

Director's Column

Risk Management Information System Taking Shape



Beginning this fall, a new risk management information system now in development at Risk Management Division (RMD) will provide a single integrated solution for both the state's workers' compensation and its property and casualty insurance programs.

The project combines the division's three existing systems plus an imaging software solution into one integrated system. This consolidation is a key component of the division's vision since the merger of the workers' compensation and property and casualty programs two years ago.

RMD's implementation team has the dual challenge of integrating multiple systems and simultaneously improving business processes. For instance, the new system will not only address the division's claim management needs, but will eventually provide enhanced support for agencies' safety and loss control efforts.

Web-based incident reporting

As one example of the enhanced support to agencies, the new system will offer a completely redesigned workplace injury reporting process.

"This new system builds on a reporting process that we developed with our customers in a Lean Kaizen event," says Todd Christenson, State Safety and Loss Control Manager. "Using a web interface, agency personnel will be able to report and track all workplace incidents – not just injuries – in one system."

Next steps

The implementation team is now testing preliminary components of the system using trial data that was recently converted from the legacy systems. Additional components will be developed and tested over the next several months.

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Agencies will learn more about the system and its capabilities as new components are developed and tested. The anticipated go-live date for the new system is September 2010.

If you have questions, please contact your RMD representative.

More for Less!

Negotiations with Enterprise Rent-A-Car, the state's contract vendor for rental vehicles, have realized an average 10 percent reduction in daily rental rates on popular models while retaining broad insurance protections.

Because of the significant risk associated with the use of private vehicles when performing state business, risk managers strongly recommend the use of a rental vehicle from the state's contract vendor. The daily rate with Enterprise includes \$2 million in liability coverage and full physical damage coverage. The contracts are available online at

www.mainserver.state.mn.us/risk.

New Claim Handling Procedures for State Vehicles

For agencies that have vehicles purchased by or leased from Fleet Services, RMD is taking over the claim handling process effective Monday, May 3, 2010.

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sending auto accident reports to Fleet Services and report claims directly to RMD.

Claim Reporting Guidelines and

claim forms can be found under the Claim Reporting tab on the RMD website:

<http://www.mainserver.state.mn.us/risk>.

Email claim forms to

Fleet.mgmtclaims@state.mn.us or fax them to 651-297-7715. For questions call 651-201-2590.



The Secret to Reducing Indoor Air Quality Complaints

With outdoor temperature swings of over 100 degrees and humidity levels ranging from bone dry to tropical, maintaining comfortable indoor air in Minnesota buildings throughout the year is a constant battle for even the most sophisticated equipment and experienced operators.

Safety and Loss Control each year conducts numerous indoor environmental quality (IEQ) evaluations at state-owned and leased facilities, often in response to specific occupant complaints. Although there are many variables that can affect the indoor environment, proactively managing a relatively short list of issues can mean the difference between comfort and complaining.

Thermal Comfort – Space temperature, relative humidity and air movement are components of thermal comfort. Controlling space temperature to the satisfaction of the vast majority of occupants would result in marked decrease of IEQ complaints. The targets of 70 degrees F during the heating season and 76 degrees F during the cooling season would satisfy most occupants and energy conservation efforts. Relative humidity should be maintained in the range of 20 to 50 percent and not exceed 60 percent in the summer months. Low humidity, common in winter, can lead to complaints including eye, nose and throat irritation. Another common complaint: Drafts and cold air blowing directly onto people.

Although there are many variables that can affect the indoor environment, proactively managing a relatively short list of issues can mean the difference between comfort and complaining.



Outdoor Air Ventilation – Reports of “stuffy air” and lingering odors are telltale signs of a shortage of outdoor air ventilation. The introduction of an adequate volume of outdoor air will reduce odors and dilute concentrations of indoor contaminants generated from activities and work processes. The amount of outdoor air ventilation required for an area is a function of the number of employees and the square footage of floor space served. Typically, a minimum outdoor air ventilation rate of 17 to 20 cubic feet per minute (cfm) per occupant is an acceptable standard. The state also has provisions in the standard lease language that calls for 20 cfm per occupant.

Operations and Maintenance – Facility maintenance in many cases will be directly related to occupants’ satisfaction with the IEQ. Regular building mechanical system upkeep, including cleaning air handling unit coils, drain pans and adjacent interior surfaces and adequate air filtration, will preempt complaints. Balancing heating/ventilation/air conditioning (HVAC) systems will ensure proper air distribution to all areas, while housekeeping activities, such as routine carpet vacuuming and horizontal-surface dusting, will improve indoor air quality by reducing irritants.

Water Intrusion and Moisture – Controlling moisture is the key to prevent mold formation and growth. Relative humidity levels should be kept below 60 percent, while a quick response to a water intrusion event – whether it’s a leaky faucet or a flood – can prevent mold from gaining a foothold by beginning the drying out/remediation process as soon as possible. In-house staff with the right equipment can usually respond to the small events, while specialized contractors are available immediately for emergencies and/or significant intrusions. Risk Management Division should also be contacted immediately if Risk Management insures the facility and/or contents.

Communication – Communication is critical to maintaining indoor air quality. Start with a simple reporting system – what, how, when and to who – and a follow-up process for conveying progress to staff members. In many cases, prompt attention by facility maintenance personnel can prevent a minor IEQ complaint from escalating into something larger; however, they can only respond to issues that they know about.

Organizations that actively manage these issues can expect a return on investment through increased employee morale and productivity, reduced absenteeism and a comfortable, pleasant and safe work environment.

