



**GARDEN STATE MUNICIPAL  
JOINT INSURANCE FUND**

**2023  
*POLICIES & PROCEDURES MANUAL***

**[www.gsmjif.com](http://www.gsmjif.com)**

**Private**

The information contained herein should not be disclosed to unauthorized personnel. It is meant solely for use by authorized Garden State Municipal Joint Insurance Fund representatives.

## Table of Contents

<b>I.</b>	<b>INTRODUCTION .....</b>	<b>4</b>
<b>II.</b>	<b>INFORMATIONAL DIRECTORY .....</b>	<b>6</b>
	• <i>Fund Commissioners</i>	
	• <i>Meetings</i>	
	• <i>Officials</i>	
	• <i>Professional Services</i>	
	• <i>Risk Managers</i>	
	• <i>Executive &amp; Standing Committee Appointments</i>	
<b>III.</b>	<b>COMMUNICATIONS POLICY .....</b>	<b>14</b>
<b>IV.</b>	<b>COVERAGE .....</b>	<b>14</b>
<b>V.</b>	<b>UNDERWRITING/OPERATIONS .....</b>	<b>15</b>
<b>VI.</b>	<b>CERTIFICATE PROCESSING .....</b>	<b>32</b>
<b>VI.</b>	<b>CASH MANAGEMENT AND INVESTMENT POLICY .....</b>	<b>50</b>
<b>VIII.</b>	<b>FINANCIAL SEGREGATION OF DUTIES &amp; ROLE DIFFERENTIATION .....</b>	<b>53</b>
	• <i>Investments</i>	
	• <i>Revenue Activities</i>	
	• <i>Expense Payment Activities</i>	
	• <i>Claim Payment and Reserve Activities</i>	
	• <i>Reporting</i>	
	• <i>Other</i>	
<b>IX.</b>	<b>LINES OF COVERAGES, LIMITS, RETENTIONS, AND EXCESS PARTNERS .....</b>	<b>57</b>
<b>X.</b>	<b>CLAIMS MANAGEMENT AND PROCEDURES.....</b>	<b>58</b>
	• <i>Examples of Various Types of Claims and Special Reporting Requirements</i>	
	• <i>Miscellaneous Claim Information and Procedures</i>	
<b>XI.</b>	<b>DEFENSE COUNSEL GUIDELINES.....</b>	<b>83</b>
	• <i>Selection of Counsel</i>	
	• <i>Reporting Requirements</i>	
	• <i>Other Provisions</i>	
	• <i>Discovery and Settlements</i>	
	• <i>Rates and Billing Procedures</i>	
<b>XII.</b>	<b>LOSS CONTROL PROGRAM.....</b>	<b>988</b>
	• <i>Part 1: Purpose of Manual &amp; Safety Statement</i>	
	• <i>Part 2: Safety Policies / Procedures</i>	
	• <i>Part 3: Safety Training / Employee Orientation</i>	
	• <i>Part 4: Identifying &amp; Controlling Hazards</i>	
	• <i>Part 5: Fire Prevention &amp; Fire Safety</i>	
	• <i>Part 6: Emergency Procedures &amp; Building Evacuation</i>	
	• <i>Part 7: Basic Precautions for Job Tasks</i>	
	• <i>Part 8: PPE Policy</i>	
	• <i>Part 9: Confined Space Entry</i>	
	• <i>Part 10: Electrical Safety</i>	
	• <i>Part 11: Material Handling &amp; Storage</i>	
	• <i>Part 12: Excavation &amp; Protective Systems</i>	
	• <i>Part 13: Utility Line Safety</i>	
	• <i>Part 14: Fall Protection</i>	
	• <i>Part 15: Hazardous Chemicals &amp; Right to Know</i>	

- *Part 16: Hearing Conservation*
- *Part 17: Respiratory Protection*
- *Part 18: Bloodborne Pathogens*
- *Part 19: Hot Work Permit*
- *Part 20: Lock Out Tag Out*
- *Part 21: Miscellaneous Programs*

## **I. INTRODUCTION**

In 1984 the legislature of the State of New Jersey enacted a revision to Title 40A permitting communities to form joint self-insurance funds. Title 40A was subsequently revised in 1990 to include any contracting unit as defined in Section 2 of P.L. 1971, C.198 (C.40A:11-12). The enactment of this legislation was extremely timely because in the mid 1980's public entities found themselves amid a crisis of insurability wherein coverage was either not available in the commercial marketplace or was unavailable because the cost was prohibitive.

### **AUTHORITY**

A Fund finds its authority for existence in the following regulations:

- **N.J.S.A. 40A:10-36 et seq.**
- **N.J.A.C. 11:15-2**

In addition, a Fund comes under state regulatory divisions of:

- **Department of Banking and Insurance**
- **Department of Community Affairs**

Under Title 40A:10-36 Joint Insurance Funds are not insurance companies; instead they are construed to be public entities. Therefore, a Joint Insurance Fund shall be subject to and operate in compliance with the provisions of the:

- **Local Fiscal Affairs Law (N.J.S.A. 40A:5-1 et seq)**
- **Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq)**
- **Open Public Meetings Act (N.J.S.A. 10:4-6 et seq)**
- **Various Statutes authorizing the investment of public funds, including but not limited to, N.J.S.A. 40a:10-10(b), 17:12(b)-241 and 17:9-4.1**
- **Affirmative Action Requirements**
- **Local Government Ethics Act**

The Fund has various sources of official communications; specifically:

- |                                  |   |
|----------------------------------|---|
| ■ <b>Bylaws</b>                  | ■ <b>Meeting Minutes</b>                |
| ■ <b>Plan of Risk Management</b> | ■ <b>Policies and Procedures Manual</b> |
| ■ <b>Coverage Documents</b>      | ■ <b>and any combination thereof</b>    |

## **PURPOSE**

While all lines of coverage provided by the Joint Insurance Fund (GSMJIF) are specifically addressed in the coverage documents issued to all members and their Risk Management Consultants, there remain certain criteria, procedures, and policies that fall to the discretion of the Fund.

The policies presented herein are of that nature. Therefore, this Policies & Procedures Manual covers a wide spectrum of topics and concerns and is designed to serve as a companion to all other Fund references since inception. While the Policies & Procedures Manual can be used independently, it is intended to be most effective when used in conjunction with the Fund Bylaws, Risk Management Plan, Safety Manual, Meeting Minutes, and Coverage Document(s).

The Policies and Procedures established by the GSMJIF are expected to be adhered to by its member local units, appointed officials and the Fund Commissioners. The manual is also a "living" guideline, and, as such, is subject to additions or deletions as they become appropriate and approved by the Fund Commissioners. These changes will be issued as bulletins during the course of the year and should be filed in the Member's Manual, in Section 2.

## II. INFORMATIONAL DIRECTORY

### Organization

The Garden State Municipal Joint Insurance Fund commenced operations on February 1, 2002 with charter members. The Fund presently has the following members:

<b><u>Member</u></b>	<b><u>Date Joined</u></b>
Berkeley Township	2/1/02
Hamilton Township	2/1/02
Union Township	2/1/02
Borough of North Plainfield	5/1/02
Ewing Township	1/1/03
Howell Township	1/1/03
Borough of Kenilworth	1/1/03
City of Rahway	7/1/03
West Orange Township	11/1/03
City of Englewood	1/1/04
Livingston Township	7/1/04
City of Hoboken	7/1/04
Eastampton Township	7/1/04
Montclair Township	1/1/05
Town of Harrison	2/18/06
Borough of Highland Park	1/1/07
Borough of Caldwell	1/1/08
Township of Warren	1/1/09
Borough of Fanwood	1/1/09

Township of Morris	1/1/10
Borough of New Providence	1/1/10
Town of Morristown	1/1/11
Township of North Brunswick	1/1/11
Bloomfield Township	1/1/12
Parsippany-Troy Hills Township	1/1/12
Lawrence Township	1/1/13
City of Linden	1/1/13
Township of Berkeley Heights	1/1/13
Town of Kearny	1/1/14
Town of Guttenberg	1/1/14
Cinnaminson Township	1/1/14
Freehold Borough	1/1/15
Township of North Bergen	1/1/16
Neptune Township	1/1/17
Borough of Roselle Park	1/1/18
Township of Roxbury	1/1/18
Monroe Township	1/1/19
Township of Aberdeen	1/1/20
Holmdel Township	1/1/20
Borough of Bound Brook	1/1/22
Borough of Jamesburg	1/1/23

### ***Fund Commissioners***

Each participating member appoints one commissioner to the Fund who shall be either a member of its governing body or one of its employees. In addition, each member may elect to appoint one alternate to attend either regular or special meetings on behalf of the municipality in the absence of the Fund Commissioner who exercises the full power and authority of the Fund Commissioner in his/her absence.

The Fund Commissioners' responsibilities include:

- **Authorized and empowered to operate the Fund in accordance with its Bylaws, State Laws and Regulations**
- **Cast one vote**

### ***Meetings***

The Fund has an organizational meeting usually in January to elect two officers, Chairperson and Secretary and an Executive Board.

The officers and the Fund Commissioners conduct **monthly meetings on the fourth Wednesday of each month at the APA Hotel Woodbridge, Iselin, NJ. The Fund Commissioners may decide to arrange alternate meeting sites. Due to COVID-19 restrictions, meetings can also be held virtually utilizing the Microsoft Teams platform.**

### ***Officials***

The Fund also has the following four appointed officials:

- **Executive Director/Administrator**
- **Treasurer**
- **Auditor**
- **Attorney**

In addition, the Fund also contracts for the following services:

- **Actuary**
- **Claims Servicing Companies**
- **Governmental Affairs Consultant**
- **Investment Advisor**
- **Litigation Invoice Review**
- **Litigation Manager**
- **Underwriting Manager**
- **Managed Care Organization**
- **Safety Director**



All appointed officials and contractors are retained pursuant to the "Local Public Contracts Law."

