employed by, volunteers for, or is contracted to provide services for a Health Care Facility, or is employed by an entity that is contracted to provide services to a Health Care Facility, and (2) is in close contact (fewer than 6 feet) with other persons in the facility for more than 15 minutes at least once a week on a regular basis as determined by the Health Care Facility.
- Examples of Health Care Workers include physicians, nurses, nursing assistants, physician assistants, pharmacists, EMS personnel (including first responders with certification as EMS personnel), chiropractors, optometrists and staff, dentists and hygienists, public health personnel, aides, staff and other personnel working in a health care facility who come into regular close contact with others at a Health Care Facility.
- “Health Care Worker” does not include someone who is present at the Health Care Facility for only a short period of time and whose moments of close physical proximity to others on site are fleeting (e.g., contractors making deliveries to a site where they remain physically distanced from others or briefly entering a site to pick up a shipment). The term *Health Care Worker* does not include any person who is employed by, volunteers for, or is contracted to provide services for any State-owned or operated facility.

Do health care workers, such as a receptionist at a clinic, have to get vaccinated, or does the mandate apply only to healthcare workers who see patients?

- If they are employed at a facility that provides health care and are present and in close contact with individuals at the facility for more than 15 minutes on a regular basis, then they must be vaccinated or test at least weekly.

What is a “Health Care Facility”?

- A “Health Care Facility” means any institution, building, or agency, or portion of an institution, building or agency, whether public or private (for-profit or nonprofit), that is used, operated or designed to provide health services, medical treatment or nursing, or rehabilitative or preventive care to any person or persons.
- Examples of Health Care Facilities include pharmacies, ambulatory surgical treatment centers, hospices, hospitals, physician offices, dental offices, free-standing emergency centers, urgent care facilities, birth centers, post-surgical recovery care facilities, end-stage renal disease facilities, long-term care facilities (including Skilled and intermediate long-term care facilities licensed under the Nursing Home Care Act, the ID/DD Community Care Act or the MC/DD Act), Specialized Mental Health Rehabilitation Facilities, assisted living facilities, supportive living facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day care centers.
- The term “Health Care Facility” does not include any State-owned or operated facilities.

If a specific medical practice is not identified in the EO, does that mean they are not covered?

- No. All health care settings must conduct their own assessment whether they fall under the requirements of the Executive Order and others not identified as examples may still be covered by the Executive Order. We encourage all practices and practitioners who work in the health care field to get vaccinated or be tested on a regular basis.

Are health care facilities required to provide testing on site for their unvaccinated staff?

- Health care facilities are not required to provide testing on site for their unvaccinated staff. Such testing for healthcare workers who are not fully vaccinated against COVID-19 must be conducted on site at the health care facility **or** the health care facility must obtain proof or confirmation from the health care worker of a negative test result obtained elsewhere.

Are health care facilities required to permit staff to take leave/time off due to vaccine requirements?

- Facilities may permit leave/time off to staff based upon their own benefit time policies.

Testing Requirements

If a person has not been already vaccinated, what is the requirement for testing?

- Beginning on September 19, 2021, those who are unable or unwilling to be vaccinated will be required to get tested for COVID-19 at least once per week until they can prove that they are fully vaccinated.

What type of test for COVID-19 should employees receive?

- Individuals testing to comply with the requirements in Executive Order 2021-22 should seek viral testing, preferably a PCR test if available. Tests must have Emergency Use Authorization by the FDA or be operating per the Laboratory Developed Test requirements by US CMS.
- [Viral tests](#) indicate whether an individual has a current infection. There are two types of viral tests: [nucleic acid amplification tests](#), including the gold-standard PCR test, and antigen tests.
- Antibody tests should not be used to diagnose a current infection and are not recommended to meet the requirements of Executive Order 2021-22.

What resources are available for institutions and individuals covered by the Executive Order to meet the testing requirement?

- Visit the IDPH website to review the list of [COVID-19 testing sites](#). Individuals can get tested at state-supported community-based testing sites, which are free and open to all regardless of symptoms.
- The University of Illinois is also sponsoring sites using SHIELD saliva tests and community-based clinics that offer COVID-19 testing with no charge to patients. Some local health departments also perform COVID-19 testing at no charge to patients. Contact your [local health department](#) for more information.

How can an employee provide proof of a negative test?

- Health care workers, school personnel, higher education personnel, and higher education students must be tested on site at their workplace or submit proof or confirmation of a negative test obtained elsewhere. Such proof should include a paper or electronic copy of the negative test result for review by the employer. There should be sufficient personally identifiable information on the test result for the facility or school to ensure the specimen and result do in fact apply to the individual required to test.

How can Schools, Health Care Facilities and Higher Education Institutions verify an employee's or student's negative test results?

- The [CDC](#) has provided guidance for verifying a qualifying test result for air travelers that have been modified below as a guide. Those test results must be in the form of written documentation (paper or electronic copy) and must identify the following:
 1. Type of test (indicating it is a NAAT or antigen test)
 2. Entity issuing the result (e.g. laboratory, healthcare entity, or telehealth service)
 3. Specimen collection date.
 4. Information that identifies the person
 5. Test Result

When is a CLIA waiver needed for testing?

- Schools and other community-based testing sites do not need a Clinical Laboratory Improvement Amendments (CLIA) waiver when collaborating with a testing provider for screening, such as SHIELD Illinois. The testing provider will be responsible for obtaining a CLIA waiver.

What happens if an employee undergoing at least weekly testing for COVID-19 receives a positive result?

- Individuals who test positive should immediately isolate at home and follow any isolation orders as directed by the local health department.
- For most adults with COVID-19 illness, isolation and precautions can be discontinued 10 days after symptom onset and after resolution of fever for at least 24 hours, without the use of fever-reducing medications, and with improvement of other symptoms.
- For adults who never develop symptoms, isolation and other precautions can be discontinued 10 days after the date of their first positive RT-PCR test result for SARS-CoV-2 RNA.



2021 ILCA
Executive Committee

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October 2021

On behalf of myself and the rest of the Executive Committee, welcome to the 2021 Insurance Loss Control Association conference in Hoffman Estates, IL. We are glad to have you and hope you enjoy your time here the next several days.

We are once again excited about our lineup of respected speakers and the opportunity to gather and network with our colleagues. Our agenda is put together using feedback and suggestions from the prior year's attendees. Many of the topics this year were recommendations that we received and want to thank all of you that provided comments. Please express your appreciation for our speakers who are an important part of our success. Our sponsors are also a critical piece of the conference, so please take some time this week to visit with them during our scheduled breaks.

Throughout the year, the committee members volunteer their time jumping on monthly conference calls, searching for speakers & sponsors, developing the agenda, and marketing the event, to ensure that it is a success each year. We are always looking for ILCA members that are interested in joining the executive committee. In addition to some of the duties summarized above, members on the committee can receive additional CEUs for their BCSP designations. Please feel free to reach out to myself or a current board member if you are interested or have questions about joining the board.

Our hope is that this year's conference will meet or exceed your expectations. For help in future planning and continued success, please remember to complete your conference evaluations so we can properly plan for the 2022 conference. Travel safely on your return home and we hope to see you next year!

Sincerely,

Chris Tonioni
2021 ILCA President



ILCA

Annual Conference

October 18 – 20, 2021
Chicago Marriott Northwest
Hoffman Estates, Illinois

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President's Welcome

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Agenda-At-A-Glance

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7:30	Registration
8:00	President's Welcome
8:15-9:15	General Session
9:15-9:30	BREAK
9:30-10:30	General Session
10:30-10:45	BREAK
10:45-11:00	Conference Partner
11:00-12:00	General Session
12:00-1:00	LUNCH
1:00-2:00	General Session
2:00-2:15	BREAK
2:15-3:15	General Session
3:15-3:30	BREAK
3:30-4:30	General Session
4:30-5:00	Closing Remarks
5:00-7:00	RECEPTION

Tuesday, October 19th

8:00-9:00	General Session
9:00-9:15	Conference Partner
9:15-9:30	BREAK
9:30-10:30	General Session
10:30-10:45	BREAK
10:45-12:00	ILCA Business Meeting
12:00-1:00PM	LUNCH
1:00-2:00	General Session
2:00-2:15	BREAK
2:15-3:15	General Session
3:15-3:30	BREAK
3:30-4:30	General Session

Wednesday, October 20th

8:00-9:00	General Session
9:00-9:15	BREAK
9:15-10:15	General Session
10:15-10:30	Closing Remarks
	Adjourn

Past Presidents from 1932 to Present

1932-33	Hawlick, H.I.	Millers Mutual of Alton
1933-34	MacDaniel, R.D	Grain Dealers Mutual Insurance Company
1934-35	Hotchin, E.E	Michigan Millers
1935-36	Chessman, W.E.	Improved Risk Mutual
1936-37	Rodda, W.H.	Transportation Insurance Rating Bureau
1937-38	Hubbard, H.C.	Mill Mutual
1938-39	Bowman, L.W.	Employers Mutual
1939-40	Rowley, C.M.	National Retailers Mutual
1940-41	Muller, H.	Improved Risk Mutual
1941-42	Booty, J.L.	Implement Dealers Mutual
1942-43	Hunt, H.L.	Indiana Lumberman's
1943-46	Ross, W.C.	Philadelphia Contributorship
1946-47	John, D.D.	Mutual Fire Insurance Agency
1947-48	Baker, P.J.	Michigan Millers
1948-49	Schultz, W.G.	Lumberman's Mutual
1949-50	Wingate, R.H.	Liberty Mutual
1950-51	Cotner, W.C.	Central Mutual
1951-52	Dehaven, J.R.	Employers Mutual
1952-53	Schalk, L.A.	Grain Dealers Mutual
1953-54	Youngstrom, E.B.	Mill Owners Mutual
1954-55	Hildreth, G.R.	Liberty Mutual
1955-56	Weiss, K.	Employers Mutual
1956-57	Goodell, T.F.	Barnstable County Mutual Fire Insurance
1957-59	Ponton, G.W.	Hardware Dealers Mutual
1959-60	Innes, A.M.	Middlesex Mutual
1960-61	Blaesi, C.M.	Indiana Lumberman's
1961-62	Giddens, H.H.	Boston Manufacturing Mutual
1962-63	Powers, W.H.	Grain Dealers Mutual
1963-64	Ford, J.O.	Nationwide
1964-65	Bates, L.E.	Lumber Mutual
1965-66	Southwell, B.K.	Michigan Millers
1966-67	Ryder, P.H.	Mutual Fire Ins. Assn. of New England
1968-69	Anderson, V.M.	Employers Insurance of Wausau
1969-70	Marsh, H.R.	Sentry Insurance
1970-71	Williams, R.E.	Grain Dealers Mutual
1971-72	Winchell, H.R.	Liberty Mutual
1972-73	McGinnis, J.W.	Kemper Insurance

1973-74	Bolz, L.M.	Improved Risk Mutual
1974-75	Ellenwood, L.W.	Iowa National
1975-76	Kohl, J.A.	Country Mutual
1976-77	Thomas, J.H.	Michigan Millers
1977-78	Juergens, J.W.	Federated Insurance
1978-79	Shattuck, J.B.	Liberty Mutual
1979-80	Hathaway, R.B.	Lumber Mutual
1980-81	Katsonis, G.M.	Merchants and Businessmen's
1981-82	McKay, H.J.	Kemper Insurance
1982-83	Pastorius, R.L.	Devco Mutual Association
1983-84	McCauley, W.F.	Lumber Mutual
1984-85	Wass, H.S.	Improved Risk Mutual
1985-86	Turner, R.W.	Central Mutual
1986-87	Lebo, L.M.	Devco Mutual Association
1987-88	Junkin, O.D.	Mutual Fire Ins. Assoc. of New England
1988-89	Shultz, B.	Indiana Insurance Company
1989-90	Holmes, R.K.	Elevators Mutual
1990-91	Dolceamore, A.	Harleysville Mutual
1991-92	Rung, D.	Lumber Mutual
1992-93	Titter, R.R.	Shelby Mutual
1993-94	Paige, L.	IRM Services, Inc.
1994-95	Frawley, C.R.	Harford Mutual
1995-96	Saulen, R.J.	Mutual Fire Ins. Assoc. of New England
1996-97	Adolphson, Kevin	Country Companies
1997-98	McIntyre, Terry	Arkwright Mutual
1998-99	McClave, Rik	Insurance Service Office
1999-00	Frawley, C. Ron	Harford Mutual
2000-01	Perry, Tom	Insurance Service Office
2001-02	Laskoski, Steve	Charles E. Hock Associates
2002-03	Ruxlow, Stig	Zenith Insurance Company
2003-04	Finn, Dan	US Reports
2004-05	Bell, Brock	Brotherhood Mutual Insurance
2005-06	McIntire, Patricia Ann	State Auto Insurance Company
2006-07	Reutter, Barry	Central Insurance
2007-08	Williams, Jack	Pharmacists Mutual Insurance
2008-09	Edmonds, Steve	Brotherhood Mutual
2009-2010	Howard, Russ	Midwest Technical Services
2010-2011	Gudenrath, Scot	Country Financial
2011-2012	Doyle, Scott	TranStar Technical Services, Inc.

2012-2013	Matthews, Kevin	Brotherhood Mutual Insurance Company
2013-2014	Huber, Ron	Grange Insurance
2014-2015	Huber, Ron	<i>Retired</i>
2015-2016	Finn, Dan	US-Reports, Inc.
2016-2017	Bates, Mark	Amerisure
2017-2018	Patterson, Scott	Alexander & Schmidt
2018-2019	Finn, Jon	Lockton Companies
2019-2020	Lawless, Angie	Acuity
2020-2021	Tonioni, Christopher	Country Financial



ILCA
Annual Conference
October 18 – 20, 2021
Chicago Marriott Northwest
Hoffman Estates, Illinois

Thanks to our event Sponsors!!!

For additional information see the “Vendors” section in this material!
And be sure to thank their representatives attending the conference!

AFIRM

Alexander & Schmidt

Risk Control Technologies

SambaSafety



ILCA
Annual Conference
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Hoffman Estates, Illinois

Antitrust Compliance Discussion Guidelines

PLEASE READ

The antitrust laws aim to protect the public from agreements between competitors that affect the price or distribution of products while promoting fair and vigorous competition in the marketplace. ILCA member companies and guests, as competitors in the market, will always act in their individual, competitive best interests. When members meet at ILCA functions, however, there are legitimate concerns about the application of the antitrust laws to their discussions. Because ILCA meetings are not authorized by any state regulatory official acting under proper statutory authority, the McCarran-Ferguson Act exemption does not provide protection against antitrust enforcement. This policy statement is intended to provide general guidance regarding the permissible areas of discussion.

Under the so-called Noerr-Pennington doctrine, participants at ILCA meetings, seminars and other functions are generally free to discuss individual and joint technical training programs. The participants may not discuss market activity to influence a governmental body nor may they discuss market response to legislation.

Discussion of topics requires even more careful consideration of possible antitrust implications. It is imperative that participants avoid any discussion of prices, market allocation, product restrictions, profit, and capacity, reasons for not recommending an account, customer classifications or any conduct that could be construed as boycott. These topics are *per se* illegal – the intent of the parties or the effect on competition is irrelevant. Other commercial activities may also be violations of antitrust law if they constitute an “unreasonable” restraint of trade. The best advice to participants at ILCA meetings is to stay within the formal agenda and to avoid any informal or formal discussion relating to your specific company plans.

If any participant feels a discussion has entered an area that might be considered antitrust they should speak up and ask the ILCA leadership to decide if the discussion should end or proceed.

ILCA Executive Committee.



ILCA
Annual Conference
October 18 – 20, 2021
Chicago Marriott Northwest
Hoffman Estates, Illinois

AGENDA

Monday, October 18, 2021

7:30 am	Registration
8:00 <i>Prairie Stone III</i>	Welcome & Opening Remarks Chris Tonioni, President, ILCA
8:15-9:15 <i>Prairie Stone III</i>	KEYNOTE SPEAKER Tom Grey, Grey & Associates
9:15-9:30	Break Sponsored by: Alexander & Schmidt
9:30-10:30 <i>Prairie Stone III</i>	Electrical Safety & Infrared Thermography Michael Van Wormer Cincinnati Insurance
10:30-10:45	Break
10:45-11:00	Conference Partner Sponsored by: AFIRM
11:00-12:00 <i>Prairie Stone III</i>	TBD Tom Larsen CoreLogic

12:00-1:00
Atrium

Lunch

1:00-2:00
Prairie Stone III

Combustible Dust
AJ Gajdosik
Acuity Insurance

2:00-2:15

Break

2:15-3:15
Prairie Stone III

ABCs of Fall Protection
Tim Gara
Honeywell-Miller Fall Protection

3:15-3:30

Break

3:30-4:30
Prairie Stone III

Fleet
Angie Lawless
Acuity Insurance

4:30-5:00
Prairie Stone III

Closing Remarks
Chris Tonioni, President, ILCA

5:00-7:00
Atrium

Reception
Sponsored by: ILCA

Dinner on your own!

Tuesday, October 19, 2021

8:00-9:00

Prairie Stone III

Drone Surveys

WT Taggart

DroneBase

9:00-9:15

Prairie Stone III

Conference Partner (Virtual)

Sponsored by: Risk Control Technologies

9:15-9:30

Break

9:30-10:30

Prairie Stone III

Warehouse Fire Safety & Lithium Batteries

Robert Pelley

Cincinnati Insurance

10:30-10:45

Break

10:45-12:00

Prairie Stone III

ILCA Business Meeting (ALL ILCA MEMBERS ATTEND)

Chris Tonioni, President, ILCA

12:00-1:00pm

Atrium

Lunch

1:00-2:00

Prairie Stone III

Cannabis – Emerging Issues in the Workplace

Mark Lies, J.D.

Seyfarth Shaw LLP

2:00-2:15

Break

2:15-3:15

Prairie Stone III

What's Going on with Ergonomics?

Tim Pottorff

QP3 Ergosystems

3:15-3:30

Break

3:30-4:30

General Liability

Chris Garrabrant

Zurich

Dinner on your own!

Wednesday, October 20, 2021

8:00-9:00

Prairie Stone III

De-Escalation

Joe Crimmins
Protect & Serve Law

9:00-9:15

Break

9:15-10:15

Prairie Stone III

STF & Tribometry

John Fisher
Cincinnati Insurance

10:15-10:30

Break

10:30-10:45

Prairie Stone III

Closing Remarks

Chris Tonioni, President ILCA

Loss Control Association

Articles of Association

Article I: Name

- Section 1.1: This organization shall be known as the Insurance Loss Control Association.
- Section 1.2: It shall be incorporated as a non profit corporation under the laws of the State of Illinois.

Article II: Objectives

- Section 2.1: The purpose of the Association shall be to improve the loss control knowledge of its members.
- Section 2.2: This shall be accomplished by:
- (a) an annual conference to provide education and training opportunities using speakers from industry and regulatory agencies.
 - (b) by informing the members of the latest concepts and techniques being employed to assist in reducing losses in the property and casualty insurance fields.

Article III: Membership and Dues

- Section 3.1: There shall be (3) grades of membership as follows:
- Active Member** Representatives of any insurance organization interested in furthering the prevention of loss in the property and casualty field. Requests for active membership of other related loss control representatives will be submitted to the Board of Directors of the Association for approval. Each active member shall have one vote in the Association.
- Life Member** Members in good standing in the Association who have: (a) reached the age of retirement in their respective companies and (b) have had an active membership in the Association for at least (10) years, may have a life membership conferred upon them by a majority vote of the active members in attendance at a regular meeting of The Association. Life Members shall not be entitled to vote in the Association.
- Student Member** Full or Part Time Students enrolled in a College or University and majoring in a Safety, Insurance, Risk Management or Related curriculum. Requests for student membership will be submitted to the Board of Directors for approval. The classification of Student Member can only be held for a maximum of 5 calendar years or until they have graduated. Upon notification of graduation, a student member will be advanced to the level of Active Member; the annual dues will be waived for the first calendar year as an Active Member. Student Members shall not be entitled to vote in the Association.
- Section 3.2: **Dues** Membership dues shall be on an annual basis, payable on July 1 of the year to which they apply. Amount of dues will be established by the Board of Directors. Failure to pay dues shall cause membership to be automatically terminated. Life members are not required to pay dues. If a member, after payment of dues chooses to terminate his or her membership from ILCA, there will be no refund of the dues paid.
- Section 3.3: **Suspension Dues** Upon application of a member of the Association, the Board of Directors shall suspend the payment of dues of such member who may enter the armed forces of the United States. Such a suspension shall remain in effect until July 1 of the year following his severance from the Armed Forces.

