

# PARSAC

## JPA Member News

### Top 5 OSHA Violations Cited During City Inspections in California

Roxanne Fynboh, CIH  
President, CIH Services Inc.

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*Cal/OSHA historical data from inspections of cities is one tool or indicator that can be used to help establish health and safety priorities for your organization.*

The information for this article is based on a review of data from city inspections performed over the last two years. This review indicates that inspections of cities were usually triggered by a complaint or a reportable accident. However, a small number of cities were selected for inspection at random. All sections of the regulations referenced below are found in Title 8 of the California Code of Regulations.

Four of the five most frequently cited violations were related to the development and implementation of written programs. The program-related violations pertained primarily to the Injury and Illness Prevention Program (IIPP), bloodborne pathogens, respiratory protection, and emergency response training and procedures.

The fifth more frequently cited violation is Section 342 – the failure to report a fatality or serious injury to the local Cal/OSHA office. The report must be filed immediately. Immediately means as soon as possible but not longer than 8 hours after the incident. Search the Cal/OSHA webpage listed below for additional details.

**General Guidelines for Written Programs**

The procedural elements or the city's programs should be of sufficient detail to use as a checklist or complete reference for implementation. A well-developed program does not depend upon the memory of individuals and sustains itself despite changes within the organization. The program should serve as a "how-to" manual for

*(continued on page 8)*

## Message from Joanne Rennie, PARSAC General Manager

### In Search of Otaku

Seth Godin, in his book about transforming organizations, talks about the Japanese concept of Otaku. Otaku loosely translated describes a driving interest in something. It's more than every day curiosity and slightly less than obsession.

You, as members of PARSAC, have Otaku. You have banded together to explore new ways and means of serving the public. You do so often times with very little recognition and even fewer resources. You do so because it matters.

Otaku led you to develop a novel and truly remarkable "product", PARSAC. You recognized the need for financial security in challenging times and the value and support of aligning with others who do the same kind of work under slightly different circumstances.

You challenged the insurance industry and did it just a little bit better. You did it better because members are not just customers. There is a meaningful difference between customers who simply purchase insurance and members who are integrally involved in developing the product and governing how it is provided. Insurance companies are driven by profit, you are driven by commitment.

How does this translate into everyday value? You selected staff who understand your business needs, the nuances of your community, the competence with which you perform your public duties. It translates into coverage that takes those things into consideration and allows you to sleep at night. PARSAC provides financial protection for those losses that cannot be prevented, prevents those losses that can be and provides advice and direction to maximize your relationships with your citizens while minimizing the cost of that protection.

A recent benchmarking study conducted by ARM Tech, indicated that PARSAC returns a better value on investment than others in the pooling industry. Our "Otaku" is to offer the lowest cost coverage to reduce volatility and provide long-term fiscal stability for all members. Historically, we have returned \$.34 on every dollar through the retrospective premium adjustment process. That is a truly remarkable achievement in this day and age. As times change so must our financial goals so that we do not jeopardize our ability to be here over the long haul.

It is our intention to deliver the highest quality professional service complimented by dedication to excellence and an understanding of the unique challenges you face. We intend to do that by listening, learning and being of service.

We have already begun to listen and learn the unique challenges that exist within your community. Since December the cities of Plymouth, Grass Valley, Nevada City, Calimesa, Twentynine Palms, Yucaipa, Placentia, Rancho Santa Margarita, Highland, Watsonville, Calistoga, Rancho Cucamonga and San Juan Bautista and the towns of Yountville and Yucca Valley have opened their doors to us.

*(continued on page 11)*

*With acknowledgement to Andy Takata, Town of Yucca Valley for inspiration.*

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## MYSTERY BUILDING



**Where is this building located?**

**(Hint: Latitude 36°7550' N, Longitude 121°4640' W, and is a historical building of one of PARSAC's members)**

Answer on back page, no peeking!

# Member News

## Meeting Highlights

December's Board of Directors' meeting at the Hyatt Regency Hotel Sacramento was impressive, with a large turnout, filling our meeting room to capacity. Almost thirty members made it a priority to attend this important function and their dedication to getting through a large agenda was equally notable.