Additionally, as a condition of its membership, members must retain the services of a New Jersey-licensed Risk Management Professional / Consultant. The Risk Management Consultant advises its members on matters relating to the Fund's operation and coverage provided.

On the following pages, you will find:

- **List of names and addresses of various Fund professionals.**
- **Listing of current members' appointed commissioners, addresses, and phone numbers.**

**Note:** Please refer to Articles II and III in the Fund Bylaws for the duties and responsibilities of Chairperson, Secretary, Executive Committee and officials.

***Professional Services***

<b><u>Function</u></b>	<b><u>Contact/Company</u></b>	<b><u>Address</u></b>	<b><u>Phone #</u></b>
Administrator	Jonathan Hall NIP Management Services	900 Route 9 North Suite 503 Woodbridge, NJ 07095	(732) 362-9980
Claims TPA – WC	Alice Lihou Qual-Lynx, Inc.	100 Decadon Drive Egg Harbor Township, NJ 08234	(609) 653-8400
Claims TPA – All Other Lines	Peter Archangeli, Esq. NIP Management Services	900 Route 9 North Suite 503 Woodbridge, NJ 07095	(732) 362-9980
Fund Actuary	Stephen R. DiCenso, FCAS, MAAA Milliman	201 Edgewater Drive, Suite 289 Wakefield, MA 01880-6215	(781) 213-6330
Fund Attorney	Michael O’Connell, Esq. or Paul Anzano, Esq. Pringle Quinn Anzano, PC	202 W. State St Trenton, NJ 08608	(609) 393-8944
Fund Auditor	Digesh Patel, CPA Mercadien, P.C.	P.O. Box 7648 Princeton, NJ 08543	(609) 689-9700
Government Affairs Consultant	David Smith or Dale Florio Princeton Public Affairs Group	160 West State Street Trenton, NJ 08608	(609) 396-8838
Investment Advisor	SLC Management, dba Prime Advisors	100 Northfield Drive Windsor, CT 06095	(860) 331-3000
Legal Bill Review	Bottomline Technologies	325 Corporate Drive Portsmouth, NH 03801	(603) 436-0700
Litigation Manager - Liability	Jeremy Solomon, Esq. Bob Smith & Assocs.	216 Stelton Rd. Piscataway, NJ 08854	(732) 752-3100
Litigation Manager - WC	John Geaney, Esq. Capehart, Scatchard	Laurel Corporate Center 8000 Midlantic Drive Suite 300 Mt. Laurel, NJ 08054	(856) 234-6800
Medical Provider Network	Alice Lihou QualCare, Inc.	30 Knightsbridge Rd. Piscataway, NJ 08854	(908) 222-7500
Safety Director	Dave Weightman PMA Management Corp	330 Fellowship Rd Suite 200 Mount Laurel, NJ 08054	(609) 273-9883
Treasurer	Patrick DeBlasio	20 Cooke Avenue Carteret, NJ 07008	(732) 541-3820
Underwriting Manager/ Insurance Broker	Business & Governmental Insurance Agency	900 Route 9 North Suite 503 Woodbridge, NJ 07095	(732) 634-8400

***Risk Managers***

<b><u>Company</u></b>	<b><u>Contact</u></b>	<b><u>Address</u></b>	<b><u>Phone #</u></b>
Acrisure	Amy Pieroni	1460 Route 9 N, Suite 310 Woodbridge, NJ 07095	(732) 602-0010
Alamo Insurance Group	Luis Alamo	55 Flanagan Way Secaucus, NJ 07094	(201) 295-9044
Balken Risk Management	David Balken	143 Washington St. Morristown, NJ 07960	(973) 526-7007
Borden, Perlman, Salisbury & Kelly	Doug Borden	PO Box 6710 Lawrenceville, NJ 08648	(609) 896-3434 x107
Brown & Brown Metro	Dominick Cinelli	56 Livingston Ave Roseland, NJ 07068	(973) 549-1900
Business & Governmental Insurance Agency	Steven Edwards	900 Route 9 N, Suite 503 Woodbridge, NJ 07095	(732) 634-8400
Conner, Strong & Buckelew	Michael Avalone	231 Main Street P.O. Box 2017 Toms River, NJ 08754	(732) 736-5200
Fairview Insurance Agency Associates	John Graham	25 Fairview Ave Verona, NJ 07044	(973) 857-0870
World Insurance	John Hanuscin	101 Route 130 South, Suite 200 Cinnaminson, NJ 08077	(856) 786-9100
Richland Knowles Agency	Paul. Joyce	803 Springfield Ave Suite 2 Summit, NJ 07901	(908) 273-7100
Strategic Insurance Partners	Sanders Reynoso	492 Franklin Ave. Nutley, NJ 07110	(800) 524-1422
Skylands Risk Mangament, Inc.	Wayne Dietz	PO Box 68 Newton, NJ 07860	(973) 940-1851
Arthur J. Gallagher & Co.	Latonya Brennan	707 State Road, Princeton NJ 08540	(908) 618-4299
IMAC Insurance Agency	Karen Waters	540 Mill St. Belleville, N.J. 07109	(973) 604-7588
RD Parisi & Associates	Peter Soriero	500 Prospect Ave, Suite 100 West Orange, NJ 07052	(973) 243-5500
Pinnacle Risk Solutions	Rich Duthie	4 Becker Farm Road, Suite 104 Roseland, NJ 07068	(973) 284-0100

***Executive Committee***

Initially all members will serve on the Executive Committee. Officers of the Executive Committee will be elected at the first meeting of the members.

**Executive Committee Members:**

Chairperson	Karen Caulfield	Union Township
Secretary	Tim Quinn	Morris Township
Member	Joy Kerlin	Hamilton Township
Member	Russell Jones	Township of Livingston
Member	Mark Krane	Township of Warren
Member	Frank Ruggiero	City of Rahway
Member	Brian Russell	Township of Aberdeen
Alternate	Louis Palazzo	Howell Township

***Standing Committee Appointments***

All committees will be appointed at the first members meeting.

**Safety Committee\*:**

Chairperson	Greg Whitehead	Lawrence Township
Members	All GSMJIF Members	

**Claims Committee\*:**

Chairperson	Karen Caulfield	Union Township
Member	Tim Quinn	Morris Township
Member	Louis Palazzo	Howell Township
Member	Open	
Member	Open	
Non-Voting	Jonathan Hall	Executive Director
Non-Voting	Peter Archangeli	NIP – SVP, Claims
Non-Voting	Robert Persico	NIP – AVP, WC Claims
Non-Voting	Steven Daveggia	NIP – AVP, PAL Claims
Non-Voting	Brian LaJoie	NIP – AVP, Professional Claims
Non-Voting	Anthony Ven Graitis	NIP – SVP of Risk Management
Non-Voting	Robert Smith	NIP – VP of Underwriting
Non-Voting	Brian Erlandsen	Underwriting Manager
Non-Voting	Renee Nelms	Qual-Lynx
Non-Voting	Susan Hammer	D&H Alternative Risk Solutions
Non-Voting	Donna Bond	PMA Management Group
Non-Voting	Jeremy Solomon, Esq.	Liability Litigation Consultant
Non-Voting	John Geaney, Esq.	WC Liability Consultant

**Finance & Budget Committee\***

Chairperson	Mark Krane	Township of Warren
Member	Karen Caulfield	Union Township
Member	Louis Palazzo	Howell Township
Member	Open	
Member	Open	
Non-Voting	Jonathan Hall	Executive Director
Non-Voting	Patrick DeBlasio	Fund Treasurer

**EPL Committee\***

Chairperson	Karen Caulfield
Member	Timothy Quinn
Member	Joy Kerlin
Member	Bryan Russell
Non-Voting	Stephen Daveggia
Non-Voting	Robert Smith
Non-Voting	Edwin Vath

**Wellness Committee\***

Member	Anthony Ven Graitis	NIP
Member	Ken Child	PMA
Member	Zach Edelman	Fairview
Member	Lou Ann Benson	North Brunswick Township
Member	Karen Caulfield	Union Township
Member	Dana Biggs	Borough of North Plainfield
Member	Kathy Boffa	Township of Livingston
Member	Megan Marchetti	Wellness Coaches USA
Member	Debra Patetta	Wellness Coaches USA

**Police Subcommittee**

Members	All Members
---------	-------------

**Fire Subcommittee**

Members	All Members
---------	-------------

**DPW Subcommittee**

Members	All Members
---------	-------------

\*Fund Chairperson is ex officio member of all committees.

### **III. COMMUNICATIONS POLICY**

Each member will receive on a monthly basis a monthly agenda booklet that contains:

- **Minutes**
- **Executive Director's reports**
- **Pro Forma reports**
  - **Financial Fast Track**
  - **Investment Report**
  - **Claim Activity Report**

Closed Session minutes are distributed at the time of the meeting, approved in Open Session and then collected in order to maintain confidentiality.

The pro forma reports, which should be filed in the members' manual, provide its members with a snapshot picture of the Fund's:

- **Financial position**
- **Accident severity by line of coverage**
- **Accident frequency by participant**

Also, on a monthly basis the Fund participants receive a claims register from the claims service company outlining individual losses by participant.

Members will be sent copies of survey reports by the Fund's Safety Director. These reports should be filed in the members' manual.

The Fund members receive coverage documents annually. These documents are located in Section IX of the members' manual.

