

ILCA 2023

October 16th, 17th and 18th

Drury Plaza Hotel Indianapolis Carmel
Indianapolis, Indiana





**2023 ILCA
Executive Committee**

President
Stephen White
AFIRM

First Vice President
Angie Lawless
Acuity

Second Vice President
Matt Hickman
AFIRM

Secretary
Lea Schmidt
Alexander & Schmidt

Financial Secretary
Stig T. Ruxlow, CSP, CXL, ALCM
Arch Insurance

At Large Members

Jon Finn
Lockton Companies

Mark Bates, MS, CSP
KY AGC SIF

Dan Finn
Berkley Industrial Comp

John Fisher
Cincinnati Insurance Company

Seth McHone
Country Financial

October 2023

On behalf of the entire ILCA Executive Board Committee, welcome to the 2023 Insurance Loss Control Association annual conference. We are excited to have you in attendance and hope that you will enjoy your time here. Please be sure to take full advantage of the opportunity to learn and network with fellow ILCA members and colleagues. We expect that this year's conference will exceed your expectations.

Please also join me in expressing appreciation for our speakers, for their time and expertise on the topics being presented. We would also like to thank our conference sponsors who are a critical part of the conference. Take time over the next few days to visit with them during our scheduled breaks.

The ILCA board members have worked to lineup some amazing speakers on some very interesting topics. The conference agenda was developed based on suggestions and feedback from the 2022 conference attendees. Please remember that this conference is solely for **YOU**, our valued members of the organization. To assist with future conference planning, we encourage everyone in attendance to complete the conference evaluation survey that will go out at the end of this year's conference and provide your feedback.

Throughout the year the ILCA board members volunteer their time on monthly conference calls, developing the conference agenda, looking for conference speakers and sponsors, and marketing the annual event to ensure that it is a success. We are looking for ILCA members that are interested in joining the executive committee board in 2024. Please feel free to reach out to me or any other board member if you are interested or have questions about joining the board.

Travel safely on your journey home and we look forward to seeing you again at next year's conference.

Thank you!

Stephen White ARM, AINS
2023 ILCA President



ILCA
Annual Conference
 October 16 – 18, 2023
 Drury Plaza Hotel Indianapolis
 Carmel
 Indianapolis, Indiana

Table of Contents

President’s Welcome

Table of Contents/Agenda-At-A-Glance

Past Presidents

Thank You to Our Event Sponsors!

Sections:

1. Agenda
2. Business Meeting Information
3. Speaker/Presentation Info
 - About Our Speakers
 - Speaker Handouts
4. Attendee List
5. Vendors

Agenda-At-A-Glance

Monday, October 16th

| | |
|------------------|---------------------------|
| 1:00-1:30 | Registration |
| 1:30-1:45 | Welcome & Opening Remarks |
| 1:45-2:15 | General Session |
| 2:15-2:30 | BREAK |
| 2:30-3:30 | General Session |
| 3:30-3:45 | BREAK |
| 3:45-4:45 | General Session |
| 4:45-5:00 | Closing Remarks |

Tuesday, October 17th

| | |
|---------------------|---------------------------|
| 8:00-9:00 | General Session |
| 9:00-9:15 | BREAK |
| 9:15-9:30 | <i>Conference Partner</i> |
| 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 |
| 2:15-2:30 | <i>Conference Partner</i> |
| 2:30-3:30 | General Session |
| 3:30-3:45 | BREAK |
| 3:45-4:45 | General Session |
| 4:45-5:00 | Closing Remarks |

Wednesday, October 18th

| | |
|--------------------|-----------------|
| 8:00-9:00 | General Session |
| 9:00-9:15 | BREAK |
| 9:15-10:15 | General Session |
| 10:15-10:30 | BREAK |
| 10:30-11:30 | General Session |
| 11:30-11:45 | 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 |
| 2021-2022 | Stephen White | AFIRM |
| 2022-2023 | Stephen White | AFIRM |

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

Risk Control Technologies, Inc.

TranStar Technical Services, Inc.



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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.



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AGENDA

Monday, October 16, 2023

| | |
|--------------------------|---|
| 1:00 pm – 1:30 pm | Registration |
| 1:30 pm – 1:45 pm | Welcome & Opening Remarks Stephen White, President, ILCA |
| 1:45 pm – 2:15 pm | KEYNOTE SPEAKER Dr. Victor Puleo Davey Chair of Risk Management Lacy School of Business – Butler University |
| 2:15 pm – 2:30 pm | Break |
| 2:30 pm – 3:30 pm | Industrial Fire - Factory Christopher Broderick – Arson Investigator Indiana Department of Homeland Security |
| 3:30 pm – 3:45 pm | Break |
| 3:45 pm – 4:45 pm | Combustible Dust Pat Peters – Sr. Loss Control Field Director Cincinnati Insurance |
| 4:45 pm – 5:00 pm | Closing Remarks Stephen White, President, ILCA |

Dinner on your own!

Tuesday, October 17, 2023

| | |
|---------------------|--|
| 8:00 am – 9:00 am | German Bionic Dave Lewis |
| 9:00 am – 9:15 am | Break - Sponsored by: TranStar Technical Services |
| 9:15 am – 9:30 am | Conference Partner Sponsored by: AFIRM |
| 9:30 am – 10:30 am | Preventing Structure Fires Nathan Logan |
| 10:30 am – 10:45 am | Break |
| 10:45 am – 12:00 pm | ILCA Business Meeting (ALL ILCA MEMBERS ATTEND) Stephen White, President, ILCA |
| 12:00 pm – 1:00 pm | Lunch |
| 1:00 pm – 2:00 pm | ESFR Sprinklers Bob Pelley Cincinnati Insurance |
| 2:00 pm – 2:15 pm | Break – Sponsored |
| 2:15 pm – 2:30 pm | Conference Partner Sponsored by: |
| 2:30 pm – 3:30 pm | Sports & Events Venue Risk Management Rich Lenkov – Founder/CEO Sports & Entertainment Risk Management Alliance |
| 3:30 pm – 3:45 pm | Break |
| 3:45 pm – 4:45 pm | Marijuana and State Labor Laws Todd Logsdon - Partner Fisher & Phillips LLP |
| 4:45 pm – 5:00 pm | Closing Remarks Stephen White, President, ILCA |

Dinner on your own!

Wednesday, October 18, 2023

| | |
|---------------------|---|
| 8:00 am – 9:00 am | OSHA Regulatory Agenda Tony Kuritz – Health Consultant/Correction Tracking Coordinator INSafe – Indiana Dept. of Labor |
| 9:00 am – 9:15 am | Break |
| 9:15 am – 10:15 am | Consulting Skills 101: Loss Control is Sales Bob Kristof Cincinnati Insurance |
| 10:15 am – 10:30 am | Break |
| 10:30 am – 11:30 am | Concerns with 100-Year-Old Buildings Sama Taugir – Sr. Engineering Exposure Analyst Mutual Boiler Re |
| 11:30 am – 11:45 am | Closing Remarks Stephen White, President ILCA |



INSURANCE LOSS CONTROL ASSOCIATION
P.O. BOX 346 - MORTON - IL - 61550 - PHONE: 309.696.2551

www.insurancelosscontrol.org

ILCA Business Meeting Minutes 10/18/2022

Reading of the minutes from previous business meeting: Waived

William Doornbos motioned to approve, John Fisher 2nd

Financials:

- Stephen White and Mark Bates reviewed financial records – everything in order and accounted for
- Outstanding conference and admin expenses to be paid
- Expenses lower at Drury than Marriott = better financial position than last year
 - Outside caterer for lunch
- Insurance is our largest expense
 - D&O
 - Cyber to cover membership contact info
 - GL

Matt Hickman motion to approve, Adam Olijnyk 2nd

eNews: Always looking for articles to include in newsletter

Website:

Conference:

- Feedback on locations
 - Midwest, I70 corridor has worked best
- 56 attendees 2022
 - 53 in 2021
 - 90 in 2020 (virtual)
 - 55 in 2019
 - 63 in 2018
 - 62 in 2017
 - 88 in 2016

Board:

- Stig has been Financial Secretary (appointed position) for over 10 years
 - Can do one more term, ending in 2023 – Stephen appointed Stig
- 4 board members voted to remain on board
 - Stephen White, Angie Lawless, Jon Finn, Dan Finn
- Availability for 2 members
 - Seth McHone and Matt Hickman

- Other opportunities to be involved – committees
 - Membership
 - Social media
 - Don't have to be on board to attend board meetings

Adam Olijnyk motioned to accept slate as presented, Jared Turnwald 2nd

Membership:

- 118 current members
 - 7 active lifetime, 32 inactive lifetime
 - Lifetime = 10 years in good standing and nominated by the membership
 - 8 active student, 28 inactive student
 - NAMIC used to fund ILCA then we went independent
 - 100% dues increase from \$25 to \$50
 - Lost 1/3 of membership
 - 30 or so from one company in the Northeast
- Need help getting the word out (coworkers, schools)
 - Pursue larger companies that don't usually attend? (Nationwide, Travelers, etc.)
 - Spread the word that there's value in membership
 - More exposure on broker side? Help build relationship between carrier and broker loss control
 - LinkedIn presence
 - Need more money and time to give out CEUs
 - Add an option to sign up for conference emails on website?

