

THE PARTICIPATOR

SUMMER 2023

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NORTH DAKOTA
NDIRF
INSURANCE
RESERVE FUND



The Starion Sports Complex outdoor field surrounded by a running track. The complex is located at 111 Old Red Trail NE. Photo Credit

Dear NDIRF Member,

I hope this edition of the Participator finds you enjoying summer as much as my family and I are!

While we often try to cram as much leisure activity as possible into our short summers, North Dakota summers also afford us the opportunity to accomplish many work-related tasks away from the challenges presented by the colder months, which are still, hopefully, a long way off!

North Dakota local governments are often extra busy in the summer months, managing additional outdoor programs and services, performing maintenance, and addressing repairs more easily accessed during this time of year.

For NDIRF employees, this time of year enables us to get out on the road much more to visit with you. Whether

we're attending conferences, leading on-site defensive driving courses, performing on-site risk surveys or property surveys, or simply stopping by to discuss coverages or ongoing claims, we prioritize meeting with you because every conversation gives us the opportunity to learn more about your entity and understand how the NDIRF can best serve you.

To that end, we're exploring the idea of hosting in-person regional meetings each year, inviting our members, local insurance agents, and elected officials, to learn about NDIRF coverages, claims services, and member services. These meetings would allow us to get to know you better and provide you with information about the NDIRF's financial and operational performance, legislative issues, coverage changes, sponsorships, and free training available through NDIRF membership.



Photo Credit: Mandan Parks and Recreation.

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Please watch your mail and email in the coming weeks for a Survey Monkey link to complete our Member Opinion Survey: Annual Regional Meetings.

Thank you for your NDIRF membership, and I look forward to receiving your survey response!

Sincerely,

Brennan Quintus
NDIRF CEO



Brennan Quintus

Cover Photo: Raging Rivers Water Park features a lazy river, tube and speed slides, a kiddie pool play area, bath house, rental areas and concessions. The park is located at 2600 46th Ave. SE. Photo Credit: Mandan Parks and Recreation.

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CAN AN EMPLOYER REQUEST AN EMPLOYEE TO UNDERGO A MEDICAL EXAMINATION?

Provided by **Brian D. Schmidt**

Attorney at Law and Partner at Smith Porsborg Schweigert, Armstrong, Moldenhauer & Smith

As a general rule, public employee medical information is confidential and employers should not ask about it. However, situations may arise where a medical examination or inquiry is necessary to determine whether a specific employee is capable of performing their job-related duties. In fact, the Americans with Disabilities Act (“ADA”) allows employers to request medical examinations and inquiries of employees in limited circumstances. See 42 U.S.C. § 12112(d).

For example, the ADA provides an employer “shall not require a medical examination and shall not make inquiries of an employee as to whether such employee is an individual with a disability or as to the nature or severity of the disability, unless such examination or inquiry is shown to be job-related and consistent with business necessity.” 42 U.S.C. § 12112(d)(4)(A) (emphasis added). Further an employer “may make inquiries into the ability of an employee to perform job-related functions.” 42 U.S.C. § 12112(d)(4)(B). However, to request a medical examination or inquiry, the employer must establish “the business necessity for the exam or inquiry is vital to the business, and the exam or inquiry is no broader or more intrusive than necessary.” *Hustvet v. Allina Health System*, 910 F.3d 399, 408 (8th Cir. 2018). A business necessity is readily found by courts “if an employer can demonstrate...a medical examination or inquiry is necessary to determine...whether the employee can perform job-related duties when the



employer can identify legitimate, non-discriminatory reasons to doubt the employee’s capacity to perform his or her duties (such as frequent absences...) or whether an employee’s absence or request for an absence is due to legitimate medical reasons, when the employer has reason to suspect abuse of an attendance policy.” *Thomas v. Corwin*, 483 F.3d 516, 527 (8th Cir. 2007) (internal quotation omitted). Put another way, “there must be significant evidence that could cause a

reasonable person to inquire as to whether an employee is still capable of performing his job’ to uphold an employer’s request for an exam.” *Id.* (quoting *Sullivan v. River Valley Sch. Dist.*, 197 F.3d 804, 811 (6th Cir. 1999)).

