

IPRF ISSUES

Risk & Safety Tips from the ILLINOIS PUBLIC RISK FUND

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IPRF Coverage & Mutual Aid Agreements

With more than 18 mutual aid organizations, Illinois has one of the most comprehensive mutual aid systems in the nation.

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The strength and responsiveness of the system was demonstrated by the Illinois response to Hurricane Katrina, when more than 900 firefighters, 300 law enforcement officers, nearly 20 emergency management professionals, and more than 50 medical personnel were activated and sent by the state to assist in New Orleans and other areas of the Gulf Coast. At the state level, the mutual aid system provides a mechanism for local responding agencies and jurisdictions to be reimbursed for expenses; provides coverage for liability, workers' compensation, and disability; and, designates the responding individuals as state employees.

Central to the comprehensive Illinois emergency plan is the statewide, non-discriminatory mutual aid response system for fire, EMS, and specialized incident operational teams established by the Mutual Aid Box Alarm System (MABAS) and its partnership with IEMA (Illinois Emergency Management Agency). After a Declaration of Disaster, Fire, EMS and special operations resources can be mobilized as state assets on the direction of IEMA. As a state asset, the mobilized personnel and equipment resources of MABAS member organizations are entitled to liability and workers' compensation coverage by the State of Illinois under the auspices of the Illinois Emergency Management Agency Act (220 ILCS 3305/10) and applicable regulations (Ill. Admin. Code tit. 29, §§ 301.610 – 301.630). A significant part of MABAS' value, however, is derived from its ability to mobilize members in response to local and regional emergencies not involving an official disaster declaration. In these situations, the statutory powers providing reimbursement along with liability and workers' compensation coverage through the State of Illinois are not triggered.

MABAS is a unique organization in that each participant agency signs the same mutual aid contract. Under the MABAS contract, all partici-

Continued inside

Chairman of the Board, Paul Boecker, Devoted 26 Years to IPRF

When Paul (Bud) Boecker joined the Illinois Public Risk Fund in 1985, it was evident that he would serve the organization well. "Given his extensive experience as a firefighter, Paul was a natural fit," says IPRF secretary, Tom English.

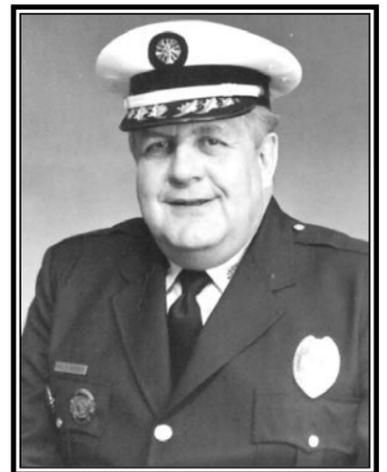
For ten years, prior to joining the Lisle Woodridge Fire District as Fire Chief, Paul was a Casualty Claim Supervisor for a major insurance company, as well as a part time Naperville Fire Officer. In his 23 years with the District, he oversaw the beginning of the paid Firefighting force and, as Administrator, was responsible for obtaining all insurance coverage for the District.

Paul Boecker retired in 1994 after receiving numerous awards and accolades during his more than 40 years as a firefighter. In 2008, he was named Fire Chief Emeritus, a program designed to offer special recognition to retired Fire Chiefs from across Illinois who made significant contributions to the Fire Service in Illinois during their tenures.

As a young fire lieutenant, Paul started a "Keep the Wreaths Red" campaign during the Christmas season to serve as a fire prevention message. He put a strand of red lights on each Christmas wreath placed in the window of the old fire station. If there was a fire that involved holiday decorations, the firefighters would change one of the red bulbs to a white bulb for the 12 days of Christmas. He encouraged fire departments across the country to use this campaign to raise public awareness of fire safety during the holidays.

Paul offered the unique perspective of an IPRF President and board member, an officer, a former consumer of services relating to worker's compensation, a former Claim's Supervisor, and a coordinator of member services for public entities insured by the Illinois Public Risk fund. He was elected Chairman of the Board in 2010.