Before members rolled up their sleeves and dug into the agenda, Vice-President Wilcox-Barnes presented a service plaque on behalf of the Board to President Wright, who will be retiring in 2005.



*Vice President Wilcox-Barnes congratulates President Wright on his service to PARSAC*

Recognizing dedication continued with several members receiving certificates for best practices in injury and illness prevention programs and outstanding participation in PARSAC-sponsored workshops and training sessions (see article on page 7 of this newsletter).

This was the first meeting for PARSAC's new General Manager Joanne Rennie, who discussed several issues, including priorities and future goals for our organization.

Then the Board got down to business and focused on significant issues at hand:

- ◆ Retrospective premium adjustments for the Workers' Compensation Program will be revisited at the May 2005 Executive Committee's meeting.

- ◆ Asset segregation will be also be discussed in March.

- ◆ A "first pass" review of the Memorandum of Liability Protection document was discussed. The consultant advised that this document is technically sound and recommended some fine-tuning and proposed coverage enhancements.

- ◆ A proposed safety credit incentive program to encourage members to continue attending PARSAC-sponsored workshops and training sessions was discussed. To be fine-tuned and presented at a future meeting.

In between working on the above items, several informational sessions were provided to members on the investment program, audited financial statements for year ending June 30, 2004 and an update on the Employment Risk Management Authority (ERMA) board meetings. Thanks to these presenters for their hard work.

In other matters, the Board discussed and/or took action on:

- Adjustments to the 2004-2005 approved budget
- Policies on budget adjustments, claims settlement authority under the liability program and amendment of the liability participation program agreement.
- Audited Financial Statements for Year Ended June 30, 2004
- Proposed Formation of Subcommittees.

The next Board of Directors' meeting has been scheduled for May 20, 2005 at the Hyatt Regency Sacramento.



# What Should You Do When an Employment Claim is Filed With Your City?

By Gerry Preciado

Litigation Manager - ERMA

*This article is the second in a two-part series discussing the Employment Risk Management Authority (ERMA), a statewide joint powers authority designed to provide broad coverage and tailored loss prevention services to reduce the employment practices liability (EPL) exposures of California public entities. Currently, all 37 members of PARSAC are also members in the ERMA program.*

A general rule I learned while working as a trial attorney defending employers, was that the earlier the employer sought my assistance, the better the outcome. The counsel a lawyer provides to the management team can avoid some of the missteps that often compound an already challenging EPL problem. Nonetheless, even when I was involved early on, I came to the realization that by the time the problem came to me as defense counsel, it was often too late. Something had gone wrong in the process of human interaction, and usually the truth of the matter could be found somewhere between the stories being told by the claimant and the respondent.

Some of the principle reasons I came to ERMA are enumerated in Part I of this Article. In short, ERMA's comprehensive loss prevention program tackles the EPL challenge at its most critical point—before it occurs. Consequently, ERMA's loss prevention program is an essential component in preventing and controlling losses. A second critical component is the claims handling. Once the claim is made, the sooner it gets reported the better the outcome. In some instances, failure to report a claim in a timely manner has either resulted in compromising ERMA's ability to control the loss, or a loss of coverage altogether for the member.

The following is intended to provide a brief overview and summary, not an exhaustive analysis, of your organization's obligations once an EPL claim is made. Following these simple steps will ensure that your city maximizes the benefits it receives from membership in ERMA.

## **How and when do I report a claim to ERMA?**

Pursuant to ERMA's 2004/2005 Memorandum of Coverage (MOC), an ERMA member is required to report receipt of notice of a written EPL claim by

an employee to ERMA within 30 days.

For ERMA's purposes, the types of claims that should be reported include, but are not limited to, civil court actions, administrative proceedings or charges commenced before the Equal Employment Opportunity Commission, or similar state or other agency having jurisdiction over the member, or alternative dispute resolution proceedings. Additionally, actions brought by a person or entity acting on behalf of an employee should also be reported. An EPL claim does not include a union grievance, or any type of criminal proceeding.