This means employers must ensure their request is supported by significant evidence sufficient to question whether an employee is capable of performing their job. This analysis will vary based on the facts and circumstances of each situation because job-related duties and employee actions will greatly vary from one case to the next. If sufficient evidence exists to support an employer’s request, the exam or inquiry must be narrowly tailored, job-related, and necessary for the particular function of the business.

But what can an employer do with the information they obtain from a permissible exam or inquiry? In short, employers have to be careful with it. This information “shall be maintained on separate forms and in separate

medical files and be treated as a confidential medical record” with limited exceptions. 29 CFR § 1630.14(c)(1). Those limited exceptions include informing: (1) Supervisors and managers of “necessary restrictions on the work or duties of the employee and necessary accommodations;” (2) “First aid and safety personnel...if the disability might require emergency treatment;” and (3) “Government officials investigating compliance...on request.” Id. Unless these limited circumstances apply, the information is confidential.

Employers should exercise prudent judgment when making requests for medical examinations or inquiries and ensure their rationale will withstand scrutiny. Every situation is unique and employers are best served by consulting legal counsel before making a request. Further, any information obtained from an employer-requested examination or inquiry must be carefully maintained. Keeping a safe and efficient work environment is an important goal. However, employers need to ensure they do not violate the ADA while attempting to achieve it.

COVERAGE TERMS DEFINED: WHAT IS A RISK POOL?

Our name is the North Dakota Insurance Reserve Fund (NDRF), so sometimes people refer to us as an insurance company.

But we’re not an insurance company. We’re a **risk pool** to which North Dakota political subdivision members pay contributions.

Your contributions are pooled together, and we manage the pooled funds to administer liability, auto, and public assets coverages, pay claims, generate investment income, and provide risk management training and education. Each year, any surplus funds are returned to members through our Conferment of Benefits program.

As a member-owned risk pool, NDRF coverages are designed to meet the specific needs of North Dakota political subdivisions. But don’t think “specific needs” means our coverages are watered-down. Instead, it means our coverages are fortified to meet your specific needs.

North Dakota political subdivisions deliver critical services every day and, as a result, have unique risk exposures. We have been reviewing and updating our coverages since 1986 to build coverages that best support the broad and complex services you provide.

As a member-owned **risk pool**, NDRF coverage rates are determined solely by our pool’s activity (i.e. member claim and loss activity). This control has enabled us to maintain stable rates rather than rates that dramatically fluctuate due to national and even international loss trends.



The annual investments we make in member training are also designed to help reduce member claim and loss activity, further supporting the health and longevity of our **risk pool**.

Risk Pool History

Risk pools like the NDRF rose to popularity in the late 1980s when the commercial liability insurance market was in crisis, resulting in providers’ abrupt exit or exorbitant pricing within the government liability market.

The crisis’ devastation captured headlines. Notably the March 24, 1986, Times Magazine cover, “Sorry, America. Your Insurance Has Been Cancelled.”



The District's full-time employees at the Universal Playground. The playground offers a "variety of tactile, visual and auditory experiences" (www.MandanParks.com, accessed 25 July 2023). The playground is located at 100 15th St NE. Photo Credit: Mandan Parks and Recreation.

MEMBER FEATURE:

MANDAN PARKS AND RECREATION

Written by Joanna Drennen, MASCM

NDIRF Marketing and Communications Manager, HR Collaborative Executive Director

For the past few years, I've brought my kids to Dakota Star Gymnastics and watched them further develop their gross motor skills as they somersault, balance, and jump their way around the gym, following the direction of their coaches.

