



# State of Nevada

Department of Administration

## Risk-y Business Risk Management Division

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### WORKSPACE VIOLENCE PREVENTION PROGRAM

*Prepared by the Risk Management Division*

*Revised October 2002*

The State of Nevada is committed to working with its employees to provide and maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. Workplace violence issues generally arise from clients or customers, random acts from outside individuals or groups that are generally directed against the agency with or without apparent reason, from current or former employees, or from personal relationships such as a former spouse or partner, a relative or a friend. In order to provide a safe and healthy workplace for all employees, which is free from these type of hazards, each Division within State Government is required to adopt the following policies:

- ***Violence, threats, harassment, intimidation and other acts of aggression and disruptive behavior in the workplace will not be tolerated.*** Acts of aggression can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical or mental harm or, indirect acts such as damage to personal property.
- ***Employees are responsible to immediately report all incidents or acts to their supervisor or the most accessible supervisor.*** Employees who are experiencing threats of violence from a domestic partner (or other non-work related relationship) that may carry over to the workplace will be encouraged to report this to a designated agency representative and a plan of action developed to minimize the risk to the employee and others during working hours.
- ***All reports of incidents must be taken seriously and “Immediate Intervention” must be initiated by the appropriate supervisor or manager based on the “Guidelines for Response to Workplace Violence” adopted by the Risk Management Division.*** If a crisis situation arises, the highest agency official available at the time must be called into the situation to implement the immediate intervention and assemble a threat assessment team to determine the best course of action.
- ***Anytime an employee is placed in a position of fear due to an act of aggression or violence, they should remain calm, remove themselves from the area (or excuse themselves from the phone call) as soon as possible and report the incident to the most accessible supervisory representative available.*** If an employee has prior knowledge of an encounter with a potentially aggressive individual, such as a meeting, arrangements must be made to have a supervisor present or if appropriate, security personnel.

Individuals who commit acts of workplace violence, as described herein, will be subject to disciplinary action (if a state employee), may be removed from the premises and/or subject to criminal actions by the Attorney General (see NRS 119.300, NRS 203.119 and NRS 200.571).

# STRESSED? Don't Worry!



Tips to help parents navigate holiday stress

Whatever our beliefs and traditions, the winter holidays are heartfelt and full of promise. Our families will be together and happy; the children will be good and grateful; our partners will be gracious mind readers; we will have enough time and enough money; our spirits will be filled with peace and love. Or not. More likely, say the experts, the common holiday experience of adults and children alike will be stress.

For children and young adults, unspoken anxieties can have deadly consequences. Counselors report that this is the time of year when students may be most likely to experience serious crises and to commit or attempt suicide -- with the last day or two before the actual Christmas and winter holiday break being the most crucial time.

For adults, especially parents, navigating the Christmas season and winter holidays -- coping with disrupted work and care taking schedules, and stretching to achieve the ideal images bombarding them from every TV screen and store shelf, on top of already hectic routines -- can leave nerves and emotions scattered like so much glitter off a card. In the best case, happy holidays often means managing the magic with a migraine.

The first key is to be aware and acknowledge what the stressors really are and what this time of year really takes out of a person. Beyond the drain of money, energy and emotions, parents are concerned about the values they are sustaining in their family.

One denominator is grief. There are so many underlying issues, losses such as the death of a family member, or a pet, or divorce, a job loss, or a move away from friends or family, that affect us," he added. "Our society expects us to grieve quickly, to put on a 'smiley face,' but it's really a process that we need to go through, no matter that it's the holidays."

So what's a parent to do? BE NATURAL. "It's a simple acronym to remind us that especially at this time of year we have to take care of ourselves if we are going to take care of others," he said. "Breathing deeply, exercise, good nutrition, a positive attitude, time management, remembering to make time to enjoy the uniqueness of our family, relaxation, associations with various support systems, and laughter -- those are key ingredients to keeping healthy and managing stress.

## The key to surviving the holiday season

- B -- Breathe** deeply, it will help increase energy levels.
- E -- Exercise:** 20 minutes, three times a week.
- N -- Nutrition:** Three well-balanced meals each day.
- A -- Attitude:** Negativity is contagious & destructive.
- T -- Time management:** Set priorities.
- U -- Uniqueness:** Recognize and treasure your uniqueness.
- R -- Relaxation:** Private time to read or listen to music.
- A -- Associations:** Maintain contact with support systems.
- L -- Laughter:** Still the best medicine.



## The Cycles of the Insurance Market

Historically, each decade the insurance marketplace will experience what is known as a "hard market". Prices will seemingly skyrocket overnight and coverage's disappear. The causes of these cycles are many...overzealous product underpricing, a decline in investment income as the stock market declines and loss ratios exceeding 100% of income. The occurrence of September 11th sent the market into a chaotic state. This is the worst hard market in the industry's history. Anyone purchasing insurance on real property has experienced price increases. All sectors of the market were affected.

