RISK MANAGERS MEETING

RADISSON WEST | Madison, WI

July 25, 2019

Present: Cindy Buelow (FVTC); Tom Cousino (GTC); Brenda Riesterer (LTC); Joshua Cotillier (Madison); Doug Gerbitz (Madison); Robb Fish (MSTC); Randy Jahns (MSTC); Virginia Hartt (MATC – Milwaukee); Carrie Kasubaski (MPTC); John Van de Loo (NATC); Roxanne Lutgen (NTC); Bruce Neumann (WCTC); Dave Brown (WCTC); Amy Schmidt (WTC); Steve Decker (WITC); Joe DesPlaines (DMI); Tim McNulty (DMI); Willie Henning (DMI), and Steven Stoeger-Moore (DMI)

Guests: Linda Joski (Arthur J Gallagher), Therese O'Brien (Arthur J Gallagher), Anne Romaine (United Heartland)
Recording Secretary: Suzette Harrell (DMI Administrative Assistant)

1. **Introductions and Welcome** – Welcomes and introductions were made. S. Stoeger-Moore announced the start of DMI's 16th year of operation.   Through the DMI Retrospective 2019 presentation, he talked about DMI's formation and evolution since 2004. S. Harrell was asked to send college risk managers, their 2019-20 Insurance Program Structure – discussed during the Retrospective presentation.
   During the presentation, S. Stoeger-Moore advised the previous days' Board of Director officer position vote results. D. Brown (WCTC) was voted to remain Board Secretary, B. Baerwald (MPTC) was voted to remain Board Chair and R. Lutgen (NTC) was voted to remain Board Treasurer. C. White (SWTC) and R. Ranguette (BTC) are filling the other two board positions.
   Access to DMI's website was encouraged and website information (i.e. e-RiskHub, Auto ID Cards, insurance policies, available templates for College use, best practice information, etc.) were discussed. Everyone advised, information provided on the website is proprietary and specifically created for the Wisconsin Technical Colleges. No one else has access to it.

2. **Risk Management Project Award Presentations by College Representatives** –
   Blackhawk – J. DesPlaines spoke on Blackhawk's behalf. BTC's project was for a Cyber Security Assessment Service. He advised the project should be completed in August.
   Chippewa Valley – W. Henning reported on Chippewa's behalf. Their project was to upgrade the camera and door control systems in the campus library. Upgrades were made to enhance security and safety in this highly public accessed area. Project is complete.
   Fox Valley – C. Buelow reported on their fall protection equipment (gates/rails) project. Installation has been completed. Pictures were viewed. C. Buelow indicated the campus roof top fall protection equipment (railing) project was installed based on Tim Greene's safety audit recommendation. Fall protection rails were also installed on the Electricity Technical Program training roof and their Transportation building mezzanine. Left over funds were utilized in the purchase of Ice Alert signage and Rusoh Eliminator Fire Extinguishers. C. Below was asked if FVTC had to obtain permission from a fire inspector or the county to switch over to the new Rusoh fire extinguishers? C. Buelow said she spoke to area Fire Marshalls. They were fine with the switch over as long as FVTC was trained in their use, how to check them, etc.
   Gateway – T. Cousino reported on GTC's building identification signage project. It is known the signage is needed for emergency situations and identification. GTC's marketing department is still working on making signage aesthetically pleasing with the College's image. He is not able to advise a completion date. Conversations with Marketing team continues.
   Lakeshore – B. Reisterer reported on LTC's Maxient Security Reporting System. System has been installed, but they are still working on a few system items internally.
   Madison – J. Cotillier reported on Madison's project of mapping and labeling building points on their recently upgraded 30 yr. old fire panel and its life safety system found in all of MATC-Madison's buildings. Building nodes were not matching up with identified locations on the panel. The project is ongoing. Wires are being pulled at the

Truex location and should be complete mid-August. Once done, mapping with Johnson Controls will begin. Project has been pushed back 6 months from initial projections.

<u>Mid-State</u> - G. Bruckbauer reported on Mid-State's purchase of a backup generator for the Adam County campus. Project completed May 2019.