Article IV – Board of Directors

- Section 4.1:
Eligibility Any active member is eligible to serve on the Board of Directors. No more than two individuals from the same employer may serve on the Board of Directors at any time.
- Section 4.2:
Authority The policies and administration of ILCA are governed by an elected Board of Directors. It is the duty of the Board of Directors to control and manage the affairs and finances of ILCA. The Board of Directors may from time to time adopt rules to govern the operations of ILCA, its officers, standing and working committees, so as they do not conflict with these Articles of Association.
- Section 4.3:
Composition The number of directors shall not be fewer than five (5) or more than eleven (11). A board resolution is required to change the existing number of directors within the range outlined above, and the number of directors shall always be an odd number. A copy of the most recent resolution of the Board of Directors denoting the number of current directors shall be filed with the official copy of the Articles of Association of ILCA and additionally noted within the official minutes.
- At its first regular meeting, subsequent to the Annual Business Meeting but prior to January of the upcoming year, the Board-elect will elect from the individuals comprising said Board an Executive Committee/Officers – President, First Vice President, Second Vice President, Secretary and an appointed Financial Secretary and such other officers as it deems necessary, to serve for one (1) year terms on the Executive Committee, beginning on December 1 following the October meeting.
- Section 4.4:
Terms of Office Directors will serve a term of three years, staggered so that the terms of at least one-third of the authorized Director positions will expire each year. Terms of office will begin December 1 of each year.
- Section 4.5:
Quorum At meetings of the Board of Directors a majority of the individuals comprising the Board shall constitute a quorum. Any act of the majority of the Directors present at a meeting where a quorum is present shall be a valid act of the Board of Directors unless a greater proportion is required by law or these Articles of Association.
- Section 4.6:
Removal An officer or Director may be removed for cause by a two-thirds vote of the remaining Directors. Such persons must be given at least seven (7) days' notice prior to removal, and must also be given the option of a hearing before the Board.
- Section 4.7:
Members At-Large Board Members At-Large are those not serving on the Executive Committee. Those members are responsible for working with the Executive Committee to implement association projects and serve as a liaison with committee chairs.
- Section 4.8:
Financial Records All financial transactions are to be approved by the Financial Secretary. A monthly accounting is to be provided to the Board of Directors. All financial records are to be audited on an annual basis at the Conference. Two active members are to be appointed by the Board to complete the audit.

Article V: Officers

- Section 5.1:
Executive Committee The Association shall have a President, First Vice President, Second Vice President, Secretary and Financial Secretary. The Financial Secretary shall be appointed annually by the Board of Directors. They shall serve for a term of one (1) year or until their successors shall be nominated or appointed and elected.
- Section 5.2:
Vacancies Vacancies in any office may be filled by the Board of Directors. Such appointee shall serve until the next regular election of Board members.

Article VI: Duties of Officers

- Section 6.1: It shall be the duty of the President to preside at all business meetings of the Association;

President to require due observance at all times of these Articles of Association; to see that accurate records and accounts are kept and annual dues and assessments are paid. This officer shall call meetings of the Board of Directors. This officer shall appoint such other committees as may be deemed necessary, including but not limited to; a Liaison Committee, a Standing Program Committee, and a Membership Committee. (See also Article VIII Committees.) This officer shall work for the advancement of the Association at all times. This officer shall be an ex-officio member of all committees of the Association, except the Nominating Committee.

Section 6.2:
First Vice President This officer shall preside in the absence of the President and shall act as program director of the meetings of the Association and be an ex-officio member of the Standing Program Committee. This officer is responsible for the coordination of the annual conference. This officer shall act as parliamentarian at the Association business meeting.

Section 6.3:
Second Vice President This officer shall assume the duties of the First Vice President when that officer is unable to act or is absent and shall be in charge of all publicity and membership activities of the Association. This officer shall be responsible for the Membership Committee. This officer will also be responsible for a back-up presentation at the conference, coordination of web site activities, and coordination of all newsletter articles and activities.

Section 6.4:
Secretary This officer shall keep accurate Minutes of all meetings of the Board of Directors and of the Association. This officer shall handle Association correspondence and advise other officers as applicable. This officer shall be the Association historian and keep the Association's "history" updated.

Section 6.5:
Financial Secretary The Financial Secretary shall keep an accurate record of the membership. The Financial Secretary is charged with the custody of the funds of ILCA and their proper disbursement according to the general or specific authority of the Board of Directors. The Financial Secretary is responsible for overseeing the maintenance of the financial books, records, and documents of ILCA. The Financial Secretary is responsible for coordinating distribution of notices to the membership of dues payments. The Financial Secretary will perform other such duties as directed by the President and Board of Directors, and those customary to such office.

Article VII: Meetings

Section 7.1:
Annual Meeting There shall be at least one (1) business meeting of the Association, concurrent with the "Association Conference." If there will be more than one meeting, the first meeting of the year shall be designated as the Annual Meeting of the Association.

Article VIII: Committees

Section 8.1:
Executive Committee The officers and the immediate past president and shall constitute the Executive Committee. It is empowered to act in the name of the Association on all administrative and financial functions. All actions by this Committee shall be subject to review and approval by the membership at the regular meeting(s) of the Association. Four (4) members of the Committee shall constitute a quorum.

Section 8.2:
Nominating Committee This committee shall consist of four (4) members of the Association, three (3) of whom shall be appointed by the Board of Directors and one (1) elected by the membership (in the absence of a quorum, nomination committee shall consist of the three (3) appointed members) at the second yearly meeting of the Association. If there be only one meeting in

a year, the appointment and election of members to the Nominating Committee shall take place at that meeting. This committee shall serve for one election.

They will meet or correspond with each other and develop a slate of nominees for the offices of the Association Board of Directors for election at the Annual Meeting of the Association. They shall report their findings to the President at least 30 days prior to the Annual Meeting. They shall query prospective nominees as to their willingness to serve and whether they have permission of their employers to serve and attend all meetings. The President will advise this Committee on Association traditional concepts affecting the offices of the Association. Other nominations for office may be made by the membership of the Association upon written notice to the Secretary. Such notification of intent must reach the Secretary at least 60 days prior to the Annual Meeting. List of candidates shall be distributed to the members at least four (4) weeks prior to the Annual Meeting.

If more than one candidate is nominated for an office, the election for that office shall be by secret ballot at the Annual Meeting.

Section 8.3:
Meritorious Service Award Committee This Committee shall consist of three active Past Presidents appointed by the President, and the President. This Committee shall act as a review board and determine that the candidate for Meritorious Service Award has the necessary qualifications and approve the candidate. The candidate must have been active by serving on committees, attending ILCA meetings (when they are within reasonable travel distance), participating or cooperating in program activities; if in a supervisory position, allowing his personnel to serve on committees and/or participate in program activities. Submissions may be made by members to the President of ILCA in writing at least 90 days prior to any Annual Meeting. The Board of Directors shall be responsible for awarding the plaque to the candidate at the next Annual Meeting.

Section 8.4:
Liaison Committee This Committee, which is appointed by the President, shall consist of not less than three (3) members of the Association, each of whom shall serve not less than one (1) year. They shall maintain contact and exchange information with any other supporting or allied organizations deemed necessary.

Section 8.5:
Standing Program Committee This Committee, which is appointed by the President, shall consist of not less than three (3) members of the Association, each of whom shall serve for not less than one (1) year. The First Vice President shall be a member of this committee ex-officio. They shall develop and recommend program content and format and guide the local program committees in the selection of topics, workshops and speakers.

Section 8.6:
Membership Committee This committee, which is appointed by the President, shall consist of not less than three (3) members of the Association, each of whom shall serve for not less than one year. The Second Vice President and Financial Secretary shall be members of this Committee ex-officio. The Committee shall develop and recommend methods, procedures, and programs for the acquiring and retaining of eligible members-

Article IX: Parliamentary Procedures

Section 9.1:
Quorum A quorum for the transaction of business or the election of officers at any meeting of the Association shall be at least twenty (20) active members present at the meeting.

Section 9.2:
Governing Current Robert's Rules of Order shall govern all meetings.

Article X: Amendments

Section 10.1:
Vote These Articles of Association may be changed at any regular meeting of the Association by a two-thirds (2/3) vote of a quorum of the membership, provided however that notice of the proposed changes have been published to the membership at least thirty (30) days

prior to such regular meeting. Objections to any changes in these Articles may be filed in writing to the Association's Secretary, who shall state these objections to the meeting before any vote on them is taken.

Article XI: Liaison and Control

- Section 11.1: ***Programming Organization*** The Association shall act as the programming-organization for the Insurance Loss Control Association Conference under the direction of the Association' First Vice President.
- Section 11.2: ***Registered Agent*** The Registered Agent of the Corporation will be a member of the Insurance Loss Control Association and appointed by the Board of Directors when required.
- Section 11.3: ***Management*** The Association, under the direction and control of the Board of Directors, may enter into "fee for Service agreements", "service contracts" or similar agreements for the purpose of "Association Management" functions. "Association Management" functions may include, but are not limited to: assisting the Financial Secretary with membership maintenance, collecting dues and financial records; conference and event planning; conference and event administrative services; on-site conference and event coordination services; newsletter services; website and related internet technology services; and association marketing and promotion. The Second Vice President shall assist such designee of the Board of Directors in publishing the "Association Newsletter." The Association will pay any such designee of the Board of Directors for any such services performed.

Article XII: Dissolution of the Association

- Section 12.1: ***Dissolved*** The Association may be dissolved by the Board of Directors in the following manner. A resolution to dissolve the Association shall be acted upon at a meeting of the Board of Directors at which a quorum is present. The resolution shall set forth the reasons of the dissolution.
- Section 12.2: ***Ballot*** Within thirty (30) days following Board of Directors action, a mail ballot shall be sent to all Association members setting forth the reason for dissolution. Thirty (30) days later, the ballots shall be counted by a Tellers Committee appointed by the President. A two thirds (2/3) vote of the members voting will decide the question.
- Section 12.3: ***Resolution Adoption*** Upon adoption of the resolution to dissolve, the Board of Directors shall proceed to carry out the dissolution of the Association in accordance with the terms of the Charter and the applicable statutes of the State of Illinois. Any assets will be distributed to an educational or philanthropic organization that is designated by the Board of Directors.

Article XIII: Indemnification

- Section 13.1: ***Indemnify*** The Insurance Loss Control Association will indemnify the officers, employees and agents of the corporation as and to the extent permitted under any applicable statutes of the State of Illinois or any other applicable jurisdiction.
- Section 13.2: ***Good Faith*** The Insurance Loss Control Association will indemnify, defend and hold harmless it's officers, employees and agents from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of their duties as an officer, employee or agent (other than an action or suit

by or in the right of the Insurance Loss Control Association), and if they have acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the interests of the Insurance Loss Control Association and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination or settlement of any action, suit or proceeding will not create a presumption that the person did not act in good faith or in a manner that was unlawful.

Section 13.3: *Insurance* The Insurance Loss Control Association will purchase and maintain insurance on behalf of any person who is or was an officer, employee or agent of the corporation, to cover any liability asserted against him or her and incurred by him or her in any such capacity, or arising by virtue of his or her status and duties as an officer, employee or agent of the Insurance Loss Control Association.

Articles of Association Amendment

This constitutes a revision of the Articles of Association as constituted Aug. 1-2, 1932 and revised April 16-19,1951, Sept. 15-16,1958, April 3-4, 1962, April 3-5, 1967, February 28, 1972, April 13, 1973, April 23, 1979, April 14, 1981, July 20, 1982, October 16, 1984, October 22,1991, October 21, 2003, October 18, 2005, and October 8, 2013.



Insurance Loss Control Association
P.O. Box 346 Morton, IL 61550
(309) 696-2551
www.insurancelosscontrol.org

Conference Business Meeting Minutes – 10/20/2020

Call Meeting to Order: 10:08 AM CST

Reading of the Minutes from Previous Business Meeting: Waived.

Angie Lawless 1st, Chris Tonioni 2nd

Financials:

- No audit of books
 - Chris Tonioni, Angie Lawless, and Stig Ruxlow will review transactions in person
 - New expenses for virtual conference

E-News: N/A

Board:

- One expiring board member but Mark Bates will renew his term
 - *Stig motioned to nominate Mark Bates as member at large, Stephen White 2nd*
- Need committee members

Membership:

- 109 current active members
- 8 student members
- 83 paid registrants for virtual conference

Lifetime Member:

- 44 lifetime
 - 29 are inactive

Website: N/A

Old Business: N/A

New Business:

Conference:

- October 18-20, 2021 in Hoffman Estates

Tom Grey

Grey and Associates

President of Grey and Associates. He is a highly skilled trainer and coach in employer and employee development of safety performances. He has 30 years of hands-on experience as a former plant manager, human resources manager, and quality control manager in manufacturing, distribution, and trucking industries. His manufacturing experience ranges from automotive, food processing and packaging to consumer products and personal care products. He has been trained in the STOP program, Key Concept to Safety Program, OSHA Outreach, and more.

Words Have Meaning



Tom Grey, President

Words Have Meaning

- Safety First
- Safety Culture
- Common Sense
- Risk Manager
- Building People

Words Have Meaning

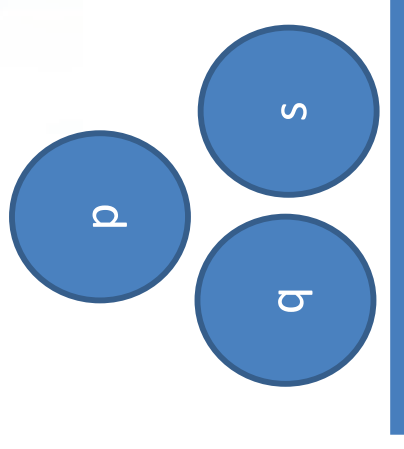
In VPP, management, labor, and OSHA work cooperatively and proactively to prevent fatalities, injuries, and illnesses through a system focused on:

- ***Management Commitment***
- ***Worker Involvement***
- ***Worksite Analysis***
- ***Hazard Prevention and Control***
- ***Training/Understanding***
- ***Continuous Improvement (are we better than yesterday)***



Safety First

- Take down the signs
- Core value
- 3 legged stool



- Safety Always/Relationship

Safety Culture

- Most important culture is.....
- Business Culture
 - Hire right
 - Pay right
 - Treat right
 - Develop
 - Coach
 - Continually Improve
 - Committed to the workforce
 - Set Expectations
 - Enforce
- Without a strong business culture, safety is not sustainable

Common Sense

- What is considered common sense?
 - Common sense is **sound, practical judgment concerning everyday matters**, or a basic ability to perceive, understand, and judge in a manner that is shared by (i.e. common to) nearly all people.
- What does it mean to have no common sense?
 - (usually of a person) **lacking in intelligence, common sense**, or just in general awareness; clumsy or idiotic.
 - I don't believe in common sense

Let's test this theory

Risk Manager

Here are seven types of business risk we should address in our companies.

- Economic Risk. The economy is constantly changing as the markets fluctuate.
- Compliance Risk.
- Security and Fraud Risk.
- Financial Risk.
- Reputation Risk.
- Operational Risk.
- Competition (or Comfort) Risk.

Risk Manager

- Risk is subject to “lack of controls”
- Let’s talk about what we really do....
- Navigate or help navigate others
- You are Risk Navigators

Building People

How much money is spent on safety?

- According to the 2018 Liberty Mutual Workplace Safety Index, serious non-fatal workplace injuries amounted to nearly \$60 billion in direct U.S. workers' compensation costs in 2015. This translates into **more than a billion dollars a week** spent by U.S. businesses on these injuries.
- That is just on injuries.

Building People

How much do construction companies spend on safety?

- The first surprising statistic reveals a significant gap in the industry. On average, construction companies spend 3.6% of their budgets on injuries, but **only 2.6% on safety training.** May 6, 2021
- (1 million, 3.6%=\$36,000, 2.6%=\$26,000)

Building People

How many work related fatalities are recorded every year all over the world?

- The ILO estimates that some **2.3 million women and men** around the world succumb to work-related accidents or diseases every year; this corresponds to over 6000 deaths every single day. Worldwide, there are around 340 million occupational accidents and 160 million victims of work-related illnesses annually.

[World Statistic – ILO International Labor Organization.](#)

Building People

- OSHA has plateaued.
- 1970- Average 14,000 deaths/year
- Worker deaths in America are down-on average, from about 38 worker deaths a day in 1970 to **15 a day in 2019**.
- Average of 5,000+ each year (2010-2020).
- Why?

Building People

- We have spent trillions of dollars on safety the 1930s.
- Improved mechanical operations
- Regulations/Enforcement
- Awareness
- The problem is the Human Element (Us)

What are we looking at?

- Performance vs Compliance
- Business Culture vs Safety Culture
- Managers vs Servant Leaders
- Results vs Process (Bobby Knight)
- Caring vs Commitment
- Training vs Understanding
- Inside the Box vs Outside the Box

Why are you safe?



Words Have Meaning



Q&A

Michael VanWormer, Certified Infrared Thermographer, Level 3 Technical Specialist, Electrical Systems & Thermography The Cincinnati Insurance Companies

Bio:

Michael began his career 15 years ago in loss control working for CNA as well as Great American Insurance before joining Cincinnati Insurance in 2016. A loss control technical specialist, Michael Van Wormer oversees the growing thermography program for Cincinnati Insurance, training all of the loss control and machinery & equipment field staff as well as performing thermal scans nationwide.

After earning a degree in industrial electrical maintenance, Michael got into insurance and quickly joined a team of thermographers. During that time, he also obtained a master's degree in safety sciences. Michael is a Level 3 Certified Thermographer.

Presentation Summary:

Why all the fuss about Stab-Lok panels? Are fuses and aluminum wiring always a bad thing? Electrical systems often go unnoticed and can be easily overlooked as they are out of sight out of mind. This presentation is going to address a few of the most common electrical hazards encountered in the field, and some tools available to assist in identifying these hazards.

TOM LARSEN

Principal, Content Strategy
CoreLogic

Tom Larsen is a content strategy principal for CoreLogic Insurance and Spatial Solutions. In this role, Tom is responsible for subject matter expertise and thought leadership focused on natural catastrophes and data analytics.

Tom joined the CoreLogic team in 2013 with the acquisition of EQECAT, Inc., a catastrophe risk management organization, where he held the title of Senior Vice President and Chief Product Architect. Roles at EQECAT included leading product management, client support, model software development, catastrophe model development and post-catastrophe reconnaissance and review. Mr. Larsen has experience in the development and application of natural catastrophe risk modeling for the insurance and reinsurance industries, and government dating back to 1989. He has written numerous articles for trade publications and academia, participated on various industry panels, and is a frequent speaker on the financial impact of natural catastrophes.



Tom's focus is on helping individuals, organizations and government agencies prepare and recover from the inevitable occurrence of natural catastrophes such as earthquakes, tropical cyclones, floods, fires and severe storm.

Tom earned a M. Eng. in Structural Mechanics from the University of California, Berkeley, and a B.S. in Civil Engineering from Stanford University. He is based in Oakland, CA.

William Taggart, Senior Account Executive, DroneBase



Senior Account Executive,
Insurance, DroneBase

William Thomas Taggart serves as Sr Account Executive at DroneBase. He brings a diversified background of Risk Management and Technology consulting focused on risk assessment, location intelligence, portfolio management, and capital allocation. He is known for establishing strategic partnerships as a trusted advisor and client retention.

William Thomas began his Insurance career in 1989 as Field Services Account Manager with Marshall & Swift and lead client facing positions consulting and implementing Insurance solutions. William has developed and maintained multiple carrier relationships with top insurance companies, enabling him to provide his clients with meaningful and useful data solutions resulting in business advancements.

Taggart's experience includes single risk and portfolio risk analysis of data assisting clients in delivering inform business decisions. He is an active member of the International Society of Catastrophe Managers (ISCM) and has sat on the Board of Directors for 4 years. William Thomas holds a degree in Automotive Design from the Automotive College of Denver.

WT Taggart
Drone Surveys

In the presentation Leveraging Sources of Aerial Data to Inform Insurance Decisions: Drones, Satellites, & Manned Aircraft, the audience will learn about these different sources of aerial data. We'll discuss the data produced from each data collection method, each workflow to collect data, as well as the use cases for drone, satellite, and manned aircraft data.

An aerial photograph of a large, multi-story industrial building with a dark, flat roof. The building has several windows and a complex roof structure. To the left of the building is a paved area with a circular structure and some greenery. To the right is a parking lot with several cars and a road. The background shows more trees and a clear sky.