Old Business:

New Business:

- New admin person
 - December – May budget is 5 hours per month

Motion to close: Will Doornbos, Seth McHone 2nd

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.

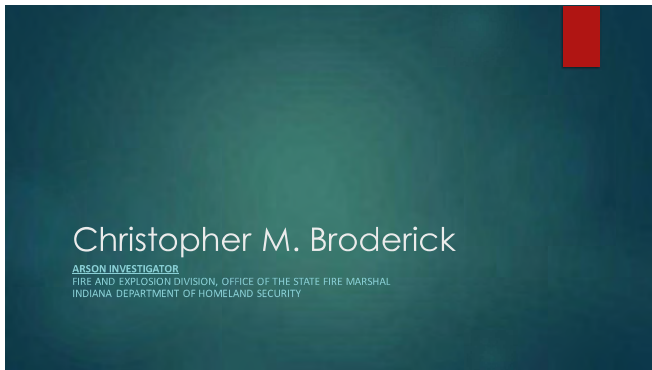
Dr. Victor Puleo is the Davey Chair of Risk Management and Insurance in the Lacy School of Business at Butler University, in Indianapolis, Indiana. He earned a Doctorate degree in Risk Management and Insurance at Florida State University. Dr. Puleo has articles published in the *Journal of Risk Education, Journal of Insurance Issues, Risk Management and Insurance Review, Managerial Finance, and Best's Review*. In 2022, he co-authored his first textbook titled *Insurance Fundamentals of Life & Health Insurance, Including Advanced Planning Techniques*.

The Davey Risk Management and Insurance Program at Butler University offers a traditional in-residence Undergraduate degree in Risk Management and Insurance (RMI) and an online Master of Science in Risk and Insurance (MSRI). The online MSRI graduate degree program was ranked No. 33 in the nation in 2023, according to rankings published by *US News and World Report*. Dr. Puleo serves as the Academic Director of the MSRI program. He teaches undergraduate RMI and graduate MSRI courses in the Lacy School of Business. Undergraduate RMI students are enrolled in the industry-recognized University Associate Certified Insurance Counselor (UACIC) college-level designation from The National Alliance. The UACIC designation is for students interested in becoming insurance agency owners, producers, agents, brokers, and insurance company personnel. This college-level designation was created to recognize new professionals for their diligent study and give them a distinct credential to use as they enter the insurance and risk management workforce. Graduate students in the MSRI are enrolled in the industry-recognized University Associate Certified Risk Manager (UACRM) designation from The National Alliance. The UACRM designation is for students interested in Risk Management who want a broad understanding of risks and the many ways to identify, analyze, control, finance, and administer them.

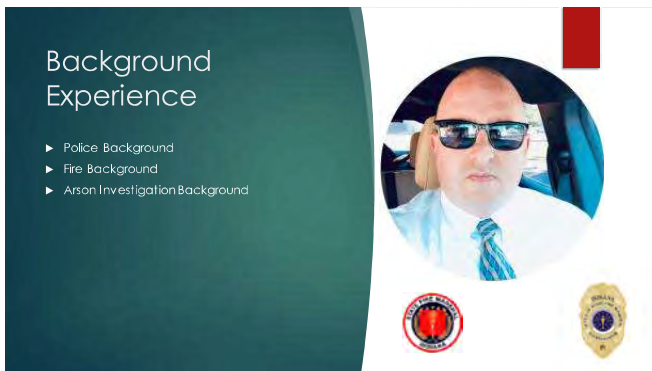
Dr. Puleo is the faculty advisor for the Beta Lambda Chapter of Gamma Iota Sigma – an international professional fraternity organized to promote, encourage and sustain student interest in insurance, risk management and actuarial science as professions. He serves as a member of the Professional Standards Committee (PSC) in the Lacy School of Business.

Dr. Puleo is a Certified Insurance Counselor (CIC), Certified Financial Planner (CFP®) certificant, and earned the Certificate in Captive Insurance (CCI) from the International Center for Captive Insurance Education (ICCIE). He is a Graduate of the Experiential Education Academy (EEA) offered through The Society of Experiential Education. Dr. Puleo is an Educational Consultant (since 1994) and National Faculty Member (since 2008) for the Society of Certified Insurance Counselors. He served as a member of the Board of Directors (2016 – 2021) and Chair (2020-2021) of The National Alliance Research Academy which serves as the research and development branch of The National Alliance for Insurance Education & Research. Dr. Puleo currently serves as a member of the Board of the Indiana Chapter of the National African American Insurance Association (NAAIA).

Christopher M. Broderick is an Arson Investigator for the Indiana Department of Homeland Security / Indiana State Fire Marshal. Christopher's duties include determining the origin and cause of fires and explosives and enforcing Indiana Code. Christopher has been an Indiana certified law enforcement officer since 1993. Christopher also has eight (8) years of firefighting experience. Christopher is a state certified law enforcement firearms instructor and defensive tactics instructor. Christopher has a Master of Science degree from Indiana State University in Terre Haute and a Bachelor of Arts from Indiana University in Bloomington. Christopher is a Certified Fire & Explosion Investigator (CFEI) through the National Association of Fire Investigators (NAFI). Christopher is a certified Evidence Collection Technician (ECT) through the International Association of Arson Investigators.



1



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3

The Stats

- ▶ 2022 Indiana
- ▶ Fire Investigation
- ▶ Warehouse under construction
- ▶ Welding metal roofing to support structure
- ▶ Conveyor System
- ▶ Involving 3 persons – all injured
- ▶ Damage: \$1,000,000+




4



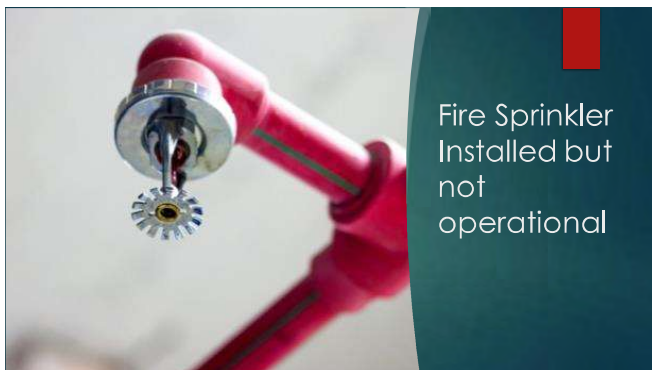
Hot Work – Out of State Labor

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Nighttime – Rural Area

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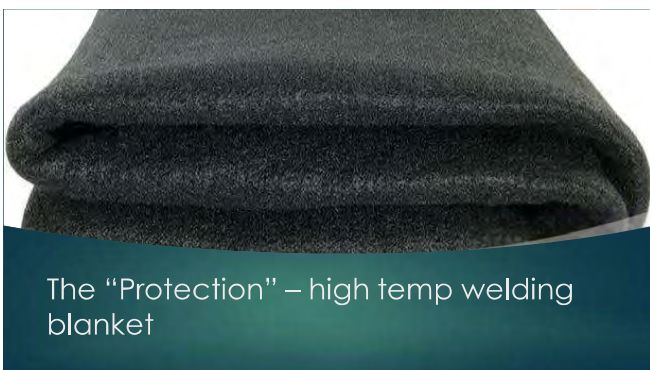
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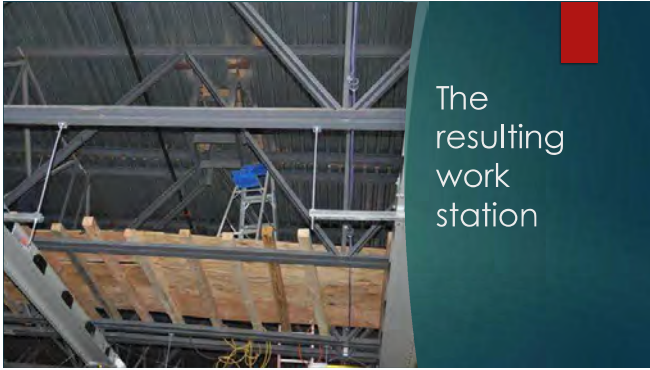
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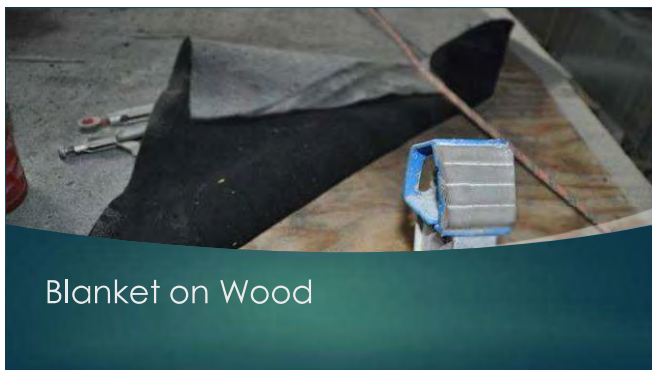
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Blanket on Wood