The written notice to ERMA should contain particulars sufficient to identify the claimant(s), the member, and also reasonably obtainable information with respect to the time, place, and circumstances thereof, and the names and addresses of the member and available witnesses. Notice should be sent to:

**ERMA**  
**Attention: Gerry Preciado**  
**1831 K Street**  
**Sacramento, California 95814**

## **Are we obligated to investigate a claim?**

ERMA provides extensive training to all ERMA members regarding how to respond to allegations of workplace wrongdoing. That training begins with the formation of Collective Risk Management Team (CRMT) at each member entity. This team, consisting of three to eight employees, is trained on how to respond to claims ranging from personality conflicts and discrimination, to sexual harassment and threats of violence.

If a CRMT determines that an investigation is necessary, the question of who should do it can be

*(continued on next page)*

**ERMA Claims (continued from previous page)**

equally important. For instance, CRMT members are instructed that in order to avoid the appearance of bias or impropriety, when a high-ranking employee is the alleged wrongdoer, a third-party investigator should be used. ERMA maintains a list of approved investigators from which members may choose. Failure to use an ERMA approved investigator will result in the associated expenditures **not being** counted toward a member’s self-insured retention (SIR) level.

Proper investigations are so important that ERMA provides a periodic training seminar entitled “How to Conduct Effective Employment Investigations.” Additionally, ERMA has investigation guidelines to assist members. The seminar and guidelines are free to all ERMA members.

**How is a claim assigned to defense counsel?**

Assigning a case to defense counsel is an extremely important decision in the claims handling process. A law firm must be selected from the ERMA Panel of Approved Law Firms. The ERMA Board of Directors, in an effort to better control defense costs and indemnity, has reduced the panel to nine law firms. The principle reason for this decision is that ERMA’s loss data reveals that when matters are handled by ERMA’s two contract firms, Liebert Cassidy Whitmore and Jackson Lewis, the cost of legal defense and indemnity are essentially half of what it would be when handled by the other firms on the panel.

Pursuant to the ERMA Litigation Management Program (Resolution 3-2003 [hereinafter LMP]), “Assignment to defense counsel for each [member claim] shall be made by the Litigation Manager after consultation with the entity. Counsel selected must agree to abide by these policies and procedures.”

Consequently, when a claim is reported to ERMA and it is determined by the Litigation Manager that defense counsel is needed, the Litigation Manager will make the decision **only** after consulting with the member entity. The selection will be made from the panel of ERMA approved attorneys as constituted at that time.

**Once defense counsel is assigned to a claim, are**

**there specific guidelines they are required to follow?**

There are very specific guidelines to which all defense counsel must adhere. These guidelines are set forth in full in the LMP and each law firm handling ERMA claims agrees to abide by them when they are added to the panel of approved law firms.

Some of the guidelines included in the LMP are:

- ◆ Within 60 days of retention in each case, selected defense counsel shall complete and return a Case Analysis to the ERMA Litigation Manager
- ◆ To assist the defense counsel in projecting anticipated legal costs, a litigation budget must be completed
- ◆ Copies of all correspondence and pleadings must be provided to the member entity and the ERMA Litigation Manager
- ◆ Defense counsel will promptly respond to all letters or phone calls from the ERMA Litigation Manager and keep him or her fully advised as to the progress of each case
- ◆ Defense counsel will cooperate with the ERMA Litigation Manager in all other aspects of the LMP
- ◆ Status reports are **mandatory** every 90 days
- ◆ Defense counsel shall not bill for duplicate services performed by more than one person unless

*(continued on back page)*

**MEETING CALENDAR**

*Approved by the Board of Directors on May 7, 2004:*

**2005**

March 24	Executive Committee ( <i>Rescheduled from March 11, 2005</i> )
May 20	Executive Committee & Board of Directors
September 9	Executive Committee
December 2	Executive Committee & Board of Directors



# EXERCISE BARRIER BUSTERS

*If you're having trouble beginning or maintaining an exercise program, chances are motivation (or lack thereof) is the #1 obstacle.*

Josh Wilson  
Fitness/Wellness  
Coordinator, Willis Pooling

Here are 10 ways to help break free from some of the most common exercise barriers:

**1 Goals.** Do you want to lose weight, gain muscle, look and feel better, all of the above? When determining your goals make sure they are reasonable and attainable. What can be accomplished in a week, this month, etc.? There is no magic pill or solution available, sustained from regular physical activity is the only way to reach your goals.