DRONE BASE

Leveraging Sources of Aerial
Data to Inform Insurance
Decisions: Drones, Satellites,
& Manned Aircraft

William Taggart, Senior Account Executive, DroneBase

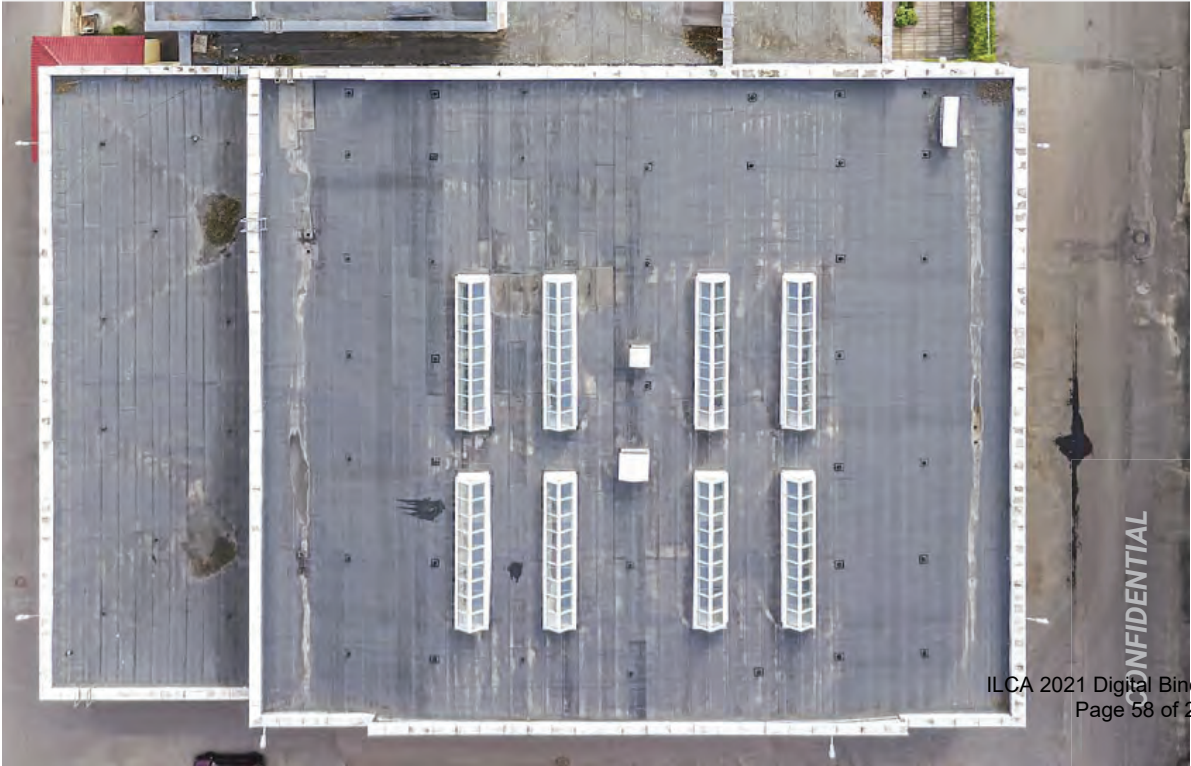


Senior Account Executive,
Insurance, DroneBase

William Thomas Taggart serves as Sr Account Executive at DroneBase. He brings a diversified background of Risk Management and Technology consulting focused on risk assessment, location intelligence, portfolio management, and capital allocation. He is known for establishing strategic partnerships as a trusted advisor and client retention.

William Thomas began his Insurance career in 1989 as Field Services Account Manager with Marshall & Swift and lead client facing positions consulting and implementing Insurance solutions. William has developed and maintained multiple carrier relationships with top insurance companies, enabling him to provide his clients with meaningful and useful data solutions resulting in business advancements.

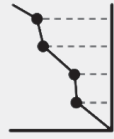
Taggart's experience includes single risk and portfolio risk analysis of data assisting clients in delivering inform business decisions. He is an active member of the International Society of Catastrophe Managers (ISCM) and has sat on the Board of Directors for 4 years. William Thomas holds a degree in Automotive Design from the Automotive College of Denver.



What You Can Learn

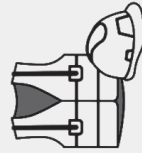
Data Sets

Better understand the quality for each method of collection and the uses for each data set.



Workflow

Explore the typical operations workflow for each method of data collection.



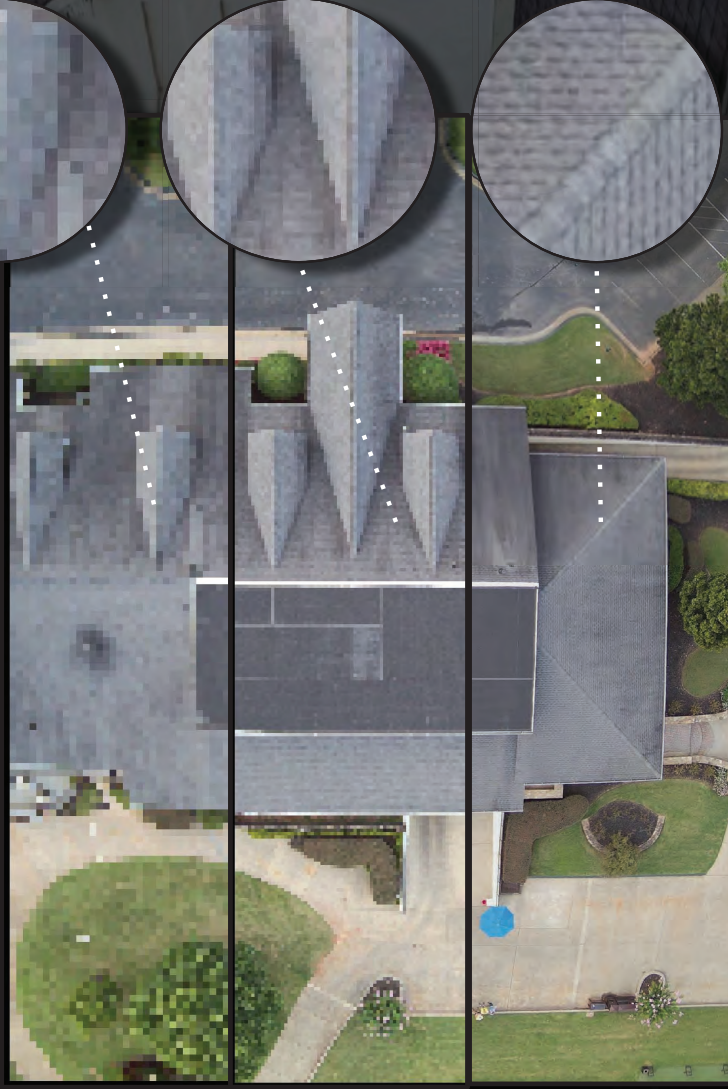
Use Cases

Walk away with a better understanding of how each data set is used to inform decisions.



Image Resolution

Image Resolution



Satellite

- 30-50 cm /pixel
- High level assessments
- Building location and situational awareness
- Low-level detail

Manned Aircraft

- 7.5 - 10 cm /pixel
- Mid level assessments and analysis
- Lower resolution can lead to false positives in analysis

Drone

- 2-5 cm/pixel
- Detailed assessments
- Accurate and in depth analysis
- Location accuracy f

Visual representation only

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Workflow



Drones

Data Collection Cadence

- Provides the ultimate flexibility and can be scheduled annually, semi-annually, or on-demand.

Data Quality

- Real-time imagery that provides accurate insight into the current state of each property.
- Thorough metadata in each image that provides clear detail into capture date, time, location, etc.

Manned Aircraft

Data Collection Cadence

- Scheduled 2 - 3 times per year (typically Spring and Fall) and provides data on large regions of metropolitan areas.

Data Quality

- The data is informative. However, it does not provide the resolution of drone imagery or the flexibility of on-demand inspections.

Satellites

Data Collection Cadence

- Updated 2 - 3 times per year and provides data on large regions of metropolitan areas.

Data Quality

- The data is informative. However, it does not provide the resolution of drone or plane imagery, as well as the flexibility of on-demand inspections.

Use Cases



Use Cases of Leveraging Aerial Data

Informed Decisions for Claims, Underwriting and Risk Management Professionals

Commercial Underwriting

- Make smarter decisions, plan properly, and avoid unforeseen costs. The imagery can then be analyzed to provide accurate anomaly insights.

Risk Management

- Enable better, faster decision-making leveraging high-resolution imagery to assess and manage risk across your entire portfolio of assets.

Claims

- Leverage pre and/or post-loss imagery, reduce loss adjustment expenses, and shorten claim cycle times, so your policy holders get decisions faster.

	Drone Data	Manned Aircraft Data	Satellite Data
Strengths	<ul style="list-style-type: none"> <input type="checkbox"/> On-demand Inspections <input type="checkbox"/> Real-time Data <input type="checkbox"/> Reliable, Accurate Anomaly Detection 	<ul style="list-style-type: none"> <input type="checkbox"/> Standardized widespread Aerial Data Collection 	<ul style="list-style-type: none"> <input type="checkbox"/> Historical Property Information
Weaknesses	<ul style="list-style-type: none"> <input type="checkbox"/> Coverage Area 	<ul style="list-style-type: none"> <input type="checkbox"/> False Positives 	<ul style="list-style-type: none"> <input type="checkbox"/> Low fidelity

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How Leveraging Aerial Data can Positively Impact your Operations

- **Safety**
 - Aerial data collection methods are far safer than traditional inspection methods.
- **Efficiency**
 - Shorten inspection timelines, mitigate risk, and lower operating costs.
- **Flexibility**
 - Aerial data provides a cost-effective, flexible solution to effectively manage a portfolio of properties - whether across a region or country.
- **ManPower**
 - Aerial data is enabling teams to streamline onsite inspection operations, enhance their property assessment workflows, and streamline decisions

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The Hanover: Leveraging Drone Technology To Evaluate Properties Before & After Claims



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Thank You

DRONE BASE



Robert D. Pelley, CFPS, CSP, CPCU
Senior Property Technical Specialist
St. Louis, MO

Bob joined Cincinnati insurance in 2016 and has 41 years of experience in commercial insurance loss control. Bob spent 30 years with The Hartford advancing through several field positions before becoming a Senior Property Specialist. In this role he provided loss control services large complex property risks. He also served as a mentor, coach and trainer to field loss control consultants with emphasis on the property discipline. Bob also spent 6 years with The Hanover as a Senior Property Technical Specialist providing property risk evaluation services on large, complex insureds including industrial, habitational, mercantile and office occupancies. In this position he also produced and provided training to field loss control consultant on a variety of property risk exposure topics.

Bob has a Master's Degree in Industrial Safety from Central Missouri State University. He has also taken several courses and programs that are fire protection engineering related from Oklahoma State University, National Fire Protection Association, and other organizations. Bob holds the designations of Certified Fire Protection Specialist, Certified Safety Professional, and Charter Property Casualty Underwriter. He is a member of the St. Louis Chapter of Society of Fire Protection Engineers.

ILCA Conference 10 – 19 -2021 **STORAGE**



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Bob Pelley, Senior Technical Specialist



- ▶ Graduate – Master Science – Industrial Safety - CMSU – UCM
- ▶ The Hartford – 30 years – LC Trainee/LC Executive Consultant
- ▶ Hanover Insurance – 6 years – Technical Consultant – Property Specialty Company
- ▶ Cincinnati Insurance – 5 years – Sr. Technical Specialist, Property
- ▶ Oklahoma State University – Correspondence Courses – Conduct On-site Training
- ▶ NFPA – Training Programs

▶ **~10,000 Field Loss Control Surveys**

Trainer, Mentor, Coach – ~30 Field LCC's, - MO, IL, IN, MI, KY
Evaluate Sprinkler Systems – OH 2 Designs & Greater

bob_pelley@cinfin.com 636-288-7885

2

Record-breaking demand for warehouse and DC development

Despite the scares COVID-19 has hurled on other industries, e-commerce has ensured high demand for warehousing, distribution and fulfillment.



3

STORAGE ARRANGEMENTS FACTORS

Many factors can affect the sprinkler systems ability to protect the stored commodity.

Commodity	Storage configuration	Storage height	Building height	Aisle width
Sprinkler design	Sprinkler temperature rating	Sprinkler orifice size	Water supply	Proper testing

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GENERAL RULES

It matters!

- Commodity class 1-4 stored <12' – Miscellaneous Storage - OH-2 design.
- Plastics should be stored under 6' with an OH-2 design.
- Keep Aisles clear of products.
- Open top containers on racks are a big concern.
- Idle Pallets OH-2 system – 6-feet high – 4 stacks per pile - 8 feet between piles
- Solid shelving can negatively impact fire protection.
- Multi-rack and double racks need flue space maintained.

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COMMODITY CLASSES

NFPA 13 Definitions 20.4

Class I: A noncombustible item that meets one of the following criteria: (1) Placed directly on wooden pallets; (2) Placed in a single-layer of corrugated cartons; (3) Shrink-wrapped or paper wrapped as a unit load with or without pallets. **Ref: NFPA 13 A.5.6.3.1**

Class II: A noncombustible product that is in slatted wooden crates, solid wood boxes, multiple-layered corrugated cartons, or equivalent combustible packaging material, with or without pallets. **Ref: NFPA 13 A.5.6.3.2**

Class III/Group C Plastics: A product that is fabricated from wood, paper, natural fibers or Group C plastics with or without cartons, boxes, or crates and with or without pallets. **Ref: NFPA 13 A.5.6.3.3**

Class IV/Group B Plastics: A product that meets one of the following criteria: (1) Constructed entirely or totally of Group B plastics; (2) consists of free-flowing Group A plastic materials; (3) contains within itself or its packaging an appreciable amount (5 to 15% by weight or 5 to 25% by volume) of Group B plastics. The remaining material can be metal, wood, paper, natural or synthetic fibers, or Group B or Group C plastics. **Ref: NFPA 13 A.5.6.3.4**

Group A Plastics: Commodity classification for the highest fire hazard of all the commodity types. This commodity is specifically defined by the type of plastic used. Commodities of this grouping are often include poly, styrene, ethyl, and urethane. **Ref: NFPA 13 A.5.6.3.5**

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COMMODITY CLASSES

NFPA 13 Definitions – Annex Table A 20.4(b)

Class I	Class II	Class III	Class IV	Group A
Canned Foods	Baked Goods	Comugated Cartons	Shingles	Polyethylene
Meat Products	Light Fixtures	Dried Foods	Matches	ABS Plastic
Wire	Wood Lumber	Paper Products	Fiberglass Insulation	Acrylic
Metal Disks	Appliances	PVC - Flexible	Free Flowing Plastics	Polypropylene

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COMMODITY CLASSES – NFPA 13 - 20.4

TABLE A.20.4(a) Examples of Commodity Groups Assigned to Commodity Classes (NFPA 13)

Automated Equipment
— All automated equipment

Batteries
— All batteries and other similar items stored in racks
— Lithium ion and other rechargeable batteries for use in equipment (NFPA 13)


Box Storage
— Storage in boxes
— Boxes, crates
— Storage in racks?

Class II
— Light fixtures

Class III
— Comugated cartons
— Comugated in liquid form (Level 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100)

Class IV
— Shingles
— Matches
— Fiberglass insulation
— Free flowing plastics

Group A
— Polyethylene
— ABS plastic
— Acrylic
— Polypropylene



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TYPE OF STORAGE

Solid Pile

Defined (2019 NFPA 13 – 3.3.201)

- ❖ Storage of commodities stacked on each other
- ❖ Pile Stability – Stable or Unstable
 - ❖ Unstable
 - ❖ Likely to fall apart soon after initial fire
 - ❖ Higher the stack, the more likely



Stable?

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TYPE OF STORAGE

Bin Box

Definition (2019 NFPA 13 – 3.3.18)

- ❖ Storage in five-sided wood, metal or cardboard boxes with open face on the aisles. Boxes are self-supporting or supported by a structure designed so little or no horizontal or vertical space is around the boxes.



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TYPE OF STORAGE

Shelf Storage

Definition (2019 NFPA 13 – 3.3.188)

- ❖ Storage on structures up to and including 30 inches in depth and separated by aisles at least 30 inches wide.



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TYPE OF STORAGE

Palletized

Definition (2019 NFPA 13 - 3.3.148)

- ❖ Storage of commodities on pallets or other storage aids that form horizontal spaces between tiers of storage



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TYPE OF STORAGE

Rack Storage

Definition (2019 NFPA 13 – 3.3.171)

- ❖ Any combination of vertical, horizontal and diagonal members that supports stored materials
- ❖ Shelving can be solid, slatted, or open
- ❖ Racks can be fixed, portable or movable


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RACK STORAGE

Types of Rack Shelving

- Slatted
- Open
- Mesh

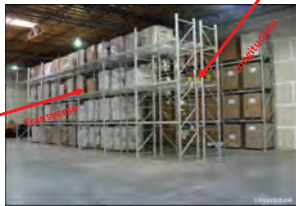



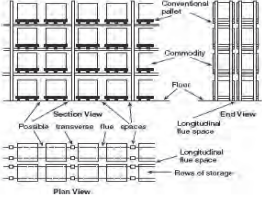

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RACK STORAGE

What are Flue Spaces??








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Rack Storage

DOUBLE-ROW RACK STORAGE MULTI-ROW RACK STORAGE



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PALLETS

It matters!

- What Type
 - Wood, Metal, Plastic
 - Plastic - Reinforced?



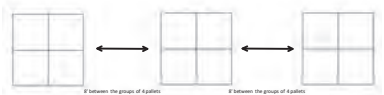

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PALLETS

Indoor wood pallet storage - OH 2 AS Design

- Stored up to 6' high.
- 6' high = 14 pallets per stack 14 x 4 = 56 pallets per group
- Certain designs will allow for higher pallet storage

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PALLETS

Best option is always to remove the pallets from the building

Minimum Distance of Wall from Storage Wood Pallets

Based on NFPA 22 Table A.2.2.2.2.1 Recommended Clearance Between Outside Wall Wood Pallet Storage and Building
 NFPA 22 Chapter 24 Table 24.5(3) Recommended Clearance Between Outside Wall Wood Pallet Storage and Building. All pallet stacks shall not exceed 15 ft (4.6 m) in height nor shall any one area of greater than 400 sq ft (37 m²). Pallet stacks shall be arranged to form stable piles, a distance of not less than 8 ft (2.4 m) shall separate stacks. Piles shall be no closer than 10 ft (3.0 m) to any property line.

For pallet inventory estimation, consider that a stack of pallets 10' tall contains 126 pallets based on a standard pallet 5' x 40", 120" L x 24 pallets, rounded up to 25. 20 pallets would be equal to two stacks of pallets 10' tall.

Outside Wall Construction	<50 pallets	50-200 pallets	>200 pallets
Masonry (with 6" solid or 8" hollow)	0	0	20
Wood, metal, or other	20	30	50

Minimum Distance of Wall from Storage Plastic Pallets

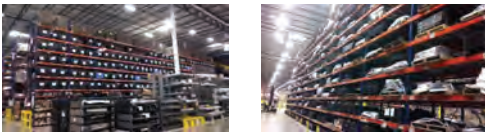
Based on NFPA 22 Table 24.5(3) for non-approved plastic pallets

Outside Wall Construction	<50 pallets	50-200 pallets	>200 pallets
Masonry (with 6" solid or 8" hollow)	0	24	40
Wood, metal, or other	30	30	100

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OPEN TOP CONTAINERS

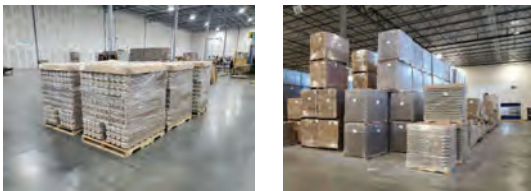
- Are the containers on racks?