How does this impact the state's contractual risk transfer program for the purchase of goods and services?

The State must consider the insurance programs of the organizations with which we do business. Many vendors may be forced to reduce their limits or buy restricted coverage, just as the State experienced. Some of the special coverage modifications that were once freely obtainable are becoming more difficult or costly to obtain.

The A.M. Best rating of A-VII the State requires for independent contactors insurance is commonly used by the risk

management community across both the public and private sectors of American business. The same is true of the required limits of general liability coverage. In some cases, the amounts of required insurance are bound by rules and regulations.

Minimum limits of insurance must be prudent and flexible, if necessary.

The RFP template encourages vendors to comment on the insurance requirements. If a vendor has a problem with minimum limits and/or cost problem in meeting the insurance requirements and it can be verified, alternatives will be entertained. The ability to obtain and/or the cost of an Additional Insured endorsement is becoming an issue nationwide. Please keep Risk Management informed of any problems your vendors are experiencing.

Of great concern is the solvency of the vendors' insurance company. Will it be there for us if we need to report a claim, or will it be one of the 30 companies predicted to cease business either this year or next. The list of insurance companies becoming insolvent in the past eighteen months is littered with star players of recent years. The A. M. Best website ([www.ambest.com](http://www.ambest.com)) is free and easy to use. There is no excuse

for an agency to accept protection for the State of Nevada from an insurance company in questionable financial condition.

Audit your follow-up system to make sure you are monitoring compliance. The best contract insurance clause in the world is worthless if the other party doesn't comply. And, unless you are diligent about receiving up to date certificates, you will never find out until it is too late.

### Insolvent/Seized Ins. Companies

Frontier Insurance  
Highlands Insurance Group.  
PHICO  
Legion Insurance Company  
Paula Insurance Company  
Superior National  
Reliance Insurance Group  
Fremont General Group  
Frontier Pacific Ins  
Villanova Insurance Co

### Watch listed Ins. Companies

Chartwell  
Crusader  
Tenwick Group  
Employers Ins.Co NV



## OCTOBER 1st IS WORK TO END DOMESTIC VIOLENCE DAY

October is national Domestic Violence Awareness Month, and Tuesday, October 1, 2002 is *Work to End Domestic Violence Day*: a day when many businesses, public agencies and unions around the country will hold brown bag lunches to discuss domestic violence, distribute educational materials about abuse, hold drives to benefit battered women's programs, and announce new company policies.

Recent statistics indicate that more than six million women in the U.S. are victims of domestic violence each year. In Nevada alone, over 20,000 incidents of domestic violence were reported to law enforcement during the year 2000. The victims of domestic violence are often employees of businesses or agencies just like yours. Their partners and families, similarly, are linked to our workplaces.

Domestic violence does not stay home when its victims go to work: it affects productivity, increases absenteeism, and raises the risk of violence in the workplace. It costs Nevada employers millions of dollars each year in increased health care costs, most of which is paid for by employer benefits. With one out of every four American women reporting physical abuse by a husband or boyfriend at some point in their lives, and male victims increasingly seen in hospital emergency rooms, domestic violence is finding its way into the overall workplace.

Please note the examples of what businesses can do to recognize the importance of October 1<sup>st</sup>:

- Send email to all staff as to why it's important for people to take a stand against domestic violence.
- Include information on domestic violence prevention in a paycheck memo.
- Remind office staffs about the names of contact persons within each office for employees who need to speak to someone about support, or obtain referral information.

For more information and materials, including sample email scripts and paycheck memos, posters, brochures and safety cards contact Veronica Frenkel, Domestic Violence Ombudsman, at (775) 688-184



## OFFICE ACCIDENTS

Falls are the most common office accident, accounting for the greatest number of disabling injuries. The disabling injury rate of falls among office workers is 2 to 2.5 times higher than the rate for non-office employees. One of the most common causes of office falls is tripping over an open desk or file drawer. Bending while seated in an unstable chair and tripping over electrical cords or wires are other common hazards. Office falls are frequently caused by using a chair or stack of boxes in place of a ladder and by slipping on wet floors. Loose carpeting, objects stored in halls or walkways, and inadequate lighting are other hazards that invite accidental falls. Fortunately, all of these fall hazards are preventable. The following checklist can help stop a fall before it happens:

Clean up spills immediately.

Always use a stepladder for reaching.

Close drawers completely after every use.    Secure electrical cords/wires from walkways.

Be sure the pathway is clear before you walk    Wear stable shoes with non-slip soles.

Report loose carpeting/damaged flooring.

Never carry anything that obscures your vision

Avoid excessive bending/twisting/leaning backward while seated.