**2 Exercise – The Natural High.** Try to take satisfaction from the work your muscles are doing and the progress you're making. Many individuals exercising for prolonged period of time (30 minutes or more), claim to receive a feeling that is both good physically and emotionally. It is also known as a "Runner's High."

**3 Do something you enjoy.** Take up a sport/activity you enjoy and create your workouts at becoming better at your chosen activity. Ultimately you'll find this helps with adherence and the realization that gaining strength and stamina is gratifying on its own.

**4 Make it a social event.** Working out with friends will likely spark your competitive spirit which can often times help with your dedication to your program.

**5 Pump it up.** Instead of hauling yourself out to exercise try to do something that will get you "worked" up before your workout. Listen to fast music or take a brief run outdoors before your workout.

**6 Stay Positive.** The first time you miss a workout

or feel like quitting, don't get down on yourself. Immediately plan a new session for the next day. Just get back out there and continue where you left off. Concentrate on the feeling of self-accomplishment you had when working out and remember the goals that you have set for yourself.

**7 Exercise for life . . . not just the life of your program.** Regular physical activity needs to be a lifelong habit, not something that is done before every swimsuit season. Keep in mind that most likely it will take more than a couple of months of working out to reach some of your goals. There is one thing for certain . . . you'll never get there if you give up now.

**8 Dump the junk.** Reducing your intake of junk foods will only enhance your chances of reaching your goals. Stock your pantry with lean protein, fresh produce and complex carbohydrates. This will keep you energized and will help you get the most from your workouts.

**9 Social support.** Tell your friends and family that you are exercising so they can encourage you along the way.

**10 Reward yourself.** Once you start reaching some of your goals, make sure to reward yourself. *Don't reward yourself with food*, but instead with something you enjoy such as new clothing, a tennis racket or a massage.

*Thanks to Willis Pooling for this loss control article.*

*Questions may be directed to Josh Wilson at (775) 323-1656.*

# Member News

## PARSAC Applauds Members for Outstanding Efforts

At its December 10, 2004 Board of Directors' meeting, certificates of recognition were presented to the following members for their outstanding efforts in the PARSAC-sponsored workshops and Injury and Illness Prevention Programs.

The cities of Citrus Heights, Elk Grove and Grass Valley were recognized for a perfect attendance at all PARSAC-sponsored workshops. Topics included code enforcement, health & safety, and insurance requirement in contracts.



Jon Colton (center) - Elk Grove and Gene Haroldsen (right) - Grass Valley accept certificates on behalf of their cities.



Jon Colton (center) - Elk Grove, Linda Downing (second right) - Watsonville and Claudia Nunez (right) - Rancho Cucamonga accept certificates on behalf of their cities.

In addition, the cities of Elk Grove, Placentia, Rancho Cucamonga and Watsonville received recognition for outstanding efforts in the development and implementation of injury and illness prevention programs(IIPP) at their respective locations.

Congratulations to these members. We anticipate that more workshops will be offered during 2005 for our members.

If PARSAC may be of assistance to you in the development and implementation of your IIPP programs, contact staff at (916) 927-7727.

## Brain Teaser

Do you know the answer to this brain teaser? Write in your answer, fill in the bottom portion and clip and send your answer to PARSAC, 1525 Response Road, Suite One, Sacramento, CA 95815 to win a prize. Guess the correct answer and congratulations, a prize will be sent to you.

### QUESTION:

**Two hours ago, it was as many hours after one o'clock in the afternoon as it was before one o'clock in the morning. What time is it now?**

ANSWER:

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**OSHA Violations (continued from front page)**

supervisors and practices. Each required element of the program should include a means of tracking and documenting the activities. As the saying goes, “if it isn’t documented, it didn’t happen”, certainly applies here. The description of responsibilities and authorities for implementation should be clearly defined within the program. This should be considered similar to a description of responsibilities outlined in a job description with specific tasks for which the person(s) holding the position(s) will be held accountable.