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ENCAPSULATED & NON-ENCAPSULATED

- Non-encapsulated is not completely wrapped in plastic
- Encapsulated is completely wrapped



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TIRES & ROLL PAPER

Special Storage Chapters



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Indoor Rubber Tire Storage



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Early Suppression Fast Response



- ▶ A type of fast response sprinkler that has a thermal element with and RTI of 50 (meters/second)² or less and is listed for its capability to provide fire suppression of specific high-challenge fire hazards.
- ▶ "Early Suppression" – Designed to put large volumes of water on the fire early in development.
- ▶ "Fast Response" – ESFR Heads sense fire in about half the time of conventional sprinklers.
- ▶ Factory Mutual Fire Approved in 1988

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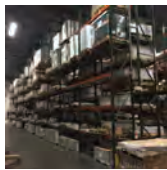
Early Suppression Fast Response 

- ▶ A type of fast response sprinkler that has a thermal element with an RTI of 50 (meters/second)² or less and is listed for its capability to provide fire suppression of specific high-challenge fire hazards.
- ▶ "Early Suppression" – Designed to put large volumes of water on the fire early in development.
- ▶ "Fast Response" – ESFR Heads sense fire in about half the time of conventional sprinklers.
- ▶ Factory Mutual Fire Approved in 1988

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Early Suppression Fast Response 

<p>Advantages</p> <ul style="list-style-type: none"> ▶ Can protect a wide variety of storage arrangements and commodities ▶ High Pile Storage ▶ Rack Storage ▶ Eliminates need for In-Rack <p>Protects</p> <ul style="list-style-type: none"> – Class I-IV Commodities – Plastics – Rubber Tires – Rolled Paper – Idle Pallets 	<p>Storage Applications</p> 
---	---

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Early Suppression Fast Response 

- ▶ **Examples of Protection –**
 - ❖ Palletized/Solid Pile Class I – IV up to 40 feet.
 - ❖ Palletized Plastics up to 25-40 feet dependent upon cartoned/exposed
 - ❖ Single/Double/Multi row Racks – Class I –IV commodities up to 40 feet
 - ❖ Single/Double/Multi row Racks – Plastics up to 25-40 feet
 - ❖ Rubber Tires – up to 25 feet
 - ❖ Rolled Paper – up to 30 feet
 - ❖ Idle Pallets – up to 30 feet
- ❖ Extremely Versatile

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Early Suppression Fast Response




- ▶ Can ESFR Protect Light & Ordinary Hazard Occupancies?
- ▶ 12.6.7.1 – ESFR sprinklers shall be permitted to protect Light or Ordinary Hazard Occupancies.
 - Light or Ordinary adjacent to storage
 - Speculative Building – final use unknown
- ▶ Can ESFR Protect Extra Hazard Occupancies?
 - ❖ Not permitted due to potential for shielding of combustibles
 - ❖ Horizontal fire versus vertical fire

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Early Suppression Fast Response



- ▶ Limitations of ESFR Protection
 - Wet Pipe Systems Only
 - Cannot Protect Solid Shelf Rack w/o In-Rack
 - Cannot Protect Open top Containers
 - Pitch cannot exceed a rise of 2 units in a run of 12 units – slope
 - Obstruction Limitations
 - Sprinkler spacing 90-100 sq. ft.
 - Minimum of 36-inches between sprinkler and top of storage
 - Expensive
 - Fire Pump often needed to achieve Minimum Operating Pressures

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Early Suppression Fast Response




- ▶ High Volume Low Speed (HVLS) Fans
 1. Maximum fan diameter 24 feet
 2. Fan Centered between four adjacent sprinklers
 3. Vertical clearance between fan & sprinkler 3 feet
 4. Fan interlocked to shut down upon alarm activation



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Early Suppression Fast Response



ESFR SPRINKLERS

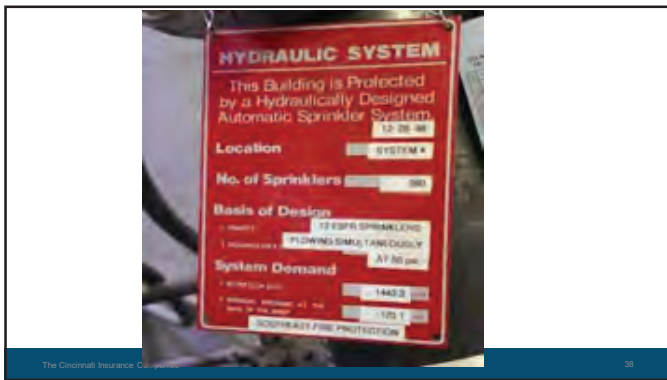
Q=K x VP

Q = Quantity of Water (GPM)
 K = K-Factor of Sprinkler Head
 P = Minimum Operating Pressure (PSI)

K-Factor	Minimum Operating Pressure	Quantity in GPM
14.0	50	99 GPM
16.8	35	99 GPM
22.4	25	112 GPM
25.2	15	98 GPM

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WAREHOUSE – ESFR SPRINKLERS

HYDRAULIC SYSTEM

This Building is Protected by a Hydraulically Designed Automatic Sprinkler System

Location: SYSTEM 4

No. of Sprinklers: 300

Basis of Design: 12 ESFR SPRINKLERS, FLOWING DRYS TANGUALLY, AT 88 psi

System Demand: 1440.0

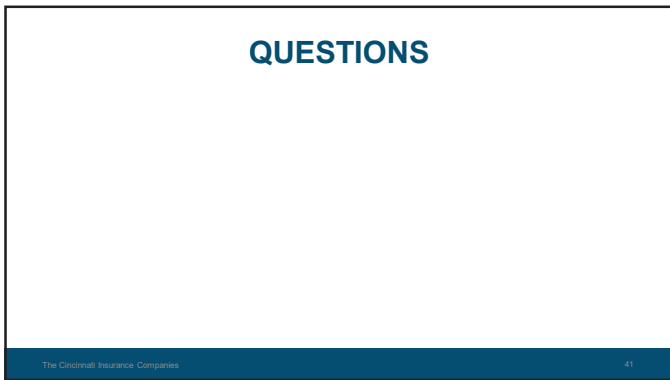


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Mark works with his clients to build strong worker safety policies, identify hazards, ensure compliance, and protect their operations and reputation.

More About Mark

Clients seek guidance on protecting their employees against every safety or health hazard in the workplace. They need help developing written policies to describe such hazards, training employees, and enforcing compliance with discipline for violations. Mark is the trusted advisor who can help them keep their employees safe.

Mark has been practicing occupational safety and health law with Seyfarth since 1974. He has represented clients across the country, as well as in US territories. His practice involves virtually every industry and has handled responses to a variety of workplace incidents, including catastrophic fires, explosions, and accidents.

Mark has represented clients in federal and state courts, on matters which have been landmark OSHA cases involving definitions of willful citations, search warrants, confined spaces, firefighting, heat illness, and others. He has also been invited to be a member of the industry associations that actually write industry safety standards, including the American National Standards Industry (ANSI) and the National Fire Protection Association (NFPA).

Mark believes flexibility and communication are key when developing healthy client relationships. He knows it is a service-oriented relationship, and with that in mind, takes the time to seek out a "report card" on his clients' satisfaction with the firm's services. If there are any problems, he promptly addresses them.

In Mark's 45 years at Seyfarth, the firm has gone from 43 attorneys and two offices to approximately 900 attorneys and an international firm. He enjoys the collegial relationships he experiences with partners and associates.

Education

- JD, DePaul University College of Law
DePaul University Law Journal case and comment editor
- BA, University of Notre Dame

Admissions

- Illinois

Courts

- US Supreme Court
- US Court of Appeals, Third Circuit
- US Court of Appeals, Fourth Circuit

- [US Court of Appeals, Seventh Circuit](#)
- [US Court of Appeals, Eleventh Circuit](#)
- [US Court of Claims](#)
- [US District Court, Northern District of Illinois](#)

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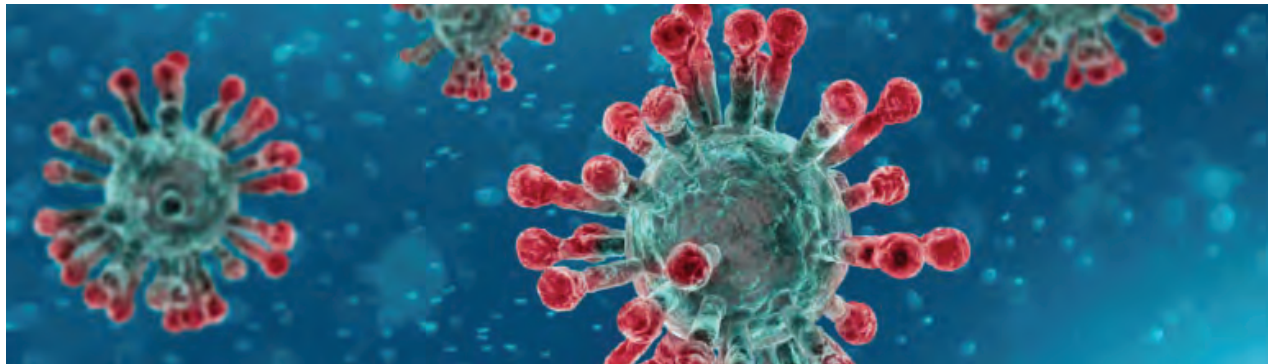
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Blogs

[Employment Law Lookout Blog](#)

Related Trends



Coronavirus (COVID-19)

Related News & Insights

BLOG POST Oct 11, 2021

Reverse Course! OSHA Again to Require Employers to Electronically Submit OSHA 300 Logs and 301 Reports

MEDIA MENTIONS Sep 29, 2021

Mark Lies and Adam Young quoted in Business Insurance

BLOG POST Sep 20, 2021

OSHA Publishes Heat Illness Inspection Guidance

ATTORNEY PUBLICATION Aug 6, 2021

Mark Lies and Adam Young authored an article in NATE Safety

Recognitions

RECOGNITION Dec 10, 2020

Clients Name Seyfarth Lawyers to 2020 BTI Client Service All-Star Team

RECOGNITION Mar 28, 2019

Clients Name Seyfarth Lawyers to 2019 BTI Client Service All-Star Team

Select Recognition

- Named to *BTI Client Service All-Stars* (2020)

Leadership & Professional Affiliations

- US Navy commissioned officer and Vietnam veteran, 1968-1974
- American National Standards Institute Z244 Committee, 1998-present
- Better Business Bureau of Chicago board of directors, 2005-present
- Illinois Safety Council board of directors, 2006-2009
- National Demolition Association adjunct matter, 2001-present
- National Fire Prevention Association adjunct member, 1992-present
- Union League Club of Chicago president, 2001-2002
- Village of LaGrange Board of Police and Fire Commissioners chair, 1998-present
- American National Standards Institute Workplace Violence Prevention Guidelines Committee, 2005-present
- American Society of Safety Engineers adjunct member, 2007-present

Publications

- Co-Author, "Cal/OSHA and Health Department Publish COVID-19 Guidance for Dine-In Restaurants," *Legal Update*, Seyfarth Shaw LLP (May 15, 2020).
- Co-Author, "COVID-19: Dealing With Workplace Face Mask Liability Issues," *Above Ground Level*, AGL Media Group (April 8, 2020).
- Co-Author, "New CDC Face Mask Guidance Raises Liability Issues," *Legal Update*, Seyfarth Shaw LLP (April 6, 2020).
- Co-Author, "Whistle While You Work: OSHA Whistleblower Liability Expands," *Above Ground Level*, AGL Media Group (February 11, 2020).
- "Active Shooter Response - Developing an Effective Policy," *Management Alert*, Seyfarth Shaw LLP (October 3, 2017).
- Co-Author, "After the Rain: Disaster Recovery and Employee Safety Following Hurricane Harvey," *Management Alert*, Seyfarth Shaw LLP (August 31, 2017).
- Co-Author, "Waning OSHA Administration Issues Massive Fall Protection Rule," *Tower Times* (February 2017)
- Co-Author, "Cell Phone at the Workplace: Managing the Hazards," *Tower Times* (December 2016)
- Co-Author, "Despite Lawsuit, OSHA Publishes Interpretation for New Workplace Injury and Illness Reporting Rule," *Management Alert*, Seyfarth Shaw LLP (November 4, 2016).
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- Contributing Editor, *BNA Occupational Safety and Health Guide* (1998)
- “Duty to Warn,” Illinois Association of Defense Trial Counsel First Quarter (1997)
- “Expert Witnesses; The Standards of Admissibility and the Standards Used in Testimony,” Illinois Association of Defense Trial Counsel First Quarter (1995)
- Contributing Author, “Emergency Response,” *Industrial Fire Chief Magazine* (January, 1992)

- “Complying with OSHA Regulations, Fire Safety and Emergency Response,” *University of Michigan*, (October, 1992)
- “Managing Occupational Safety and Health Law in the 1990s,” *Seyfarth Shaw publication* (1992)

Presentations

Mr. Lies is also a frequent speaker for various employers and professional associations, including:

- Federal Bureau of Investigation
- American Gas Association
- American Society of Safety Engineers
- Illinois Safety Council
- Chemical Industry Council of Illinois
- National Demolition Association
- Occupational Safety and Health Administration (OSHA)
- Outdoor Advertising Association of America
- American Petroleum Institute
- National Renderers Association
- Metropolitan Chicago Healthcare Council
- Food Marketing Institute
- Illinois Municipal League
- Associated General Contractors
- Chicagoland Construction Safety Council
- National Association of Tower Erectors

- Institute of Scrap Recycling Industries

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Adam concentrates his practice on the defense of OSHA inspections and citations.

More About Adam

Adam assists clients with whistleblower litigation, workplace safety counseling, regulatory counseling, OSHA litigation, and related commercial litigation. He has experience in all aspects of labor and employment counseling and litigation.

Adam is an accomplished trial lawyer and has successfully tried OSHA and other employment matters before federal and state courts. His trial work before Occupational Safety and Health Review Commission (OSHRC) judges has resulted in the vacating of OSHA citations and the creation of favorable case law for employers. He has also represented clients successfully at mediations and arbitrations. Adam has also argued before the Seventh Circuit Court of Appeals.

Adam's pro bono work includes representing the parents of abducted children in federal litigation under the Hague Convention on the Civil Aspects of International Child Abduction. The United States Department of State, Office of Children's Issues awarded him a Certificate of Appreciation for his work on behalf of pro bono clients. Adam was named Seyfarth Shaw's 2016 Pro Bono Associate of the Year.

Adam is proficient in Spanish.

Education

- JD, Washington University School of Law
Magna cum laude
Order of the Coif
- BA, University of Pennsylvania
Magna cum laude

Admissions

- Illinois
- Missouri

Courts

- US Court of Appeals, Seventh Circuit
- US District Court, Northern District of Illinois (Trial Bar)
- US District Court, Central District of Illinois
- US District Court, Southern District of Illinois
- US District Court, Eastern District of Missouri

- US District Court, Western District of Missouri

Related Services

Employment

Agency Investigations & Audits

Background Checking & Drug Testing

Post-Pandemic Recovery & Renewal

Whistleblower & Corporate Internal Investigations

Workplace Safety & Environmental

Related Key Industries

Cannabis

Construction

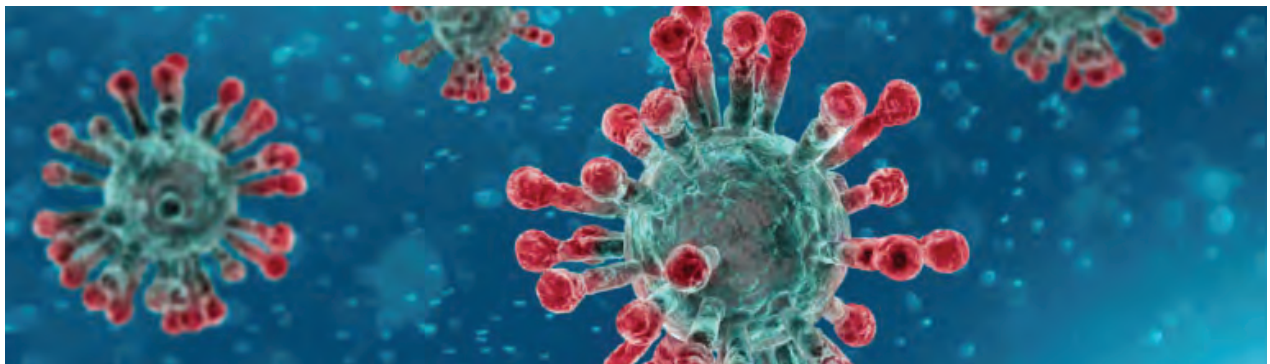
Retail, Wholesale & Distribution

Health Care, Life Sciences & Pharmaceuticals

Transportation & Logistics

Manufacturing

Related Trends



Coronavirus (COVID-19)

Related News & Insights

BLOG POST Oct 11, 2021

Reverse Course! OSHA Again to Require Employers to Electronically Submit OSHA 300 Logs and 301 Reports

MEDIA MENTIONS Sep 29, 2021

Mark Lies and Adam Young quoted in Business Insurance

BLOG POST Sep 28, 2021

California Senate Bill 606 to Beef Up Cal/OSHA Enforcement Authorities

BLOG POST Sep 20, 2021

OSHA Publishes Heat Illness Inspection Guidance

Recognitions

RECOGNITION Mar 31, 2021

Seyfarth Recognized as a Top Author in the 2021 JD Supra Readers' Choice Awards

RECOGNITION Aug 20, 2020

Seyfarth Attorneys Named in The Best Lawyers in America 2021

Select Recognition

- Received *JD Supra* Readers' Choice Award for Employer Liability Issues (2021)

- Recognized as a "Ones to Watch" lawyer by *Best Lawyers in America* (Woodward/White Inc.) for Litigation - Labor and Employment (2021)

Leadership & Professional Affiliations

- Chicago Bar Association

Publications

- Co-Author, "COVID-19 Issues Driving Increased OSHA Whistleblower Activity," *NATE Safety* (August 6, 2021).
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 **Seyfarth**

Drugs and Alcohol in the Workplace: Employer Challenges

Presented by:
Mark A. Lies, II
Adam R. Young

SWANA Webinar
November 10, 2020
Seyfarth Shaw LLP


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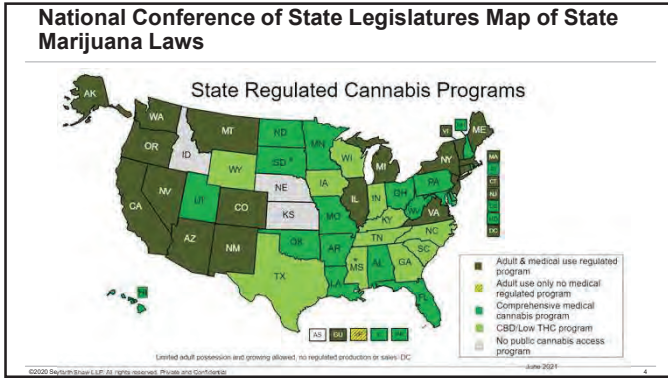
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Introduction

- Growing state legalization of medical and recreational marijuana and protections for employees who use
- Legalization of Recreational Marijuana in Illinois
- Marijuana remains illegal under federal law
- Litigation is growing, with recent employee-friendly trend
- Until SCOTUS rules or federal law changes (both of which seem unlikely in the short term), employers are in a precarious space

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Problems Caused in the Workplace By Drugs/Alcohol


- Accidents/Injuries
 - To himself/herself
 - To other employees
 - To members of the public
- Lack of Performance
 - Reduced or poor output
 - Increased workload on others
- Theft
- Increased liability to the Company
- Workplace violence

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Why Should a Company Test Its Applicants and Employees for Drugs and Alcohol?

- To comply with federal and state laws and regulations:
 - DOT
 - OSHA
 - State Statutes (“Safe Place to Work”)
- To take advantage of state laws that provide:
 - a Workers’ Compensation premium reduction to an employer that complies with its provisions
 - protection from liability in connection with an employer’s administration of its policy



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Basics of Drug Addiction

- Drug Addiction vs. Casual Use
- Physical Addiction (e.g. Opiate, Alcoholism) vs. Behavioral Addiction (e.g. shopping, tanning, working)
- The DSM-5 diagnostic criteria for addiction emphasizes continued use despite knowledge of adverse consequences.
 - Internal preoccupation and external consequences.
 - Tolerance and withdrawal are not sufficient or necessary
- Drug use caused by some combination of factors:
 - 1. Biological predisposition
 - 2. Psychological predisposition
 - 3. Social causes
 - 4. Physiological change to brain caused by drug use

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Drug and Alcohol Addiction in the US, By the Numbers

- Smoking 50 million
- Vaping 9 million
- Alcohol 15.1 million
- Marijuana 7 million
- Opioids 4.8 million
 - 80% of heroin users previously used prescription opiates.

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Drug and Alcohol Use in the US Workforce, by the Numbers

- Approximately one in 13 working adults has an alcohol use disorder
- Among working adults, nearly 2% were dependent on marijuana.
- Workers in construction and extraction experience the highest rates of substance use disorders, with 15.6% of employees on average living with a substance use disorder.
- Highest rate of prescription pain medication disorders were among people in the services sector.



<https://www.nsc.org/work-safety/safety-topical/drugs-at-work/substances>

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Why an Employer Should Test for Drugs and Alcohol?

- To provide a safe, healthful and productive work environment for its employees, and to protect members of the public from hazards that may arise as its employees work on the employer’s premises, in the field, or on premises other than those owned by the employer:
 - Society/community standards
 - Workplace violence
 - Industry standards
 - Employer culture
 - In response to an incident or a pattern of alcohol misuse or illegal drug use by employees
- Contractual obligation



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Safety Sensitive Jobs

- OSHA – duty to maintain a safe workplace.
- Many job duties are “safety sensitive”, e.g., operating forklifts, working around conveyors, material handling equipment, operating saws or other energized equipment, use of hazardous materials.
- Marijuana, alcohol, and other drug usage can impair employee cognitive awareness of hazards, affect coordination, employee compliance with safety and health policies and procedures.
- National Safety Council recommends a zero tolerance policy for employees working in safety-sensitive positions.