16



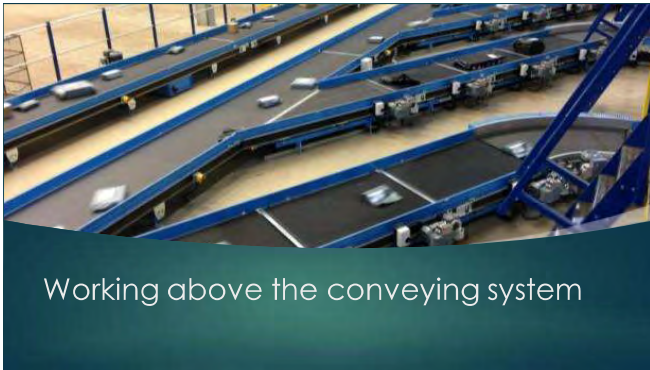
Welding and Cutting

17

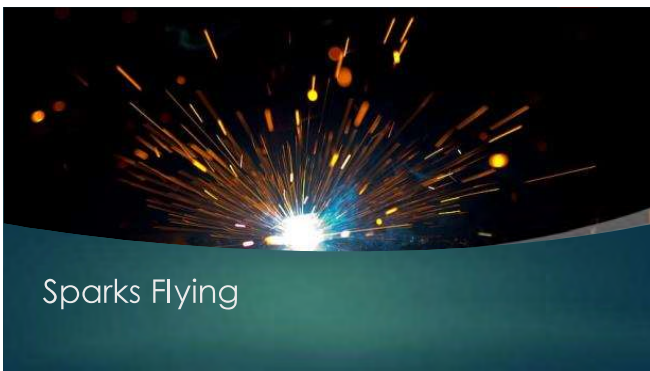


The "Work"
- a 6 inch plate

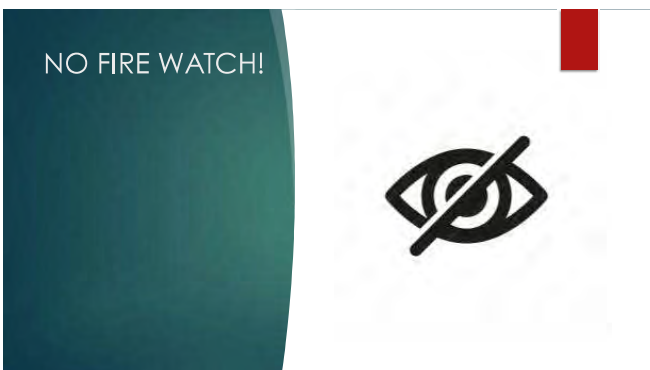
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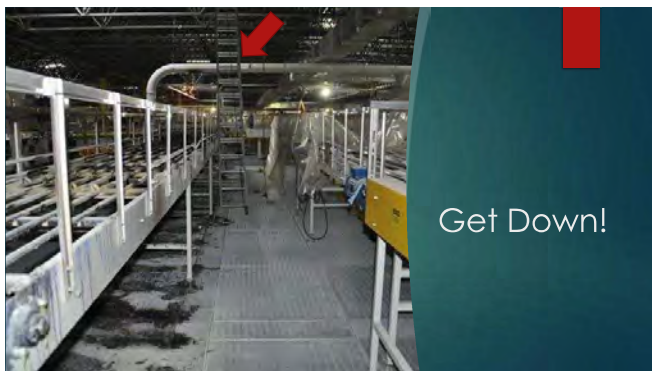


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Fire starting
unaware

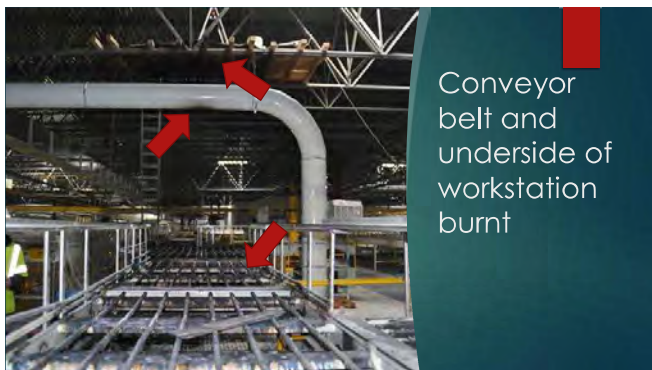


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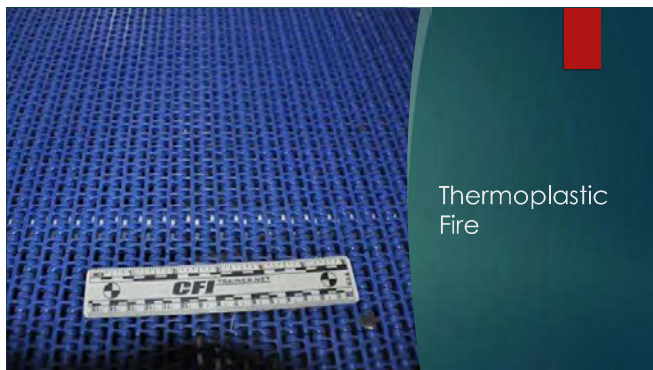
Get Down!