On an "as needed" basis, Fund participants will be forwarded:

- **Coverage Bulletins**
- **Safety Bulletins**
- **Policies and Procedures Bulletins**

### **IV. COVERAGE**

The Joint Insurance Fund offers the following lines of coverage to its members:

- **Workers' Compensation**
- **General Liability**

- **Law Enforcement Liability**
- **Auto Liability**
- **Public Officials/Employment Practices Liability Coverage**
- **Property**
- **Boiler & Machinery**
- **Auto Physical Damage**
- **Crime, with Position Bonds**
- **Disaster Management Services**
- **Non-owned Aircraft Liability**
- **Cyber Liability**
- **Unmanned Aircraft Systems Liability and Physical Damage (optional)**
- **Marina Operators Liability (optional)**
- **Hull and Protection & Indemnity (optional)**
- **Pollution Liability (optional)**
- **Underground Storage Tank Liability (optional)**

**NOTE: The actual terms and conditions and all issues related to coverage shall be decided based on the coverage documents.**

## **V. UNDERWRITING/OPERATIONS**

### ***New Municipalities***

Any municipality seeking membership into the Fund shall submit an application for membership along with the necessary resolution and copies of current policies, ten year historical claim information, latest budget and the latest auditor's report. Candidates should meet the following criteria:

- (a) Be located in New Jersey.

- (b) Be homogeneous in size and operation to existing members of the Fund.
- (c) Show a favorable loss history for at least ten years.
- (d) Has shown a proven dedication to loss prevention/control.
- (e) Show a willingness to participate in Fund activities and development.
- (f) Agree to comply with the state regulations that govern the Fund, the Fund Bylaws, and Policies promulgated by the Fund.
- (g) Not to exceed a population of 100,000.

The Executive Director/Administrator reviews applications for completeness, accuracy and compliance with established underwriting guidelines. The Executive Director/Administrator then forwards the necessary underwriting information to the Fund's actuary, who will develop annualized loss projections by line of coverage based on the applicant's loss experience and exposures. In addition, the Executive Director/Administrator simultaneously requests the Fund's safety director to undertake a comprehensive physical inspection of the applicant's locations.

Once the process is completed, the Executive Director/Administrator presents the new applicants to the Fund Commissioners for approval consideration. The Commissioners will review such items as:

- **New member data summary**
- 
- **Loss information**
- **Safety Inspection Reports**
- **Proposed Annual Assessments**



### **Fire Districts**

Revisions made to N.J.S.A. 40A:10-36 allow fire districts to join a joint insurance fund. The Fund has adopted the following membership criteria for fire districts:

- (a.) Sponsorship: Only fire districts sponsored by a member municipality will be considered.
- (b.) Financial Responsibility: The sponsoring member municipality must accept all financial responsibility arising from participation of the fire district including assessments, supplemental contributions, additional assessments and return dividends.
- (c.) Billing & Vouchering: The Executive Director/Administrator will bill each fire district separately from that of the member municipality.
- (d.) Representation: The fire district will be represented solely by the Fund Commissioner of the sponsoring member municipality.
- (e.) Risk Management Consultant: The fire district will be served by the risk management consultant of the sponsoring member municipality.
- (f.) Underwriting Guidelines: Fire districts will be underwritten as if they were applying as a new member. This process includes completion of a full application, actuarial review and safety inspection.
- (g.) Acceptance of a Fire District: Fire districts may only be admitted by a majority vote of the Fund Commissioners following membership review. The criteria for admission will be the compatibility of the fire district to other fire service exposure currently insured by the Fund.
- (h.) Termination of Coverage: A fire district may be terminated by the Fund Commissioner from coverage for failure to follow safety and loss control guidelines set forth by the safety director. Termination of a fire district will not affect membership of sponsoring member municipality. However, the fire district's membership will be concurrently terminated if the sponsoring member municipality terminates its membership for any reason.
- (i.) Legal Requirement: As a condition to membership by the fire district, a resolution must be received from the sponsoring member municipality evidencing its agreement with the Fund as respects its financial responsibility for the fire district. Likewise, a resolution by the fire district must be executed evidencing representation by the sponsoring member municipality and compliance with safety directives.

### ***Renewal Process***

**N.J.A.C. 11:15-2:15(c) requires that the Fund certify each member's annual assessment no later than December 1 of the coming fiscal year. Therefore, the Fund begins its renewal process in June.**

### ***Guidelines for Assessing Members***

The Fund seeks to equitably distribute to its members a proportionate share of the overall annual cost of the Fund. Accordingly, the following guidelines are offered for consideration.

The Fund will uniformly measure exposure units of all members. This includes:

- (a.)
  - i. Payroll by classification
  - ii. Property values by class
  - iii. Vehicles by classification
  - iv. Other – as may be required by excess insurers/ reinsurers
- (b.) Using uniform rates associated with the exposure units, a manual premium will be developed for each member.
- (c.) Based upon the last five years of losses excluding the current year, and limited to the first \$500,000 of loss for General, Auto and Law Enforcement Liability; the first \$250,000 of loss for Property; the first \$250,000 of loss for Auto Physical Damage; the first \$500,000 of loss for Employment Practices and Public Officials Liability and the first \$750,000 of loss for Worker's Compensation, each member will receive an experience modification factor. The formula for this calculation will be promulgated by the Fund Actuary.
- (d.) Based upon the loss experience as recorded by the GSMJIF, all members will receive an experience modification factor.
- (e.) The manual premium for each member will be modified by the applicable experience rating factor to develop a modified manual premium.
- (f.) A retrospective rating plan is available as an option as well. Further details can be found in the Plan of Risk Management.

### ***Schedule(s) of Values***

#### **(a.) Real and Business Personal Property**

All known locations must be declared in advance. A Statement of Values with location Construction and Protection characteristics must be prepared at 100% of replacement value. All COPE data, including sprinkler and alarm information, must

be included for all locations. EDP equipment will be included under Personal Property. Changes in values can lead to an additional premium. Any changes by more than 50% should be brought to the underwriting department for approval.

(b.) **Other Equipment**

All known portable equipment must be scheduled in advance. This would include but not be limited to, items such as mobile equipment, contractors' equipment, communications equipment, data processing equipment, etc. Small items under \$5,000 may be grouped into single value amount.

(c.) **Special Items**

All owned & non-owned fine arts, antiques and collectibles must be listed on the Property Schedule. Evidence of value for individual items valued in excess of \$5,000 must be supported by an independent professional appraisal.

For displayed art work, antiques and other collectibles that are the property of others, coverage on individual items over \$1,000 and up to \$1,000,000 requires a professional appraisal to be filed with the Municipal Clerk or some other authorized and responsible party.

Traffic & Street Lights; Traffic & Street Signals; Parking Meters, Signage, Barriers, Bus Stops & Shelters - must be scheduled (as a group) on the Member's Statement of Values, to be covered under the Fund's excess property insurance. There is a maximum sub-limit of \$500,000 any one occurrence for all members.

(d.) **Automobiles**

All owned and leased vehicles must be fully scheduled including proper values and VINs Changes in values can lead to an additional premium. Any changes by more than 50% should be brought to the underwriting department for approval.

**"Fire Truck or Emergency Vehicle"** – Physical Damage Coverage:

Fire Trucks or Emergency Vehicles are covered on a Replacement Value basis, subject to the schedule reflecting the cost to replace at present-day values. Vehicles may be subject to other eligibility requirements in place for the GSMJIF program.

(e.) **Employee Payroll/by Department**

The actual annual payroll reported should be the most current year's certified payroll based on the following classifications.

<u>Code</u>	<u>Classification</u>
0106	Tree Pruning etc
5509	Street Maintenance
6306	Sewer Construction
7380	Drivers NOC
7520	Waterworks (Department)
7539	Electric Department
7580	Sewage Disposal Plant
7590	Garbage Works (drivers-use 9403)
7710	Firemen - Paid
7711	Firemen – Volunteer
7714	First Aid Rescue Squad - Paid
7715	First Aid Rescue Squad - Volunteer
7720	Police
8392	Auto Storage Garage/ Parking Lot
8397	Auto Garage/ Repair Shop (Mechanics)
8601	Architect/Engineer/Surveyor
8810	Clerical Office
8810B	Police Dispatch (clerical)
8820	Attorney
8831	Hospital – Vet (Animal Control)
8832	Physician & Clerical – Office (incl. Nurse)
8835	Healthcare – Employees Other Than RN's/ NP's Licensed etc.
8838	Library – Professional Employees
8868	School – Professional Employees*
9015	Buildings, NOC
9102	Parks NOC (Recreation)
9106A	School/ Library – Non-Professional Employees**
9106B	Library/Museums – Non-Professional Employees**
9182	Athletic Sports or Park (Councilors)
9402	Street/ Sewer Cleaning
9403	Garbage Collection
9410	Municipal Employees NOC
9410B	Inspectors – Building, Electric, Health
9726	Animal Shelter

\* incl. Crossing Guards & Senior Citizen Center employees

\*\* maintenance, cafeteria, or driver employees

NOC = Not Otherwise Classified

**Firemen** and **First Aid Volunteer** payrolls are derived by taking the number of volunteers x \$1,300 subject to a maximum based on pieces of apparatus. In addition,

each member is required to calculate the number of full time and part time employees based on these payroll classifications.