The gym is housed in Mandan Parks and Recreation District's (District) Starion Sports Complex, an 84,000 square-foot facility that also features two sheets of ice and an outdoor multi-sport field surrounded by a running track.

The complex was completed in September 2017, following the 2015 passing of a \$22 million sales tax bond.

The District's Executive Director Cole Higlin described the bond passing as fortunate and made possible with help from the City of Mandan (City) and Mandan Public Schools (School District).

"Having a clear vision and support from the City, School District, and community allows us to build trust with taxpayers and help the community grow," Higlin said.

In addition to the Starion Sports Complex, the District has worked with the City and School District to bring further amenities to its community members of all ages and abilities. Some of the recent amenities include:

- **Dale Pahlke Arena** (\$3.1 million), completed June 2023
- **Mandan Tennis Center** (\$6 million), completed November 2022
- **Veterans Memorial Ballpark** (\$2.5 million), completed May 2018
- **Universal Playground** (\$1 million), completed September 2015

The District also partnered with the YMCA and Sanford on the **Family Wellness Center** (\$12 million), completed fall of 2016.

“With all these projects, we have fundraised the majority or had user groups contribute fifty percent (50%) of the funds, which allows us to keep our debt load to a minimum,” Higlin said. “All of the projects are a true indicator of a public/private partnership.”

The Starion Sports Complex and all projects listed above were completed as of 2015, a brisk timeline for the management of many large-scale projects. The District is currently constructing a new Park Operations Maintenance Building (\$3 million, to be completed December 2023) and planning a new boat ramp along the Missouri River in the near future.

About Cole Higlin

Higlin has been with Mandan Parks and Recreation (District) for 24 years, 21 of which have been as Executive Director.

His career started with summer golf course work during which a then-Park Board Commissioner suggested he apply for the open Recreation Manager position. For three years, Higlin held this position, developing youth and adults sports programming and then, the Executive Director position was open.

“I was fortunate to get the position at the at the age of 28,” he said. “The board recognized the value of people skills

and relationship building and understood the importance of training and having strategic vision.”

These skills have enabled the District to develop strong relationships with public- and private-sector organizations to enhance its programming and facilities for the benefit of Mandan community members.

“I love the challenge of creating a vision and navigating obstacles to create a success story that other communities envy,” he said, acknowledging a capital project’s many moving parts and people can make it complex. “Our staff and park board members over the years listen to the community needs while not increasing property taxes, and we worked together to help change the landscape of Mandan.”

But it’s not just the thrill of the challenge that drives Higlin to help lead and support projects of great magnitude.

“I was an only child raised by my dad,” he said. “Parks and recreation was my daycare at the summer pool and sports were an outlet to develop lifelong skills that I still use today.”

“Giving kids and adults of all ages an opportunity to meet friends and enjoy themselves in our programs and facilities is one of the things I enjoy most about my job,” Higlin continued. “To me, there is no better feeling than knowing you can affect so many people in so many different ways.”

Mandan Parks and Recreation + the NDIRF

The NDIRF’s office sits just across the river from Mandan, so our employees get the opportunity to see and experience the District’s happenings in the town “Where the West Begins” (www.CityofMandan.com, accessed 20 July 2023).



*Cole Higlin
Photo Credit: Mandan Parks and Recreation.*



Prairie West Golf Course is an 18-hole course located at 2709 Longspur Trail. Photo Credit: Mandan Parks and Recreation.

“The Mandan Park Board, Cole, and his team do an amazing job,” NDIRF CEO Brennan Quintus said. “Mandan can be very proud of the facilities and activities that Mandan Parks and Recreation have brought into their community.”

Quintus himself is also active, taking every opportunity during North Dakota’s short summer months to spend time with family and friends on the golf course.

“We’re lucky to have such great golf courses in Bismarck and Mandan, and you would be hard-pressed to find greens in North Dakota nicer than the greens at Mandan Park’s Prairie West Golf Course,” he said.