<u>Milwaukee Area</u> – V. Hartt reported on the installation of 3 LED cross walks (two on Highland Street). She has been working with City of Milwaukee to help with the project and to help minimize pedestrian crossing accidents. Stop and Go lights in the area have been adjusted to change every 90 seconds. Holes for lights have been dug, electrical work has been completed and MATC is hoping the lights will be up before the new school year starts. She indicated, discussions with the City of Milwaukee and MATC's Safety Department have resulted in a "black and white" (police) unit being committed to watch the crosswalks initially. A lot of work and progress has been made and seen.

<u>Moraine Park</u> – C. Kasubaski reported on the completion of their restroom/main campus entrance ADA Accessible Automatic Door project.

<u>Nicolet Area</u> – J. Van De Loo reported on the completion of the White Pine Center, 3rd floor, privacy wall. He shared before and after pictures of the project and expounded on the necessity of the wall.

<u>Northcentral</u> – R. Lutgen reported on a Cyber Security Consultant Service Contract project. NTC purchased three Cloudian backup servers (picture shown to group) to aid recovery of critical data and systems in a 3-part data backup practice. One of the 3 servers is taken offline every night, after backup, to further insulate data from potential corruption. The project included the three Cloudian Servers, software and installation.

<u>Northeast Wisconsin</u> – T. McNulty reported on behalf of NWTC. NWTC's purchased a multifactor authentication system (hardware/software). They installed a system called DUO Security Access, and per T. McNulty, it is remarkable. The College has already stopped 4 attacks/intrusions on their computer system since May. R. Lutgen said NTC has been using the same system for several years and they too have thwarted numerous attacks on their computer systems. The authentication is not hard to use. Gallagher uses the DUO Security Access system as well.

<u>Southwest Wisconsin</u> – J. DesPlaines stated he has not spoken recently to Dan Imhoff regarding their camera purchase and installation project. Since SWTC did not turn in a 3rd quarter report, he could not update the group on the project.

<u>Waukesha County</u> – B. Neumann reported on WCTC's Violent Encounter Emergency Kits. The kits are similar to the NWTC kits. He listed items identified for the kits and advised supplies were purchased and the kits are in the process of being installed in rooms. WCTC's target completion date is, prior to the start of school. They will prepare training videos on tourniquet application and Emergency Kit use training. B. Neumann advised they went with a "Z" mount for kit box installation. The "Z" mount allows the kit to be quickly removed from the wall and taken to an area when/where needed. Kits are being positioned in out of the way locations in rooms (ex. behind teacher's desk) to discourage raiding of supplies during regular business hours and to comply with ADA access requirements.

<u>Western</u> – A. Schmidt reported on the Alertus Mass Emergency Notification System – "text to voice" upgrade. She reported numerous WTC buildings have the system fully integrated and operational.

<u>WI Indianhead</u> – S. Decker reported on their Alertus Mass Emergency Notification System project. He provided a brief history on the project, including initial consultant review, system quotes, self-installation considerations, and RFP installation services (to be contracted). The college is about 1 month behind initial projections. The college began self-installation of some equipment this summer as part of an IT project, but a majority of the equipment (panic buttons, strobes, etc.) will be installed this fall once a contract has been awarded.

<u>WTCS</u> – B. Neumann advised D. Stafford & Associates provided Clery Act Compliance training program for the technical colleges. Due to very poor weather, the 5 day training program became a 3 day training program. Training was held on Monday at Holiday Inn and the remaining days at the (closed for classes) WCTC campus. Anyone who signed up originally and missed any or all of the training due to the poor weather was offered training credit to take the class for the days missed.

JDP talked about lengthy delays in RMPA project completions (longer than the award year) and asked for suggestions on how to handle. Discussions ensued and suggestions were made including: 50/50 payout of award options, payout when project is completed, and can't apply for another grant if previous grant has not been completed, were considered. College members were positive and understanding. DMI staff will continue to evaluate and report during the October quarterly meetings.

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3. **2019/2020 Risk Management Project Award Announcement** - 2019/2020 Risk Management Project Award Announcement made by J. DesPlaines. Members were advised application and memo available in the e-packet and on DMI's website. Due date - August 23rd - 5:00 pm! This year the Colleges were asked to submit 2 supporting quotes. The DMI Board approved $350,000 funding for the 2019/2020 RMPA program.