23

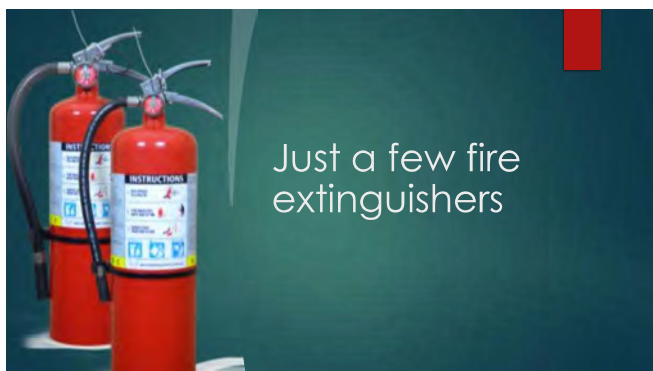


Conveyor
belt and
underside of
workstation
burnt

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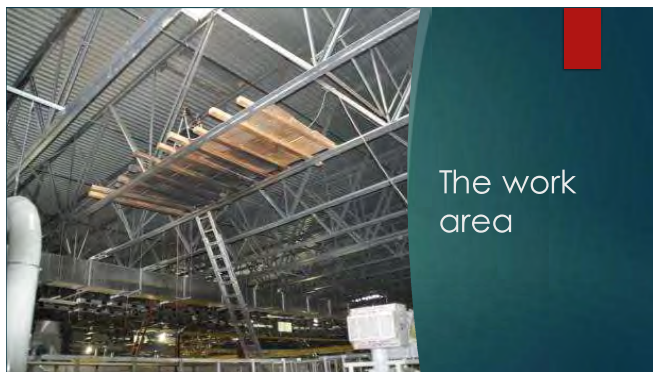
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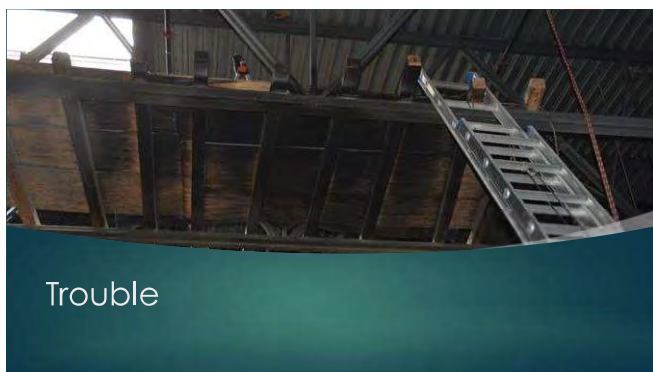
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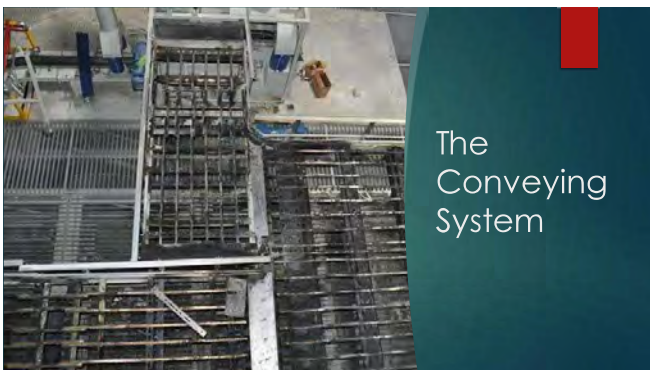
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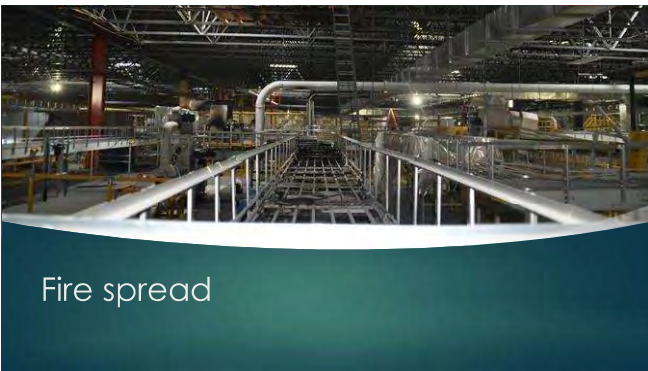
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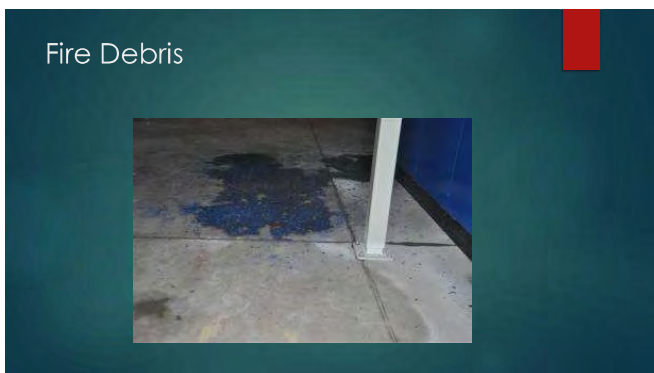
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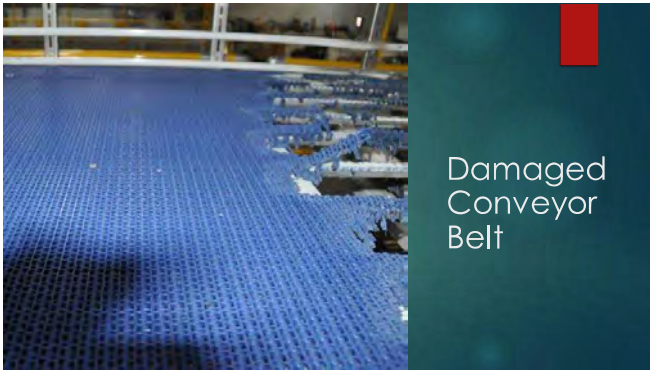
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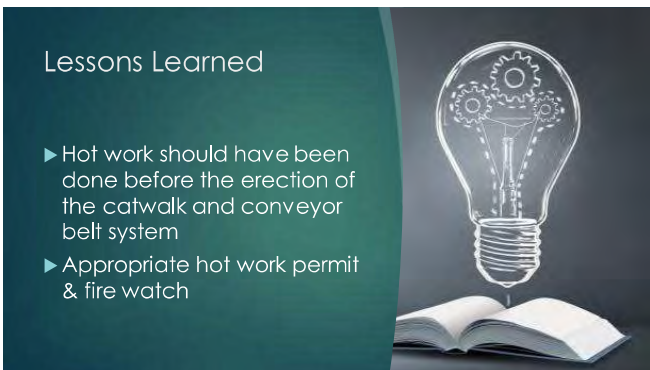
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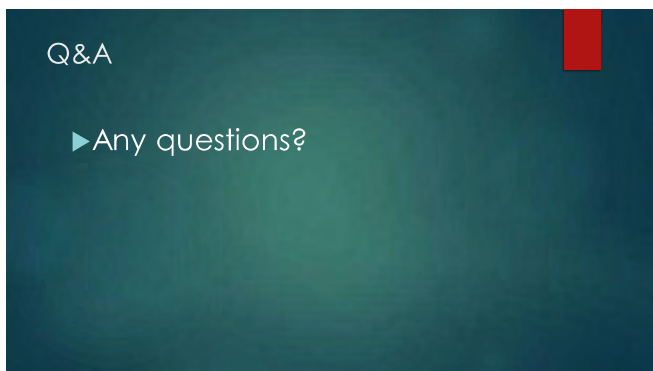
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**Pat Peters, CPCS, CSP, CFPS, ARM, Level 1 Thermographer
Senior Loss Control Field Director
Cincinnati Insurance
Detroit, MI**

Pat has 21 years of experience in commercial insurance loss control. Prior to his commercial loss control experience, he spent 5 years working as a safety director on heavy industrial construction projects and 2 years as a safety manager at Johnson Controls.

He also served as a mentor and trainer to field loss control consultants and has emphasized property risk evaluation services for industrial, habitational, and warehouse occupancies. Additionally, he has provided property risk training to internal employees, agents and policyholder on a variety of property risk exposure topics.

Pat has a Bachelors Degree in Industrial Health and Safety from Oakland University. He holds the designations of Charter Property Casualty Underwriter, Certified Fire Protection Specialist, Certified Safety Professional, and Associate in Risk Management. He regularly attends the Metro Detroit Society of Fire Protection Engineers meetings.

Combustible Dust

Combustible Dust is fire hazard that is often overlooked while evaluating property risk exposure. The objective of the session is to provide an overview of the combustible dust hazards and controls to better identify and control the exposure of your clients. We will define combustible dust and provide some insights where it is found. This presentation will discuss the 2023 Combustible Dust National Emphasis Plan from OSHA and how it has influenced the compliance and regulations. The presentation will review discuss key aspects of NFPA code that address the identification and control of combustible dust fire and explosion hazards.

Todd B. Logsdon is a partner in the Louisville office of Fisher Phillips, and co-chair of the firm's Workplace Safety and Catastrophe Practice Group. His practice is devoted to advising and representing employers regarding labor and employment law matters. Todd is regarded as a leader and trusted advisor on Occupational Safety and Health Administration (OSHA) issues throughout the nation and across various industries, including manufacturing, healthcare, construction and utilities. He has extensive experience contesting and litigating OSHA citations, representing employers during OSHA inspections/investigations, conducting OSHA compliance audits, defending whistleblower/retaliation claims as well as providing OSHA compliance advice to clients. He also regularly handles employment disputes such as discrimination, Family and Medical Leave Act (FMLA), wage and hour and covenants not to compete on behalf of his clients. His practice includes the defense of employment-related claims before federal and state courts and administrative agencies, as well as counseling and training clients on day-to-day compliance issues and litigation avoidance. Todd accrued many years of practical experience prior to beginning his legal career working in manufacturing with responsibilities for Human Resources and Safety.



*In the Weeds:
Managing Workplace Risks of Legalized Marijuana*



2023 Insurance Loss Control Association Conference
October 17, 2023

Presented by:
Todd B. Logsdon
Phone: (502) 561-3971
Email: tlogsdon@sherphillips.com



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Work Free Drug Place Funny Poster 12x18 inch
by Poster Foundry
★☆☆☆ 1 customer review

Price: **\$9.96** Prime FREE Delivery
Get \$10 off instantly. Pay \$0.00 upon approval for the Amazon Prime Rewards Visa Card. No annual fee.

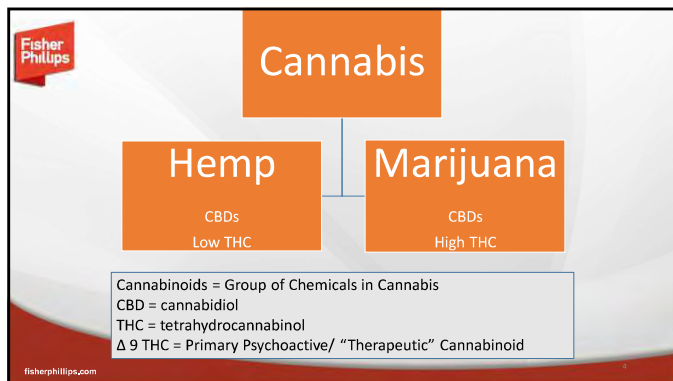
Color: **Poster**

Size: **12x18 inches** (selected) 12x18 inches 24x36 inches

- Poster measures 12x18 inches (51x31 cm) and ideal size for any standard 12x18 frame. Lightweight and low-glare satin finish paper creates photo quality poster art for your home decor. All poster prints are carefully rolled and packed.
- Our curated Amazon Collection of both officially licensed and custom designed art prints are perfect to use as Fathers Day gifts, nursery wall art prints for baby showers, or as teacher gifts. A fun print makes a unique gift for anyone! Your home could probably use some cool wall art and decoration too, right? Try updating high traffic rooms like the bathrooms new bath artwork or even playroom artwork will give your walls a fresh look. Cool home decor is within reach!

