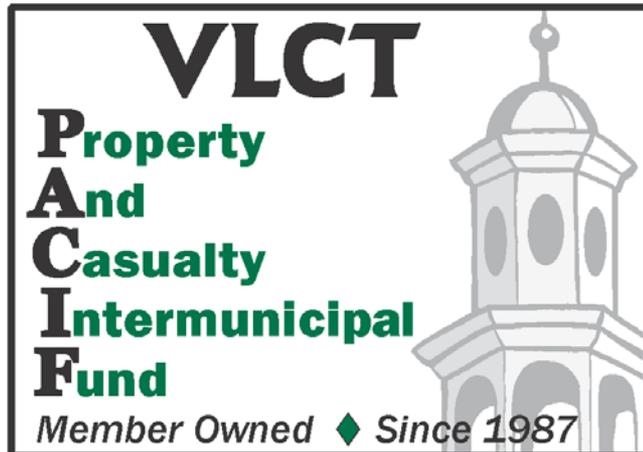


# VLCT Risk Management Services

## In Service to You and Your Municipality



**Presented by Ken Canning, CPCU, AU**  
*Director, Risk Management Services, VLCT*



# Owned & Governed by Members and Administered by RMS

## **PACIF:** Property And Casualty Intermunicipal Fund

- **Workers' Compensation**
- **Property, Auto, Liability**
- **In-house teams:**
  - ✓ **Underwriting**
  - ✓ **Claims**
  - ✓ **Loss Control**
- **Annual contribution credits**



# Owned & Governed by Members and Administered by RMS

## **VERB:** VLCT Employment Resource and Benefits Trust

- **Unemployment Insurance**
- **Employee Benefits**
- **Member Relations  
and in-house support staff**



# PACIF Comprehensive Coverage

- **Developed by and for Vermont Municipalities specifically**
- **Protecting towns' material and human assets with broad coverages and professional claims handling**
- **Every member has its own set of limits. Generally these are:**
  - \$10,000,000 per occurrence separately for property and liability
  - Fund-wide aggregates apply to Flood, Earthquake, Terrorism, Asbestos, and Mold
  - Deductibles range \$1,000 - \$5,000
- **Unique coverages:**
  - Property: Non-covered claim service and Unintentional failure to schedule property
  - Liability: No-fault sewer back-up and Limited pollution – road salt



# Public Officials Liability (POL)

***Wrongful Act(s) while acting within the scope of the Member's duties as such, and only with respect to operations by or on behalf of the Named Member.***

- Wrongful Act(s) means any actual or alleged violation of any federal, state, or local civil rights, or breach of duty by the Member in the discharge of duties for the Named Member, individually or collectively.
- Examples: permitting, zoning, adopting ordinances, subdivision and tax sale issues, alleged improper conduct, alleged civil rights violations, improper recording of liens
- Select Exclusions: Eminent Domain, deliberate violation of a statute, non-monetary claims (injunctive relief), breach of contract



# Employment Practices Liability (EPL)

***Covered Event(s) while acting within the scope of the Member's duties as such, and only with respect to operations by or on behalf of the Named Member.***

## **Covered Event(s) means**

- an employee, former employee, or applicant for employment with a Named Member alleges defamation, infliction of emotional distress, wrongful failure to employ or promote, wrongful discipline, retaliation, constructive discharge, invasion of privacy, wrongful infliction of mental anguish, wrongful demotion, negligent or wrongful evaluation, wrongful termination, violation of civil rights, or discrimination by a Member;
- or an employee or former employee of a Named Member alleges sexual harassment by a Member.

**Does not include labor or grievance arbitration subject to a collective bargaining agreement, employment handbook, or other employment policies or procedures.**



# Employment Practices Liability (EPL)

- **Covers non-monetary defense costs**
- **Select Exclusions:**
  - willful failure to comply with or reckless disregard for any employment law or regulation
  - retaliatory action
  - labor grievance
  - non-monetary relief
  - back pay
  - ERISA
- **We are here to help you! See next slide...**



# EPL Referral Program

**The Principle:** Employment Practices Liability (EPL) claims are VERY costly; **early legal advice** can often prevent them.