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Types of Drug and Alcohol Testing

- Procedure of drug testing
 - Initial test
 - Confirmation cut-off
 - THC Blood Levels Available in ng/mL
 - Medical Review Officer (MRO)

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Types of Drug and Alcohol Testing

- Types of Drug and Alcohol Testing
- Pre-employment testing:
 - Generally, pre-employment drug testing of applicants is lawful. In those states in which such testing is regulated, it is typically limited to those applicants who have been made conditional offers of employment.
 - With respect to pre-employment alcohol testing, there are practical and legal (under the Americans with Disabilities Act and some state laws) reasons against conducting such testing.

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Types of Drug and Alcohol Testing

- Reasonable cause testing:
 - Employers who have reasonable suspicion, based on specific, contemporaneous objective and articulable facts concerning an employee's appearance, behavior, speech or body odors, that an employee is using alcohol and/or drugs or is under the influence of alcohol and/or drugs, may require the employee to submit to drug and/or alcohol testing.



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Types of Drug and Alcohol Testing

- Post-accident testing:
 - An employer may generally subject employees to post-accident testing.
 - The employer has reasonable suspicion to believe that the employee was under the influence of drugs and/or alcohol at the time of the accident.
 - If the accident involves injury, the employer has a reasonable belief that drugs were a causative factor.

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Types of Drug and Alcohol Testing

- Random Testing:
 - Random testing (periodic, suspicion-less testing in which employees are selected without advance notice).
 - Employees can be subject to random drug and/or alcohol testing under some policies.
 - Policy usually defines percentage of
 - workforce subject random testing
 - during defined period of time and
 - selection process (all employees subject to selection)



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Types of Drug and Alcohol Testing

- Return-to-duty, rehabilitation, and follow-up testing:
 - Generally, an employee can be subjected to return-to-duty, rehabilitation, and follow-up testing after he/she tested positive and remains employed by an employer.
 - Most common if employee previously violated a policy.



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OSHA's 2018 Clarification

- Most instances of workplace drug testing are permissible, including:
 - Random testing;
 - Testing unrelated to the reporting of a work-related injury or illness;
 - Testing under a state workers' compensation law;
 - Testing under other federal law
 - Testing to evaluate the root cause of a workplace incident that harmed or could have harmed employees.
 - Test all employees whose conduct could have contributed to the incident, not just employees who reported injuries

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Occupational Safety and Health Considerations

- Some employers also conduct post accident drug screen for "near miss" incidents where there could have been employee injury
- Drug test results or toxicology report may indicate impairment to degree that it may provide a defense to citation that employee failed to comply with employer's safety and health policies

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Illinois Cannabis Regulation and Tax Act

- Effective January 1, 2020, individuals 21 years of age and older may possess cannabis, THC-infused products, and concentrate.
- Employment provisions:
 - The Act permits "reasonable zero tolerance or drug free workplace policies, or employment policies concerning drug testing, smoking, consumption, storage, or use of cannabis in the workplace or while on call provided that the policy is applied in a nondiscriminatory manner."
 - Employers may proscribe employees from being under the influence of or using cannabis in the employer's workplace or while on call.
 - Employers have the right to discipline or terminate an employee who violates the employer's workplace drug policy.

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Illinois Cannabis Regulation and Tax Act

- Nothing in this Act shall be construed to create or imply a cause of action for any person against an employer for:
 - (1) actions taken pursuant to an employer's reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, and discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test.

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Remaining Employer Liabilities in Illinois

- Act prohibits discrimination against an employee who uses "lawful products off the premises of the employer during nonworking and non-call hours."
 - Potential liability for discrimination solely based on lawful use of marijuana
- "Good Faith" language means potential lawsuits for adverse employment actions based on drug testing results
- "If an employer elects to discipline an employee on the basis that the employee is under the influence or impaired by cannabis, the employer must afford the employee a reasonable opportunity to contest the basis of the determination."

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Americans with Disabilities Act (ADA)

- Title I ADA specifically permits employers to ensure that the workplace is free from the illegal use of drugs and the use of alcohol
- Generally speaking, employer may prohibit use, impairment, possession, of alcohol and drugs, as well as paraphernalia in the workplace under federal and state law
- An employer may discharge or deny employment to persons who currently engaged in the illegal use of drugs, or are under the influence of alcohol.



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What is a disability?

- ADA protects employees with mental and physical disabilities -- including depression, alcoholism, and drug addiction
- Current users of illegal drugs are not protected under the ADA
- Casual users of illegal drugs and alcohol are not protected under the ADA
 - What is a "casual" narcotic user? In order for a person to be "substantially limited" in a major life activity because of drug use, they must be addicted to the drug
- Limited protection from discrimination for:
 - recovering drug abusers and for alcoholics
 - employees who have been *successfully rehabilitated* and who are no longer engaged in the illegal use of drugs or inappropriate use of legal drugs or alcohol
 - employees who *are currently participating in a rehabilitation program* and are no longer engaging in the illegal use of drugs or the inappropriate use of legal drugs or alcohol
 - employees who are erroneously *regarded as* illegally using drugs or abusing alcohol

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Prohibitions under the ADA

- Under the ADA, an employer may not...
 - Discriminate against a person because of their history of drug addiction (when they have been rehabilitated and are not currently using drugs).
 - Discriminate against a person because their attendance at Alcoholics Anonymous or Narcotics Anonymous meetings, or similar.
 - Hold recovering drug addicts or alcoholics to a higher standard for performance or attendance.

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Medical Inquiries Under the ADA

- Medical inquiries must be **job related and consistent with business necessity**.
- ADA violation to do a medical inquiry into personal history of mental health problems or addictions/alcoholism
- Not an ADA violation for an employer to do drug testing for the illegal use of drugs and alcohol
 - reasonable suspicion testing
 - post-accident testing
 - return to duty testing

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Interactive Process and Accommodations Under the ADA

- If the employer knows of a disability, the employer must engage in the **interactive process**.
- If a recovering drug addict is not currently illegally using drugs (or abusing legal drugs or alcohol), then he or she may be entitled to **reasonable accommodation**.
- Reasonable accommodations may include a modified work schedule so the employee could attend Narcotics Anonymous meetings or a leave of absence so the employee could seek treatment.
- No duty to accommodate by permitting drug or alcohol impairment at work.

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Discipline and Discharge for Drug-Related Behaviors

- Right to discharge and discipline employees for violations of Company rules, misconduct, insubordination.
- Drug and alcohol policies are core safety rules that must be enforced.
- Employer does not, as a reasonable accommodation, have to forgive misconduct because the misconduct resulted from alcoholism.
- Courts routinely hold that employees cannot blame misconduct on alcoholism or drug addiction
 - Employer could lawfully terminate employee for coming to work drunk. *Renaud v. Wyoming Department of Family Services*
 - Employer could lawfully terminate employee after third drunk driving arrest. *Labrucherie v. Regents of the University of California*

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Direct Threat under the ADA

- ADA creates an exception protecting employers who take an adverse employment action against a disabled employee who poses a **direct threat**.
- A direct threat is defined as a significant risk of substantial harm to the health or safety of that employee or others, which cannot be eliminated or reduced by a reasonable accommodation.
- This defense is intended to shield employers who must take an employee's disability into account in order to protect employees from significant danger.
- an employer may have to accommodate a disruptive employee with a mental or emotional disability until such employee engages in conduct which renders the employer "unqualified" to continue to perform the job or which poses a "direct threat" to the safety or health of the employee himself or to other employees

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How Employers Are Approaching The Drug Issue in 2020 and Beyond

1. Continue to reject alcohol, drug, and marijuana use in reliance on federal illegality, particularly federal contractors/grantees and those with safety-sensitive/dangerous positions
2. Pre-employment and return-to-duty testing on case by case basis
3. Post-accident testing following of all whose impairment could have contributed
4. Post-accident testing extended to near misses
5. Medical Marijuana -- Case-by-case, reasonable accommodation analysis with interactive process
6. Ceasing testing for marijuana entirely
7. Alcohol and cannabis bar at the workplace
8. Employee assistance programs (EAPs)


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Typical Limitations on Marijuana

- No use on-site or on duty
- No possession on-site or on duty
- No impairment on site or on duty
- Employer need not tolerate use, if doing so would violate federal law or cause employer to lose a monetary or licensing-related benefit under federal law



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Case Law: Typical Employer Defenses

- Controlled Substances Act (CSA) makes marijuana illegal and preempts state medical marijuana law
- Drug Free Workplace Act (DFWA) applies to federal contractors and requires a drug-free workplace
- Americans with Disabilities Act does not protect individuals "currently engaging in the illegal use of drugs"
- No private right of action under recreational and medical marijuana law
- Medical marijuana law permits zero tolerance policy

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Where Will Future Litigation and Legislation Go?

- Change to federal law?
- Current SCOTUS is conservative
 - Might find preemption due to anti-drug, pro-employer leaning
 - But could consider preemption federal overreach and punt to states
- If trend continues, more employee-friendly decisions anticipated
 - One court in CT even granted summary judgment against an employer for violating the state medical marijuana law
- Trend has been for more states to pass medical and recreational marijuana laws
- More states may also enact or add employment protections for users

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Defining Workplace Violence

- "Violence" means the attempted, threatened, or actual conduct that causes and/or is likely to cause injury, including any threatening statement or behavior which gives an employee reasonable cause to believe that he/she or other worker is at risk of injury.
- Type I Individual with no connection to workplace commits a crime.
- Type II A violent act by an individual directed to an employee at the workplace by customer/client.
- Type III Violent act by a current/former employee directed at another employee.
- Type IV Violent act at the workplace by another person who has a relationship with an employee.

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Statistics on Workplace Violence

- Employers spend \$4.2 Billion/year due to workplace violence.
- Most common type of workplace victimization is simple assault.
- Of the 5,147 fatal workplace injuries that occurred in the United States in 2017, 458 were cases of intentional injury by another person (about 9%).
- Estimated 6,000 reported rapes and sexual assaults occur in the workplace per year.
- Domestic violence is the 3rd leading source of conflict leading to death in the workplace.

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Legal Duties to Address Workplace Violence

- Title VII Civil Rights Act
 - Prevention of Workplace Harassment which may lead to violence
- OSHA
 - Safe Work Environment
- Common Law
 - Negligent Hiring, Negligent Retention, Negligent Supervision, Negligent Training, etc.
- Workers' Compensation

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Legal Limitations

- Americans With Disabilities Act
 - Disability v. Behavior
 - Pre-Employment Inquiries
 - Reasonable Accommodation
- Background Checks
 - Employee Privacy and Fair Credit Reporting Acts
- Defamation, False Light, Wrongful Termination

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Preventing Workplace Violence

- Zero-tolerance policy for violence and threats of violence
- Workplace Violence Prevention Plan
 - Engineering controls
- Emergency Action Plan
- Training

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Adoption of Formal Workplace Violence Policy

- Statement of organization's commitment to protecting employees
- Zero tolerance
- Means and methods to notify the employer of perceived or actual threats
- Establish a means to investigate promptly
- Examples of prohibited conduct
- No weapons on premises
- All organization facilities subject to search
- Cooperation of supervisors, managers and all employees
- Mandatory safety concern reporting, hotline

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Workplace Violence: Potential Problem Sources

- Mishandled Termination or Discipline
- Disgruntled Former Spouses or Significant Others
- Guns, Alcohol, Drugs on work site
- Retaliation by "Accused"
- Inadequately Trained or Overzealous Security Personnel

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Workplace Violence and Emergency Action Plans

- OSHA Requires Emergency Action Plan to Respond to Workplace Emergencies, Such as Fires, Severe Weather (29 CFR 1910.38)
 - Training of Employees in How to Evacuate
 - Identify Who is in Charge of Plan
 - Means of Notifying Employees (Alarms, Public Address)
 - Identify Employees Critical Jobs

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Q&A



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Tim Pottorff
QP3 ErgoSystems

BIO:

Tim Pottorff is a Certified Industrial Ergonomist (CIE) with B.S. and M.Sc. degrees in Industrial Engineering, plus he has earned the Associate in Risk Management (ARM) designation. He has worked in professional roles with companies such as United Parcel Service (internship), Texas Instruments, The Aluminum Company of America, and Zurich Services Corporation. He founded QP3 ErgoSystems in 2017, a full-service Ergonomics and EH&S consulting company.

During his long career he has worked with thousands of leading companies around the world to improve their operations and business metrics via customized ergonomics assessments, project design reviews, and ergonomics courses ranging from employee awareness to full-length in-depth courses for design engineers and ergonomics teams.

Tim has authored numerous articles for publications such as Industrial & Systems Engineering Magazine and presents various technical ergonomics topics at local, regional and national Ergonomics and Safety conferences.

Synopsis:

“What’s Going on With Ergonomics?” is a wide-ranging talk from a leading Ergonomist about current trends and issues in the Science of Ergonomics such as Exoskeletons, Sit/Stand Workstations, the battle between Employee Capacity and Job Demands, as well as what to keep an eye out for, such as ISO45001, and Artificial Intelligence/Machine Learning.

The talk will also touch on ergonomics issues created by the COVID-19 Pandemic, including the rush to “work at home” for two weeks, “to flatten the curve,” and the resulting impact on employee health and safety.



What's Going on With Ergonomics?!
Tim Pottorff, MSc, CIE, ARM



Timothy A. Pottorff, MSIE, CIE, ARM

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Numerous articles & conference speaking roles

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Interesting Clients

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Tesla, Ford, Honda Sequencing, Boars Head

Jet Propulsion Lab, Honeywell, Materion, Intrepid Potash

Apple, eBay, PayPal, Kwik Trip, Fannie May, Hostess

Major law firms across the US & HVAC component manufacturing

Alaska Native Corporations, Lufthansa & other major Air Cargo Ops

Omni Hotels, Four Seasons, Lely Resort, Innisbrook Resort

Major hospitality management companies

Fun Facts

“Kidnapped”
in San Mateo

Counted bugs
one summer!



What's Going on With Ergonomics?



GLOBAL
COMPETITION



ERGONOMICS
STANDARDS



SITTING AND
STANDING



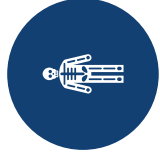
EXOSKELETONS



PUSHING &
PULLING



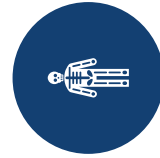
MANAGEMENT
SYSTEMS



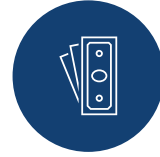
PREVENTION
THROUGH DESIGN
(PTD)



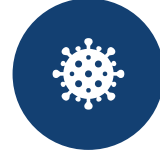
CAPACITY VERSUS
DEMANDS



ROBOTICS



SUCCESSING VIA
BUSINESS METRICS



COVID-19 &
ERGONOMICS

Tipping Points



Magnitude of Days Away MSDs

40%

frequency

40%

severity





Financial Impact

Average case \$25,000

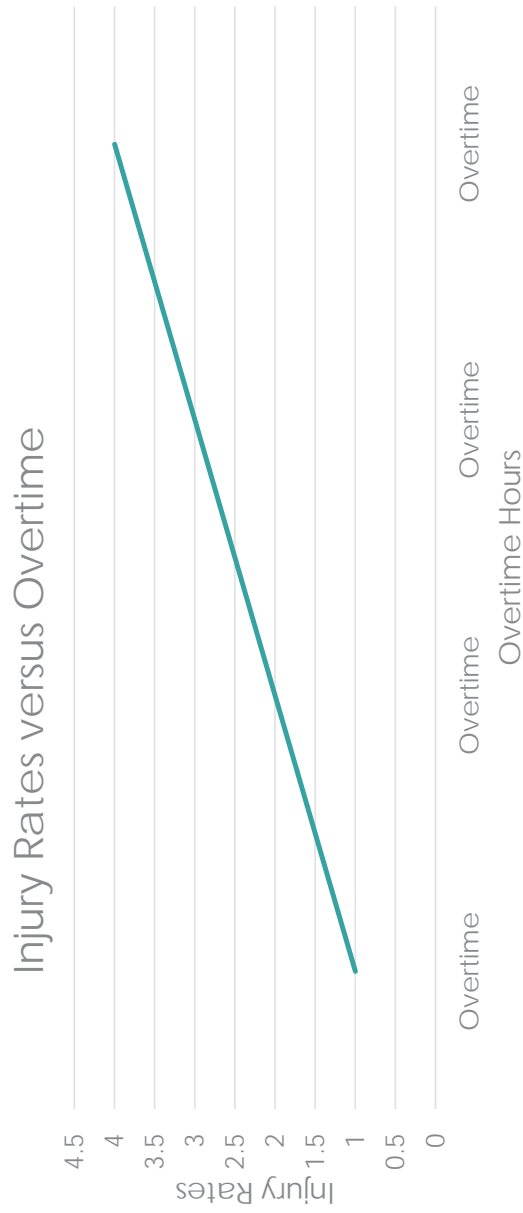
Deductibles \$250,000+

Profit margin?

- How many more sales are required?
- Production Impact?
- Overtime

The Impact of Overtime

- Working too many hours without rest or a break
- Frequent overtime
- Second job





Competition-- Who's Trying to Steal My Easter Bunny?

Who competes?

Reported fatalities

- US
- Other nations

International Fatality Comparisons

U.S.

- 5.5/100,000 fatality rate

Europe

- 2.2-7.5/100,000

Latin America

- 13/100,000 rate

China

- 11/100,000 fatality rate reported
- National requirements—enforced locally
- Pseudonyms
- 3-years
- 40%

India

- Same number of 2016 fatalities reported as Czech Republic

US (Ergo) Requirements

Federal OSHA

- General duty clause—must address hazards

California:

- IIPP--conduct claims-related assessments
- Ergonomics Program Standard-general industry
- Seating Standard
- Hotel Housekeeper MIPP Standard-annual requirements

Maine

- VDT training

Ohio & Washington

- Patient handling requirements

New Hampshire

- “Shall evaluate all incidences of ergonomically related injuries”



What is a “Recognized Hazard?”

Section 5(a)(1) of the OSH Act,

“Each employer --shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;

(2)shall comply with occupational safety and health standards promulgated under this Act.”