(f.) **Appropriations**

The total general appropriations (both in and out of the "CAP") must be declared for the subsequent reporting period. The appropriations should be adjusted net of the following deductions:

- **Debt service**
- **Capital improvement**
- **Judgments**
- **Contracted services such as garbage removal**

(g.) **Watercraft**

All owned watercraft must be declared on Member's Equipment Schedule for coverage. Liability coverage is limited to 50' length overall, except for watercraft commandeered by a member town for emergency purposes. Each member should provide a schedule that includes:

- **Year, make, model**
- **Serial Number**
- **Insurable Value (if Physical Damage coverage desired)**

(h) **Police Officers**

The Fund requires the following information, which should be declared in advance:

- **Number of officers who are armed and have arrest powers**
- **Number of officers without arrest powers (i.e school crossing guards, meter maids, etc.)**
- **Number of personnel who are not officers (dispatch; clerical)**
- **Number of auxiliary police or reserve**

***Special Exposures***

Additional underwriting information may be required for the following exposures:

- **Day Care Centers**
- **Waterfront Exposures**

- **Dams, levees or dikes**
- **Landfill, dump, refuse site**
- **Fire Districts**
- **Parking Authority**
- **Waterfront Exposures**
- **Garagekeepers Liability Exposure**
- **Other Exposures – as may be deemed necessary by Pool Underwriter**

### ***Reporting Exposures***

All known exposures must be declared prior to the beginning of the Fund year. Properties not included on the Statement of Values will not be included for coverage. Additionally, limits stated on the Statement of Values will be the maximum limits offered for any location. The Fund's Executive Director/Administrator may increase the values shown on the Statement of Values for premium computation purposes or to account for increased costs of goods and services due to inflation. All locations value will be examined and adjusted based on minimum square footage values as per market standards. **This does not alleviate the responsibility of the Member or their designated Risk Management Consultant to report proper values.**

### ***Exposure/Change Instruction***

Changes in exposures should be reported in advance to the member's Risk Management Consultant. To assist members in reporting changes, an 'addition/deletion' exposure form can be found in the GSMJIF Policy and Procedures, and on the GSMJIF website ([www.gsmjif.com](http://www.gsmjif.com)).

***In reporting changes, members should follow these guidelines:***

**(a.) Newly Acquired Locations:**

The reporting requirements for newly acquired locations are as follows:

- i) Newly acquired locations must be reported within 60 days of acquisition. However, it is preferable that this exposure be reported prior to acquisition.
- ii) Inspection is required for all locations over \$1 million in scheduled value
- iii) The GSMJIF reserves the right to charge an additional premium or return premium for the addition or deletion of unusually large exposures which are in excess of \$1 million in total value.
- iv) The completed GSMJIF 'New Location' questionnaire is required.

**(b.) Builders Risk & Rehabilitation:**

Builders Risk is defined as an addition to an existing building or major changes to the outer structure of the building.

Rehabilitation is defined as major building work performed involving the changing of load- bearing structures, moving beams and gutting the majority of the interior structure. This does not include renovation projects, which are considered minor or cosmetic changes.

The reporting requirements for builders risk and/or rehabilitation projects are as follows:

- i) There is a time restriction of 120 days for reporting projects. However, it is requested that these projects be reported prior to start up.
- ii) Inspection is not required.
- iii) There may be an additional assessment charge by the Joint Insurance Fund,
- iv) The completed GSMJIF 'Builders Risk' questionnaire is required.

**The Fund Administrator must be advised when construction has been completed, including the intended occupancy and the insurable value of any premises contents.**

**(c.) To add any new item purchased that may be categorized under "Contractor/ Mobile Equipment:**

- Date of acquisition;
- Year, make and model
- Serial number;
- Purchase price;
- Department or location assigned;
- Description and use; and
- Loss payee/additional interest, if any.

**(e.) To add a new Vehicle:**

- Date of acquisition;
- Year, make and model
- VIN number;
- Purchase price;
- Class Code
- Gross vehicle weight (trucks);
- Department or location assigned;
- Description and use; and
- Loss payee/additional interest, if any.

***Note: The above additions/ changes/ deletions are made to the GSMJIF website schedule, via the Member's designated Risk Management Consultant.***

### ***Additional Assessments for New Exposures***

A joint insurance fund's costs are the sum of claims, professional expenses and reinsurance/excess premiums. Each member pays its pro-rata share of this cost based on its exposure and historical claims experience. Therefore, if a member adds an exposure, the only impact to the Fund during that year is the increased claims expectancy. A participating member will ultimately pay for this increased claim expectancy through increased assessments in future years through the experience modification system. Therefore it is not necessary to charge a participant for an additional assessment unless one of the following criteria is met:

- (a.) Additional assessments should not be charged for vehicles valued less than \$100,000 unless the vehicles enter the fleet as a part of the acquisition of a new operation.
- (b.) Additional assessments for all other vehicles will be charged if the additional assessment is at least \$1,000 and the new vehicle(s) represent a material expansion of operations.
- (c.) Additional assessments for all other exposures will be charged if the new exposure generates an additional property, general liability and/or workers' compensation assessment of \$1,000 or greater.

**Note: Builders Risk/ Rehabilitation will always generate an additional assessment.**

### ***Excluded Exposures:***

The Fund excludes the following exposures from its program:

- Airports
- Amusement Parks
- Blasting operations
- Dams over 15 acres (under 15 acres must be reported)
- Gas Utilities
- Housing Authorities
- Hospitals & Clinics\*
- Marina Operator's Legal Liability
- Mechanical Amusements Devices/Carnivals\*
- Nursing Homes & Aids Treatment Centers
- Penal Institutions/Jails\*
- Racetracks
- Schools and Colleges
- Ski Facilities



■ **Zoos**

\* **Notes:** Normal Department of Health operations including incidental malpractice are covered by the Fund.

**Jails** - coverage for holding cells is provided.

**Street Fairs:** the Fund's liability coverage includes member sponsorship of street fairs and similar activities. However, the Fund does not extend coverage to participants, vendors, contractors, etc.

***Fire Works Displays/Amusement Ride Requirements***

The following information must be on file with the Underwriting Manager as soon as possible prior to the event:

- 1) Copy of contract between the fireworks/amusement ride contractor and the municipality.
- 2) Certificate of insurance to include the following information:
  - General liability limits of \$1,000,000 per occurrence, combined single limit for bodily injury and property damage with at least \$2,000,000 general aggregate. Contractual liability must be included.
  - Automobile limits of \$1,000,000 per occurrence, combined single limit for bodily injury and property damage with no aggregate.
  - Statutory workers compensation limits including employers liability limits of \$500,000.
  - Umbrella liability limits of \$1,000,000 to \$2,000,000 are also preferred.
  - The municipality and any associations, recreations or committees formed by the municipality to organize the “event” must be named as additional insureds on all liability policies.
  - Rain date must also be shown.
- 3) An executed hold harmless agreement in favor of the municipality must be signed by the fireworks/amusement ride contractor. Enclosed is suggested hold harmless agreement wording. The Fund will not accept a "Null and Void" clause in favor of the contractor as part of the hold harmless agreement.

**FIREWORKS DISPLAY**  
**HOLD HARMLESS AGREEMENT**

Between the Borough/Township/City of \_\_\_\_\_  
and \_\_\_\_\_ (Contractor).

**WITNESSETH:**

1. \_\_\_\_\_ (Contractor) agrees to release, indemnify and hold harmless the Borough/Township/City of \_\_\_\_\_ from \_\_\_\_\_ and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \_\_\_\_\_

General Liability: \_\_\_\_\_

Automobile Liability: \_\_\_\_\_

Umbrella Liability: \_\_\_\_\_

A true copy of the Certificate of Insurance is attached indicating the municipality and applicable associations, recreations or committees formed by the municipality to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: \_\_\_\_\_ Date: \_\_\_\_\_ Rain Date: \_\_\_\_\_

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

(Contractor)

Witness: \_\_\_\_\_

**AMUSEMENT RIDES**  
**HOLD HARMLESS AGREEMENT**

Between the Borough/Township/City of \_\_\_\_\_  
and \_\_\_\_\_ (Contractor).

**WITNESSETH:**

1. \_\_\_\_\_ (Contractor) agrees to release, indemnify and hold harmless the Borough/Township/City of \_\_\_\_\_ from \_\_\_\_\_ and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter entities and their respective employees, agents, volunteers or other representatives arising out of or in any manner relating to the manufacture, installation, assembly, disassembly and operation of any amusement rides, equipment or device and/or the supervision and presentation thereof.

2. The applicant has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \_\_\_\_\_

General Liability: \_\_\_\_\_

Automobile Liability: \_\_\_\_\_

Umbrella Liability: \_\_\_\_\_

A true copy of the Certificate of Insurance is attached indicating the municipality and applicable associations, recreations or committees formed by the municipality to organize the "event" must be named as additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: \_\_\_\_\_ Date: \_\_\_\_\_ Rain Date: \_\_\_\_\_

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

(Contractor)

Witness: \_\_\_\_\_

## **FIREWORKS DISPLAYS**

The following Fireworks Display Guidelines have been established. These guidelines are in addition to the NFPA Standard 1123.

### **RESPONSIBILITIES OF FIREWORKS VENDORS AND SPONSORS AND/OR MUNICIPALITIES**

- The operator of a pyrotechnic program must be at least 21 years of age.
- The vendor must show the sponsor evidence of insurance. It is the sponsor's responsibility to obtain approval from underwriting managers before entering into a contract with the vendor.
- The vendor must certify that its technicians have been trained in accordance with the NFPA Standard 1123.
- The vendor must provide a 24-hour emergency telephone number or contact who is available in the event of an emergency.
- A meeting of the fireworks vendor, fire official, fireworks committee, and police department must be held prior to the event to identify areas of responsibility. This is required for all new vendors, for a change in the display or program, or for any modification at the display site.
- It is the responsibility of the vendor to provide storage and security of fireworks while on site. The fireworks shall not be left unattended from the time of delivery until the time of discharge. If overnight storage is required at the site, it is the vendor's responsibility to provide security.
- No municipal employees shall assist in the setup, firing, or disassembly of any fireworks displays unless they are employed by and work directly for the fireworks vendor. Documentation of said employment must be provided.
- Only pyrotechnicians are permitted in the discharge area once the fireworks are ready for loading.