The IPRF organization was saddened to learn that Paul died August 14 at the age of 79. He is survived by his wife Sonja, sons Paul III and Alex, and three grandchildren.



Paul Boecker

Inside this issue... **2** Keeping a Cool Head
4 Summit Interactive Training

5 MINUTE SAFETY TALKS

Keeping a Cool Head How Your Moods Affect Your Driving and Conduct

Part of the job

While functioning as a Police Officer, situations are going to develop that will challenge your professional driving ability. It is part of your job to make quick and accurate judgements to deal with potentially dangerous driving situations.

The mental part

A good start is dealing with your own state of mind. If you start your day in a bad mood, it can actually impair you physically. That's because your normal reactions may be clouded by anger, anxiety or grief. Starting out under stress will cause you to become tired early and can lead to a headache, upset stomach or other problems. Make sure you get the right amount of exercise and the right amount of sleep. We all have domestic issues that we have to deal with, but do not bring those issues to work with you (and it's also a good idea to leave work issues at work). Emotional responses or responding out of anger can make a bad situation even worse. If you are having a bad day, first of all, recognize it and admit it. If possible, stop, get out, stretch and walk around a little. Take some deep breaths. Remind yourself that you are the professional and that you will stay in control. You have been trained to deal with hazardous and/or stressful situations. Be sure to mentally review these procedures periodically and put them into use when needed.

Keep in shape

The condition of your body plays a big role in the control of you moods. Avoid fatigue when you're on duty. It's easy to fall into a negative mood when you're tired.

The food you eat also plays a part in your moods. Avoid junk foods and too much sugar. Eat balanced meals. Eat moderately and go easy on coffee, caffeinated beverages, as well as spicy foods that can upset your stomach.

There's no doubt that your state of mind governs the way you drive and handle tense moments. Make sure your mind is in a positive mode before you start out and do your utmost to keep it that way. It will make your day a lot easier.

Pursuit cases

Pursuing vehicles on public thoroughfares is something drivers in the public domain do not have to worry about. For you, however, it is part of the job



and an inherently dangerous part. Your training has given you insight on the exposures you have to watch out for. Be sure to put those training policies and procedures into use. Many officers have been seriously injured (some fatally) because of pursuit cases.

Before any pursuit occurs, you should have gained a reasonable idea of the layout of the streets and intersections in your particular area. Make sure your cruiser is in good condition and all lights, warning lights and sirens are in good working order. Seat belts should always be in use.

If a pursuit situation presents itself, consider first of all, if the pursuit is necessary. If it is, be sure to apply all pursuit policies and procedures. Use warning lights and siren. If you have a partner, let him/her handle the radio duties while you drive. Keep in mind traffic conditions such as congestion (e.g. during rush hour), location (e.g. blind intersections), weather conditions and pedestrian traffic. Look ahead. Get the big picture. Leave yourself an out. Remember, numerous serious accidents have been sustained by police officers in intersection accidents during pursuits. In your attempt to do a good job, do not let yourself become a statistic. You are far too valuable to the force. Last but certainly not least, think of your friends and family. If a serious vehicle accident lays you up for a considerable length of time (or worse), your family suffers greatly. The person they count on so much is not going to be there.



Don't let lifting become a STRAIN

1. Plan the lift

- Consider the weight, shape and position of what you will lift
- Determine if you'll need assistance, either human or mechanical

2. Decide on the route you'll take with the object

- Check the route for obstacles, clearance and condition
- Check site where you will set load down, looking for potential problems you'll have to deal with

3. Position yourself correctly

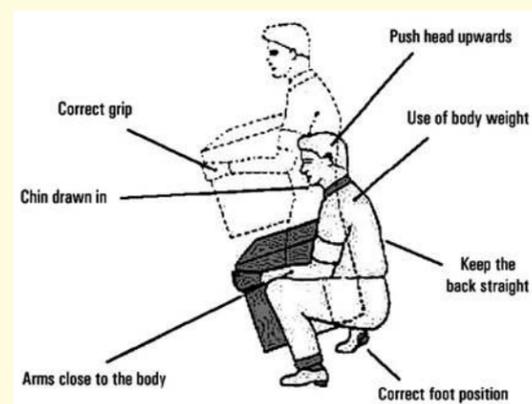
- Get as close as you can to the load
- Place your feet shoulder width apart
- Bend your knees
- Do not bend at your waist