Cal/OSHA IIPP Requirements (includes ergonomics)

- Hazard Assessment
- Accident/exposure investigation
- Hazard correction



Ca/OSHA IIPP

Requires assessment

- When pain, discomfort or injuries are reported
- Industrial
- Work at home



1994 Cal/OSHA Ergonomics Standard for General Industry

Two similar soft tissue injuries

Medically diagnosed

Within 12-months

Doing same/similar tasks

Obligations

- Task assessments
- Elimination/reduction of risk factors
- Employee training

2000 Federal Ergonomics Standard

Identified Risk Factors

Required to address risks

RWD compensation at 100% of pre-injury compensation

- Up to 180-days

LWD compensation at higher levels than previously allowed

2018 Cal/OSHA Hotel Housekeeper MIPP Standard

Occupationally-directed

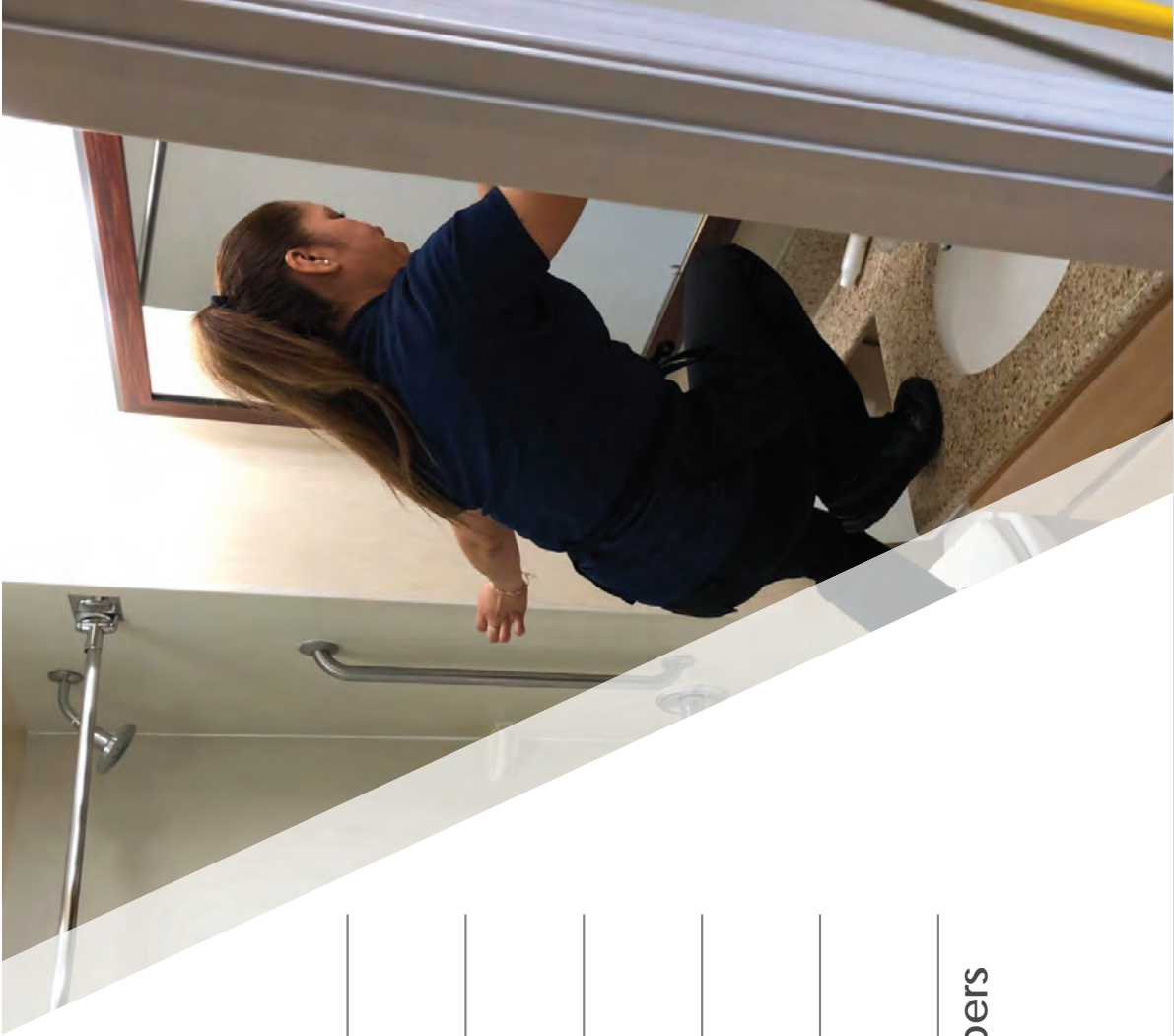
Annual assessments

Annual training

Written program

Make improvements

Records available to State, Union, Housekeepers



What May Happen With US Ergo Regs

2001 Federal Rescission Legislation

- “Substantially Different”

Occupationally-focused Standards

- “Substantially Different”

Current Administration Focus

- “General Duty Clause”

California Suitable Seating Standard

All employees must be provided with “**suitable seats** when the nature of the work reasonably permits a seat.”

When work requires standing, “an adequate number of seats must be placed **in reasonable proximity** to the work area.”

(Even workers who do not have a disability or who do not make a request will be permitted to take legal action against a California employer.)



Issues Arising from Suitable Seating Non- Compliance

- Monetary penalties
- Class action lawsuits
- Mandatory changes to company policies
- Compliance with Wage Orders
- Personal injury lawsuits by employees



International Ergo Regulations

EU Directive 90/270/EEC - display screen equipment

UK Health and Safety (Display Screen Equipment) Regulations 1992 & 2002

HK CAP 509 Occupational Safety and Health (Display Screen Equipment) Regulation, 2002

Canada Part XIX of Regulations entitled Hazard Prevention Program

Mexico NOM 036

Select International Requirements

Brazil

- Assess EACH workstation
- Gender & age specific MMH requirements

Mexico—all companies

- Must assess EACH workstation
- Ergonomics risk factors
- Material handling requirement

UK

- Comprehensive Standards & Requirements
- Display screens
- Material handling

EU

- Hazard Assessments of jobs
- Ergonomics
- Safety/Machine Guarding
- IH



Employers are obliged to perform an analysis of workstations

- **Vision/displays**
- **Physical problems**
- **Problems of mental stress (workload)**

Every employer shall perform a suitable and sufficient analysis of workstations

- Any workstation, even personal ones used for company business
- Assess safety risks
- Reduce risks “to the lowest extent reasonably practicable”
- Provide training

Perform risk assessment of a workstation in the workplace before it is first used by users

Review the risk assessment whenever there has been a significant change

- Workstation furniture;
- Hardware devices particularly the screen, keyboard or other input devices
- Working environment

Retain records of all risk assessments for 2 years after the workstation ceases to be used by any user.

Produce risk assessment records for inspection by an occupational safety officer upon request

Provide training to employees

Employers are responsible for the prevention of ergonomics-related hazards AND

- Implementation plan
- Hazard identification and assessment methodology
- Hazard identification and assessment
- Preventive measures
- Employee education
- Program evaluation

Perform analyses & tests to prevent ergonomics risks (assessments)

Adopt prevention measure to reduce/eliminate/prevent ergonomic risk factors (implement improvements)

Perform health surveillance of employees

Notify employees of potential physical risks

Train employees in safe work practices & procedures

GLOBAL ERGONOMICS REQUIREMENTS

NATION/PROV/ST	RISK ASSESSMENTS & IMPROVEMENTS	TRAINING	GENERAL DUTY
United States	No	No	Yes
California	Yes—JIPP if reported issues	Yes	Yes
New Hampshire	Yes—if injuries/claims	Yes—VDT	Yes
Maine		Yes—VDT	Yes
Canada		No	No (by Province)
British Columbia	Yes (VDT)	Yes (VDT)	Yes (VDT)
Manitoba	If aware of risk factors	Yes	
Newfoundland	Must address MSDs		
United Kingdom	Yes (VDT)	Yes (VDT)	Yes
European Union	Yes (all jobs)	No	Yes
Japan			MMH Requirement
Mexico	Yes (all jobs)		Yes
Argentina			Yes
Chile	Yes		Yes
China			Yes
India			Yes (Manufacturing)
South Korea	Yes		
Malaysia	VDT Guidelines		Yes
New Zealand			Yes
Philippines		Yes	Yes
Thailand			Yes
Vietnam			Yes
Russia	Yes (VDT)		Yes
Saudi Arabia			Yes
Singapore	Yes		Yes
South Africa			Yes
Switzerland			Yes
Taiwan			Yes
Australia			No (by Province)
New South Wales			Yes
Queensland			Yes
South Australia			Yes
Tasmania			Yes
Victoria			Yes (MMH)
Western Australia			Yes (MMH)

Successful meeting layouts

WFH



Successful Meetings

Oval tables

- Less confrontation

Meeting room capacity

- Decreased with physical distancing

Working from Home (WFH)

Find a dedicated space

Practice good ergonomics

- Don't lean forward
- Separate keyboard/mouse
- Right monitor height
- Good chair
- Good desk

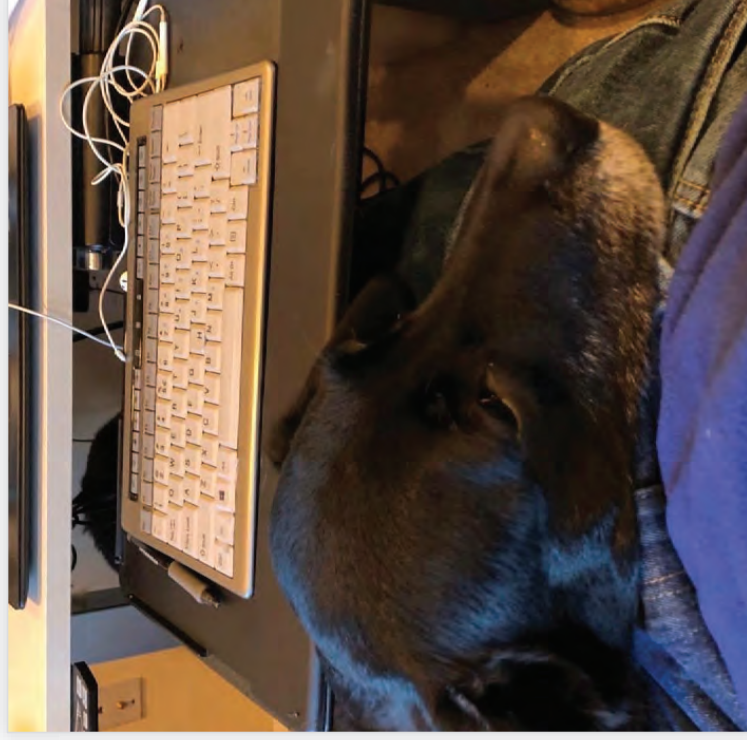
Take periodic breaks & stretch

Avoid distractions from "other screens"

Protect kids & pets

WFH injuries ARE work-related

Video assessments are effective



Long Term

72% of employees prefer WFH 2+ days/week (PWC)

55% of executives expect more WFH (PWC)

50% of executives expected September 2020 return (CNBC)

Google: WFH until January 2022

Fewer "assigned" desks

More "hoteling"



Employer Responsibilities

WFH injuries are work-related

Provide a workplace free of recognized hazards

- OSHA General Duty Clause

Provide appropriate tools & equipment

- Desk/chair
- Accessories

Conduct assessments (video okay)

Make improvements



Corporate WFH Strategies

Equipment

- Desks/chairs
- Accessories

WFH Ergonomics Training

- Live webinars with feedback
- LMS based/on-demand

Employee Assessments

- Proactive
- Reactive
- Senior Staff



Exoskeletons

Ergo-X

Challenges

Successful uses of Exo's

Can Exo's prevent injury?



Key Points about Exo's

Not sure about effect on metabolic demands

"Fit" is complex

Exo's take "getting used to"

Exo's should be compatible with off-the-shelf PPE, tools & equipment

Medical Exo's more promising

Challenges with Exoskeletons

Will employees over-estimate abilities?

Will employees over-rely on Exo's?

Will physical stresses be transferred elsewhere?

Will muscles atrophy?

Successful Uses of Exoskeletons

Space suits

Artificial limbs

Helping people with loss
of muscle use/control



Can Exoskeletons Prevent Injury?

WE DO NOT KNOW

Have to be careful

Research going on NOW!

Push/Pull Guidelines

Stover Snook
(1978 & 1991)

Ohio State
(2017)



Comparison of Push/Pull

Task (protect 90%)	Snook (Separate Male/Female)	Ohio State (Male/Female Combined)
Push at 37 (S) / 40 (O) inches high	72.6-lbs (every 5 minutes) (Males)	48.8-lbs; 21-lbs turning (All)
Pull at 37 (S) / 40 (O) inches high	70.4-lbs	58.5-lbs; 19.6-lbs turning (all)

Management Systems



ISO 45001

What is ISO 45001?

Recognized safety management system

Leadership & culture

Participation & consultation

Risk identification

Design & development (PtD)

Prevention through Design (PtD)

What it is

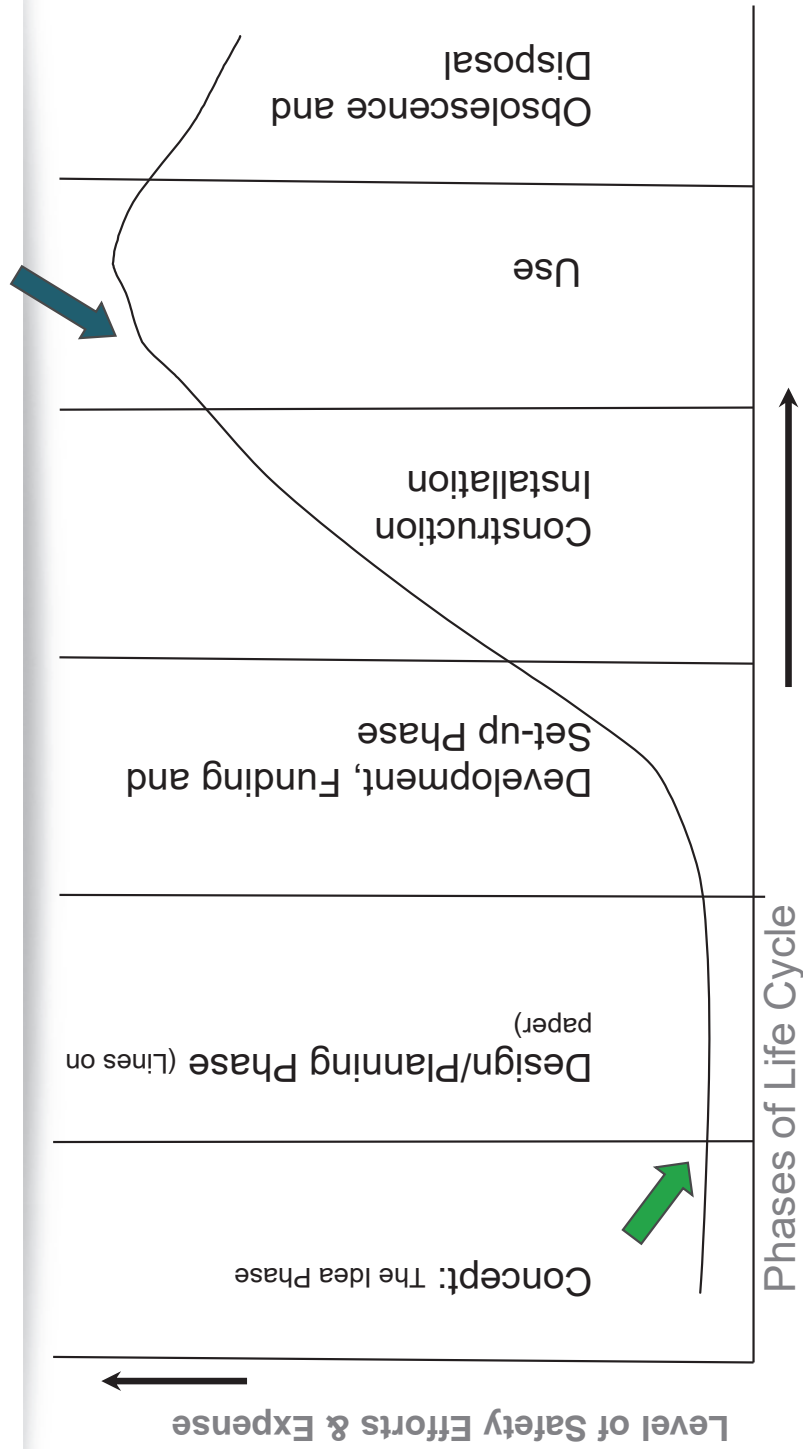
How does it affect me?

How do we do PtD?

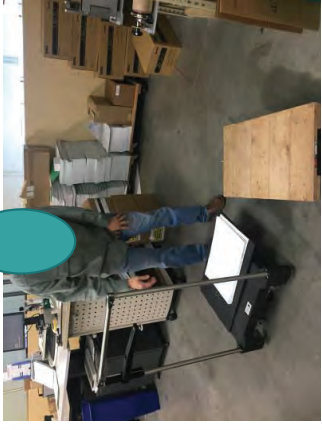
What is PtD?

Prevention through Design

SYSTEM LIFE CYCLE



What Does (PtD) Do?



Skips “administrative” controls

- Stretching
- Lifting training

Focus on design & development phase

- Processes
- Equipment
- Material/People flow



How Does PtD Affect Me?

Looks long-term

- Reduces variability
- Process control (Remember ISO 9001?)
 - Making pizza!

Increases successful outcomes

How Do We Do PtD?

Training of engineers
designing/spec'ing out equipment &
processes

Formal ergonomics assessments of
projects

- Not just a " cursory" look
- Before equipment ordered
- Before construction

Training cross-functional teams



Capacity vs. Demands

Strategies for success

Employee capacity

Job demands

Conflict

Strategies for Success

Two Schools of Ergo thought

- Demands
- Capacity

ISO 45001

Prevention through Design (PtD)

Employee Capacity

Administrative

Focus on the body

Stretching

PT

“Proper lifting training”

Not good for long term success alone



Job Demands

Focus on process

Focus on interaction with equipment, materials, etc.

Long term option

Best approach for long term success



Conflict?

Schools of thought often clash

- Demands
- Capacity

There's a place for both...not always mutually exclusive

But...

Addressing demands of the task (PtD)

- **More effective long term**
- **More control over process**

Massive growth in Machine Learning since 2012

- Graphical processing
- Cloud storage
- “Big Data”

Human visual error rates are
greater than algorithms

- (Dr. John Howard, PhD, Director of NIOSH)

Good Uses for AI/Robotics

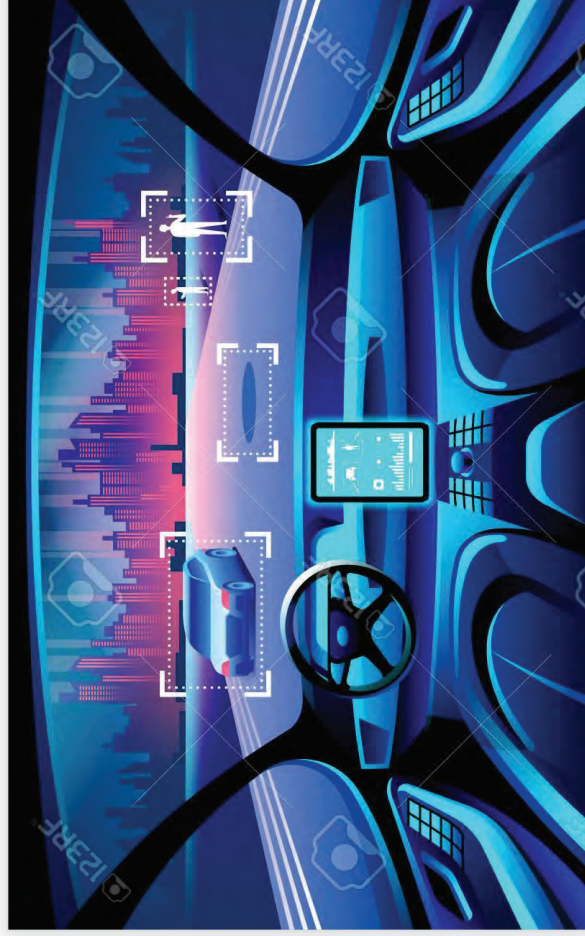
Routine/boring tasks

Patterns

Dangerous tasks

Managerial

Lower operational costs



Succeeding with Business Metrics

Important things get measured

How do improvements affect important things?

This is how we compete!