### **PYROTECHNIC DISPLAY REQUIREMENTS**

- All racks with mortar tubes of cardboard construction shall be permitted for reloads of single break shells up to and including a five inch (5") diameter. Shells greater than a five inch (5") diameter are permitted to be fired from cardboard construction mortars, provided the shell is fired electronically or by other remote means (time fuse, safety fuse, etc.).
- All mortar tubes for single break shells of six inch (6") diameter or larger are permitted if the mortar tubes are of high-density polyethylene, steel tube with a minimal wall thickness of .125 inches, or of greater or equal construction.
- All tubes firing multiple break shells in excess of three inch (3") diameter must be buried 3/4's of their length with a 2" x 4" or greater material placed under the mortar for support.
- All racks shall be limited to only one break shell. The exception is that double break shells are permitted up to a three inch (3") diameter.
- The number of tubes permitted per rack is as follows:
  - a. Three inch (3") diameter - a maximum of 15 tubes per rack.
  - b. Four inch (4") diameter - a maximum of 12 tubes per rack.
  - c. Five inch (5") or six inch (6") diameter - a maximum of 10 tubes per rack.

### **CONSTRUCTION/BRACING OF RACKS**

- All bracing of racks shall be of not less than 1" x 3" construction material secured with two nails or screws at both the top and bottom of the rack.
- The rack construction must be as follows:
  - a. The bottom plate and side plates should be a minimum of 1-1/2" thick with a width equal to the outside diameter of the mortar tube.
  - b. The top band must be a minimum of 1" x 3" construction material.
- The bracing must ensure stability of the racks, either by "A" frame construction or joint bracing of 1" x 3" construction material, or if ground conditions permit, staked into the ground.
- All racks must be adequately braced and supported to prevent tip-over.

- If there are any concerns by the fire official regarding the integrity of the rack, then the rack must be corrected or the distance from the rack to the spectators doubled.

### **CROWD CONTROL AND DISTANCE**

- A minimum of 70 feet shall be maintained between the spectators and the display rack for every one inch (1") diameter of shell.
- Crowd control shall be the responsibility of the sponsor and/or municipality.
- It is the responsibility of the sponsor to position monitors throughout the site area to secure the safety zone and enforce crowd control.

### **EMERGENCY PERSONNEL**

- The discharge area shall be roped off and secured following a fireworks event until daylight hours, when a foot search of the entire area with ¼ mile of the discharge site for unexploded shells can be performed by the sponsor and/or emergency personnel. If an unexploded shell is found, the area shall be protected, the vendor company must be notified immediately through their emergency telephone number, and the local emergency response unit must be notified.
- A permit shall be issued by the authority having jurisdiction identifying the largest diameter shell to be discharged.
- The fire official must make an inspection, prior to the event, to determine that the vendor is not discharging any shell larger than that allowed by the permit.
- The authority having jurisdiction shall be the fire official or his or her representative.
- The fire official, Chief Fire Officer, or vendor shall be authorized to shut down the display should wind or any other adverse conditions present a hazard to the spectators.
- Adequate police, fire, and EMS personnel shall be provided on the scene to supervise spectators and respond to any medical or fire emergency caused by a fireworks display.
- Fire department, police, and other emergency personnel must adhere to the same distance requirements as specified for spectators, except in the event of an emergency.
- The fire official must be familiar with NFPA Standard 1123.
- The fire department must be on location one hour prior to display and until the crowd is dispersed and the display area considered safe.

- A triage area shall be established and identified by EMS personnel to all responders on the scene. This will centralize treatment of victims and permit adequate documentation and transportation of victims.

We believe that the establishment of the above minimum standards will provide a safer firework display, minimize the potential for injuries to spectators and employees, and minimize the liability exposure to the sponsor and/or municipality.

### ***Certificates of Insurance***

All Insurance Certificate requests must be submitted by the Member to the Member's authorized Risk Management Consultant for initial review. The GSMJIF Certificate Request Form (as shown on the following page) must be used for all certificate requests. Upon satisfactory review, the Risk Management Consultant will submit to the GSMJIF Underwriting Manager e-mailbox for approval and processing. The Risk Management Consultant will receive the completed Certificate via e-mail, for distribution at the direction of the Member as needed.

Certificates with requests for the Certificate Holder as an 'additional interest' All requests for 'additional insured' / loss payee / mortgagee' must include a copy of the 'written contract or agreement' which shows a requirement for additional insured status and the purpose. Only the section(s) showing the 'additional interest' requirements is needed for GSMJIF files.

The Fund will require the following information on the form:

- a) Certificate holder's name and address.
- b) Coverage being requested.
- c) Description of the event (if applicable), dates and locations.
- d) Additional Interests – a clear description of the relationship between the party and the Member (examples: Premises Owner; Grantor; Lessor; Loss Payee, etc.). The member's Risk Management Consultant will assist the member with wording if needed.

**NOTE:** The GSMJIF program does not "name" additional insureds; the phrase "included as additional insured" is used. The GSMJIF program is designed for 'blanket' additional insured status provided that there is a prior written agreement requiring such status, and the JIF receives/accepts the agreement. The standard for turnaround time on normal requests is 2 business days from receipt of our receiving a complete certificate request. Incomplete request forms or missing supporting documents (agreement/ contract) will delay processing.

## CERTIFICATE PROCESSING



### Checklist of Required Certificate of Insurance Information

Yes	No	N/A	Required Information Provided to BGIA	Comments
			Completed JIF CertificateHolder Request Form	
			Risk Management Consultant's information included	
			Certificate Holder's name and address	
			Description of the event (if applicable), dates and locations	
			<b>IF Additional Interest Status requested by Holder:</b>	
			Additional Interests (describe Relationship between Member	
			Copy of original written contract or agreement*	
			Specific wording requested by Holder	
			Line of insurance specified (General Liability, Auto Liability,	
			<b>IF Loss Payee:</b>	
			Equipment: year/make/model description w. serial # and value (Lease/Serial # if	
			Vehicle(s): description (year, make, model, VIN and value new)	
			Equipment or Vehicle Value shown	
			Has item(s) been reported to the JIF Underwriter/ added to Member Portal?	

*Certificate of Insurance will be issued within 48 hours of satisfactory receipt of required information*



**GARDEN STATE MUNICIPAL JOINT INSURANCE FUND**

**Email to [certificaterequest@bgiains.com](mailto:certificaterequest@bgiains.com)**

Certificate Holder:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Request: \_\_\_\_\_

Requested By : \_\_\_\_\_

@ RMC: \_\_\_\_\_

E-mail: \_\_\_\_\_

Facsimile #: \_\_\_\_\_

Telephone #: \_\_\_\_\_

Entity (GSMJIF MEMBER) Name: \_\_\_\_\_

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

COVERAGES AND LIMITS REQUESTED:

RENEW C.H. ANNUALLY? ☐ Yes ☐ No

COVERAGES: (indicate by X)

LIMITS:

_____ General Liability	_____
_____ Auto Liability **	_____
_____ Auto Physical Damage **	_____
_____ Excess Liability	_____
_____ Property	_____
_____ Workers Compensation	_____
_____ Public Officials Liability	_____
_____ Crime/Fidelity Bond	_____

***DESCRIPTION: must provide the Purpose of certificate; additional insured or loss payee must include written agreement wording; Start/ Finish date for any specific Event, etc.***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***\*\* If this is for a new Vehicle, has the Fund Administrator been notified to add this vehicle to their Schedule –***

***Indicate: Yes \_\_\_\_\_ or No \_\_\_\_\_***

***ANY ADDITIONAL INFORMATION NECESSARY TO ISSUE THIS CERTIFICATE SHOULD BE ATTACHED TO THIS FORM.***

***Standard Turnaround time if all information is received and in good order is 48 hours.***

### ***Old/Vacant Unoccupied Buildings***

The Fund will not provide Replacement Cost coverage on any vacant or unoccupied building. All structures not qualifying for Replacement Cost Coverage will be covered for Actual Cash Value.

Any building used for seasonal purposes will not be considered vacant or unoccupied.

#### **Buildings vacant for more than 60 consecutive days are not covered.**

Replacement on contents will be paid only if the building is on a Replacement Cost basis. If not replaced with like quality, then coverage will revert back to Actual Cash Value.

Vacant buildings can be defined as a building containing nothing; being without contents or occupants. Unoccupied means currently not in use. The revised reporting requirements for vacant buildings are as follows:

- The Excess Property Insurance Carrier needs to be notified no more than sixty (60) days from the time of acquisition of a vacant building. During this time the member town will have automatic coverage. This applies to all future acquisitions of vacant property and existing property which becomes vacant.
- Upon notification, The Excess Property Insurance Carrier reserves the right to inspect the property, preferably prior to acquisition.
- If an inspection uncovers major deficiencies, the member town may be asked to correct this in order for coverage to continue.
- There will be no additional premium to cover vacant buildings unless it is a newly acquired vacant building in excess of \$10 million in value.
- Unoccupied buildings and any buildings used for seasonal purposes must be reported as well.
- Vacant buildings must be reported annually on the member's annual GSMJIF Renewal Application for continuation of coverage. Statement of Intent and Inspection are required for consideration of coverage. This is a GSMJIF requirement.
- **The evaluation is on actual cash value** basis for vacant buildings.

Locations as defined above will be valued at "actual cash value" at the time of a loss.

An exception may be considered and approved by the Vice President, Underwriting subject to an inspection prior to a loss.