It’s important we point out the meticulous care of Prairie West’s putting greens isn’t one of reasons the District was selected for a Member Feature article; however, the District’s commitment to continued maintenance is.

“Keeping up on deferred maintenance is critical,” Higlin said. “When issues arise, we do not hesitate to fix safety-

related issues.”

“We have over 180,000 square-feet of indoor space and 600 acres that we maintain so people can safely recreate,” he continued. “We do quarterly inspections of each facility using an inspection report, and we rotate the person who completes each survey.”

Surveyor rotation ensures each survey is completed with fresh eyes. Managers of different departments have also completed their peer’s inspections, allowing the District to capture different safety perspectives.

“By approaching safety as an activity all employees should be involved in, Mandan Parks and Recreation has helped to build a culture that prioritizes safety and makes it a topic of everyday conversation within their organization,” Quintus said. “The proof is in their historically low liability, auto, and public assets loss ratios.”

In addition to its effective risk management in regard to NDIRF coverages, the District has also taken strides to ensure it has adequate property coverage through the North Dakota State Fire and Tornado Fund (NDFT), which has been administered by the NDIRF since June 2019.

“Because of the growth that we have had recently, NDIRF staff completed onsite inspections to compare with our asset management summary,” Higlin said.

Overall, in working with the NDIRF, Higlin said, “I appreciate the accessibility of NDIRF staff. All our questions or concerns are addressed in timely manner.”

The Keys to Building Relationships

Higlin is the first to acknowledge the District’s success in bringing parks and recreation programming, services, and facilities to Mandan is the result of collective efforts among the District’s employees and public- and private-sector organizations. To help keep these internal stakeholders on the same page as well as external stakeholders, most notably the public, the District relies on planning and communication.

The District’s strategic plan is organized into three-year

sections and serves as a guide for all stakeholders. The plan is available at www.MandanParks.com and provides details regarding the District's goals and goal progress for deferred maintenance, capital improvement projects, and maintenance equipment.

The District lifts its communication efforts off the planning page as well.

Each year, it meets with its public- and private-sector partners to learn if their needs are met and to seek opportunities to improve communication regarding financial, maintenance, and scheduling between the District and the organizations. The meetings also give the organizations the opportunity to provide their perspective on the community's overall quality of life.

"We are very cognizant of the role we have in our community to support youth development and enhance our city's amenities," Higlin said, sharing these roles help to increase sale tax revenues and support local businesses.

To lead an entity that has such a large presence within its community, Higlin shared being accessible and transparent are critical to building strong relationships with the public.

"We make mistakes, and we must own them and learn from them," he said. "I call or email everyone back whether it's positive or negative."

Empowering Employees

The District's 24 full-time and 240 seasonal employees are busy year-round supporting a wide range of programming and services, maintaining facilities, and hosting some of the area's most anticipated events, including the McQuades Softball Tournament, which attracts over 400 teams, and the 4th of July Rodeo, which attracts over 12,000 people in three days.

"Our operations staff puts in long hours getting these facilities up to our standards to provide a quality experience for our citizens and visitors," Higlin said.

The District's investment in routine activities helps it to remain a consistent presence in people's lives, engaging

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The 4,000-seat Dale Pahlke Rodeo Arena is located at 2428 Longspur Trail. Photo Credit: Mandan Parks and Recreation.



The Mandan Tennis Center features six tennis courts, 10 pickleball courts, and three badminton courts. The center is located at 520 16th St NE. Photo Credit: Mandan Parks and Recreation.



The Starion Sports Complex gymnastics gym. The complex is located at 111 Old Red Trail NE. Photo Credit: Mandan Parks and Recreation.

Mandan and surrounding community members. The District's employees review observational or participant-provided activity feedback to determine possible future enhancements.

"If ideas can make our jobs easier and give our staff a sense of pride with minimal financial impact, we implement them and adjust accordingly," Higlin said. "Especially with ever-evolving technology, we're always looking for more efficient ways to do things given the ongoing labor shortage."