4. **Annual Renewal Coverage Update**
    a. Coverage Changes – See section 4 b.
    b. Policies (7) found on "My College Page" of DMI website - S. Stoeger-Moore reviewed the DMI program structure, coverages, deductibles, new product offering, etc. to members. He described changes in rates and coverages. He stated the Colleges saved $219,000 in premiums at time of renewal. A review of terms "Claims Made and Reported" and "Per Occurrence" and the effect on loss coverage/recovery were provided. Members advised to file a "notice of a claim" if in doubt on whether a claim exists. The notice will secure a placeholder for claim types with filing deadlines.

    Property Coverage – S. Stoeger-Moore advised college members property policies had not been posted to the DMI website. Colleges coverage was bound effective 7/1/19, with issuance delay identified due to moving from an excess insurance policy to a reinsurance policy. This move was made because reinsurance policies are a follow form policy used to reduce coverage gaps which are typically seen in excess insurance policies. The delay in posting policies on the DMI website was due to OCI filing requirements. Because DMI's policy "form" was changed, it needed to be approved by the WI Office of the Commissioner of Insurance (OCI). The policies are expected to be posted to the DMI website within the next week or two.

    Cyber Liability – Cyber liability insurance market is highly volatile; due to increases in claim frequency and severity. Marketplace competition has also increased. Thus increased coverages are being offered, more coverage is being provided at no charge, flat costs, and expanded limits. DMI capitalized on marketplace conditions and negotiated even more favorable rates for FY20. Cyber premiums were reduced by 5% ($24,000 savings to Colleges) and underwritten endorsements for data recovery, restoration protection, and network interruption are now being provided at "no additional cost" to the Colleges. Colleges have opted for either the $3M or $5M coverage limit. Truly local (within state of Wisconsin) cyber security resources have been secured (forensics and legal) and made available to the technical colleges. To date DMI has 38 filed claims, 14 open claims, and total expenses just over $250,000. Staff time during recovery was discussed. S. Stoeger-Moore was asked to identify proactive mitigation actions the Colleges could employ to help reduce cyber loss experiences and cyber liability premiums. They were advised to consider: 1. Dual Authentication, 2. Ensure full PCI compliancy, 3. Encrypt all college-owned devices – with IT ability to access devices to erase content or investigate a claim, 4. Ensure personal identifiable information (PII) was not on portable devices, 5. Review College record retention policies to purge unnecessary data from accessibility, 6. Don't be afraid to overshare policies and practices when completing renewal underwriting cyber policy applications. The more the underwriters can see of the colleges efforts, best practices, and policies for mitigating risk, the more visible it is and beneficial to the Colleges.

    Equipment Breakdown - Hartford Steam Boiler handles the claims for equipment breakdown. HSB provides inspections to the Colleges for free; checking pressure tanks/vessels, valves and lines, etc. per Wisconsin guidelines.

    General Liability – Casualty Policy – Still number one cause of loss for technical colleges – "Slips, trips and falls!" Safe premise liability issues are predominant. Slip, trip, and fall claims generate the highest frequency.

    Auto Liability Commercial auto insurance rates are up this year by 15-20%. DMI decreased its auto liability rate by 20%, which resulted in $120,000 savings to the colleges.

    Educators Legal Liability (Directors & Officers | Errors and Omissions) - $100,000 per occurrence with $5M limit for things like wrongful discharge, title VII and IX, age and sex discrimination, failure to educate, board oversight, etc. DMI's rate and coverage is highly favorably to the Colleges and at a premium cost that is significantly less than what is found in today's greater commercial marketplace.

    Active Threat | Active Shooter - One of DMI's newest policies. The DMI weapons definition is much broader than other commercial products which include firearms, but also, vehicles, swords, explosives, knives, etc.

Sabotage & Terrorism – With both the Active Threat/Active Shooter and Sabotage & Terrorism policies, DMI is ahead of most other higher education institutions, who are not covered by similar policies or products. DMI will be working on higher limits for next year.