The following information is required:

- i) Location
- ii) Address
- iii) Type of Building
- v) Building Construction
- vi) Building Protection
- vii) Building Security
- vii) What was the building occupancy before vacancy?
- viii) Future plans for the building and time frame.
- ix) Date of acquisition.
- x) Sprinkler and Safety Enhancements

**NOTE: All existing vacant properties must be reported to the GSMJIF's Underwriting Manager. If these are not reported, coverage will cease.**

### ***Employee Drug Testing Reimbursement***

The Fund will reimburse Members the cost of employee pre-employment, post-accident, random, and reasonable suspicion drug testing, limited to employees holding Commercial Driver's Licenses (CDL) as a condition of their employment.

### ***Coverage Inquiries***

Members should submit all coverage inquiries to their Risk Management Consultant for response. If the Risk Management Consultant is unable to answer, he/she will forward inquiry in writing to Executive Director/Administrator for review and response by JIF Underwriting Manager if deemed appropriate by the Executive Director/Administrator. ~~Written replies go directly to member with copy to the Risk Manager.~~

### ***Binding Authority***

Executive Director/Administrator authorized to bind if:

- Request for coverage is in writing.
- If, in his judgment, the request is within the policies and/or guidelines.
- Receipt of same is acknowledged and a written binder issued.

Additional assessment is subject to certification by the Fund's Commissioners.

### ***Quasi-Municipal and Athletic Groups***

The Fund's participant's insurance program includes all of the member's entities that are under the member's control (either directly or indirectly through the appointment of the board members) and are a part of the member's budget.

The Fund does extend coverage to athletic and quasi-municipal groups if it complies with **one** of the following conditions:

- (a.) The organization is a sub-agency of the municipality subject to the provisions of the Local Public Contracts Law; or
- (b.) The agency was created by an act of the governing body of the member municipality; or
- (c.) The organization is subject to the provisions of the Local Budget Law, Local Fiscal Affairs Law and any full time paid employees of the agency are eligible for membership in the Public Employees Retirement system.

If the group does not meet one of the above criteria, the Fund has established a separate underwriting review process for consideration of coverage with coverage restrictions. The municipality must pass a resolution designating the group as one it wishes covered as an additional insured. Any request to add an athletic or quasi municipal group requires approval by the Fund Commissioners.

In order for coverage to be considered, these entities must provide the following information:

- i) A completed Joint Insurance Fund General Application, including necessary attachments (Class III – Fire Districts and IV – Sports Organizations).
- ii) A resolution from the governing body of the applicable member town adding the entity as an "additional named insured" to its coverage document (Class III and Class IV). Please note that this does not constitute acceptance of coverage for that entity.
- iii) Proof that an accidental medical insurance program is in place for sport participants (Class IV only).

The GSMJIF will review each application against standards for admission applicable to the insured activity. The GSMJIF's Executive Board will be the sole decision maker on admission or rejection. If admitted for coverage, there will be an additional minimum assessment of \$500 for Class III and Class IV. The JIF's loss control program will also extend to the quasias on an as needed basis. For example, any large festival affairs of a bicentennial committee would be reviewed by the JIF's Safety Consultant prior to the event.

If rejected, the entity must purchase coverage elsewhere.

The original completed applications, resolution and statement on accidental medical insurance, if applicable, should be mailed to the GSMJIF's Vice President, Underwriting, with a copy to the Executive Director.

A copy of this information should also be mailed to the GSMJIF's Underwriting Manager.

Please note that Class I (Public Safety Associations & Auxiliaries) and Class II (Volunteer Ambulance Corps and Fire Districts) quasi entities are not subject to the coverage restrictions or the underwriting review process. Class I and II quasis will continue for coverage up to the limits purchased by the respective member town.

### ***Annual Audit Certification***

The Division of Local Government Services has indicated that Joint Insurance Funds must adhere to the requirements of N.J.A.C. 5:30-6.5. This regulation requires that the Executive Committee pass a resolution certifying to the State of New Jersey Local Finance Board that all members of the Executive Committee have reviewed, at a minimum, the sections of the annual audit entitled "General Comments and Recommendations". In addition, the Executive Committee must also execute a group affidavit indicating that they have done so.

### ***Boiler & Machinery Inspection Certificates***

This will serve as a clarification for boiler inspections on objects that require inspection per New Jersey State Law.

New Jersey State Law requires a number of heating and cooling objects to be inspected and given a certificate of safe operation by a representative of the State of New Jersey. Some of the common objects you may find in facilities include Low and High Pressure Boilers, Storage Water heaters (fired and electric), Steam Cookers and Refrigeration Systems of 36 Tons in capacity or more.

Specifically, the law requires all steam or hot water boilers below to be inspected and certified:

1. Having 10 or more square feet of heating surface.
2. Having a heat input of 10 kilowatts or more; or
3. Having a heat input of 40,000 BTUs per hour or more.

The State will issue fines for all objects that do not have the certificate up to date. N.J.S.A. 234:7-26 Penalties; Recovery states that the first offense can carry a penalty of \$500.00 to \$1,000.00 per object. The second offense can carry a penalty as much as \$2,500.00 per object. The fines will come directly from the State of New Jersey. The law requires the inspection to be internal and external as construction and conditions permit. In order for the Boiler to be

ready for an inspection, New Jersey code 12:90-4.10(f) requires the boiler to be "open, clean, cool and ready for the inspector". The GSMJIF provides boiler inspection services through Travelers Insurance Company. Call 1-800-425-4119. You will need the following information when you call:

- The GSMJIF and the name of your municipality are the “insureds.”
- Policy # BAJ-BME1-892X7739-TIL-18
- The location of the equipment to be inspected.
- Person to contact and phone # to arrange the inspection.
- Type of equipment
- Certificate inspection date and number.

## VI. INSURANCE REQUIREMENTS

### *Use of Member's Facility by Outside Organization*

Outside organizations which include those groups, committees, associations, clubs, individuals or organizations whose functions or activities are **NOT** sponsored, controlled or regulated by the Borough/Town are **NOT** covered by the municipality's insurance and each municipality should take the following procedures when an outside organization requests use of the member's facilities as per the following guidelines:

☐ **Governmental units that are a part of the town.**

Definition: Entities subject to the Public Contracts Law, which are under the town's control.

Requirements: None. These entities are considered part of the town's insurance program.

☐ **Governmental units that are affiliated with the town but are autonomous.**

Definition: Entities subject to the Public Contracts Law, but are independent of the town's control - (for example, an independent authority or a "fire district").

Requirements: The town may apply to the Fund to include these entities in the town's insurance program. Otherwise, these entities are treated as unaffiliated non-profit organizations for purposes of indemnification and insurance requirements.

☐ **Governmental units that are not affiliated with the town.**

Definition: Entities subject to the Public Contracts Law, but are not affiliated with the town (for example, another municipality or the county).

Requirements: These entities are treated as unaffiliated, non-profit organizations provided, however, that a member town shall not require another member town to provide an insurance certificate.

☐ **Non-Profit Entities (Quasi Municipal)**

Definition: Entities which (a) are not subject to the Public Contracts Law, but perform functions which otherwise could be performed by the municipality **and** (b) have been included in the town's insurance program.

Requirements: To be included in the town's insurance program, the town must adopt a resolution requesting coverage from the Fund, which will be considered by the Fund's Executive Committee in accordance with the policy described earlier.

Otherwise, these organizations will be treated as unaffiliated, non-profit entities for purposes of indemnification and insurance requirements.

☐ **Non-Profit Entities (Unaffiliated)**

Definition: Entities which (a) are not subject to the Public Contracts Law **and** (b) have not been included in the town's insurance program pursuant to the attached quasi municipal procedure.

Requirements: \$1 million coverage, and full indemnification and hold harmless.

**Non- Profit Entities (Unaffiliated Individuals)**

Definitions: An individual who is holding a function at a municipal or quasi-municipal facility and such function is not sponsored for the benefit of an organization including governmental units, non-profit entities or for profit entities.

Requirement: \$300,000 in liability coverage, and full indemnification and hold harmless.

Exceptions: The governing body of a member municipality may exempt a non-profit organization from these requirements or may reduce the requirements upon a finding that the organization is small enough that it would not normally carry insurance, provided, however that the governing body may not grant such exceptions if:

1. The organization is charging a fee to perform a service that is regularly supplied by for-profit organizations. For example, a day care center must have insurance and cannot be granted an exception.
2. The organization is conducting a regular ongoing sports program. For example, a little league program could not be granted an exception.
3. The organization is charging a fee for a function that includes alcohol. For example, a dinner where alcohol is being served cannot be granted an exception. However, an exception could be granted for a small organization holding an open house where a small amount of wine or beer is available.

☐ **For Profit**

Definition: Any organization other than a governmental entity or a non-profit as defined above.

Requirements: \$1 million coverage and full indemnification and hold harmless.

- (a.) A Certificate of Insurance must show minimum limits of \$1,000,000 per loss for general liability. This certificate should include the member as an additional insured



and must be received prior to granting use of the facilities. Please note, for any event where liquor will be served, you should obtain a hold harmless agreement and a certificate of insurance including the fund as an additional insured with minimum limits of \$3 million from an insurance company rated no lower than "A-". If you have any question, please contact the Fund's Underwriting Manager. In addition, at the very least, local citizen community groups such as garden clubs, etc., must provide the Fund with a Hold Harmless Agreement.

- (b.) "Hold Harmless" Agreement must be signed which protects the municipality from any liability which may occur during the time the facilities are being used.

Fund approved hold harmless agreements can be found following this section for use in those situations specified previously. Also, the Fund encourages that these agreements be memorialized by resolution at your council meeting.

Groups to whom the municipality grants formal approval under a Special Events permit (\*See Note Below) are required to sign a Hold Harmless Agreement, holding harmless the municipality from any and all liability which may occur during the time they are using the facility. In addition, they are required to provide a minimum of \$1 million per loss liability insurance, naming the town as additional insured.