Whether it's implementing something new or reviewing ongoing operations, the District's safety committee meets six times a month to establish safety goals, review incident reports, and discuss risk management practices.

The committee is responsible for hosting annual onsite training for each facility or program. The types of training include customer service, communication skills, active shooter, and how to identify abuse symptoms.

"We have a lot of people going through our facilities, which increases our risk," Higlin said. "While we continuously have staff inspecting our facilities, we also appreciate citizens contacting us as well."

"We offer 24/7 direct instant messaging so we can address issues as they arise," he continued.

The Future

The District's mission is to, "preserve and provide recreational opportunities for all ages and abilities, while improving the quality of life for the citizens of Mandan and its visitors."

The new facilities in Mandan increase the number of activities Mandan citizens and visitors can participate in year-round. At the time of their construction, the District planned for the ongoing maintenance of facilities to help ensure they remain desirable places for people to recreate.

"We developed a Vision Plan for each facility where a portion of future pledge dollars are used to replace and

The District offers various recreational sports leagues, including sand volleyball in the summer. The sand volleyball courts pictured below are at Legion Park, 1111 10th Ave. SW. Photo Credit: Mandan Parks and Recreation.



maintain the large capital repairs,” Higlin said.

After construction wraps up for the Park Operations Maintenance Building and boat ramp along the Missouri river, Higlin said the District’s plan will be to settle in to operations. For Higlin, settling in to operations looks like continuously refining maintenance, facility, and activity policies and procedures to optimize performance and provide service in extraordinary ways.

“I tell our staff when a parent signs up late for a program, it’s not the kid’s fault,” Higlin said. “We don’t know what their home life is like, and if we can make a difference in a child’s life, it’s worth the extra effort to fit them in.”

“When kids move to town in the middle of summer, we place them on a team to help them with the transition of going to a new school and not knowing anyone,” he continued.



The Universal Playground is located at 100 15th St NE. Photo Credit: Mandan Parks and Recreation. Photo Credit: Mandan Parks and Recreation.

A big thanks to Mandan Parks and Recreation and Executive Director Cole Higlin for sharing your insight about how the District builds relationships and manages risk improve quality of life for Mandan residents and visitors.

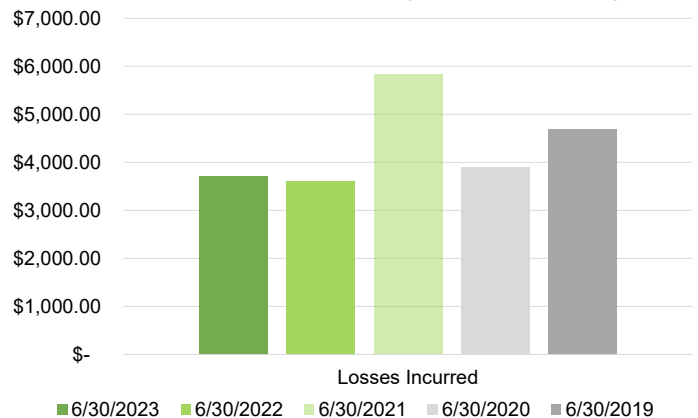
FINANCIAL INSIGHTS

As of June 30, 2023, the NDIRF remains in a strong financial position with assets at \$54.6 million, including nearly \$27 million in member equity. Our loss ratio through the month was 40.1%, well below our budgeted amount (60%).

BALANCE SHEET (IN THOUSANDS)



YTD LOSSES INCURRED (IN THOUSANDS)



IMPROVE YOUR RISK PROFILE TO BECOME A MORE FAVORABLE RISK

By Lisa Hammond

Risk Control and Business Development Manager, Tokio Marine HCC – Public Risk Group

Printed in the April/May/June 2023 PRIMA Public Risk publication available at PrimaCentral.org

Every public entity faces risks that can cause losses and claims, and as a result, potentially increase insurance premiums. Understanding the entity's risk profile and implementing effective risk control measures can help the entity obtain insurance coverage at a competitive rate.