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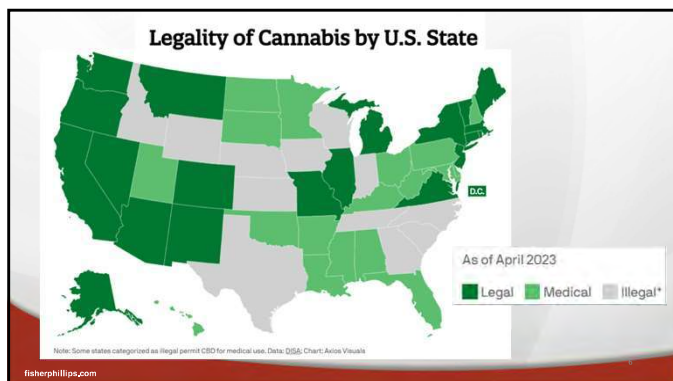
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Overview

- Marijuana and Impairment
- Accommodation Concerns
- Drug Testing Concerns
- Hypotheticals



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7



Marijuana and Impairment

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8



Does marijuana impair individuals?

Is marijuana impairment a problem in the workplace?

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9

Fisher Phillips For the Stats People...

- 2023 Quest Diagnostics Analysis- Post Accident Positivity Rates*
 - Overall: 7.3% in 2022; 6.7% in 2021
 - Ten Year (2012-2022) Trend: 204.2% Increase\
 - Safety Sensitive Positions: Increase 40% from 2018 to 2022
- SHRM Article Quotes the Journal for Occupational and Environmental Medicine: "A study in the *Journal for Occupational and Environmental Medicine* noted that postal workers who tested positive for marijuana on a pre-employment urine drug test had 55 percent more industrial accidents, 85 percent more injuries and a 75 percent higher absenteeism rate, compared with those who tested negative.**"

* <https://newsroom.questdiagnostics.com/2023-05-18/Post-Accident-Workforce-Drug-Positivity-for-Marijuana-Reached-25-Year-High-In-2022-Quest-Diagnostics-Drug-Testing-Index-Analysis-Finds-trend-2042-17599-239-23089>
** <https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/Pages/marijuana-positive-drug-tests.aspx>

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10

Fisher Phillips Percentage of THC and CBD in Cannabis Samples Seized by the DEA, 1995-2021

Its More Powerful Stuff...Man

Reference Monitoring Program
<https://nida.nih.gov/research-topics/marijuana/cannabis-marijuana-potency>


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11

Fisher Phillips Evaluating Impairment

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12




Impairment Evaluation Challenges

- Not wise to assess THC levels in isolation.
- Difficult to determine impairment at low levels.
- 5 ng/mL of THC: one indicator with other signs of acute impairment from marijuana.
- Urine and hair drug testing may not be helpful.
- Long-term users.
- Psychoactive Ingredients:
 - Measurable concentrations
 - Potency of marijuana-containing products can vary and is poorly regulated.
- Delivery methods (inhalation, oral, sublingual, or topical) impact effect.
- No scientifically established dose or dosing schedule.
- There are limited, practical evidence-based methods to assess impairment for the workplace.

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13




Important Employer Considerations and Best Practices

- Maintain an impairment mindset.
- Verify workers with legitimate prescriptions for cannabinoid substance.
- Fitness for Duty Examinations
- Consider CBD Products.
 - May cause a positive test.
 - Still not legit explanation for Federally regulated tests.
- Develop a system to identify, assess, verify , etc., impaired individuals.
- Evaluate and consider additional testing options (i.e., simulator, neurocognitive, etc.) (**May** be good option for some.)
- Carefully define safety sensitive positions.

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14




Safety Sensitive Positions

- Objective, Factual Analysis
- Individualized Basis
- Tasks vs. Title
- Guidance and Examples
 - Firefighters
 - EMS
 - Police Officers
 - Interstate Motor Carrier Drivers (DOT/FMCSA)
 - Airline Pilots (FAA)
 - Railroad Engineers (FERRA)
 - Nuclear Facility Workers (NRC)

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15



Accommodation

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16



Americans with Disabilities Act


- Employers may prohibit alcohol and drugs in the workplace (possession and use).
- Post-offer/pre-employment medical examinations and inquiries are permitted.
- During employment, exams must be job-related and consistent with business necessity.
- Leave of absence for rehabilitation may be a reasonable accommodation (before a violation).

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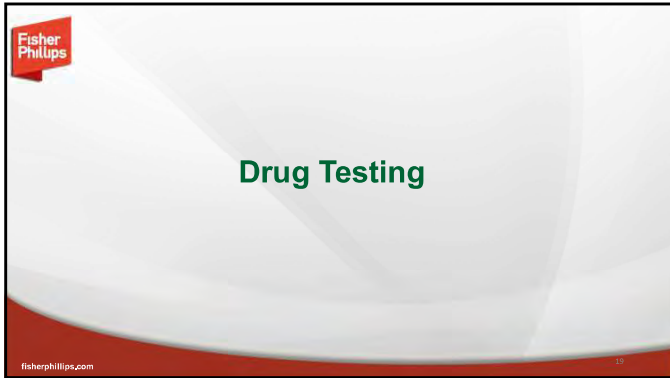
Accommodating Medical Marijuana

- I have a prescription!
- Employers are not required to accommodate an employee's need to use medical marijuana.
- HOWEVER.....

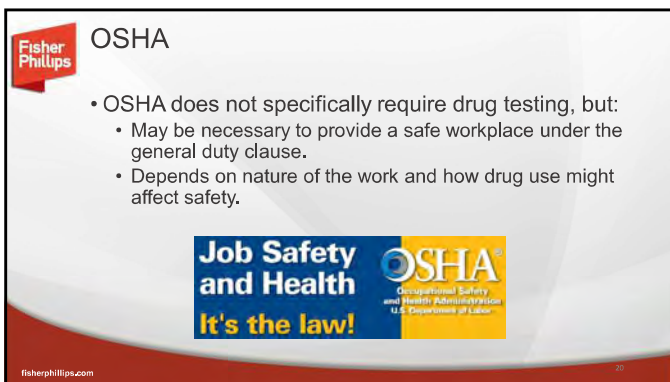


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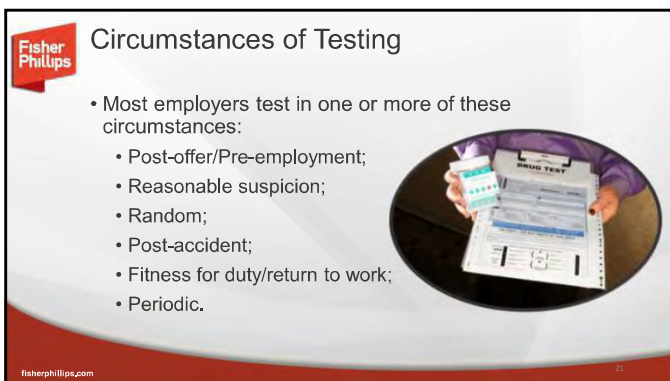
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Fisher Phillips Post-Accident Testing

- OSHA *clarification*.
 - Post-incident drug testing to determine the root cause of an incident that harmed or could have harmed employees is allowed, **but**:
 - Must not be done in a way that could be viewed as penalizing employees who report a work-related injury; and
 - Everyone whose conduct could have contributed to the incident should be tested (not just those who reported injuries).

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22

Fisher Phillips Hypothetical 1: Medical Marijuana Statute

Unless a failure to do so would cause an employer to lose a monetary or licensing related benefit under federal law or regulations, **an employer may not discriminate against a person in hiring, termination** or imposing any term or condition of employment or otherwise penalize a person based upon... [a] registered qualifying patient's positive drug test for marijuana components or metabolites, **unless the patient used, possessed or was impaired by marijuana on the premises of the place of employment or during the hours of employment.**

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23

Fisher Phillips Hypothetical 1: Employment Drug Testing Act

No cause of action is or may be established for any person against an employer who has established a policy and initiated a testing program in accordance with this article for...[a]ctions based on the employer's good faith belief that an employee had an impairment while working...on the employer's premises or during hours of employment.

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24

Fisher Phillips Hypothetical 1: Facts

- Laundry Worker at ABC Institutional Laundry, Inc.
- Employed Since 2008
- Issued Medical Marijuana User Card in 2014 for Pain Associated with Chronic Arthritis
- May 14, 2016, Employee Rolls a Laundry Cart Over Foot – Severe Contusion
- Post Injury Drug Test on May 17, 2016 = 1000 ng/ml (Purported Max Concentration Test Would Report)
- Terminated June 6, 2016, for Positive Drug Test
- Employer had drug testing policy approved per state’s law on employment drug testing.

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25

Fisher Phillips *Whitmire v. Wal-Mart Stores Inc.*, 359 F. Supp. 3d 761 (D.AZ. 2019)

- Motion for Summary Judgement
- Wrongful Termination and Discrimination Claims:
 - Arizona Medical Marijuana Act (AMMA)
 - Arizona Civil Rights Act (ACRA)
 - Arizona Employment Protection Act (AEPA)
- Key Legal Questions
 - Is there a private cause of action?
 - HR manager’s affidavit admissible “expert”?
 - Was employee in a safety sensitive position?
 - Did Arizona’s Drug Testing of Employees Act (DTEA) protect Wal-Mart?
 - Did the DTEA unconstitutionally amend the AMMA?
 - Was the employee disabled? Did Wal-Mart discriminate under ACRA?