In addition to reviewing the written program, the Cal/OSHA inspector may check to see if the program is actually implemented. They want to find out if the city is actually doing what it says it will do in the written program. Depending upon their findings and the reason for the inspection, the depth of this review varies. To determine whether the program is implemented, the inspector can check for documentation that verifies certain requirements, as specified in your program, have been met. They may also question management and employees regarding their awareness and knowledge of the program.

Regardless of the completeness of the city’s written programs and the health and safety program overall, it is important to make an effort to comply and maintain a record of everything that the city does do that is related to health and safety. For example, if a safety topic is covered during

a staff meeting, document the date, what was covered, who attended, and any other pertinent information. When a safety hazard is identified and corrected, document it. The

*“A well-developed program does not depend upon the memory of individuals and sustains itself despite changes within the organization.”*

ability to show some efforts regarding health and safety, even if the city is not fully compliant, is far better than not being able to show any at all.

**Section 3203: “Injury and Illness Prevention Program”**

The IIPP establishes the policies and procedures for the implementation of an effective health and safety program in the organization. It is based on an evaluation by the city to identify hazards within its operations and the specific policies and procedures to be utilized to control these hazards. In this way, the IIPP is unique to each organization. Because the IIPP is considered to be such an essential item, the inspector will almost always ask to see a copy of

the IIPP during their visit. To determine whether the program is implemented, the inspector can check for documentation including safety committee meeting minutes, inspection checklists, training rosters, etc.

**Title 8, CCR, Section 5144: “Respiratory Protection”**

This section of the regulations pertains to the selection and use of all respirator types from disposable dust masks to self-contained breathing apparatus (SCBAs). This is a very important area for cities with fire and public works departments. According to the National Institute for Occupational Safety and Health, fire fighter injuries and fatalities due to inadequately maintained emergency respirators are not uncommon. Public works employees and certain other operations may require the use of emergency respirators, such as for confined space work, as well as respirators for routine operations such as painting, road works, etc.

Some elements of the written program include a listing of the specific jobs or hazards requiring the use of respiratory protection, the type/model of respirator to be utilized for each task, and internal procedures for the proper use, fitting and maintenance of respirators. The incorrect respirator for a job, a poorly maintained respirator, a respirator that does not fit the employee, or is worn improperly, can create a serious hazard. Employees who wear respirators must participate

*(continued on next page)*

## OSHA Violations (continued from previous page)

in a medical surveillance program that determines their physical ability to wear a respirator while performing their job.

### Section 5193: “Bloodborne Pathogens”

This section relates to the control of potential exposures to bloodborne pathogens, i.e., those that cause AIDS and Hepatitis. This is the most frequently cited area for fire and police departments. The regulation requires implementation of a written program that identifies employees and specific tasks within the city operations with potential exposures. The policies and procedures of the plan must specify the policies, procedures, protective equipment, training, medical evaluations, etc., that are used to control each of these exposures.

### Section 5194: “Hazard Communications”

This section requires cities to provide employees information and formal, documented training covering the hazardous substances to which they may be exposed during routine and emergency activities. This is often referred to as the “Right to Know” regulation. The regulation requires a written hazard communication program outlining the city’s policies and procedures detailing how this is achieved. The program must include a list of hazardous substances and instructions for obtaining and utilizing material safety data sheets (MSDSs).

### Section 5192: “Hazardous

### Waste Operations and Emergency Response”

For cities, this section primarily pertains to emergency response procedures for chemical spills and releases. Depending upon their roles in first response, incident command, and clean-up or control of the problem, fire and police department personnel must receive specialized training according to this regulation. Public works and other employees may be covered under this regulation if they may be required to clean up chemical spills or initiate and respond to chemical releases (for example, a chlorine release from a water treatment facility). A written program is required to specify the roles and responsibilities of personnel in these situations, training levels for these personnel, and procedure to be utilized during the emergency.