When considering a public entity as a potential customer, insurance carriers develop a risk profile of the entity that frequently includes:

- An assessment of auto, property and liability exposures
- A review of historical loss, frequency and severity
- An analysis of loss trends and payouts
- An evaluation of the entity's current risk control policies and measures

An entity with a favorable risk profile will likely find it easier to obtain coverage and have more choice in selecting a carrier.

RISK MANAGEMENT IS CRITICAL TO RISK PROFILE IMPROVEMENT

Risk management has perhaps never been more important than it is now.

As government and industry compliance rules continue to expand,

scrutiny of risk management practices has also increased. This has resulted in risk management becoming an important business strategy.

Also, the risks public entities face have increased in complexity and severity, and new risks are constantly emerging. For example, the COVID-19 pandemic affected the health and safety of employees, disrupted operations and supply chains, and had lasting impact on how entities conduct business. Public entities, like all other types of organizations, were forced to rapidly identify and address emerging risks and find new ways to operate under shifting circumstances.

For public entities to effectively deal with the changing risk landscape, as well as improve their risk profile, reduce losses and claims, and control insurance costs, they should include risk management in their organizational process.

STEPS TO IMPLEMENT AND IMPROVE RISK MANAGEMENT

1. IDENTIFY RISKS

Begin by identifying the entity's risks. Try to identify as many as possible and don't ignore the small or infrequent risks. It is critical to gather solid data on the organization's risk culture and



operating procedures for the purpose of analyzing and determining how to best deal with risks.

2. ANALYZE RISKS

Once the risks are identified, analyze their potential impact, prioritize addressing them, and determine the resources needed to do so.

For example, an employee calling in sick is a high-probability event that likely poses little or no risk to the entity. Addressing this risk would not be given the same level of priority and resources as preparing for the risk of a natural disaster, an example of a potentially low-probability event with high impact on the entity.

3. DETERMINE RISK CONTROL

Determine the processes and procedures most effective to reduce risks by weighing the cost versus the

benefit to the entity. The goal is to have controls in place to reduce or eliminate as many risks as possible. Once established, develop and implement a communication strategy for the entity that helps ensure risk control is considered in decisions made at every level.

4. IMPLEMENT RISK CONTROL

Implement the risk control processes and procedures to reduce the frequency and severity of losses. Share the controls and improvements with the entity's insurance agent to ensure they are considered during the carrier's underwriting process to help improve the entity's risk profile.

5. MONITOR RISKS AND CONTINUOUSLY IMPROVE RISK CONTROL

Finally, assess all risks and evaluate risk control effectiveness on an on going basis. As needed, make changes to improve the program and notify the agent when this is done. There are insurance carriers that provide insureds low- or no-cost risk control services. Public entities insured by these carriers should take advantage of these valuable programs and resources to improve their risk management.

COMMON PUBLIC ENTITY RISKS AND RISK CONTROL RECOMMENDATIONS

Public entities commonly face exposure in areas including property and auto, professional and employment law, disaster, and cybersecurity.

PROPERTY MAINTENANCE

Conduct frequent property inspections, including roof and fire and security systems. Annual roof inspections can identify maintenance issues that when corrected, can prevent property damage.

Review power protection methods, especially for electronic equipment such as servers and communication equipment that can be damaged in a lightning strike.

Address slip and fall concerns with maintenance procedures for sidewalks, wet floors, and snow and ice removal.

AUTO LIABILITY

Implement a motor vehicle policy that includes a distracted driving policy prohibiting the use of any handheld or hands-free electronic devices or voice features while driving an entity-owned motor vehicle or while driving a personal vehicle while on entity business.