Workers Comp - WCRB announced a decrease of 7.2% (for reported payroll 8868 and 9101) for renewal 7/1/19. If a Colleges' payroll remains flat and the MOD factor remains unchanged, the College will see decreases. Worker Comp premiums account for 57% of the Colleges' annual premiums. The loss at one College does not affect the premiums of another College. Colleges can control their premium through the management of payroll and indemnity exposure. One of the of the absolutely vital and greatest loss management practices, S. Stoeger-Moore advised, was having a formal return to work policy/program. Discussions ensued with two DMI Board members contributing to the, "Should the DMI Board make it mandatory for all 16 technical colleges have a return to work program in place that would become a criteria used in underwriting activities for DMI's Worker comp policy." Comments received from Risk Managers in the room indicated their agreement to setting this criteria. W. Henning will address return to work programs in detail during the DMI October Quarterly Environmental Health & Safety Meeting. Attendees were advised to contact Anne Romaine for examples/templates of return to work programs.

c. Auto ID Cards – Members were reminded to put Auto ID cards in all college-owned vehicles. Cards are posted on the DMI website. Members may print out as many copies as they would like.

d. Common Coverage Questions – S. Stoeger-Moore addressed the group on the nine most common questions that come up every year.

  i. College car – college coverage. Personal car – personal coverage. If a college member operates a personal vehicle during course of employment, the employee's personal coverage would apply. Utilizing a college vehicle in the course of employment transfers risk to the DMI coverage.

  ii. MVR Checks – DMI provides annual MV checks at no cost to the Colleges. DMI's stance is to provide annual record checks for persons who "routinely operate college vehicles" such as grounds, food service, maintenance, courier. It is not meant to be an annual record check for every College employee. Members were advised to set up criteria to assess who is considered a "routine operator" of a college owned vehicle; such as by the number of miles driven annually (1,000 miles). Utilize a system (such as Alpha code) to submit 1/3th or 1/4th of the routine drivers list each year for evaluation was suggested. Driver record checks are a very effective risk management tool. It is the College's prerogative to allow a person to operate a College owned vehicle. College car – college coverage.

  iii. Who can drive a college vehicle? Anyone the College wants to give permission to operate a college owned vehicle may do so. The college should establish criteria to determine who can drive. Criteria examples – person must have a valid license, a motor vehicle record check is required, person must be over 21, person must have so many years of driving experience (10 years), etc. The College can approve a 3rd Party Vendor/Partner to operate a college owned vehicle.

  iv. Professional Liability vs. Malpractice - None of the colleges provide 1st party services to patients. Except for CVTC, and NWTC who provide services to the general public on a fee basis. That situation calls for medical malpractice coverage, which DMI does not offer. When an instructor or student is at a clinical site observing, providing guidance, no fees collected, professional liability coverage is needed, which DMI provides. Students are not a professional, certified/licensed, medical practitioners, so DMI's professional liability coverage applies.

  v. What is split limit vs. occurrence limit? - DMI policies have occurrence limits. DMI policies do not have an aggregate limit. There is no cap. The limit applies per each occurrence. Colleges don't need to purchase additional coverage; it is an unnecessary premium expense. S. Stoeger-Moore defined and discussed statuary cap and tort cap limits. Because the colleges are considered municipalities, and so enjoy state set cap claim limits. Tort caps do not apply in federal level cases or claims filed outside of WI.

  vi. Per Occurrence vs. claims made and recorded – S. Stoeger-Moore asked if earlier explanations sufficed or if anyone else had questions. No questions received.

      vii. <u>Workers Comp</u>. – is the only coverage required in Wisconsin. Every college employee is covered by WI Workers Comp.   WC is considered a no fault coverage and benefits are 100% tax free when paid out. DMI's workers comp policy covers employees who live and work in the state of Wisconsin. For out of state residence and/or employers, the DMI Solution is provided. Gallagher has waived their commissions for placing out of state policies with United Heartland (national insurance worker comp. provider). For employees who live in or work in one of the monopolistic states of OH, ND, WY, WA , employers must contact the individual states for worker comp. coverage. Neither DMI nor Gallagher can obtain insurance coverage in these states.

     viii. <u>15 Passenger Vans</u> – DMI does not provide coverage on 15 passenger vans. The vehicles are not stable, people packed them incorrectly, carry too many passengers, and drivers are not trained. The college should purchase "desk" insurance coverage from the rental agency, if available, if renting a 15 passenger van. DMI recommends colleges purchase a vehicle and set it up like a mini school bus; with seats on both sides, a center aisle, and with dual rear axles (4 tires on rear axle). DMI provides coverage for 12 passenger vans, buses, and the minibus identified above.