Monetary penalties for the violations noted above varied between about \$150.00 to \$22,500 per item. Often, numerous deficient items within the same regulation are identified and cited separately. The amount of the penalty depends upon many factors including the type of injury that could result from the hazard and the city’s size, history, and display of “good faith.” The highest penalties are normally associated with repeat violations and the actual occurrence of serious injury or fatality.

The regulations referenced in this article can be viewed in their entirety on the Cal/OSHA website at <http://www.dir.ca.gov/DOSH/dosh1.html>. Select “Title 8 Regulations” from the side menu,

then select “Cal/OSHA” at the top of the list on the next page. The next page is the search page where you can enter the topic of interest. For more detailed and practical on-line information regarding how to comply with these regulations access the Federal OSHA technical information site at <http://www.osha.gov/SLTC/>.

*Article written for PARSAC by Roxanne Fynboh with CIH Services, Inc. Suisun City, California. Direct questions on this article to Ms. Fynboh at (707) 425-5899.*

## Comings and Goings

Since the last changes reported in our newsletter, **Catherine DiCamillo** - South Lake Tahoe was appointed to complete the Executive Committee Member-at-Large term of Kristen Crane - Citrus Heights and **Gene Haroldsen** - Grass Valley has been appointed to serve on the Workers’ Compensation Program Subcommittee.

Changes to the PARSAC Board of Directors include the addition of **Monica Alejandrez** - Citrus Heights, **Karen Mattice** - Coalinga, **Megan Walz** - Rancho Santa Margarita, **James Barrington** and **James Pendergraph** - Wheatland. On behalf of the Board of Directors, congratulations and welcome aboard!

Best wishes and farewell to **Robert Clark** – Avalon, **Delbert Powers** - Canyon Lake, **Kristen Mignone-Crane** - Citrus Heights, **Steven Weaver**– Coalinga, **Gordon Johnson** – Hesperia, **Linda Hale** and **Ron Carr** – Town of Yucca Valley, **Gary Ulman** and **Rafaela Vargas** - Wheatland.

## Investigation and Conviction of Fraudulent Workers' Compensation Claims Sends Sound Message to Abusers of System

by Eileen Gould,  
Bragg & Associates

A Yuba City employee who filed a claim for injury to his back in 1998 plead guilty to felony Workers' Compensation fraud section 1871.4 of the Insurance Code. He was to serve 60 days in jail, restitution and 3 years of supervised probation, but the claimant is now attempting to withdraw his guilty plea. A hearing is scheduled later this month when the judge will determine whether to accept the petition to withdraw his plea or sentence the claimant. The guilty plea was a result of several years of cooperation between the City of Yuba City, the claims administrator Gregory B. Bragg & Associates, and the investigators at North Valley Investigations.

After receiving a tip from a city employee who lived near the claimant that he was very active with yard work, workers' compensation claims supervisor, Bonnie Markuson, at the Redding office of Gregory B. Bragg & Associates assigned subrosa to North Valley Investigations. The investigator filmed the claimant performing many hours of yard work that exceeded his restrictions. The claimant's deposition was taken in April 2001 where he clearly misrepresented himself under oath regarding what he could actually do. Several physicians who evaluated the claimant and viewed the films felt the claimant was exaggerating his injury. In an act of desperation, the claimant volunteered to take a lie detector test, only to fail.

By its very nature, the investigation of a potential workers' compensation case is very time consuming and can be expensive in order to develop the material representations required to proceed to a criminal conviction. However, the rewards surrounding an arrest and probable future criminal conviction serves to send a sound message to the employees of our clients that we shall not tolerate abuses of the workers' compensation benefit system.

Furthermore, often the employer that has recognized a fraud arrest within their ranks will likewise recognize a reduction in the number of workers' compensation cases that may be borderline questionable.

The intention of California State Legislature concerning workers' compensation is to provide a set of finite and specified services/benefits to truly industrially injured workers.