4. Lift Correctly

- Let your legs do the work
- Don't twist your body. Move your feet
- Make sure you can see over the load so you can walk safely

5. Set the load down properly

- Bend your knees
- Put the load down and push it towards the back, don't lean over to reach back shelf
- Be careful to avoid setting load down on your fingers





IPRF Coverage & Mutual Aid Agreements

Continued from cover

pating agencies agree to standards of operation, incident command, equipment staffing, safety, and on-scene terminology allowing them to work together seamlessly at any emergency scene. As part of the contract, the member agencies agree that dispatched personnel remain employees of the respective responding unit even though their command and control are ceded to the fire chief or senior officer of the party requesting aid. Accordingly, the agreement provides that employee wages and benefits, insurance, medical benefits, workers' compensation claims, and equipment damage remain the sole responsibility of the responding parties as employers. The universal MABAS contract, therefore, negates certain provisions of Illinois workers' compensation law that come into play when an employer "loans" one or more of its employees to another.

The Illinois Workers' Compensation Act provides protection for workers for accidental workplace injuries by imposing liability without fault on the employer. See *Meerbrey v. Marshall Field & Co.*, 139 Ill. 2d 455, 564 N.E.2d 1222 (1990). In return, the injured employee is prohibited from bringing a common law action against the employer. *Meerbrey*, 139 Ill. 2d at 462, 564 N.E.2d at 1225. Section 1(a)(4) of the Workers' Compensation Act (820 ILCS 305/1(a)(4)) extends the law's provisions to employees who are on loan from one employer to another employer. When an employer lends an employee to a second employer, and the employee is injured while performing duties for the second employer, both employers are jointly and severally liable to the employee, regardless of which one carries the applicable workers' compensation coverage. 820 ILCS 305/1(a)(4); *Silica Sand Transport, Inc. v. Industrial Comm'n*, 197 Ill. App. 3d 640, 554 N.E.2d 734 (1990). The law further provides that if the borrowing employer fails to pay the workers' compensation due the injured employee, then the loaning employer is liable for such benefits; provided that the loaning employer is entitled to receive full reimbursement from the borrowing employer, inclusive of reasonable attorneys' fees and expenses, in the absence of an agreement to the contrary. The MABAS mutual aid contract constitutes an agreement to the contrary.

The Illinois Public Risk Fund (IPRF) provides its members with full workers' compensation and employers' liability coverage when they are engaged

in a MABAS response in the absence of a Disaster Declaration. In that regard, the IPRF recognizes that on the local level MABAS involves much more than extra alarm responses to emergencies in stricken communities where their local fire, EMS, and special operations capabilities are overwhelmed. The IPRF understands that the MABAS system can be activated routinely for mutual aid station coverage, as occurred in December 2004 during the Chicago LaSalle Bank fire. The MABAS system also serves as a resource for special operations and investigation. As long as the MABAS mutual aid contract applies to the emergency and the request for aid, the IPRF member and its personnel will be provided with appropriate coverage that follows the employees in accordance with the provisions of the MABAS agreement.

The MABAS mutual aid contract by its terms, however, does not apply in the absence of an underlying emergency. Members of the IPRF, therefore, are cautioned that the MABAS mutual aid contract cannot not be relied upon to establish rights and liabilities when aid or assistance is provided in situations where the MABAS system and contract simply don't apply. In such cases, the response, aid, or assistance, including special operations, investigation, and training may be considered a voluntary act putting the agency, its chief and employing community, at substantial risk of loss in the event that equipment sustains damage or a firefighter is injured. Sound management principles require separate agreements, waivers, insurance certifications, or acknowledgments in advance of such voluntary undertakings. In short, the MABAS mutual aid agreement has not rendered separate automatic aid and response agreements between neighboring departments and jurisdictions obsolete.