5. **"Next Big Risk"** - J. DesPlaines presented DMI's forecast of the most likely risks for Risk Managers to evaluate, plan, and put into action necessary risk mitigation efforts. Risks identified and discussed were: Active Threat, Cyber Attacks/Scam, Serious Injury/Workers Comp, Severe Weather, Public Health/Contagious Illness, and the Aging Workforce/Succession Planning.
T. McNulty suggested adding Clery Act Requirements to the list of Next Big Risks. Title IX final rules are to be approved in November 2019 and T. McNulty said it is not if, but when the colleges <u>will be</u> audited. Colleges must consider this in their planning. S. Harrell asked to forward attendees Gallagher's webinar information for "Outbreaks and Epidemics" scheduled for August 7, 2019.

6. **Cyber Security Forum 2019 Summary** - J. DesPlaines advised the success of DMI's, July 23rd, Cyber Security Forum and outlined the days' activities. Program was well attended with 42 technical colleges member attendees (CIO's and IT Staff). Very interactive group and lively sessions.   Members were in complete agreement of desiring another Cyber Forum event in 2020. Some even suggested a tabletop exercise on Cyber Security.

7. **Risk Mitigation Forum Survey Results** – S. Stoeger-Moore advised 30% RMF attendees responded with an evaluation. College members like the current ½ Day Wednesday, Full Day Thursday, ½ Day Friday format; 100% advised wanting future Risk Mitigation Forum programs; the majority liked having the Forum held at the Osthoff. DMI staff is exploring session track options to best suit attendee needs.

8. **Top 10 – "Safety Audit" Observations** – Concurring with OSHA's Annual Top Ten Violation Report, W. Henning prepared and reviewed his top ten "observed" safety hazards found during college safety audits. 1. Blocked electrical cabinets and transformers; 2. blocked emergency eye wash stations; 3. blocked access to fire extinguishers and out of date inspections; 4. plastic gas cans – Not Allowed! Gas cans must be vented; 5. Unsecured compressed gas cylinders; 6. Storage of cardboard with chemicals in Flammable Cabinets. Flammable cabinets are meant to protect from a fire and not create one.; 7. Damaged, unlabeled, and poorly stored step ladders - create trip hazards, which is #1 cause of loss. Recommend 300# load rate step ladders. Recommend wood ladders to be disposed by sawing into pieces, removing identifiable college information, and throwing it away in the dumpster.; 8. Unmounted pedestal grinders and drill presses – by law, pedestal grinders /drill presses must be mounted to the floor. Mounting to a steel plate is NOT compliant or acceptable by law.; 9. Lack of Forklift pre-use inspections.; 10. Broken extension cords and plugs, misused extension cords (cannot be used for permanent wiring), cut off prongs on 3 prong cords.

9. W. Henning will be a certified as a 10 hr. / 30 hr. OSHA trainer at the end of August. Plans are being made for scheduling future training sessions with the technical colleges. DMI value added service provided at no cost to the technical colleges.

10. **United Heartland Service Agreement** - Anne Romaine addressed the group with UH's analysis of loss claims noting frequency and reported claim numbers were the same as last year, biggest claim month was February 2019, briefly identified 3 year open claim figures and impact on college MOD's, medical / indemnity cost analysis, aging workforce injury concerns, and asked more consideration be given to timely claim filing. Only 55% of Colleges are reporting incidents in 0 – 3 days. Biggest thing the colleges can do to mitigating loss is focusing on the prevention of slips and falls and material handling incidents. A. Romaine reviewed UH's Service Agreement. S. Harrell will email attendees
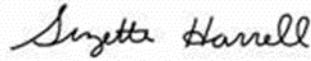
UH's Lezage Online Safety Course list and Online Resources list for future reference by members and use by individual college employees and departments. Cindy Buelow (FVTC) appraised attendees of their colleges' efforts to mitigate slips and falls during icy months with a salt bottle campaign. Colleges were urged to reach out to UH's local loss representatives also when in need of a resource. As a resource, local loss representatives will go to the colleges, will present to safety committees or leadership groups, and will help solve issues on campus.