## Did You Know?



The custom of trick-or-treating and the use of "jack-o'-lanterns" comes from Ireland. Hundreds of years ago, Irish farmers went from house to house, begging for food, in the name of their ancient gods, to be used at the village Halloween celebration. They would promise good luck to those who gave them good, and made threats to those who refused to give. They simply told the people, "You treat me, or else I will trick you!"

The apparently harmless lightened pumpkin face or "jack-o'-lantern" actually is an old Irish symbol of damned soul. A man named Jack was supposed to be able unable to enter heaven due to his miserliness, and unable to enter hell because he had played practice jokes on the devil. As a result, he was condemned to wander over the earth with his lantern until judgment day (i.e., the end of the world). The Irish were so afraid that they would receive an identical plight, that they began to hollow out pumpkins and place lighted candles inside to scare away evil spirits from their home.

## The Consumer Product Safety Commission Urges Seasonal Heating Systems Inspections to Prevent Deaths

As the weather turns colder throughout much of the country, the U.S. Consumer Product Safety Commission (CPSC) urges consumers to have a professional inspection of all fuel-burning heating systems - including furnaces, boilers, fireplaces, water heaters and space heaters - to detect potentially deadly carbon monoxide (CO) leaks.

All appliances that burn fuels can leak deadly CO. These fuels include kerosene; oil; coal; both natural and liquefied petroleum gas; and wood. Having a professional inspection of your fuel-burning heating appliances is the first line of defense against the silent killer, carbon monoxide poisoning.

CO is a colorless, odorless gas that can be produced by burning any fuel. The initial symptoms of CO poisoning are similar to flu, and include headache, fatigue, shortness of breath, nausea and dizziness. Exposure to high levels of CO can cause death. Each year, CO poisoning from heating systems and water heaters kills about 160 people in the U.S. CPSC recommends that the yearly professional inspection include checking chimneys, flues and vents for leakage and blockage by debris. Birds, other animals and insects sometimes nest in vents and block exhaust gases, causing the gases to enter the home.

Also, have your appliances inspected for gas leaks and adequate ventilation. A supply of fresh air is important to help carry pollutants up the chimney, stovepipe or flue, and is necessary for the complete combustion of any fuel. Never block ventilation air openings.

CPSC recommends that every home have at least one CO alarm that meets one of these standards: Canadian Standards Association 6.19-01, 2001; Underwriters Laboratories Inc. 2034, Second Edition, October 1998; or the International Approval Services 6-96, Second Edition, June 1, 1998.

## Winter Driving Tips



**Make sure your battery is strong**

**Make sure your rear window defroster works**

**Check the cooling system**

**Keep basic supplies in your car**

**Keep your gas tank close to full**

**Keep windshield washer reservoir full**

**When driving in the snow do everything slowly**

**Keep windshield wipers in good shape**



### Workers' Comp Question of the Quarter:



### Who is an "Employee"?

The question always comes up about the neighborhood kid that is mowing the yard. Do you need to have workers' comp insurance for him/her. First, I think we should look at who isn't an employee. NRS § 616A.110 excludes: Casual Labor, Actors, Musicians, Household Domestic Service, Farm, Dairy, Agriculture, Volunteer Ski Patrolmen, Clergy, Real Estate Agents/Brokers. Also certain Sales are excluded. "Casual" is defined in NRS § 616A.075 as "...employments where the work contemplated is to be completed in 20 working days or parts thereof in a calendar quarter, without regard to the number of persons employed, and where the total labor cost of the work is less than \$500." The Nevada Supreme Court uses five factors to establish an employee-employer relationship: 1) degree of supervision exercised over details of the work; 2) source of worker's wages; 3) existence of the right to hire and fire a worker; 4) extent to which a worker's activities further "general business concerns"; and 5) right to control the hours and location of activity. So, the neighborhood kid mowing your yard would not be an employee therefore, not entitled to workers' compensation benefits if injured. But, if you as the homeowner are negligent, better have a good homeowner's insurance policy. Within NRS Chapter 616A, numerous other classifications of employee are defined. Some of these are volunteers, inmates, students, vocational rehabilitation trainees, and apprentices to name a few. It is always best to look at this chapter, before making a determination. AB 160 from the 2001 legislature made changes to the requirement for a sole proprietor to have workers' compensation insurance to enter into a contract with public entities. (See NRS § 616B.627) A sole proprietor may enter into a contract with a governmental entity and not have workers' compensation coverage, provided he/she submits an affidavit making that election and he/she does not use any of his/her employees on the contract. Once that is done the governmental entity is not considered an employer of the sole proprietor or his/her employees and is not liable as a principal contractor to the proprietor.



Be sure and check out our award winning website at: [www.risk.state.nv.us](http://www.risk.state.nv.us)