Aerospace Assembly Example (Assessment)



Manual Trimming (Team of Six)

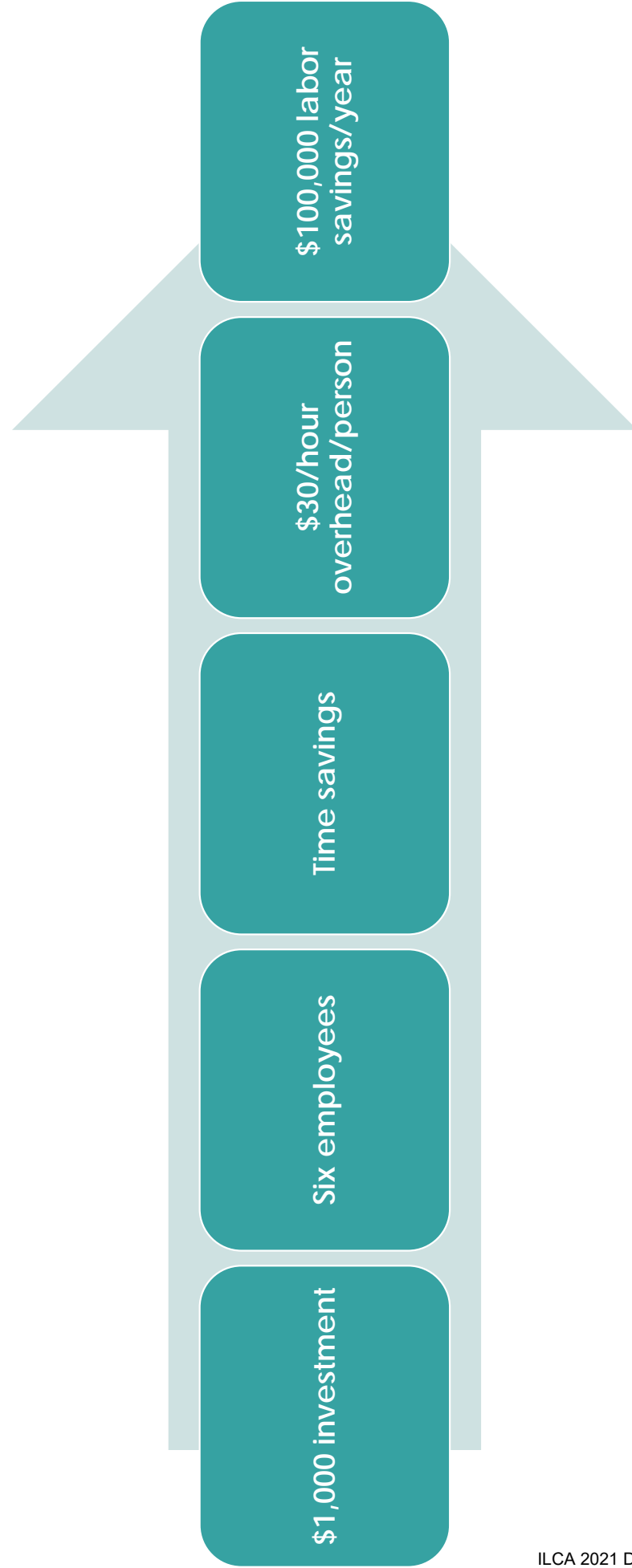
200,000 “parts” per year

Issues

- Posture
- Safety latch
- Time (bottleneck)
- Handedness



Mechanical Trimming



Inbound Fulfillment/Distribution (Assessment)

Hand-held scanning

- Ten employees
- Bottleneck
- Awkward postures

Changed scanner

- 10% productivity gain
- Better postures

Ergonomics in the Age of Covid-19

Physical distancing versus Anthropometrics

Housekeeping ergonomics

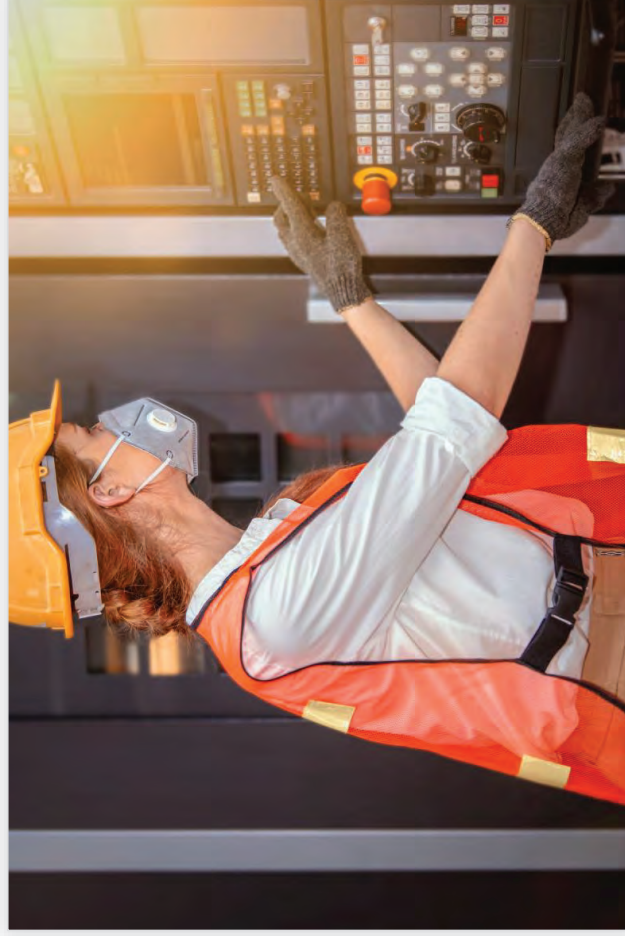
Return to Work strategies after furlough/layoff?

Physical job demands analyses (PJDs) for modified jobs/tasks?

Do face coverings have ties or ear loops?

- Cartilage of the ears (soft tissues)

Work-from-Home injuries & illnesses ARE work-related



What's Going on With Ergonomics?

Quite a bit!

About Us

Nationwide team/Vendor partner to Carriers

Property, Environmental, GL Assessments & Training

Casualty (Ergonomics, Safety, IH)

All Industries

- Manufacturing
- Real estate & facilities management
- Transportation & Distribution
- Chem/Pharm
- Professional services
- Hospitality
- Etc.

Focus on business metrics

Virtual assessments (all industries)



Next Talk:

Ergonomics Best
Practices During the
COVID-19 Pandemic

September 20, 2021

[Register on LinkedIn](#)



Have a Great Day!



LinkedIn: Timothy Pottorff

Phone (847) 921-3113

t.pottorff@qp3ergosystems.com



Biography



**Christopher
Garrabrant, Ph.D.**

AVP, Senior Principal Risk
Engineer

The Zurich Services
Corporation

Risk Engineering

Christopher is the technical manager responsible for managing and mentoring technical staff, and supporting underwriting, risk engineering and global staff regarding technical and strategic issues for General Liability, Product Liability, and Large Losses.

Career history:

The Zurich Services Corporation

AVP, Senior Principal Risk Engineer ZRS Technical Center, 2020 – Present

AVP, Senior Large Loss Analyst, 2016 – 2020

Senior Risk Engineering Consultant, 2006 – 2016

North Central College, Naperville, IL

Graduate Studies Adjunct Faculty, 2011 – Present

Course 506.1 - Ethics in Context, Graduate Student Research Thesis Advisor

NATLSCO Risk and Safety Services, Inc. (a Bureau Veritas Company)

Manager Technical Support, 2005 – 2006

Technical research of OSHA, NFPA and ANSI Standards for field engineers.

Sears Holdings Corporation

National Manager Safety and Health, 2001 – 2005

Responsible for the development, implementation of core safety programs

Montgomery Ward, LLC

National Safety Manager, 1993 – 2001

Responsible for the development, implementation of core safety programs.

Wetterau Inc.

Director of Safety and Health, 1991 – 1993

Responsible for the development, implementation of core safety programs

Education:

- Doctorate - Organization Development, Benedictine University
- Master of Arts – Liberal Studies, North Central College
- Bachelor of Arts – Organizational Communication, North Central College

Professional affiliations, designations and awards:

- American Society of Safety Engineers (professional member)

October 2021

BIOGRAPHY

Joseph Crimmins, the Founder and President of *Serve and Protect Law LLC*[™], is a retired Police Detective Sergeant with 30 years of experience in criminal investigations and emergency preparedness. Joe played a large part in creating and developing Active Threat Lockdown, Evacuation, and Crisis training for many school districts in the Northwest Suburbs of Chicago. He has conducted hundreds of Active Threat trainings for schools, hospitals, and large commercial buildings, as well as Infant Abduction training for hospitals.

Joe conducts facility risk assessments for commercial buildings, develops policy, procedure and training on topics including workplace violence, severe weather response, and how to de-escalate and manage irate customers, specifically those that challenge covid mask policies. Joe also instructs the state mandated sex harassment prevention training that is required of every business in Illinois.

While working as a police officer, Joe attended law school and graduated from John Marshall Law School in Chicago in 2000.

Joe's contact information: Joe@ServeandProtectLaw.com www.ServeandProtectLaw.com
847-691-1665.



Serve and Protect™

October 2021

Insurance Loss Control Association

Title of Presentation: The Power of Yes - Using Verbal Skills to De-Escalate an Irate Customer.

Summary

For our employees that are interacting with customers in-person, the stress they feel in the workplace is at an all-time high. They are dealing with their own issues regarding life in a pandemic, while also interacting with customers that seem angrier than ever. Customers are not able to accomplish important tasks in a manner that they were used to. They may be frustrated, angry, and even scared. This has caused confrontation and violence in the workplace all over the country.

The purpose of this seminar is to help employers provide their employees with a safer workplace. We will discuss some skills and strategies that can give employees a better opportunity to succeed in a dangerous situation.

Topics will include:

When confronted by an irate customer, consider starting your verbal response to the customer with the word “Yes.”

Using the concept of “Distraction” to de-escalate an irate customer.

Your Choice of Words Conveys Confidence- We will discuss examples.

Active Threat Strategies to use in response to a dangerous customer in your office or facility.

Effective Building “Security,” and what that actually looks like.

SERVE AND PROTECT, LLC.

JC

Joseph Crimmins

President

Joe@ServeandProtectLaw.com

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De-escalating Irate Customers in the Workplace- The Power of “Yes”

Joseph Crimmins
Serve and Protect Law LLC
www.ServeandProtectLaw.com

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Speaker: Company Name

1

The Events of 2020....AND 2021....AND....

- The stress that “essential” workers feel is at an all-time high. You are doing your best to show up for work and interact with customers, while at the same time taking care of your own needs and the needs of your family.
- Customers are still not able to accomplish important tasks with the speed and efficiency that they are used to. They may be frustrated, angry, and even scared. This is a recipe for confrontation and violence in the workplace.

2

My Job Has Never Been More Difficult



3

Using Verbal Skills to De-Escalate an Irate Customer. Let’s discuss....

2 strategies:

- The Power of Yes
- Distraction-

4

The Angry Customers Are Ready to See You Now



5

The Power of Yes

- When confronted by an irate customer, consider starting your verbal response to the customer with the word “Yes.”
- It makes no difference that the answer to their concern will eventually be a “No.” When the first word the person hears is “Yes,” followed by an acknowledgment of their concern, it’s a game-changer.

6

Examples

- Yes, I understand how that would make you angry...
- Yes, I understand why you feel the way you do...
- Yes, I understand what you would like me to do...

7

The Fight is On

- What happens in the brain of an irate customer when they hear “No, I can’t do that” or “No...that is not possible...”

Fight or flight mechanism
Autonomic Nervous System

They do not process your objective reasoning that follows the word “No.”

8

It’s Not Personal.....!

- Somehow, saying “Yes” makes the confrontation less of a personal dispute.
- Saying “No” can be perceived by the irate customer as a personal confrontation with the employee. This could increase the motivation of the customer to threaten or assault the employee.

9

Is Their Brain on Auto Pilot?

- Midbrain and cerebellum
 - Older parts of the evolutionary brain
 - Cerebellum coordinates automatic movements
- The amygdala, which alerts the body in survival situations.
- Primitive

Much of the following content comes from a great author:

- Joe Dispenza D.C. - Author of *Evolve Your Brain- The Science of Changing Your Mind*, 2007

10

The Brain in Action

- People act unconsciously most of the time
- The customer needs just one stimulus from the environment...and that stimulus may YOU saying “No”...and an entire set of programmed set of responses and behaviors starts to happen...

11

Transitioning From Yes, to Reality

- Example:
“Yes, I can see why you would be angry at the bank. I am sorry that this delayed the purchase of your house. However, the banker you are yelling at cannot solve your problem right now.”

“Let’s figure out how we can best help you....”

12

The “Distraction” Technique

- Make a statement completely off topic that is complimentary, or expresses interest in the person based on something obvious, like the message on their tee shirt or their baseball hat. We will discuss....

13

Words Convey Confidence

- Use the correct words

If you “know...” then don’t say “I think...”

If it “is,” then don’t say “It may be...”

There is an analogy we will discuss here... the skills of conducting an interrogation.

14

Be In Control



15

“If You Could Sit Over There...”

- Giving direction to an unhappy customer as to where the person should sit, stand, or wait, etc
- Act like you are in charge of the customer interaction. Give direction, be clear with instruction.
- Confidence in your answer
- Confidence in your body language

16

“Soft” Strategies to Handle the Angry Customer

- Assign them to a staff member that they will always deal with that is skilled at dealing with difficult people.
- Take the time to walk them through every step of the process. Spoon feed them and even assist them gather the information they need.
- Document that you did so, and document what you accomplished with them. This is time consuming and frustrating, and well worth it.

17

Policy

- Blame it on Policy!!!

18

Probable Scenarios with Angry Customers

- Plan and prepare ahead of time
- Is there a policy...
- Is the policy communicated AHEAD of time
- Examples include.....The customer that is not wearing a covid mask in your office

19

The Angry Customer The Dangerous Customer

- Are they the same person?
- How do you know when the angry customer transitions to a dangerous customer?

20

Not Acceptable



21

Customer Behavior - Not Acceptable

- This strategy of “Yes” should not give the impression that it is somehow our responsibility as an employee or a business owner to mollify a customer acting in this way.
- The purpose of this strategy is:
To give our staff members more reaction time, and a better opportunity to succeed in a dangerous situation.
Threatening behavior is never appropriate, and should not be tolerated.

22

“Choose to Lose”a Customer

- If you have a customer that demonstrates this behavior, act immediately to make sure they are no longer a customer.
- Not as easy for us governmental or administrative employees....

23

“Hard” Strategies

- Is it possible to tell them they must have an appointment?
- Tell them that bags or large containers are not allowed in the room- blame it on policy.
- Position yourself safely in your office or interview room. Is the customer between you and the door, blocking your exit?
- Consider sitting where you can defend yourself quicker and make a fast exit from the room when the customer becomes irate or threatens you with a weapon.

24

Hard Strategies continued

- If you have a feeling that the customer has a weapon, ask them. Being direct will quite often result in a truthful response. Being direct will not cause any negative or unsafe situation that did not already exist. Being direct also exhibits confidence. (Taking the bull by the horns!)
- If the customer makes a veiled threat of any kind, do not ignore it. A verbal threat, even if said just in anger, is unacceptable. Deal with this comment before taking any action on the customer's business.
- Try joking about a bomb at an airport...

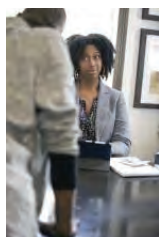
25

Decision Tree example

- If the customer starts to shout loudly at me, these are my options.
- If the customer slams his fist down on my desk, these are my options.
- If the customer won't sit down, or stands between me and the door, these are my options.
- If the customer reaches into a case, or I have a reasonable belief that this person is going to harm me, these are my options....

26

It's Ok if You Decide That This Appointment is Over



27

Planning and Preparation

Invest the time and training to analyze your options ahead of time...

What you will do during a crisis, and when you will do it.

Plan for this type of situation and consider and analyze all your options, before there is a crisis.

Spalten - Company Name

28

Active Threat Strategies

- Separate from the offender when you feel the situation has regressed to the point that you feel unsafe. Or place obstacles between you and the offender if you can't escape from the area.
- If you are hiding an object to use as a weapon for self defense, take it out only when you are legally justified to use it, and when you have decided that you are ready and willing to use it.
(don't use it to scare or threaten)



- Evacuate or Lockdown. Call 911 and let the police deal with this person.

29

Safety Policy and Training

- *Red Binder Syndrome*. It means that the decision makers have a written crisis plan, but it won't work. They don't know it won't work because they have never practiced it.
- Unfortunately, many businesses and organizations suffer from the *Red Binder Syndrome*, or, they still have no crisis plan at all.

30

A Culture of Reporting

- Employers and employees must create a culture of reporting concerning threats made by co-workers. Similar to making a joke about a bomb in an airport, joking about violence or threatening violence is no longer acceptable in our workplace.

37

What a Year...



38

The 2020 virus has created a new shopping environment, with new safety concerns

- For maybe the first time in our society, people are wearing masks. We are getting used to not being able to recognize people we are interacting with, or are in close proximity to.
- In the past, masks were actually unlawful to wear in some areas, banks for sure.
- Now every customer in a store is masked- what a great opportunity for a criminal to take advantage of this situation.

Speaker - Company Name

39

The 2020 virus has created a new office building environment, with new safety concerns

- For employees returning to their office, and their office building- there are far less employees around. You may be the only person using the 3rd floor for example. You may be alone in the building....
- There are far fewer people to help you, or to spot danger
- We have contractors and vendors cleaning work areas. Are they even real contractors? Would you even question it?
- What a perfect opportunity to be a burglar, or worse.
- There is reduced security staff, if any.

Speaker - Company Name

40

Solutions



41

Solutions

Make eye contact with people that are:

- Sharing the ATM kiosk area with you
- Entering an elevator, or staircase with you
- Take note of physical features like hair color and style, not clothing necessarily because a bad guy may remove clothing like hats and jackets during their escape

Speaker - Company Name

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Conclusion

- Training for a low probability, high risk event that most of us would not be prepared for is the foundation of crisis training. It does not require special skills or equipment. It requires only thoughtful planning and preparation.

Speaker: Company Name

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Thank You for Participating

Joseph Crimmins
Serve and Protect Law LLC
www.ServeandProtectLaw.com



Serve and Protect Law LLC™

We help companies plan and prepare for any Crisis Situation that could be dangerous to their employees in the building or on campus. That includes everything from Workplace Violence and Active Threat training to severe weather planning and response. We create written policies, train staff on how to de-escalate irate patrons, and how to safely manage those patrons that challenge your covid mask policies.

For companies that intend to return to their commercial space, we conduct facility risk assessments to ensure employees are as safe as they reasonable can be from acts of violence that may occur in the building or campus.

We also provide the state mandated sex harassment prevention training that every business in Illinois must complete.

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John Fisher, JD*
Cincinnati Insurance Company
Loss Control Technical Program Specialist – Liability

John Fisher is an attorney who practiced law in Ohio for 22 years before joining the Loss Control Department at the Cincinnati Insurance Company in 2013.

Throughout the course of his career before joining Cincinnati Insurance the majority of John's practice focused on representing those injured by the negligence of others. Included in his practice was the investigation of and, when warranted, prosecution of slip/trip fall claims against negligent property owners. Having represented claimants in so many slip/trip fall claims gives John a unique perspective on the evidence required to prove that negligence was a contributing cause of slip/trip fall claims.

John's litigation experience includes having tried dozens of cases in numerous Ohio state courts, and Federal Courts in both Ohio and Michigan. He has argued in numerous Ohio State Courts of Appeals, the U.S. Sixth Circuit Court of Appeals, and has argued three times before the Ohio State Supreme Court.

While practicing law John is proud to have been rated as "Preeminent" by his attorney peers through the peer-review process of Martindale-Hubbell. John is a Past-President of the Toledo Area Trial Lawyers Association.

In his role with Cincinnati Insurance John has shifted his professional focus from litigating claims after they have occurred, to helping businesses better understand their exposures, how to control those exposures, and hopefully avoid claims based on those exposures.

John earned both his undergraduate and law degrees from the University of Toledo.

*John does not practice law for the Cincinnati Insurance Company. Any information shared by him with you is intended to be informational only and should not be construed as legal advice. For legal advice on any specific question or topic John may address, you should consult with your own personal or corporate attorney.

STF Causes, Prevention and The Use of Tribometry To Measure the Likelihood of Slips

This presentation will highlight the role played by the measurement of the coefficient of friction (COF) on walking surfaces and how that measurement can be used to predict the likelihood of slip/fall occurrences.

The COF of a walking surface directly impacts the ability of one's heel during ambulation to adhere to the floor where the person walking expects it to adhere. When one's heel slips beyond where the person expects it to stop, a slip occurs. Thus, slips are primarily a function of the unexpected movement of one's heel past where the walker expects it to stop.

Trips are caused by a different mechanism than slip. In trips, a whole foot is abruptly stopped from moving forward, throwing one off balance, leading to falls.

As will be discussed in this presentation, STFs boil down to the leading heel or trailing foot of a person either going beyond where expected or being prevented from going as far as intended.

Finally, this presentation will discuss how one insurance carrier has incorporated a tribometer into its STF prevention arsenal. Using this tribometer the insurer can visually demonstrate to its insureds the impact of contamination on its floors – specifically how contamination on walking surfaces increases the likelihood of slips and falls by employees and customers. From these results, loss control professionals are better able to make appropriate recommendations to minimize the risk of slip/falls, and insureds are themselves better able to see and understand the impact flooring selection and good housekeeping have on keeping their employees and customers safer from slip/falls.