The motor vehicle policy should also require annual driving record checks or all drivers and a review of any accidents and/or moving violations. The policy should include criteria for the acceptable number of points and violations for employees who drive for the entity.

Require vehicle operation training for special-use vehicles, such as those used in public works departments.

Provide specialized training for those operating emergency response vehicles. Enhanced driver performance skills include how to:

- Drive defensively and professionally at all times
- Drive at higher speeds
- Correctly use required warning equipment on emergency runs
- Back vehicles and maneuver in close-quarters situations

EMPLOYMENT LAW

Employers must comply with employment laws at the local, state and federal levels. Nationally, employee-related claims are on the rise.

Consider these areas of employment law:

Hiring Practices – Standardize your application process. Apply best practices such as pre-employment physicals, drug tests and background checks. Provide every employee with a comprehensive employee handbook that is compliant with federal and state laws, clearly written, easily accessible and reviewed annually for updates.

Wage and Hour Rules – Ensure policies are current and compliant with the Family Medical Leave Act and the Fair Labor Standards Act.

Harassment and Discrimination – Ensure policies are current and address the Civil Rights Act, the Americans with Disabilities Act and the Age Discrimination in Employment Act.

Health and Safety – Enhance safety practices throughout the entity to minimize accidents for employees and customers. The Occupational Safety

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and Health Administration standards address minimum guidelines for workplace safety.

DISASTER PREPAREDNESS

Disasters caused by storms and other weather-related events are on the rise and can negatively impact public entities for long periods of time. Every entity should have a plan that includes actions to be taken to protect the entity as much as possible in advance of a weather event and during the response and recovery phases of a disaster. The Federal Emergency Management Agency offers guidance on crafting a preparedness plan: [fema.gov/emergencymanagers/national-preparedness/plan](https://www.fema.gov/emergencymanagers/national-preparedness/plan).

Disaster preparedness planning can help build resiliency and sustainability. Identifying and addressing potential risks improves an entity's ability to identify future threats, develop solutions, adapt to changing conditions, and quickly recover from the impact of a disaster.

CYBERSECURITY

Public entities of all sizes are vulnerable to cyberattack, so internal security policies and remaining informed on emerging security risks are necessary to protect the organization from threats. Cybersecurity best practices include frequent software updates, on-going employee training programs, multi factor access authentication and data backup procedures.

There are a number of additional risks public entities face that can

be managed through risk control, including:

FINANCIAL

Public entities face a variety of financial risks. Measuring, monitoring and responding to these risks minimize threats to the entity's financial well-being and reputation. Implement risk control processes such as two-person check sign off to help prevent internal crime.

CONTRACTS AND AGREEMENTS

Well-written contracts and agreements that include risk transfer, indemnification, hold harmless language, insurance requirements, and additional insured status help protect entities from risk. Before entering into any contract or agreement, qualified legal counsel should review and approve.

GOVERNANCE

Any new regulation has the potential to impact entity operations, create new responsibilities or require new technologies. Because federal, state and local laws change often, it is necessary to stay informed to ensure compliance. Robust governance processes and controls are essential to reducing risks and public officials should be trained on ethics and regulations to avoid any potential missteps.

OPERATIONS

Each department faces its own set of risks that must be assessed and managed. Ensure departmental policies are current and updated at least annually to meet current federal and state laws.

Law Enforcement – Claims related to use of force, pursuits and civil right infringement have increased, and risk management is essential to address these areas. Ongoing training and enforcement of written policies help reduce the potential for liability. Review department contracts and agreements, including any task force agreements, to ensure they include governing policies and chain of command.

Fire – Fire departments should operate under updated policies, procedures, contracts and agreements such as mutual aid. Although compliance with National Fire Protection Association standards are not required, these standards are considered best practices under duty of care.

Parks and Recreation – Parks and recreation departments face a wide variety of risks in both their indoor and outdoor physical spaces and in their program offerings. To provide positive participant experiences and avoid losses and claims, these risks must be identified and addressed.