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26

Fisher Phillips Hypothetical 2: Medical Marijuana Statute

“any person meeting the requirements under [the Act] shall not be penalized under Massachusetts law in any manner, or denied any right or privilege, for such actions.

...

[the Act does not require] any accommodation of any onsite medical use of marijuana in any place of employment,”

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Fisher Phillips Hypothetical 2: Facts

- Offer of Employment to Laundry Worker
- Licensed/Approved Medical Marijuana User – Crohn’s Disease
- Tests Positive and Employment Offer Retracted
- HR Manager Tells Worker “They follow federal law.”

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28

Fisher Phillips *Barbuto v. Advantage Sales And Marketing, LLC*
477 Mass. 456 (2017)

- Appeal of Dismissal
- Plaintiff’s Initial Claims, in brief:
 - Handicap Discrimination
 - Denial of Right/Privilege to Use Medical Marijuana per Massachusetts Medical Marijuana Act
 - Public Policy Wrongful Termination
 - Invasion of Privacy
- Key Legal Questions
 - Is there a private cause of action under Massachusetts’ Medical Marijuana Law?
 - Does plaintiff’s termination satisfy a public policy wrongful termination exception?
 - Could her claim for handicap discrimination proceed?

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29

Fisher Phillips Hypothetical 3: CBD Oil Use

- Employee is subject to drug test due to work on a federal contract.
- Employee tests positive due to alleged use of CBD oil.
- One court grants dismissal under these facts and a different court refuses to dismiss a case under these facts
- What were the deciding factors between the two cases?

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Fisher Phillips Hypothetical 3: Dismissal or not?

- Employer’s knowledge of the employee’s disability and CBD oil use prior to termination.
- Application of interactive process during accommodation discussion.
- Job description requirements.
- Reliance on drug testing company.

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31

Fisher Phillips Focal Takeaways

- Marijuana/Cannabis is a substance that can impair workers.
- Research is mixed on whether legalization is helping or heightening abuse and addition to other drugs and alcohol.
- Know your state’s laws.
- Be careful when dealing with medical users.
 - Marijuana Legalization Statutes
 - State Disability (ADA) Laws
- Adjust policies and practices to comport with state laws.
- Seek help from experienced **employment law** counsel when in doubt.

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32

Fisher Phillips Final Questions

Presented by:
Todd B. Logsdon
 Phone: (502) 561-3971
 Email: tlogsdon@fisherphillips.com

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33



34

Biography

Anthony B. Kuritz

> **Industrial Hygiene Consultant** May 1990 to present

Bureau of Safety Education and Training / INSafe
Indiana Department of Labor
Indianapolis, Indiana

> **Industrial Hygiene Supervisor** Aug. 1985 to Apr. 1990

Indiana Occupational Safety and Health Administration (IOSHA)
Indiana Department of Labor
Indianapolis, Indiana

> **Industrial Hygiene Compliance Officer** Jan. 1981 to July 1985

IOSHA
Indiana Department of Labor
Indianapolis, Indiana

> **Industrial Hygiene Compliance Officer Trainee** Summer 1979

U.S. Department of Labor - Occupational Safety and Health Administration (OSHA)
Calumet City, Illinois

> **Bachelor of Science degree** - Public Health (major: Occupational Safety and Health)

Indiana University School of Medicine - Indianapolis, Indiana (1980)



INDIANA DEPARTMENT OF LABOR

OSHA Updates

INSafe - Indiana Department of Labor

October 18, 2023


Wednesday, October 11, 2023

1

IDOL Updates

- New Commissioner of Labor Named – David Redden
- Professional / Technical Pay Scale Increases
- Physical Layout of Department
- Current Number of Employees –
 - Wage & Hour / Youth Employment – 8, Director David Bennett
 - Voluntary Protection Program – 4
 - IOSHA Safety & Construction Compliance – 25
 - IOSHA Health Compliance – 17
 - Customer Service & Whistleblower Protection – 6
 - Quality Metrics & Statistics – 4
 - Bureau of Mines - 1

INDIANA DEPARTMENT OF LABOR



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IDOL Updates – cont.

- Current Number of Employees – INSafe
 - Deputy Commissioner – KR Boucher
 - Administrative – 2
 - Safety Consultants – 4
 - Health Consultants - 4

INDIANA DEPARTMENT OF LABOR



3

OSHA News

- Dollar Tree/Family Dollar Nationwide Settlement Agreement

INDIANA DEPARTMENT OF LABOR 

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Fact Sheets

- Agricultural Safety

INDIANA DEPARTMENT OF LABOR 

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Standards

- Expanded Recordkeeping Standards
 - Effective Jan. 1, 2024
 - 100 high hazard industries
- Submit
 - 300
 - 300A
 - 301 (First Report of Injury in Indiana)

INDIANA DEPARTMENT OF LABOR 

6

National Emphasis Programs

- Preventing workplace falls
- Respirable silica exposure to engineered stone fabrication and installation
- Warehousing
 - Heat stress
 - Ergonomics
- National Hispanic Heritage Month 9/15-10/15/2023

Wednesday, October 11, 2023 INDIANA DEPARTMENT OF LABOR 

7

Pre-Rule Making

- Process safety management/Major chemical accident prevention
- Mechanical power presses
- Healthcare workplace violence prevention
- Blood lead levels for medical removal
- Heat illness prevention – outdoor and indoor

Wednesday, October 11, 2023 INDIANA DEPARTMENT OF LABOR 

8

Proposed Standards

- Protection for temporary agriculture workers
- Respirable crystalline silica
- Infectious diseases
- Construction tower safety
- Emergency response
- Tree care safety
- Construction welding in confined spaces
- Construction personal protective equipment

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9

Proposed Standards (cont.)

- Industrial truck design update
- Walking/working surfaces
- Crystalline silica medical surveillance requirements
- Worker walkaround representative designation process

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10

Final Rules

- Hazard communication
- Covid-19 in healthcare facilities
- Tracking workplace injuries/illnesses
- Safety programs for surface mobile equipment

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11

INSafe Safety & Health Consultation


- Occupational safety and health consultation division
- Safety and health specialists
- General industry and construction
- Division of the Indiana Department of Labor

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12

Occupational Safety and Health Act of 1970

"To assure safe and healthful working conditions for working men and women; by authorizing enforcement of the standards developed under the Act; by assisting and encouraging the States in their efforts to assure safe and healthful working conditions; by providing for research, information, education, and training in the field of occupational safety and health; and for other purposes."

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13

~~IOSHA~~

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14

INSafe Services


- On-site consultation
- Technical assistance
- Noise or air sampling
- Group training and seminars
- Educational materials (*IN Review, Indiana Labor INsider, etc.*)
- Training materials
- Proactive voluntary safety and health programs

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15

Cost to have INSafe assist with safety and health programs?

\$0.00

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16

INSafe Consultation Process: Getting Started

- Step #1: Request
 - Must be in writing
 - Online request
 - www.in.gov/dol/2896.htm
 - or www.in.gov/dol/insafe
 - Call or email with any questions
 - insafe@dol.in.gov
 - (317) 232-2688

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17

INSafe Consultation Process: The Visit


- Step #2: Onsite visit
 - Opening conference
 - Review of OSHA injury and illness logs
 - Review of written safety and health programs
 - Hazard walk-through of facility, job site, or selected spectrum
 - Closing conference, review of noted hazards
 - Establish reasonable correction due dates

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18

INSafe Consultation Process: Results On Paper

- Step #3: Evaluation and Report
 - Written report of consultation findings
 - Recommendations
 - Employer is required to post the hazard list transmitted in the written report near the hazard and for a minimum of three days or through correction.

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19

INSafe Consultation Process: Correction

- Step#4: Correction of Serious Hazards
 - Identified hazards and correction due dates
 - Extensions
 - Communication during corrections

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20

INSafe Consultation Process: Documentation

- Step #5: Hazard Correction Documentation
 - Written confirmation
 - Must include date and method of hazard correction
 - Follow-up consultation visit (if necessary, in some cases)

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21

What We Can/Cannot Do

| Can | Cannot |
|---|---|
| Conduct onsite consultation | Enter uninvited |
| Answer questions about OSHA standards and offer recommendations | Answer specific questions about IOSHA inspections |
| Assist a company that was inspected by IOSHA | Enter until the safety orders have become final order |
| Advise a company how to close a complaint with IOSHA | Provide any information about our clients to IOSHA |
| Work with companies to assist with enhanced abatement | Provide any details of that abatement to IOSHA |

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22

- Indiana Safety and Health Achievement Recognition Program
- Federally recognized program
- Similar to Voluntary Protection Program (VPP)
- Certification = Exemption from random IOSHA inspections
- To learn more:

www.in.gov/dol/insharp

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23

Social Media

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24



25

Bob Kristof, CSP
Senior Field Director of Loss Control
Cincinnati Insurance-St. Louis and Southern IL Territory

Bob Kristof has over 30 years of experience in the Loss Control/Safety Consulting with several Insurance companies. He began his career with Schnucks grocery stores working with them to reduce OSHA violations. Bob moved on to United Van Lines/Mayflower Transit working with Trucking Insurance and DOT regulations. He went on to Liberty Mutual Insurance going through all the training offerings from them including driving a tractor trailer on a skid pad doing a planned 180. UPS was one of his largest clients where he achieved a 40% reduction in OSHA recordables. Bob went on to Ohio Casualty for 10 years which was then acquired by Liberty Mutual. He took break from Insurance and went into a Union Railroad Train Rebuilding shop called Watco, where he being the Safety Manager. Bob is currently working for Cincinnati Insurance for the past 12 years. Bob is also the President of Gateway Disabled Ski Program at Hidden Valley Ski resort in Eureka, MO, which has over 200 volunteers and 135 Disabled kids, adults and Veterans. Bob is a Certified Safety Professional.