Attendee Listing

Last Name	First Name	Organization	City	State	ZIP
Anderson	Brian	Society Insurance	Waukesha	WI	53188
Anderson	Matt	Society Insurance	Fond du Lac	WI	54935
Bailey	Gregory	Society Insurance	Saybrook	IL	61770
Bartz	Levi	Society Insurance	Beloit	WI	53511
Blundell	Shelby	Society Insurance	Franklin Park	IL	60131
Brinkman	Doug	EMC Insurance	Norwalk	IA	50211
Collins	Mark	EMC Insurance	Williamsburg	OH	45176
Crimmins	Joseph	Serve and Protect Law LLC	Arlington Heights	IL	60005
Davidson	Steve	EMC Insurance	Norwalk	IA	50211
Dilley	Mike	Society Insurance Company	Greenwood	IN	46143
Doornbos	William	Encova Insurance	Columbus	OH	43231
Dreyer	Eddie	Central Insurance	Van Wert	OH	45891
Eckert	Michael	Berkley Agribusiness	Hartland	MI	48353
Eickholt	Cory	Central Mutual Insurance	Van Wert	OH	45827
Ellis	Chad	Central Mutual Insurance	Marietta	GA	30064
Erhart	Zachary	Affinity Mutual Insurance Company	Lima	OH	45805
Fisher	John	Cincinnati Insurance Company	Put In Bay	OH	43456
Gajdosik, CSP, ARM-P	AJ	Acuity Insurance	Imperial	MO	63052
Gara	Tim	Honeywell-Miller Fall Protection	Morton	IL	61550
Garrabrant	Christopher	Zurich	Schaumburg	IL	60196
Grey	Tom	Grey and Associates	Champaign	IL	0
Hamilton	Junior	Central Insurance	Scott Depot	WV	25560
Hickman	Matthew	Afirm	Minneola	FL	34715
Hunter	Greg	EMC Insurance	Louisville	KY	40223
Jones	Alexander	Society Insurance	McMinnville	TN	37110
Larsen	Tom	CoreLogic, Inc	Oakland	CA	94607
Lawless	Angie	Acuity	Normal	IL	61761
Lies	Mark	Seyfarth Shaw LLP	Chicago	IL	60606
McCluskey	John	Midwest Technical Inspections	Hanover Park	IL	60133
Norton	Francis	Society Insurance	Oswego	IL	60543
O'Brien	Patrick	Society Insurance	Sun Prairie	WI	53590
Olijnyk	Adam	Society Insurance	Janesville	WI	53546
Pelley	Robert	Cincinnati Insurance	Cincinnati	OH	43512

Attendee Listing

Last Name	First Name	Organization	City	State	ZIP
Pottorff	Tim	QP3 ErgoSystems LLC	West Dundee	IL	60118
Rosenau	Mike	Society Insurance	Fond du Lac	WI	54935
Rowland	Kipp	EMC Insurance	Indianapolis	IN	46220
Ruxlow	Stig	Society Insurance	Morton	IL	61550
Scanga	Jesse	EMC Insurance	Girard	OH	44420
Schmidt	Lea	Alexander & Schmidt	Yarmouth	ME	4096
Schramm	Karl	Society Insurance	Chicago	IL	60622
Silber	Robert	Brotherhood Mutual Insurance Company	Columbia	SC	29210
Taggart	William	DroneBase, LLC	Sparta	NJ	7871
Thompson	David	Central Insurance	Van Wert	OH	45891
Thornberry	James	Jet Inspections	Portage	IN	46368
Tonioni	Chris	N/a	Bloomington	IL	61704
Turner	Dave	EMC Insurance	Des Moines	IA	50309
Turnwald	Jared	Central Mutual Insurance Companies	Columbus	OH	43235
Van Deurzen	Jay	Society Insurance	Appleton	WI	54915
Van Wormer	Michael	Cincinnati Insurance	Chattaroy	WA	99003
Wagner	Jarrett	Society Insurance	Chicago	IL	60612
White	Stephen	AFIRM	Loveland	CO	80537
Young	Adam	Seyfarth Shaw LLP	Chicago	IL	60606



RESIDENTIAL

Physical Inspections

In order to ensure you receive the service best suited to your needs, Afirm offers three types of Physical Inspections: Drive-by Inspection, Exterior Inspection and Interior/Exterior Inspection.

Drive-by Inspection

This cost-effective solution is specifically designed for underwriters that want to confirm the basic features of a residential property they are insuring. It includes exterior photos of the residence and observations of any hazards and adjacent exposures that the inspector is able to see from the street level.

Exterior Inspection

Our exterior inspection provides underwriters with a comprehensive assessment of the fire, liability and natural exposures unique to residential properties. It can be customized to your unique needs by insurance to value calculation and a diagram that includes adjacent exposures. Additionally, recommendations of any observed hazards are provided that help improve your policyholder retention, underwriting profitability and risk selection.

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This is a combination of both the interior and exterior inspection services. This combination inspection package can be customized to your unique needs.

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For more information regarding Physical Inspections, contact your local Afirm office.

CONTACT:

Matt Hickman | Sales Director- Central Region
P: 800.223.2310 x2379
matthew.hickman@afirmsolutions.com

3528 Precision Drive
Suite 200
Fort Collins, CO 80528



LOSS CONTROL

Physical Surveys

Our on-site surveys with the insured provide specific underwriting information, hazard identification and hazard control measures recommendations. Reports can be tailored to the unique needs of each commercial client.

Service Features

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- » Customizable survey experience for your insured
- » North American coverage from over 1,000 skilled associates

For more information regarding Physical Surveys, contact your local Afirm office.

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3528 Precision Drive
Suite 200
Fort Collins, CO 80528

INDUSTRY LEADING LOSS CONTROL SOFTWARE



Risk Control Technologies is the leading provider of Loss Control and Safety software platforms to the insurance industry. Leveraging a Predict and Prevent strategy, RCT helps determine the optimal way to service each account, maximize claims reduction, increase customer retention, and harness powerful data insights for better decision making.

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Leverage a Predict and Prevent strategy through RCT's advanced automation engine, optimizing account selection and deploying the most appropriate service approach for each customer.



Customer Engagement

Complement traditional visit optimization with RCT's Virtual and Direct Survey tools. Service 100% of your book of business and maximize risk mitigation.



Business Intelligence & Reporting

Conduct risk scoring, trend analysis, benchmark reporting and more. Build analytic reports and dashboards in RCT's native BI suite, or integrate with your internal tool of choice.



Automated Reports & Letters

Create and manage easily configurable reports and letters that automatically fill relevant account and survey information.



Work Management

Automatically assign tasks & recommendations, schedule visits, map routes, work offline and consolidate all data in one easy-to-manage tool.



Platform Ecosystem

Deploy RCT's out of the box integrations and public APIs to connect Loss Control with broader ecosystems, elevating organizational value.

Customer Results



Saved **\$3.3 million** over first 4 years following implementation



Fully implemented in under **8 weeks**



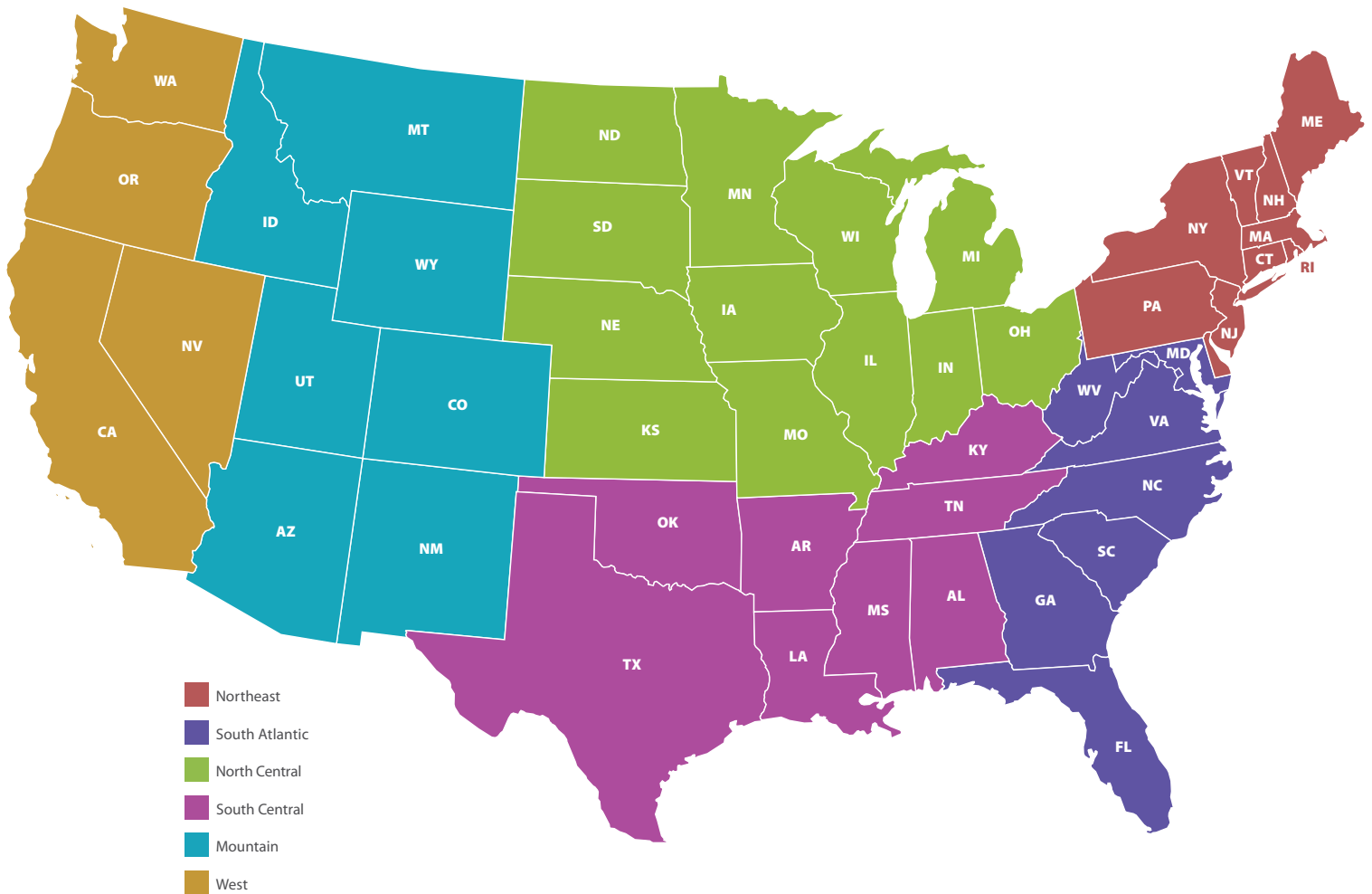
Saved each consultant **400 hours per year** in administrative time



Our Service Regions

Across the United States, Alexander & Schmidt's team of highly trained field professionals produces tens of thousands of timely, accurate loss control reports a year for standard market companies, excess-and-surplus line carriers, MGAs, specialty carriers, and agencies. We handle everything from small BOP and high-value residential surveys to large, complex risk assessments—and provide services for all lines. MS/B ITV calculations are also available.

The quality of our work is strengthened even further by Alexander & Schmidt's dedicated in-house Quality Assurance and Operations groups as well as by a proven, Senior Management Team. Our state-of-the-art proprietary information technology systems help us manage your projects, tracking turnaround time and on-time delivery—and resolving issues—for more efficient, effective communication with clients.

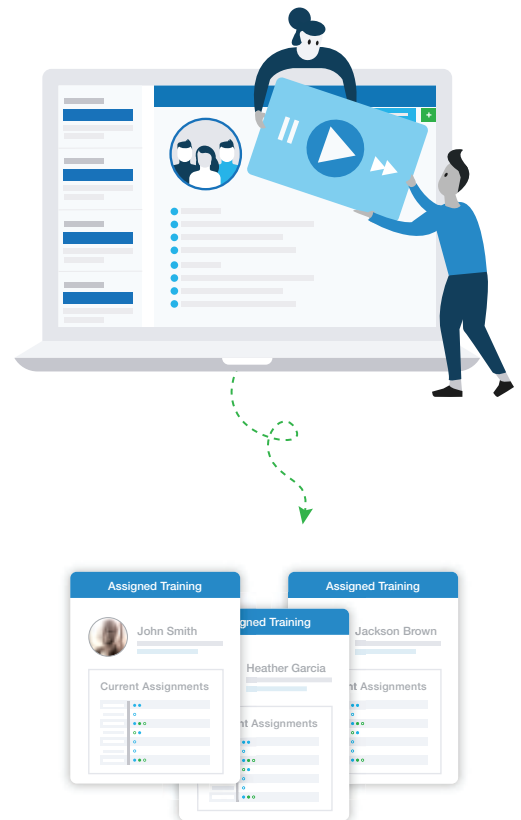


America's Premier Loss Control Services Provider



Qorta Platform

SambaSafety's Qorta platform, the most comprehensive driver risk management solution on the market, gives you the peace-of-mind that your best drivers are behind the wheel. Qorta enables organizations to monitor and identify at-risk drivers with ease and modify high-risk behavior through comprehensive training, all in one spot. Utilize the power of driver data to reduce crashes, protect your employees, brand and bottom line and improve employee retention.



ONE PLATFORM FOR ALL DRIVER RISK MITIGATION NEEDS

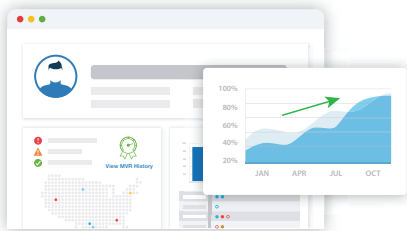
Move Beyond Simply Identifying Risk

CONTACT: Stephanie Zoeller, Channel Partner Executive | szoeller@sambasafety.com | Direct: (847) 236-5405



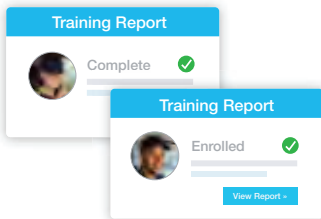
GAIN VISIBILITY INTO ALL EMPLOYEE DRIVING BEHAVIOR

Receive near real-time automatic alerts when employees receive negative violations and license status changes, whether occurring on or off the clock. Easily add and remove drivers, and quickly identify at- and high-risk drivers, empowering you to take action.



UTILIZE CRASH AND CLAIMS DATA TO ENHANCE SAFETY EFFORTS

Upload crash and claims data, including incidents involving police and fender benders, and create custom scores for those incidents based on what's important to your organization. Digitize and enforce your safety policy with ease through customizable policy scores that combine MVR scores with crash and claims scores, helping you quickly identify your most at-risk driving population.



ENROLL DRIVERS IN ONLINE TRAINING COURSES

Improve driver retention by addressing high-risk behavior before a crash or disqualifying incident occurs. Identify at-risk drivers and enroll them in specified training with the click of a button. Assign bulk or individual trainings by choosing from over 160 courses, monitor assignment progress and track training status in one comprehensive dashboard.



REDUCE YOUR DRIVER-RELATED ADMINISTRATIVE BURDEN

Using Qorta's API, share driver data between your account and third-party systems including human resources, application tracking, transportation management and risk management. Reduce your reliance on the time-consuming process of pulling manual MVRs. By having driver monitoring and training on one platform, reduce administrative overhead associated with deploying a comprehensive training program.

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BUSINESS SPOTLIGHT



In this business spotlight, we feature one of the largest, vertically integrated specialty rental accommodations and hospitality services in the United States. A mutual client of The Lockton Companies and SambaSafety; this company monitors 150+ employees and shows a driver risk breakdown based on Qorta's MVR scoring methodology in 3 categories:

- **(Red-Exception)** Only 5.6% of drivers fall into the Exception/High Risk category where immediate corrective measures should be taken
- **(Yellow-Activity Present)** 22.9% of enrolled drivers exhibit behaviors that could be modified with remedial training to avoid the exception category
- **(Green-Clean)** 71.5% of drivers have no adverse actions reported in the last 3 years

VIOLATION ANALYSIS (Since start of monitoring-February 2021)

Accidents	0%	Alcohol/Drug	↘ 100%
Equipment	0%	Maneuvers	↘ 50%
CDL Only	0%	Speeding	↘ 50%
Criminal	0%		
Documentation	0%		

The data also shows downward trends in 3 violation categories: Alcohol/Drug Related, Maneuvers and Speeding

REDUCING ROADWAY RISK, TOGETHER

SambaSafety and our channel partners share the common mission of mitigating driver risk for our customers.

Through Qorta, our driver risk management and training solution allows our partners to add value to their policyholders, streamline processes and improve overall safety and risk

SambaSafety has reduced overhead costs for countless companies by minimizing the time it takes to review MVRs.

-SambaSafety



INDUSTRY TRENDS

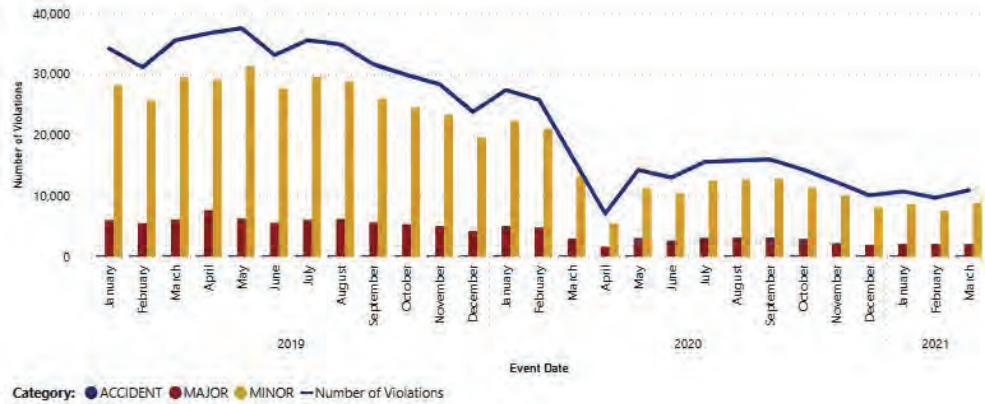
Overall citations took a considerable dip due to global pandemic and have stabilized around the 10,000 mark since November of 2020 through March of 2021. A likely uptick in citations can be expected; however the rebound is likely to be slow as we progress through the 3rd and into 4th quarter of 2021.

Podcasts:

We have the content that gets your clients thinking about driver risk management in a new light.
Click Here:

<https://sambasafety.com/blog/category/podcasts/>

Citation Trend



Upcoming SambaSafety Events:

Have a client attending an event that SambaSafety is in attendance? Let us know! We may have a special gift for you and them!

- **SambaSafety's Partner Marketing Portal** is your library of content learning shareable resources for all things Qorta!

Click Here: <https://partner.sambasafety.com/>

QORTA NEWS & EVENTS

Your Clients Deserve to Know!

Keep your clients updated on topics that matter to their safety culture.

Click Here:

www.sambasafety.com/blog/



Everything Fleet Managers Need to Know About Entry-Level Driver Training

ELDT is looming, coming February 2022. As a fleet manager, are you prepared & understand what this means for your new drivers not yet equipped with CDLs?



7 Ways to Avoid Becoming Part of Intersection Crash Statistics

Intersection crashes are common and leave your company open to risk. Learn how to protect your employee drivers as well as company through our top tips.



What Safety Pros Need to Know About Major vs. Minor Traffic Violations

Learn about traffic violations, the difference between major and minor traffic violations and how they inform tolerated risk for companies like yours.



BUSINESS SPOTLIGHT

SambaSafety's data analyst team demonstrates the impact of MVR monitoring on a mutual Lockton and SambaSafety customer in the manufacturing and wholesale distribution space, based in the Midwest. MVR scoring for this company monitoring 100+ employees shows a driver risk breakdown based on 3 categories:

- **(Red-Exception)** Only 1.6% of drivers fall into the Exception/High Risk category where immediate corrective measures should be taken
- **(Yellow-Activity Present)** 8.2% of enrolled drivers exhibit behaviors that could be modified with remedial training to avoid the exception category
- **(Green-Clean)** 90.2% of drivers have no adverse actions reported in the last 3 years

VIOLATION ANALYSIS (3 month vs. prior 3 month)

Accidents	0%	Documentation	↘ 100%
Equipment	100%	Maneuvers	0%
CDL Only	0%	Speeding	↘ 100%
Criminal	0%		
Documentation	0%		

The data also shows downward trends in 2 violation categories: Documentation and Speeding

“

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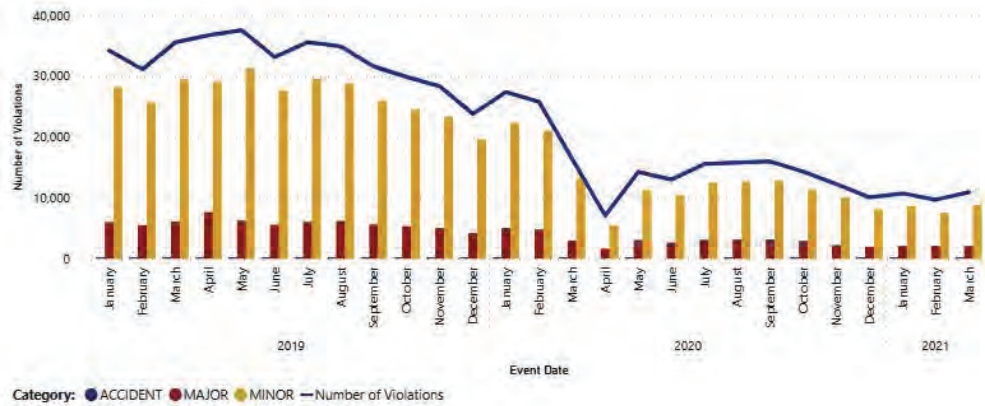
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AND OTHER ENTITIES
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Affinity Mutual Insurance Company

AFIRM

Alexander & Schmidt

Berkley Agribusiness

Brotherhood Mutual Insurance Company

Central Insurance

Central Mutual Insurance

Cincinnati Insurance Company

CoreLogic

DroneBase, LLC

EMC Insurance

Encova Insurance

Grey and Associates

Honeywell-Miller Fall Protection

Jet Inspections

Midwest Technical Inspections

QP3 ErgoSystems

Risk Control Technologies

SambaSafety

Serve and Protect Law LLP

Society Insurance

Zurich