Don't be Duped at the Deposition (Part 2)

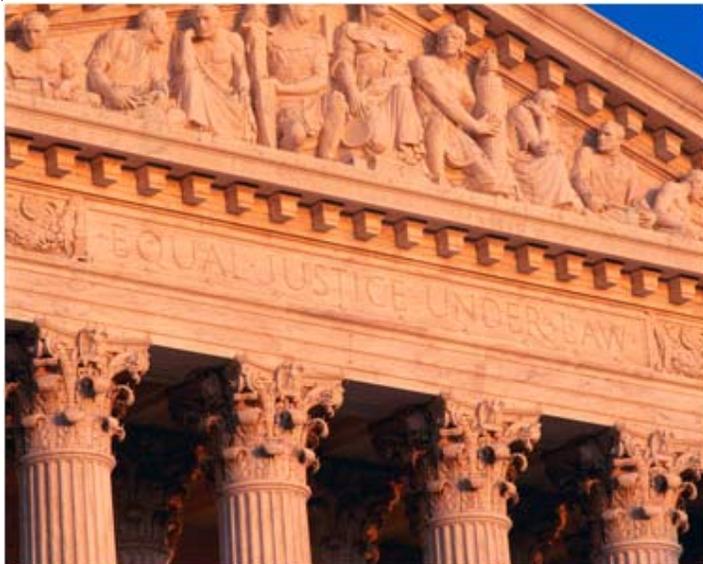
(Second of two parts. Part one is in the fall 2009 issue of Alert on the Risk Management Division website at www.mainserver.state.mn.us/risk/PDF/AlertFall2009.pdf.)

With hundreds of state employees deposed each year regarding claims pertaining to their agencies, it's important that employees know what to expect and how to be prepared. The following tips are helpful when faced with a deposition – and in other situations as well.

More important things to remember about the deposition:

- ❖ Give simple, brief answers to the questions. Often, “yes” or “no” is sufficient. Speak distinctly in relatively short sentences. Many times, a witness has been shocked to discover that the transcript of his or her testimony was full of long, rambling phrases and sentences, which led in great circles. Where necessary, qualify your answers. For example, “Normally speaking, the answer to that question is “yes;” however, in this instance, . . .”
- ❖ Do not guess at answers. If you cannot remember or do not know the correct answer, say so. “I do not know” or “I do not recall” is often the very best answer. A witness who tries to extend their testimony beyond the scope of his or her education, experience and background is preparing for the inevitable fall. On the other hand, if you are reasonably sure of the answer, you should answer the question but qualify your response. For instance, “I do not recall for sure that my supervisor, Joe Smith, attended the meeting; but, to the best of my recollection, he was there.”
- ❖ If you make a mistake, admit it and correct it.
- ❖ If you are answering a question but are interrupted by the opposing attorney, state that you did not finish your answer and then finish it.
- ❖ Depositions are often fishing trips for attorneys. They are attempting to offer bait, test the waters and see what they might catch. They are attempting to discover some new information to improve their cases. Broad, very general questions, without specific facts, typify a fisherman trolling for a catch. Turn these questions aside by asking the attorney to be more specific. For example, “That is a very broad question. Our agency probably has hundreds of documents like that. Which documents do you want me to discuss?”
- ❖ An attorney sometimes asks leading questions by making a statement and asking you whether you agree. For example, “You are a licensing investigator but you didn't do as good a job on this as you could have, right?” If any part of the statement is not correct you may state that you do not agree, or you may qualify your answer by stating that you agree with a part of the statement. For example, “I disagree” or “I am a licensing investigator but I disagree with the rest of your question.”
- ❖ Occasionally, questions will become extremely long or may be composed of several parts. If you do not completely understand the question, ask that it be repeated or request that the attorney ask one question at a time so you can address specific answers to specific parts of the question.
- ❖ Do not memorize your testimony. If the exact date, distance or time is important to the opposing attorney and you cannot state it with certainty, simply say, “I can't remember.” **If you must estimate answers about time, distance, etc., be sure you state that you are making an estimate.** If the attorney keeps pressing for an answer, you may wish to reply with an answer such as, “The date is in my report,” or “The information is in my daily log.”
- ❖ Do not try to give sarcastic, trite or flippant answers to questions or try to be funny. When such answers are read to the jury, they will not be funny and then will hurt you as a witness. Even if the opposing attorney tries to use humor, do not answer in this fashion.
- ❖ Do not fence or argue with the opposing attorney. She has the right to ask you a wide variety of questions that may not seem to have anything to do with your case. You must not lose your temper or raise your voice when giving your answers. If you lose your temper, you may play right into the hands of the opposing lawyer and damage your case.
- ❖ Do not use technical vernacular. Stay away from acronyms. State your answers in clear, simple terms that can be understood by anyone.

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- ❖ If you are asked if you have talked to your attorney or to an investigator about the case, admit it freely – this is perfectly proper. You do not have to answer questions about what was discussed and your attorney will object to any such questions.

The deposition may be the most important part of the case. The appearance you make is extremely important. If you follow these suggestions, you will make great strides toward a successful outcome.

Information in this article is courtesy of the Office of the Attorney General for the State of Minnesota.



Save Money!



The 2010 Minnesota Safety and Health Conference, presented by the Minnesota Safety Council, will be held May 12 -14. RMD is coordinating conference registration for state agencies to secure a lower group rate. To receive the group rate, RMD must receive registrations by April 21. For more information, contact Luke Waller at luke.waller@state.mn.us or 651-201-3011.

Save the Date!

The fourth annual Minnesota State Safety and Loss Control Conference is set for October 26-27, 2010. The location will be announced at a later date. Plans are already underway for a wide array of concurrent sessions, including Continuing Education opportunities; however, it's not too late to submit your suggestions for timely topics. Contact Todd Christenson at todd.christenson@state.mn.us or by phone at 651-201-3005 with your thoughts or ideas, and make plans to join us on October 26-27.

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