Consulting Skills 101: Loss Control is Sales!

Best ways to improve client interactions, get customer buy in on recommendations, and sell your services.

We have 3 Customers: The Insurance Company, Insured and Agent, each has their own unique challenges/needs/wants.

We are all loss control professionals, but let's face it we are also in sales. We have a pretty difficult task, to go into someone's business and point out things they could do better and offer recommendations for improvement.

The presentation will cover tips and tricks to win your customer over, and get tasks completed which will ultimately lead to the savings due to fewer claims and hopefully an insurance renewal. I'm not sure what this means?

The presentation would be interactive, actively seeking input from the audience on tips and tricks they have developed over their years in the industry.

We will all go away with new ideas to do what we do every day, but even better.

- Topics include:
1. Setting the Appointment and Expectations for both on-site and virtual risk evaluations
 2. Recommendations Challenges (cost considerations, impact on productivity, impact on quality, etc.)
 3. Dealing with Difficult customers
 4. Closing with Customer Buy in

ATTENDEE LISTING 2023

| Last Name | First Name | Organization | City | State | ZIP |
|------------|-------------|---|---------------|-------|---------|
| Alcaraz | Joseph | The Sovereign General Insurance Company | Toronto | ON | M5J 0B6 |
| Banerjee | Angela | Acuity, A Mutual Insurance Company | Markesan | WI | 53946 |
| Bartz | Levi | Society Insurance | Madison | WI | 53704 |
| Bates | Mark | Kentucky AGC SIF | Shelbyville | KY | 40065 |
| Blake | David | MTI | Hanover Park | IL | 60133 |
| Borchers | Paul | Celina Insurance Group | Celina | OH | 45822 |
| Broderick | Christopher | IN Dept of Homeland Security | | | |
| Conner | Larry | Celina Insurance | Celina | OH | 45822 |
| Cook | Louise | Hartford Steam Boiler | Cincinnati | OH | 45245 |
| Corcoran | Michael | AmFed Insurance / Ascot Group US | SPRING HILL | TN | 37174 |
| Davidson | Steve | EMC Insurance | Norwalk | IA | 50211 |
| Eickholt | Cory | Central Mutual Insurance | Van Wert | OH | 45827 |
| Finn | Dan | Berkley Industrial Comp | McDonald | PA | 15057 |
| Fisher | John | Cincinnati Insurance Company | Put In Bay | OH | 43456 |
| Geller | Jeff | Central Insurance | North Canton | OH | 44720 |
| Gudenrath | Scot | Country Insurance & Financial Services | Bloomington | IL | 61702 |
| Hickman | Matt | Afirm | Fort Collins | CO | 80528 |
| Hickman | Matthew | Afirm | Minneola | FL | 34715 |
| Hunter | Greg | EMC Insurance | Louisville | KY | 40223 |
| Kristof | Bob | Cincinnati Insurance | | | |
| Kuritz | Tony | INSafe - IN Dept of Labor | | | |
| Lenkov | Richard | Downey & Lenkov LLC | Crown Point | IN | 46307 |
| Lewis | Dave | German Bionic | | | |
| Logan | Nathan | Amerisure | | | |
| McCluskey | John | MTI | Hanover Park | IL | 60133 |
| McHone | Seth | Country Financial | Bloomington | IL | 61701 |
| Medford | Cindy | CINDY MEDFORD | Slippery Rock | PA | 16057 |
| Medsker | Baron | EMC Insurance | Mooresville | IN | 46158 |
| Panizzi | Michael | FCCI Insurance Group | Bloomington | IL | 61705 |
| Pelley | Robert | The Cincinnati Insurance Company | Saint Peters | MO | 63376 |
| Peters | Pat | Cincinnati Insurance | Macomb | MI | 48044 |
| Piecuch | Peter | InsureTEK, Inc. | Nashville | TN | 37208 |
| Pratt | David | Central Insurance | Van Wert | OH | 45891 |
| Puleo | Victor | Butler University | | | |
| Ringler | Steven | Great American Insurance Company | Cincinnati | OH | 45202 |
| Ross | Brad | FCCI Insurance Group | Vestavia | AL | 35242 |
| Rowland | Kipp | EMC Insurance | Indianapolis | IN | 46220 |
| Scanga | Jesse | EMC Insurance | New Castle | PA | 16105 |
| Schmidt | Lea | Alexander & Schmidt | Yarmouth | ME | 4096 |
| Silber | Robert | Brotherhood Mutual Insurance Company | Columbia | SC | 29210 |
| Stein | Greg | Celina Insurance | Aurora | OH | 44202 |
| Taugir | Sama | Mutual Boiler Re | | | |
| Thompson | David | Central Insurance Company | Van Wert | OH | 45891 |
| Thornberry | James | Jet Inspections | Portage | IN | 46368 |
| Turner | Dave | EMC Insurance | Des Moines | IA | 50309 |
| Turnwald | Jared | Central Mutual Insurance Companies | Columbus | OH | 43235 |

ATTENDEE LISTING 2023

| Last Name | First Name | Organization | City | State | ZIP |
|------------------|-------------------|---------------------|--------------|--------------|------------|
| Vogel | Michael | Central | Des Plaines | IL | 60016 |
| White | Stephen | AFIRM | Loveland | CO | 80537 |
| Wilkins | Austin | Afirm | Fort Collins | CO | 80528 |





Joining Davies

In April 2023 we were pleased to announce that we had been acquired by Davies, the leading professional services & technology firm serving the insurance and highly regulated markets.

Globally, Davies' 6,500+ colleagues operate across ten countries, including the U.S. and the UK. The business delivers professional services and technology solutions across the risk and insurance value chain, including excellence in claims, underwriting, distribution, regulation and risk, customer experience, human capital, digital transformation, and change management.

Over the past ten years Davies has grown its annual revenues more than 20-fold, investing heavily in research and development, innovation and automation, colleague development, and client service. Today, the group serves more than 1,500 insurance, financial services, the public sector, and other highly regulated clients.

Over recent years Davies has established and expanded its operations in North America with the firm now boasting claims solutions, insurance operations, consulting & technology capability spanning Property & Casualty, Life & Health, and Transportation insurance markets.



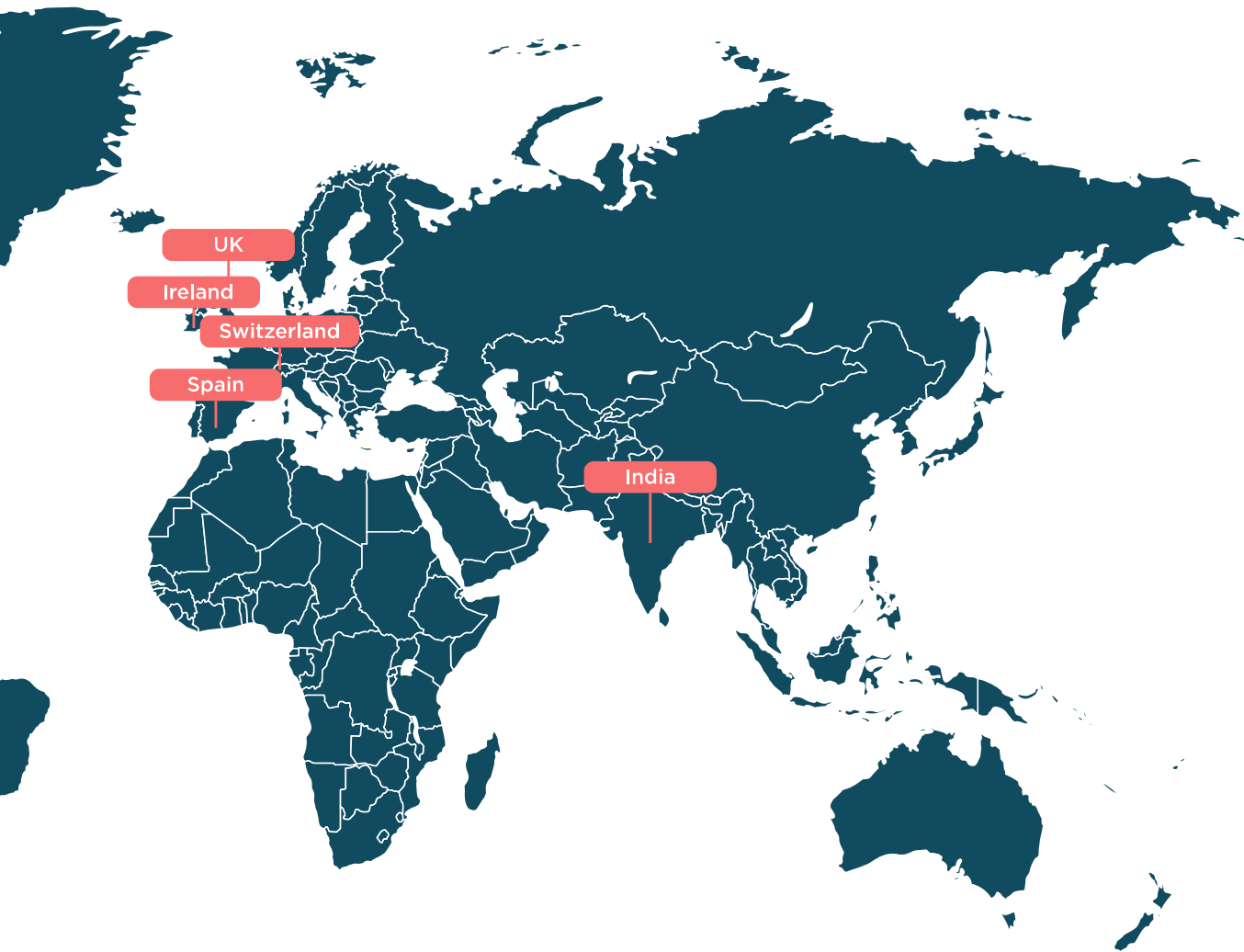
Davies' offering across North America includes:

