

The Risk Report

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A publication of the Arkansas School Boards Association (ASBA)

Now that you asked ...

Q. What can our district do this summer to reduce accidents and insurance claims next school year?

A. *Summer is a great time to provide safety training to employees. This can pay off big by reducing injuries and damage to vehicles and property.*

Different positions require specialized training; for instance, bus driver safety presentations will be vastly different than those provided to cafeteria workers and custodians.

And don't forget your teachers and secretaries – everyone could use a refresher session that includes reminders to keep work areas neat to avoid trips and falls and not to climb on chairs to decorate classrooms and offices.

Q. I understand that our district has immunity from lawsuits, but does this apply if our band goes out of state to a competition?

A. *In general, your district has immunity from lawsuits in Arkansas. However, if students or staff travel out of Arkansas, they lose this immunity. You may need to purchase*

– Continued on reverse

Vehicle insurance claims

As of May 25, ASBA has received 177 vehicle claims; in 98 of those accidents, the district driver was at fault.

Total costs incurred to date for all vehicle claims is \$986,000; the at fault claim total is \$774,600.

Don't miss the article on the reverse side about safety gear and hiring seasonal employees

Insurance premium comparison – apples to apples?

The majority of districts renew their property and vehicle insurance policies on July 1. Occasionally districts get quotes from local agencies for these types of coverage, which may result in an unpleasant surprise when a claim is submitted and not fully paid. Be sure all quotes for coverage contain the same provisions and limits. With blanket replacement, be sure to ask insurance agencies if there is a limit (or aggregate). The coverage you purchase needs to meet or exceed the standards set by the Arkansas Commission for Public School Academic Facilities and Transportation. ASBA's insurance coverage exceeds these requirements and includes damage from earthquake or flood; some policies may not, so districts should ask pertinent questions to be sure.

Workers' comp policy changes – designated physician

Employees who file workers' compensation claims should receive treatment from a physician designated by the school district. State law and the Arkansas Workers' Compensation Commission allow for employers to designate specific physicians that the injured employee must visit for initial treatment.

"Designated physicians can provide objective diagnoses and appropriate care to workers' compensation patients," said ASBA Risk Management Program Director Shannon Moore. "We anticipate this will result in quality care, as well as reduced claim experience and time off work. It also makes it easy for supervisors to have one place of referral to assist injured workers."

Moore said ASBA Workers' Compensation Trust member districts that do not have a designated physician should contact Risk Management Resources or Moore for assistance.

Recently ASBA updated board policies (3.44 for certified personnel and 8.36 for noncertified employees) for Model Policy Service subscribers to review and adopt. These policies include the designated physician requirement.



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Summer cleaning – reducing injury risk

Picture this: a nice summer day, all is quiet around campus except for the sound of a floor buffer in the background and the smell of fresh cut grass as a mower glides across the lawn. This is a typical scene on a school campus, but the day could turn tragic if proper work precautions are not followed.

Some chemicals used around campus may emit dangerous fumes or cause skin irritation if not used properly. In a previous year a district employee wore rubber sole shoes while using a caustic floor stripper that ate right through the shoes, resulting in chemical burns on the feet. Safety training and good decision making could have prevented this accident. Be sure that employees wear gloves, goggles, steel-toe shoes or other safety devices, depending on the type of work they are doing.

Many times students seek seasonal employment in the summer. While it may seem helpful to give these young people a job, there could be serious repercussions if the child is not old enough to work according to federal rules. The age requirement to operate power-driven mowers, cutters and trimmers is 16, according to the Fair Labor Standards Act. Also, young people may be less knowledgeable about safety precautions and less familiar with equipment used on campus.

While on the subject of seasonal hires, keep in mind that these employees are subject to workers' compensation rules. If they are injured on the job, you must ensure that workers' comp claims are filed.

As mentioned on the reverse side, be sure that safety training is a regular part of the job and is appropriate for the type of tasks that employees may perform in their roles.

Builders' risk coverage

Many districts will use stimulus funds to accomplish campus improvements this year. If renovations are planned in your district, be sure to purchase builders' risk coverage. Some contractors build this into their bids, but it may cost you less to purchase it separately through ASBA's Risk Management Program if you have property coverage through ASBA.

Just ask the contractor if the builders' risk coverage is built into his bid; if it is, ask what that cost is and then ask ASBA to give you a quote. You may save money by asking the contractor to eliminate this and by replacing it with separate coverage from ASBA.

*Now that you asked ...
continued*

a policy just to cover this trip. The downside of purchasing general liability insurance is that a district then becomes liable and may be sued. Complicated, isn't it? ASBA has asked Ramsey Krug Ferrell & Lensing to investigate special event coverage for out-of-state trips; we'll let you know what we learn.

If you have a question about property or vehicle insurance or workers' compensation, please e-mail Shannon Moore at shannon@arsba.org.

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compensation,
property and
vehicle claim forms
are on the ASBA
Web site:
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