The Fund may require coverage limits excess of the minimum amount shown above if, in its judgment, the special event warrants higher coverage.

Organizations that lease or otherwise use a fire house facility for social use must complete a hold harmless agreement indemnifying the municipality and submit proof of insurance in an amount equal to a minimum of \$1,000,000 or \$3,000,000 if alcoholic beverages are served with a company rated no less than "A-" or AM Best.

### Sample Hold Harmless Agreement

1. "I/we me/my" shall mean one of the following:

AN INDIVIDUAL: Name: \_\_\_\_\_

or

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

or

AN INDIVIDUAL: Name: \_\_\_\_\_

2. "You/Your" shall mean the municipal corporation known as the  
Borough/Town/Township of \_\_\_\_\_, its agents, servants, employees,  
or contractors.

3. GENERAL INFORMATION

Date \_\_\_\_\_, \_\_\_\_\_

Site \_\_\_\_\_

HOURS SITE IS NEEDED \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.

ACTIVITY TO BE HELD (describe in detail)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. I sign this Hold - Harmless as my voluntary act and by this act agree to hold you harmless and indemnify you from any claims, suits, or other actions arising from, caused by, or which are the alleged result of any act or omission of any organization, corporation, guest, invitee, licensee, visitor or other person **present on the premises listed above in order to participate in, organize, assist, enjoy, supervise or in any other way further the activity to be held (as described above) on the dates listed above.**

5. I state that the activity listed above will not include the consumption of alcoholic beverages but should any person described in paragraph 4 consume alcohol or allow or permit others to consume alcohol then I agree to be bound by the terms of paragraph 6 below.

6. I state that the activity listed above will include the consumption of alcoholic beverages and that because of such consumption I have the following additional duties to You related to the use of the site listed above:

a) that I am solely responsible for the dispensing and consumption of alcohol, including the prudent and responsible dispensing and consumption of alcohol by all persons involved in the activity described above, including but not limited to those persons described in paragraph 4 above;

b) to acknowledge by the signing of this Hold-Harmless that You have no authority, control, or participation in the dispensation or consumption of alcohol on the site and date listed above and that I Will take no step, action, or measure to convey the idea that You in any way

have promoted, assisted, or participated in the dispensing and consumption of alcoholic beverages on the site and date listed above;

c) that I will not allow persons under the age of 21 to dispense or consume alcohol at the site during the activity to be held on Your property:

d) to comply with all municipal Ordinances relating to the consumption of alcoholic beverages, including but not limited to obtaining any necessary permits.

7. I also agree that where the municipal officer signing this Hold - Harmless on your behalf feels I should provide to You a "Certificate of Insurance" and proof of "Special Events Insurance" that I shall provide same to that municipal officer as soon as practicable and not less than five (5) business days before the date of the planned activity. The appropriate municipal officer will check below if this paragraph is applicable to the activity listed above. Said Insurance shall be written with a company maintaining a rating of at least "A-", according to A.M. Best. Said policy shall be in an amount of not less than one million dollars (\$1,000,000) per occurrence. It is understood You will be listed as an additional insured on the policy and Certificate of Insurance.

Applicable \_\_\_\_\_ Not Applicable \_\_\_\_\_

**In the event said certificate of insurance is not provided as set forth above, I recognize the event must be canceled and not be held as scheduled.**

8. (Applicable to Corporations Only) I also agree that I am obligated to reimburse You for all reasonable attorney's fees incurred by You to enforce the terms of this Hold-Harmless or to defend Yourself against any claim, suit, demand for subrogation, or other action which a court of competent jurisdiction later determines by final order or judgment should have been defended by Me at My sole cost and expense pursuant to this Hold-Harmless.

9. **LEGAL SIGNATURE**

(a) Individual \_\_\_\_\_  
or

(b) Individual \_\_\_\_\_ on behalf

Of \_\_\_\_\_  
(organization)

or

(c) Individual \_\_\_\_\_ Title \_\_\_\_\_

On behalf of \_\_\_\_\_ (Corporation)

Address of Individual, Organization or Corporation:

Home phone: \_\_\_\_\_ - Work Phone \_\_\_\_\_

And

Signature of Person on behalf of the Municipality:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(title)

**Sample Hold-Harmless Agreement  
FOR USE WITH CORPORATIONS ONLY**

CORPORATE ACKNOWLEDGMENT

STATE OF NEW JERSEY, COUNTY OF \_\_\_\_\_

SS.:

I CERTIFY that on \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_ personally came before me and this person acknowledged  
under oath, to my satisfaction, that:

- a) this person is the \_\_\_\_\_ of  
\_\_\_\_\_ the corporation named  
in the attached document;
- b) this person is the attesting witness to the signing of this document by the proper  
corporate officer who is \_\_\_\_\_, the \_\_\_\_\_ of the  
corporation;
- c) this document was signed and delivered by the corporation as its voluntary act  
duly authorized by a proper resolution of its Board of Directors;
- d) this person knows the proper seal of the corporation which was affixed to this  
document; and
- e) this person signed this proof to attest to the truth of these facts.

Signed and sworn to before me  
on \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**\*Note:** Outside organizations include:

- i. Profit-making organizations
- ii. Non-profit organizations of such size or structure as would normally carry its  
own insurance, or any organization that does, in fact, carry its own insurance.
- iii. Events which present a special exposure (fireworks display, concerts, etc.-\$1  
million coverage and Hold Harmless Agreement).

### **‘USE OF RECREATION FACILITY’ CHECKLIST**

- 1) Hold harmless signed and dated in favor of the member town.
- 2) Evidence of general liability insurance (certificate of insurance).
- 3) The certificate of insurance should be checked for the following items:
  - The "Insured" should read the same as the "Applicant".
  - The "Insurance Company" should be shown in the “*Company* Affording Coverage” section.
  - Under the "General Liability” section of the certificate the following items should be checked  
(X):
    - Comprehensive Form or Premises/Operations
    - Contractual Liability
    - Host Liquor Liability (if liquor is being served)
  - The general liability policy number should be shown on the certificate.
  - The policy "effective" and "expiration" dates should be shown.

The “event” date must fall within the policy "effective" and "expiration” dates; otherwise, the insurance will expire before the event.
  - The minimum limits of liability to be shown on the certificate is \$500,000 combined single limit for bodily injury and property damage per occurrence and in the aggregate.

-For profit making organizations and larger non-profit corporations/associations the preferred limit is \$1,000,000 combined single limit for bodily injury and property damage per occurrence and \$2,000,000 in the aggregate.
  - For individuals, evidence of insurance is preferred but not required.
  - In the "Description of Operations" section, the GSMJIF Member should be included as "Additional Insured" as respects to use of the GSMJIF Member’s facility.
  - The "Certificate Holder" section should show the full name and address of the GSMJIF Member .

The certificate must be signed by an "authorized representative” from the renter/user's insurance company.

## ***Contractors***

Prior to beginning the work assignment --

When the municipality lets work to a contractor, it is expected and required that the contractor provide the municipality with the following minimum amounts of insurance.

- General Liability, including Products/Completed Operations - Limit \$5,000,000 CSL. Municipality to be listed as additional insured.
- Auto Liability: Limit - \$1,000,000 CSL  
Coverage to include "Non-Owned and Hired Automobiles"
- Workers' Compensation Insurance - statutory limits

**Note: No work shall be allowed to begin without proper Insurance Certificates on file with the member municipality and approved by the Insurance Producer. Also, refer back to Item #10 in the underwriting section of the Policies & Procedures Manual for insurance requirements for pyrotechnic contractors.**

## ***Recreational Bus Usage***

Use of recreational and municipally owned buses should be limited to within a fifty (50) mile radius of the municipality. For trips which are more than 50 miles, an outside transportation company should be hired, such as New Jersey Transit or a private bus company. The outside transportation company should provide the municipality with a certificate of insurance showing evidence of the following coverages and limits:

### **Minimum Requirements**

Workers Compensation:	Statutory
General Liability	\$1,000,000
Automobile Liability	\$1,000,000
Umbrella Liability	\$1,000,000

### **Preferred**

Umbrella Liability	\$5,000,000
--------------------	-------------

The municipality should designate a municipal employee to ensure the transportation company provides the proper certificate(s) prior to the trip. All certificates should be reviewed by the Insurance Producer.

### ***Police and Outside Activities***

Outside Employer hiring police officer must sign agreement, provided by the Fund, to Hold Harmless and Indemnify the municipality. Agreement also outlines coverage requirements to be provided by outside employer. See the following page for a sample agreement.

Police Officers must have written authority from their Department to provide services.

By and Between:

Township/Borough/Town of \_\_\_\_\_,  
a municipal corporation,  
with offices located at

(hereinafter referred to as the "Municipality")

and

(NAME AND ADDRESS OF EMPLOYER)

(hereinafter referred to as "Employer"),

WHEREAS, THE Employer herein named desires to hire and retain police officers during their off duty hours, which officers are regularly employed by the Municipality; and

WHEREAS, the **Municipality agrees to permit the utilization of these police officers during their off duty hours.**

NOW, THEREFORE, it is mutually agreed by and between the parties hereto for One Dollar (\$1.00) and other good and valuable consideration as follows:

1. The Employer shall pay to the Municipality the sum of \$\_\_\_\_\_per hour for police officers assigned to the Employer by the Municipality for such services, such as crowd control, etc., but only for such services as approved by the Chief of Police.
2. The Employer shall hold the Municipality harmless from any and all claims that may arise as the result of activities or actions of the police officers hired by the Employer, which arise during the course of employment. The Employer shall provide the Municipality, prior to utilization of the Municipality's police officer, with a Certificate of Insurance from an Insurance Company acceptable to the Municipality evidencing not less than a minimum of \$1 million in Commercial General Liability (including personal



injury with exclusion of A & C deleted), but not less than the employer covers, and \$300,000 in property damage, as well as a "Hold Harmless" agreement inuring to the benefit of the Municipality and shall maintain said coverage at all times that a police officer of the Municipality is employed by the Employer.