### Legislation

#### AB1825

New provision to California's Fair Employment and Housing Act requires all public agencies to provide two hours of sexual harassment awareness training and education to all supervisory employees by January 1, 2006. Both public and private sectors with at least 50 employees must provide sexual harassment training and education to each supervisory employee once every 2 years.

Additionally, supervisors hired after January 1, 2005 must be trained within six months of their date of hire. After January 1, 2006, employers must ensure that all supervisors receive follow-up training every two years.

#### Transportation Security Administration

TSA has established a range of fees for drivers applying or renewing hazardous materials endorsements for commercial drivers licenses. These fees include background checks, along with collecting and transmitting driver fingerprints.

For new drivers, the fees went into effect on January 31, 2005 and for drivers with hazardous materials endorsements, the fees will be effective on May 31, 2005. Fees for collecting and transmitting fingerprints to the TSA vary from state to state.

#### SB899 Workers' Compensation Medical Provider Network

Effective January 1, 2005 if an employer has an established and approved Medical Provider Network (MPN), the injured worker must treat within this employer-specified network for the entire duration of their medical care.

Prior to this legislation, treatment of an injured worker was limited to the first 30 days of treatment.

## General Manager's Message (continued from page 2)

We've met key personnel, toured the many facilities that make up their municipalities and covered concerns



*Beautiful and historical Mission San Juan Bautista*



*City Hall, Highland*

that these entities face on a daily basis. These site visits will continue until we have had an opportunity to meet with all thirty-seven members.

Finally, staff continues its quest to provide high quality service to our members. We have many projects in progress, including the allocation of assets between programs, development of preliminary budget projections, excess pool renewals and marketing efforts, member needs assessment surveys, and development of a medical provider network in conjunction with new workers' compensation legislation.

Thus, our challenge is to continue our quest to provide a better product for our members in search of the elusive Otaku. Borrowing from Sam Walton (Walmart) and David Packard (HP), please let us know if we fail to do so, we'll make it right.

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### Special Thanks . . .

Appreciation is extended to Driver Alliant Insurance Services and Gregory Bragg & Associates for providing dinner to our members who attended the 2005 PARMA Conference in Anaheim this past February.

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### Meet Windy Baker - Employee with the City of Twentynine Palms

During the summer of 1995, thirteen year-old Windy Baker visited the Twentynine Palms animal shelter with her mom to see if she could serve as a volunteer. After hearing the shelter's staff discuss care of a male yellow lab that had suffered heat stroke, the dedication and sincerity in their voices made Windy more resolved to join the staff as a volunteer.

Almost ten years later, Windy has moved into a part-time job with the city and continues to lovingly care for animals at this shelter.



**ERMA Claims (continued from page 5)**

Those law firms that comply with these LMP guidelines when representing ERMA members in general enjoy the more favorable results. Conversely, those that fail to adhere to these guidelines undermine ERMA's efforts to control costs and expenses.

**The Bottom Line**

ERMA and its members achieve their best results on claims when an ERMA member timely reports its EPL claims. Additionally, by keeping a CRMT team trained and actively participating in ERMA's loss prevention resources, the member's CRMT will be better able to address allegations of workplace wrongdoing and know when and how to properly respond to the same. Finally, selection of counsel, and that counsel's adherence to ERMA's LMP are both critical steps in maximizing loss control.

ERMA's staff remain ever ready to assist members with claims, potential claims, and to

address other EPL concerns a member may have. Please feel free to contact the following individuals for further assistance:

**ERMA**

Toll Free (800) 541-4591

Administrative Inquiries:

Ext. 1117 Rob Kramer, Administrator

Ext. 1126 Andie Giambastiani, Board Secretary

Claims Inquiries:

Ext. 1139 Gerry Preciado, Litigation Manager

Ext. 1138 Rebecca Lane, Litigation Assistant

Training Inquiries:

Ext. 1126 Andie Giambastiani, Board Secretary

Ext 1177 Martha Morais, Administrative Assistant

**Answer to Mystery Building from page 2 is: The Masonic Hall, located in historic San Juan Bautista on 2nd and Muckelemi. This colonial-style building was built in 1868 for \$5,000.**

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