11. **United Heartland and CCMSI Quarterly Claims Reports** – Individual college UH claims reports will be emailed for review. CCMSI reports were in e-packets and reviewed briefly.

12. URMIA National Conference – Boston, MA - September 16 – September 19, 2019 – S. Stoeger-Moore announced the recipients of DMI's $1,500 stipend for URMIA's 50th Anniversary National Conference (2019), held in Boston, MA: Joshua Cotillier (MATC-Madison), Bruce Neumann (WCTC), Amy Schmidt (WTC), and Carrie Kasubaski (MPTC). If anyone else wants to attend, go to www.urmia.org, click on Professional Development, click on Boston 2019 and registration guidance will come up. Gallagher will be hosting the opening program on Monday and will host Tuesday night dinner for attending clients. See L. Joski if attending but did not receive invitations.

13. **Worker Comp – Out of State Resident Coverage - The DMI Solution** – See Item 3 D vii

14. **Round Table** – L. Joski (Gallagher)- time sensitivity in reporting potential ELL claims. One of her clients takes a proactive approach by reaching out to all department heads (prior to renewal activities) asking if there is anything he needs to be aware of. Recommended practice. She mentioned crime and foreign coverages are not listed on DMI's Program Structure (not DMI offered coverage); but the colleges do have coverage in these areas.

15. D. Brown (WCTC) and R Lutgen (NTC) shared Board activities from previous meeting. DMI BOD approved a FEI Crisis Media Relations Phase 2 program. Phase 2 is comprised of additional crisis management consultation (2 hours per College), tabletop exercises for valuable practice activities in multiple locations, two ½ day workshops, webinars, and writings on DMI's behalf. J. DesPlaines will be point person. By-Law changes were adopted stipulating executive members from Human Resource, Finance, and Risk Management would comprise the DMI Board, in addition to the DMI President. Legal updates for interpretation purposes were presented by DMI general counsel to Board members regarding: 1. employee WRS eligibility; 2. Procurement practices; and 3. Open Meetings/Public Records Law.

    A. Schmidt (WTC) questioned service / comfort / therapy animals on campus and insurance coverage/college policies. DMI does not provide insurance coverage for service/comfort/therapy animals. However, other technical colleges have service animals and have secured additional insurance coverage through Gallagher.

    B. Kasubaski (MPTC)– asked if anyone could suggest information for an informational toolkit to be utilized for service oriented activities off campus. She found some things on DMI's website but wondered if any of the other colleges had tips, tricks, tools to share. B. Neumann (WCTC) advised she should make it mandatory to visit the host site to see what is happening there and what students will be viewing. WCTC recently had an incident which caused them to review their policies. B. Neumann (WCTC) offered to send a modified template to S. Harrell for posting on the DMI website. T. Cousino (GTC) mentioned to be mindful of the location's utilization of the Colleges' logo or providing space specific for the Collage (could be construed as a classroom), because it may need to be discussed with the Colleges' Clery team. Clery language may need to be added to DMI's Service Learning Affiliation Agreement. A. Schmidt (WTC) to send S. Stoeger-Moore a reminder about adding language to the service and clinical agreements regarding identification of spaces. T. Cousino (GTC) advised clinical sites and having an actual classroom space are totally differently; but if clinical sites have a dedicated room for college use, it may be considered by Dept. of Education as a college controlled location.

    C. Buelow (FVTC) asked what members thought of allowing class instructors to take students into College areas such as boiler room, electrical room, data closets, solar panels, chiller area, etc. as part of the educational experience. Instructors are licensed (electricians, plumbers, etc.). J. Cotillier (MATC- Madison) advised they allow it, but only when accompanied by a College Facilities or Maintenance Manager/Supervisor; and for

observation only. College would be responsible for providing students with the proper PPE (hearing/eye protection/gloves) as necessary. Have students sign an acknowledgement form stating the student is aware there may be potential danger or a risk.

16. Meeting Adjourned

Respectfully Submitted by

Suzette Harrell
DMI Administrative Assistant