Up-to-date policies and procedures should include documented park inspections, preferably by a certified playground safety inspector. Playground equipment should be installed by certified installers, in accordance with manufacturers recommendations, and maintained regularly.

Groups sponsoring special events should be required to complete an application that includes providing a

description of the event, the number of expected participants and facilities to be used. Hold harmless agreements and certificates of insurance with additional insured status should be required when public facilities are used. Public safety agencies should be included in planning for traffic control and emergency situations such as severe weather, fire or casualties.

Public Works – Public works departments provide critical infrastructure services, and their responsibilities require maintaining a proper level of governance and adherence to regulatory requirements. Disruption of public works services can lead to emergency situations such as interruption to the water or power supply.

Deterioration of infrastructure (e.g., roads, sidewalks and water and sewer lines) can result in liability issues as well as reputational risk for the entity.

A robust risk management program is important to help an entity comply with laws and rules, promote transparency, build public trust, increase resiliency and reduce costs to the taxpayers. In today's changing risk landscape, developing such a program can be a challenge. When public entities partner with an insurance carrier that provides risk management services, they benefit from risk control expertise and strategies that help them identify and manage current and emerging risks.

NEW EMPLOYEE: VICTORIA VOLK



Victoria Volk

We recently welcomed Victoria Volk to our team as a Claims Adjuster. In this role, Volk is responsible for processing and resolving multi-lines claims and writing and reviewing property and auto estimates.

Volk brings nearly two years of insurance industry experience to the NDIRF, including claims handling and sales. She has a bachelor's degree from the University of Mary (Bismarck, ND) and is a certified Notary Public – National Notary Association (NNA).

CONGRATULATIONS, MARK!

Congratulations to Member Services Representative Mark Verke who recently received the North Dakota Safety Council's (NDSC) Outstanding Safety Instructor Award. The award recognizes the significant contributions Verke has made to improve workplace safety for North Dakota political subdivisions through his effective instruction of Defensive Driving Courses (DDC). This is the eighth time Verke has received this award since 2013.



North Dakota Safety Council (NDSC) Traffic Safety Program Manager Terry Weaver presents Outstanding Safety Instructor Award to NDIRF Member Services Representative Mark Verke.

"The North Dakota Safety Council is incredibly lucky to have dedicated safety advocates like Mark," NDSC Traffic Safety Program Manager Terry Weaver said. "He has the ability to connect with people and train at the highest level. Partnerships with NDIRF and Outstanding Instructors like Mark create safer and stronger communities."

Verke is a Certified DDC-4 Instructor and has led DDC courses for various local government entities that NDIRF members. He is a 32-year employee of the NDIRF, serving primarily as an educational instructor. He has also held certifications in playground safety (CPSI) and pool & spa operating (CPO).



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Get immediate repair authorization and quick repair payments using our new Quick Pay Claims Form. The 11-field form can be used when your entity's auto or equipment repair estimates are \$3,000 or less and meet specific qualifications. To view the list of qualifications, visit our website at www.NDIRF.com>Claims>Quick Pay Comp Claim.

The form can be completed by your entity or local agent, both of which will receive communications from the NDIRF through resolution of the submitted claim.

Please contact our Claims Department at Claims@ndirf.com or (701) 224-1988 if you have any questions about this new form or visit www.NDIRF.com>Claims>Quick Pay Comp Claim.

UPCOMING EVENTS

HR Collaborative Summer Series - Supporting Workplace Well-Being

Aug. 9, 2023
Virtual (Zoom)
HRNDGov.org

HR Collaborative Summer Series - Available HR Resources

Aug. 23, 2023
Virtual (Zoom)
HRNDGov.org

Board Meeting
Sept. 7, 2023
Bismarck, ND
NDIRF.com

Board Meeting
Dec. 7, 2023
Bismarck, ND
NDIRF.com