

Homeward bound...end of the road for the 2019 COMPACT!

By Robin Aronson

That was a quick eight months! Seems like it was just March, the flowers were beginning to bloom, and the Risk Management Representatives were heading out to travel the roadways of Washington to visit each and every member for the yearly audit and annual reviews. October 31st brought the Reps back home to WCIA, armed with great information from their visits with the membership. As the 2019 COMPACT year winds down, a thank you goes out to all the members for their work in meeting or exceeding the COMPACT compliance elements.

The members and Risk Management Reps worked together again this year to formulate tailored reviews based upon individual need and applicability, selecting from three options, a traditional audit (Public Works - roadways emphasis, Personnel, or Parks and Recreation Programs), a Targeted Risk Management Review, or a Loss and Exposure Reduction Plan. The Risk Services staff appreciates the hard work by members to coordinate the participation in meetings and discussions, and also appreciates the hospitality shown to staff.

Overall the results of the audits and reviews were positive. For those areas needing improvement, the Risk Reps were able to share best practices with members and provide resources to assist the members. Here are just a few highlights from this year's option 1 audits:

New for 2019 was a Public Works audit with an emphasis on roadways. This audit proved to be popular with nearly 80 members participating. When it comes to maintenance of roads, streets, and sidewalks, close to 90% reported having a policy or procedure for responding to maintenance needs. Just over 80% have a process to identify sidewalk repair needs with 75% having an ordinance requesting private property owners to share some of the responsibility of maintaining adjacent sidewalks. Members enforce the ordinance in a variety of ways from sending letters to homeowners, to using door hangers, to contacting the property owner in person. Over 90% of members responding to the audit reported having a program to inspect for and remove roadside vegetation that creates an encroachment or visual obstruction. Members seemed to be very in tune with the *Wuthrich v. King County case*! When it came to road design, nearly 95% reported that traffic calming, or control device installations were made following an engineering study using science-based guidelines. Just over 70% tracked their highest traffic accident locations. Members were up to date with their public works contracts, making good use of WCIA's sample contract and insurance language from ADM. 21 of the WCIA Liability Resource Manual. Electric assisted bikes and scooters weren't too much of an issue yet for most members, nor were bike and scooter share programs. And autonomous vehicles weren't really on anyone's mind yet. Time will tell where this all goes.

The Personnel audit has been around a couple years. This audit was tackled by a small but mighty group of members this year. The audit is geared towards supervisors and managers. Nearly 80% of those responding reported they provide newly hired or promoted supervisors with training on employment laws, including discrimination laws. 100% indicated that they obtain a release/waiver from an applicant to perform background and reference checks. 67% indicated they conduct reference checks on applicants prior to making a conditional offer of employment. Regarding pre-employment drug testing, 90% indicated they do not conduct pre-employment drug screening outside of law enforcement, CDL, and other safety sensitive positions. This is a huge improvement from 2017 when the audit was initiated. All members need to follow the law in *Robinson v. City of Seattle*. 100% of those responding reported that supervisors and managers receive training concerning discrimination, harassment, and retaliation. Approximately 80% reported that managers and supervisors have been trained on the various leave laws; 45% trained managers and supervisors on preparing performance evaluations. (*WCIA has a terrific class on performance evaluations—check out the training calendar online!*). To assist members with personnel issues, the Risk Reps provided information on WCIA training, along with sample policies and guidelines from the Liability Resource Manual.

Making an appearance for the second year was the Parks and Recreation Programs audit. 80% of participants in the audit reported that their Risk Manager and/or agency attorney was consulted prior to implementing new recreation programs. Only 40% reported using independent contractors to provide instruction to recreation participants; 100% offer programs that are ADA accessible. 60% reported having both a policy regarding the youth sports concussion and sudden cardiac arrest laws, and a Gender Equality policy. The Reps were able to educate members on these issues and point the members to specific RCWs and Liability Resource Manual guidelines. Most utilize volunteers, with nearly all reporting they perform background checks on all volunteers, and 80% checking references. 100% responded that all parks and recreation staff, including volunteers and seasonal staff, were trained on the agency's Unlawful Harassment/Discrimination/Retaliation policy. 60% require contractors/vendors to perform background screening of contractors' employees and volunteers; whereas only 20% require contractors to follow the youth sports concussion and sudden cardiac arrest protocols, and just 40% requiring contractors to comply with the member's Gender Equality policy. When it comes to transportation, 40% of those responding provide transportation for recreation program participants with most using employees or volunteers to drive the vehicles. Only 50% check driving records and 50% conduct background checks on chaperones. There was an opportunity here for discussions with the members about the importance of criminal background checks, reference checks, and driver training.

The Targeted Risk Management Review option proved to be very popular again this year. The Risk Management Reps and members together reviewed and discussed members' contracts, programs, policies and procedures across a wide array of topics including personnel policies, volunteers, fleet programs, special events, and parks. The Targeted Risk Management Reviews also included risk management reviews of numerous properties and facilities from parks and playgrounds to swimming pools and community centers.

Watch for the January newsletter which will detail the 2020 COMPACT Audit. As a sneak peek, members in 2020 will once again work closely with their Risk Management Representative to formulate a tailored review. The option 1 traditional audit topics will again include Public Works, and Personnel. Homelessness will be added in as a third choice.

As we get ready to turn the calendar over to 2020, WCIA looks forward to another great year and the opportunity to continue supporting the membership!

P.S.: Be sure to watch for information in the New Year on the 2020 Grant program!