The basic principle of Illinois Workers' Compensation law that not all injuries occurring at work or on duty are compensable has been a highlight of the current workers' compensation reform debate throughout the state. A causal connection between the injury and the job is required so it can be concluded that the injury "arose out of" the employment. In the fire and rescue services, it is important to observe the customary chain of command to avoid coverage disputes in cases where a firefighter departs from his or her line-of-duty and sustains an injury.

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A List of Mutual Aid Organizations Follows:

- Mutual Aid Agreement between National Emergency Management Association (NEMA) and States. Emergency Management Assistance Compact (EMAC)
- Mutual Aid Agreements between Illinois Emergency Management Agency (IEMA) and Organizations. Mutual Aid Box Alarm System (MABAS) Illinois Law Enforcement Alarm System (ILEAS) Combined Agency Response Team (CART) Mutual Aid Response Network (MARN) Illinois Deaf and Hard of Hearing Commission (IDHHC) Illinois Coroners and Medical Examiners Association (ICMEA) Illinois Public Works Mutual Aid Network (IPWMAN)
- Mutual Aid Agreements between Other State or Local Agencies and Organizations. Illinois Public Health Mutual Aid System (IPHMAS) Illinois Emergency Management Mutual Aid System (IEMMAS) Incident Management Team (IMT)
- Response Asset of State or Local Agencies and Organizations. Illinois Medical Emergency Response Team (IMERT) Illinois Nurses Volunteer Emergency Needs Team (INVENT) Illinois Veterinary Emergency Response Team (IVERT) Illinois Telecommunicator Emergency Response Taskforce (ILTERT) Volunteer Management Support Team (VMST) Voluntary Organizations Active in Disaster (VOAD)

Meet Dale Klatt, Safety Specialist



Dale Klatt, Senior Loss Control Consultant for the St. Louis branch, joined Cannon Cochran Management Services, Inc. (CCMSI) in March, 1995 and started providing services to the IPRF members in December, 2010. His professional career started in 1975 with a national insurance carrier as a Loss Control Consultant and was eventually promoted to Loss Control Supervisor/Manager. Because of regionalization, in 1985 Dale joined a second national insurance carrier, specializing in Worker's Compensation and was promoted to Loss Control Manger of a Loss Control Team. The teams were responsible for conducting surveys for all lines of insurance coverage for underwriting and risk evaluation purposes. The groups were also responsible for providing consultative, loss control service through innovative loss prevention programs.

During his 36 years in the loss control and safety field, Dale finds the greatest satisfaction is helping clients improve and maintain their safety performance.

Dale has a Bachelor of Science Degree in Education and a Master of Science in Industrial Safety from Central Missouri State University. Throughout his career, he has attended a wide variety of in-house training seminars, as well as outside training sessions on numerous insurance coverage's, exposures and departmental and customer concerns.

In 1983, Dale earned his designation as a Certified Safety Professional. In 1990, he furthered his education by achieving his designation as an Associate in Risk Management (ARM). In 1993, the designation Associate in Management (AIM) was earned. Most recently the designation of Certified Healthcare Safety Professional was achieved (2008).

In August of 1976, Mr. Klatt joined the American Society of Safety Engineers and remains an active member.

Dale is also active in tennis and enjoys being on a softball team with his two sons while his wife, Cindy, cheers them on.

AVERAGE & MAXIMUM WEEKLY Disability Benefits

The maximum TTD benefit can be no more than 133-1/3% of the statewide average weekly wage on the date of the injury or last exposure.