## **The PACIF Process:**

- 1. Call VLCT and discuss with MAC.**
- 2. If MAC believes that legal advice from an Employment Law attorney can help avoid a claim,**
- 3. MAC will refer you to a participating attorney, and**
- 4. PACIF will pay for your initial consultation on this issue.**
- 5. If you implement the attorney's advice and are still sued, your EPL deductible will be waived.**

**Results so far: 25+ referrals and 100% positive feedback**



# Reducing Law Enforcement Risks

Law enforcement **Liability** claims can be very expensive to defend and resolve. Police work also generates a high number of **Automobile** and **Workers Compensation** claims. PACIF is introducing several initiatives to help reduce these exposures to loss.

- Work closely with the VCJTC (Vermont Police Academy).
- Contract with the Public Agency Training Council (PATC) to
  - ✓ Create **40 Vermont-specific policies** addressing the 12 highest-risk tasks (which result in 90% of all claims).
  - ✓ Host the online **VLCT Law Enforcement Training Center**.
  - ✓ **Consult with member Police Chiefs** on request.
- Provide additional online training via **PACIF Online University**.
- Support the goals of the President's Task Force on **21<sup>st</sup> Century Policing**.
- Host **June 10, 2016 Workshop** on 21<sup>st</sup> Century Policing presented by IACP.



# PACIF WorkStrong:

## Because a Healthy Worker is a Safer Worker



People who are **flexible or fit** (or both) have **fewer and less costly** work-related injuries

- Employers can **require** employees to participate
- Train-the-Trainer classes for **pre-shift stretching** for all departments to perform daily
- Simple **fitness testing** in work clothes and at worksite
- Individual **consultations**: ergonomics, nutrition, exercise
- **Restorative Yoga**: relieves stress, refreshes body & mind
- Recorded **webinar explains Why, What, and How** to do it



# CONTRACTS:

## Know What You Are Signing!

- **Many kinds of exposure:**
  - ✓ **Construction Projects**
  - ✓ **Lease of Premises**
  - ✓ **Equipment Lease**
  - ✓ **Employment**
- **Have two professionals review before you sign:**
  - ✓ **Town Attorney for legal details**
  - ✓ **PACIF Underwriter for insurance provisions**
- **Require Builders Risk Coverage for construction**
  - ✓ **Contractor as first choice to provide it**
  - ✓ **PACIF if necessary**



# Ongoing PACIF Programs

- **Safety inspections, guidance, and trainings** by our Loss Control staff at **no cost** to members
- **Contract review** (e.g. construction, lease of premises) **for risk transfer**
- **Online University**: 24/7 safety trainings, HR courses, and CEUs toward state water and wastewater certifications
- **Scholarships** and **Equipment Grants** for members only
- **Federal CDL Driver Testing and DER Support** – now with **mobile** clinic
- **VLCT Law Enforcement Training Center** – online policies, trainings, case law, and more for police and constables
- **EAP** – counseling (emotional, legal, financial) for all employees (not volunteers) and their household members
- **Fraud Prevention** – Financial Internal Controls Checklist
- **Serious Hazard Alerts** published when appropriate



# **VERB: VLCT Employment Resource and Benefits Trust**

## **Unemployment Insurance**

- **Stable pricing**
- **Administration of billing, claims, and appeals**
- **Legal counsel for formal hearings**
- **Fund is very responsibly managed**
- **Annual contribution credits**



# VERB: VLCT Employment Resource and Benefits Trust

## Employee Benefits

- Medical insurance for largest groups (100+)
- Health Insurance Advisory Services
- Dental coverage
- Vision coverage
- Health Advocate
- Life insurance
- Disability insurance
  - ✓ Long-Term
  - ✓ Short-Term

**All have  
Group and  
Voluntary  
Options**

# Questions? **CALL US!**

**800-649-7915**

## **VLCT's RMS Staff**



**Email: [info@vlct.org](mailto:info@vlct.org) or [\[firstinitiallastname\]@vlct.org](mailto:[firstinitiallastname]@vlct.org)**