Claims Solutions

- ▶ Property Claims
- ▶ Casualty Claims
- ▶ Transportation Claims
- ▶ Life & Health Administration
- ▶ Staffing Solutions

Insurance Services

- ▶ Actuarial Solutions
- ▶ Product Development &
- ▶ Compliance
- ▶ Audit Solutions
- ▶ Captive Management
- ▶ Excess Claims Management
- ▶ Risk & Inspection Services
- ▶ Subrogation Management
- ▶ UK Market Entry



Premium Audit

Afirm delivers the highest quality Premium Audits in the industry. We tailor each audit to meet the specific needs of your organization, all while exceeding industry standards of quality, reporting and time service.



We utilize the leading industry software to address the needs of our clients while adhering to important industry standards and best practices. Through each of our service offerings, clients receive an easy to navigate audit with robust resources that allow you to quickly mine each audit for detailed data.

Our Total Quality Management (TQM) approach to auditing is now the industry standard. Completed audits can easily be ordered and retrieved online offering flexibility, easy access, and on-time delivery.

Traditional (On-site) Audit

Conducted when an on-site visit is required, the on-site audit remains the most thorough process in the premium audit category. Trusted by insurance carriers to be their eyes and ears, on-site field auditors are equally trusted by the policyholder to be professional and create a positive audit experience.

Virtual Audit

Performed only by our most experienced auditors the virtual audit offers the most detail of any product service offering. Reach more of your policyholders regardless of location with this top of the line virtual product. All records are reviewed and collected electronically through a secure portal.

Mail Audit

A simple and secure way to collect the basic data required for your smaller policies, the mail audit provides access. Access to a secure portal for data entry, which in turn, is provided to your policyholder.

Traditional (Remote) Audit

Conducted by the territory field auditor when an on-site visit is not possible or practical, but requires the same level of expertise and detail, the remote audit provides continuity and preserves the familiarity of the on-site experience.

Verified Phone Audit

Phone audits are a great way for clients to extend their budgets. Our phone audits provide the essential audit information for smaller and less complex audits.

Online Training

Afirm offers a robust curriculum of online training courses, presentations and continuing educational classes designed for today's premium auditor. This training is provided at no additional cost to our client partners and association members.

Client Special Services

Afirm can perform a number of special services including premium extensions, billing, and management of the audit

Loss Control

A firm utilizes the most advanced loss control reports in the business. You can enjoy customized reports with automation options found nowhere else in the loss control business.



You can utilize our Smart Form technology to uniquely mine data and pinpoint patterns or trends to identify segments of your business reducing losses and improving your profits.

On-Site Survey

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

Telephone Survey

Telephone Surveys are a great way for our clients to extend their budgets. Our telephone surveys provide essential underwriting information, allowing you to make informed decisions for each policy.

Virtual Survey

Often referred to as “desktop” surveys in the industry, our team of experts mine through an array of valuable resources and then performs a telephone interview with the insured.

Residential Inspection

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.

High Value Dwelling

High Value residential inspections determine accurate replacement costs for those residences with significantly upgraded architectural and building features.



Self-inspection app fully customizable by risk, coverage type and underwriting requirements

Residential Virtual Inspection

Our virtual inspections tap into a deep resource of data that is compiled in a logical format, and can be a powerful underwriting tool eliminating the need to physically visit an insured.

Consulting

Afirm has risk control consultants throughout North America who can provide services to improve safety and health, productivity and bottom line results.

Online Services

Afirm offers a robust library of online tools, presentations and technical bulletins geared toward loss control and safety.

OSHA Compliance

Our countrywide risk control consultants are well versed in OSHA regulations for the U.S. and can provide workplace specific guidance to meet compliance standard needs.



Established in 1988, Afirm has grown from a small regional company to a nationwide provider of services within the industry. Our expertise and precision place us strongly at the forefront of commercial insurance.

Serving insurance institutions throughout North America, Afirm continually introduces and offers innovative solutions. We work with clients to understand their needs and identify opportunities within the industry.

At Afirm, you will always find "more than you expected." We are a multifunctional resource for all your needs when evaluating and managing risks. Our success is made possible by the thousands of people who support our work.

We invite you to learn more about how we can provide your business with the tools needed to be more competitive in this ever-changing world.

Colorado Office

Phone

800.223.2310

Address

3528 Precision Drive,
Suite 200
Fort Collins, CO 80528

Michigan Office

Phone

800.523.8501

Address

1601 Galbraith SE,
Suite 302
Grand Rapids, MI 49546

afirmsolutions.com
info@afirmsolutions.com

TRANSTAR[★]

Technical Services, Inc.

Commercial Loss Control Evaluations



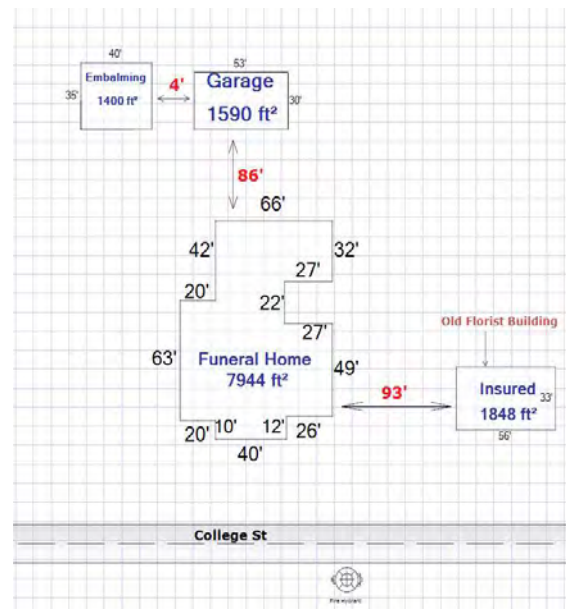
TranStar Technical Services, Inc. is a commercial loss control inspection company with over 40 years of experience. We are a family owned business operating in the southeast.

We offer multiple lines of coverage in various types of occupancies including restaurants, hotels, churches, apartments, warehouse etc.

All reports are reviewed before sending to client.

Web based, real time inventory system, web system with data mining, ImageRight and XML integration capability. Use our standardized forms or we can use your forms.

We are customer focused with excellent response time.



Scott Doyle, President

Cristine Doyle, Vice President

4485 Tench Rd Suite 1720, Suwanee, GA 30024 * Office: 678.765.7571
TRANSTAR@TRANSTARTECH.com



ILCA
Annual Conference
October 16 – 18, 2023
Drury Plaza Hotel
Indianapolis Carmel
Indianapolis, Indiana

***INSURANCE COMPANIES
AND OTHER ENTITIES
REPRESENTED AT THIS CONFERENCE***

Acuity Insurance

AFIRM

Alexander & Schmidt

Amerisure

AmFed Insurance/Ascot Group US

Berkley Industrial Comp

Brotherhood Mutual Insurance Company

Butler University

Celina Insurance

Central Insurance

Cincinnati Insurance Company

Country Insurance & Financial Services

Downey & Lenkov LLC

EMC Insurance

FCCI Insurance Group

German Bionic

Great American Insurance Company

Hartford Steam Boiler

IN Dept of Homeland Security

INSafe – IN Dept of Labor

InsureTEK, Inc.

Jet Inspections

Kentucky AGC SIF

MTI

Mutual Boiler Re

Society Insurance

The Sovereign General Insurance Company