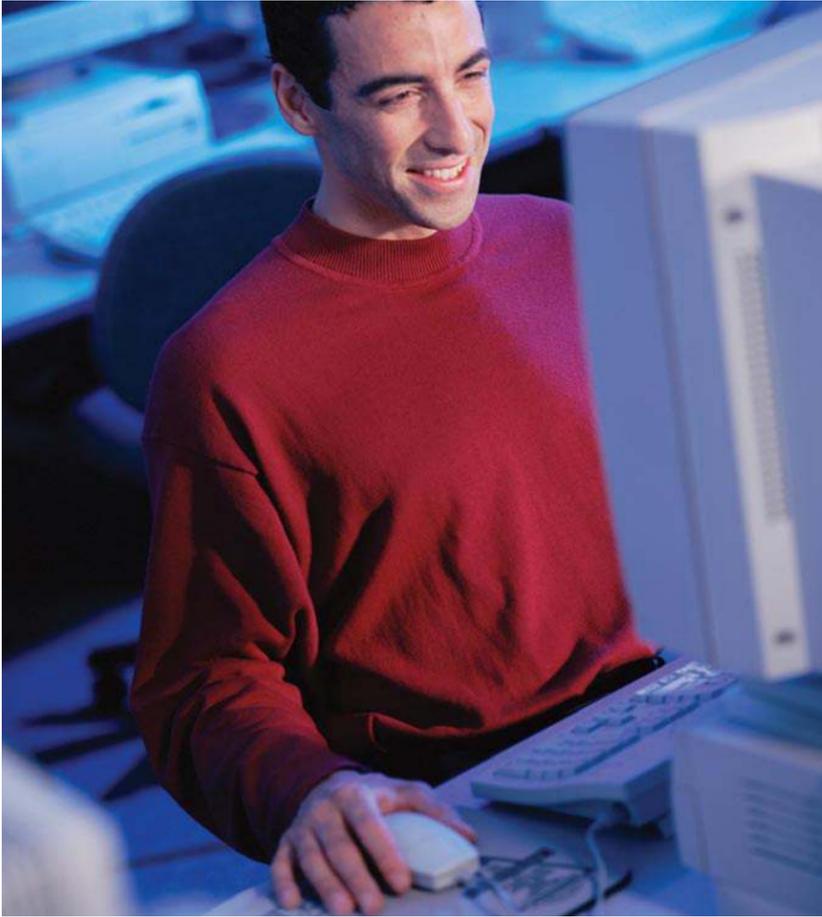
	STATE AVERAGE WEEKLY WAGE	MAXIMUM TTD BENEFIT
Jan. 15, 2010 to July 14, 2010	\$922.45	\$1,243.00
July 15, 2010 to Jan. 14, 2011	\$925.08	\$1,243.00
Jan. 15, 2011 to July 14, 2011	\$930.39	\$1,243.00
July 15, 2011 to Jan. 14, 2012	\$946.06	\$1,261.41

How Can We Better Serve You?

The IPRF is dedicated to its members and is always working toward higher levels of service. We need your input on:

- Safety Concerns
- Claims Information
- Timeliness of Claims Processing
- Helpfulness & Courtesy of our Claims Team
- Loss Control
- Topics to be addressed in this newsletter

Please contact Paul Boecker III at pboecker@ccmsi.com or 630-649-6053.



SUMMIT Interactive Training

Your IPRF Loss Control Team is happy to announce another avenue for Online Training, the Summit Trainingweb. This training offers many valuable courses, including:

Accident Investigation • Back Injury Prevention
Decision Driving • Lockout/Tagout • Slips, Trips & Falls • & more!

Check out the new courses available on the IPRF Loss Control website. Access the training under the Interactive Training section, then the Summit Interactive Training link. You will also find a step-by-step walkthrough to familiarize you with the training platform.

If you have any questions or problems accessing the training, please contact Donna Ryan at Donna.ryan@ccmsi.com or 630-649-6082.



Illinois Public Risk Fund is proud to announce another consecutive year of a AAA financial strength rating. The AAA rating that IPRF, the self-funded entity, has received is the result of overall quality of administration, including marketing, underwriting, claims management, and communications to constituents and total current assets, liabilities and expenses. The unsurpassed AAA financial stability rating is assigned from Columbus, Ohio based Demotech, Inc., was given to IPRF.

Don't Forget...

Set your clocks back when daylight savings time ends on November 6 and change the batteries in your smoke detectors!



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