3. Signed and Sealed this \_\_\_\_\_ day of \_\_\_\_\_ by the corporate officers of the Municipality and the Employer.

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

## **VII. CASH MANAGEMENT AND INVESTMENT POLICY**

### **1.) Cash Management and Investment Objectives**

The Garden State Municipal Joint Insurance Fund (hereinafter referred to as the FUND) objectives in this area are:

- a.) Preservation of capital.
- b.) Adequate safekeeping of assets.
- c.) Maintenance of liquidity to meet operating needs, claims settlements and dividends.
- d.) Diversification of the FUND's portfolio to minimize risks associated with individual investments.
- e.) Maximization of total return, consistent with risk levels specified herein.
- f.) Investment of assets in accordance with State and Federal laws and Regulations.
- g.) Accurate and timely reporting of interest earnings, gains and losses by line of coverage in each Fund year.
- h.) Where legally permissible, two or more JIF's may participate in a Joint Cash Management and Investment Program (JCMI Program) subject to a single cash management plan, provided that approval must be received on an annual basis by the Commissioners of the Department of Community Affairs and Banking and Insurance, respectively.
- i.) Stability in the value of the FUND's economic surplus.

### **2.) Permissible Investments**

Investments shall be limited to the following:

- a.) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.
- b.) Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase and has a fixed rate of interest not dependent on any index or external factors.
- c.) Bonds or other obligations of the local unit or bonds or other obligations of school districts of which the local unit is a part or within which the school district is located; or
- d.) Bonds or other obligations, having a maturity date not exceeding 397 days, approved by the Division of Investment of the Department of Treasury for investment by local units.
- e.) Debt obligations of federal agencies or government corporations with maturities not greater than twenty (20) years from the date of purchase,

excluding mortgage backed obligations, providing that such investments are purchased through the New Jersey Division of Investment and are consistent with the Division's own investment guidelines, and providing that the investment has a fixed rate of interest not dependent on any index or external factors.

- f.) Repurchase agreements of fully collateralized securities, subject to rules and conditions established by the N.J. Department of Community Affairs.
- g.) Bonds, notes, or other obligations issued by an agency or corporation of the federal government or a governmental agency established under the laws of this State, provided that the (issuer) is not in default as to the payment of principal or interest upon any of its outstanding obligations, and provided further that the bonds, notes or other obligations are purchased at fair market value, guaranteed as to interest and principal, and have a credit rating of **A3** or higher by Moody's Investor Services, Inc., **A-** or higher by Standard and Poor's Corporation and **A-** or higher by Fitch Ratings, except that two of the three ratings is sufficient.

No investment or deposit shall have a maturity longer than twenty (20) years from date of purchase, unless the fund seeks prior approval from the Department of Banking and Insurance and the Division of Local Government Services in the Department of Community Affairs to enter into a longer-term investment of longer duration.

### **3.) Authorized Depositories**

In addition to the above, the FUND is authorized to deposit funds in certificates of deposit and other time deposits in banks covered by the Governmental Unit Depository Protection Act, NJSA 17:9-14 et seq. (GUDPA). Specifically authorized depositories are as follows:

TD Bank

The FUND is also authorized to invest its assets in the New Jersey Cash Management Fund.

### **4.) Authority for Investment Management**

The Treasurer is authorized and directed to make investments, with a maturity of three months or longer, through asset managers that may be selected by the Executive Board. Such asset managers shall be discretionary trustees of the FUND.

Their actions and decisions shall be consistent with this plan and all appropriate regulatory constraints.

In executing investments, asset managers shall minimize transaction costs by purchasing securities on a competitive basis. When possible, federal securities shall be purchased

directly from the US Treasury. Transactions shall not be processed through brokerages which are organizationally affiliated with the asset manager. Transactions may also be processed through the New Jersey Division of Investment by the Fund's asset managers.

**5.) Preservation of Capital**

Securities shall be purchased with the ability to hold until maturity.

**6.) Safekeeping**

Securities purchased on behalf of the FUND shall be delivered electronically or physically to the FUND's custodial bank, which shall maintain custodial and/or safekeeping accounts for such securities on behalf of the FUND.

**7.) Selection of Asset Managers, Custodial Banks and Operating Banks**

Asset managers, custodial banks and operating banks shall be retained for contract periods of one (1) year. Additionally, the FUND shall maintain the ability to change asset managers and/or custodial banks more frequently based upon performance appraisals and upon reasonable notice and based upon changes in policy or procedures.

**8.) Reporting**

Asset managers will submit written statements describing the proposed investment strategy for achieving the objectives identified herein. Asset managers shall also submit revisions to strategy when justified as a result of changing market conditions or other factors. Such statements shall be provided to the Treasurer and Executive Director.

The Treasurer shall report to the Executive Committee at all regular meetings on all investments. This report shall include information on the balances in all bank and investment accounts, and purchases, sales, and redemptions occurring in the prior month.

**9.) Audit**

This plan, and all matters pertaining to the implementation of it, shall be subject to the FUND's annual audit.

**10.) Cash Flow Projections**

Asset maturity decisions shall be guided by cash flow factors payout factors supplied by the Fund Actuary and reviewed by the Executive Director and the Treasurer.

**11.) Cash Management**

All moneys turned over to the Treasurer shall be deposited within forty-eight (48) hours in accordance with NJSA 40A:5-15.

In the event a check is made payable to the Treasurer rather than the Fund, the following procedure is to be followed:

- a.) The Treasurer endorses the check to the Fund and deposits it into the Fund account.
- b.) The Treasurer notifies the payer and requests that in the future any check be made payable to the Fund.

The Treasurer shall minimize the possibility of idle cash accumulating in accounts by assuring that all amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly swept into the investment portfolio.

The method of calculating banding fees and compensating balances shall be documented to the Executive Committee at least annually.

Cash may be withdrawn from investment pools under the discretion of asset managers only to fund operations, claims imprest accounts, or approved dividend payments.

The Treasurer shall escheat to the State of New Jersey checks which remain outstanding for twelve or more months after the date of issuance. However, prior to implementing such procedures, the Treasurer, with the assistance of the claims' agent, as needed, shall confirm that the outstanding check continues to represent a valid claim against the FUND.

## **VIII. FINANCIAL SEGREGATION OF DUTIES & ROLE DIFFERENTIATION**

It is Fund policy that financial administrative duties shall be segregated in order to provide for internal control. Following is an outline of financial roles and duties of various Fund officials and contractors. This outline is subject to change depending upon recommendations from auditors, changes in roles that develop as a result of a continuing effort to identify efficiencies and improve internal control, and as a result of directives or recommendations from regulators or other parties of interest.

### ***Investments***

#### **Treasurer**

- 1.) Authorize transfer of funds into claims imprest account from investment accounts.
- 2.) Participate on the GSMJIF Investment Committee if so requested.
- 3.) Advise Executive Committee on investment options available to the Fund.
- 4.) Purchase and/or monitor and report on investments in a manner consistent with the cash and investment management plan.

**Asset Manager or Custodial Bank**

- 1.) Maintain custody of instruments in a manner consistent with the cash and investment management plan.
- 2.) Make or advise on investments in a manner consistent with the cash and investment management plan.
- 3.) Provide monthly report on all investments under the control or custody of the bank.

**Executive Director**

- 1.) Prepare cash flow projections based upon payout patterns provided by the Fund actuaries.
- 2.) Compare investment performance to standard indices.
- 3.) Assure coordination of system components and assist Treasurer in advising Executive Committee on investment options.
- 4.) Oversee contractual relations.

***Revenue Activities***

**Executive Director**

- 1.) Receive and deposit assessments.
- 2.) Receive and deposit other receipts.
- 3.) Maintain cash receipt journal.
- 4.) Report on cash receipts in standardized treasurer's report.

**Executive Director**

- 1.) Calculate assessments based upon budgetary approval from Executive Committee.
- 2.) Prepare and mail assessment notices.
- 3.) Post receipts and revenues to the general ledger from standardized Treasurer's report.

***Expense Payment Activities***

**Treasurer**

- 1.) Approve vouchers after processing and prior to submittal to Executive Board.
- 2.) Sign and distribute expense checks.
- 3.) Reconcile checking accounts monthly.

**Executive Director**

- 1.) Process vouchers and control to contracts subject to approval by treasurer and Executive Committee.
- 2.) Maintain vendor file and print 1099 forms.
- 3.) Certify receipts of goods or services.
- 4.) Print checks.
- 5.) Post expense payment transactions to the general ledger.

***Claim Payment and Reserve Activities***

**Treasurer**

- 1.) Authorize transfer to funds to claims imprest accounts.
- 2.) Post claims transfer journal, allocating transfers to Fund year and line.
- 3.) Calculate, justify and eliminate possible imprest account reconciliation amounts monthly.
- 4.) Reconcile imprest checking accounts monthly.

**Executive Director**

- 1.) Post imprest transfers to the general ledger monthly.
- 2.) Post case reserve and other claims data to the general ledger monthly.
- 3.) Post imprest reconciliation balances to the general ledger prior to the six-month and year-end audits.
- 4.) Estimate monthly IBNR amounts and post to the general ledger for purposes of timely reporting.
- 5.) Adjust to certified actuarial IBNR amounts on a quarterly basis and post these adjustments to the general ledger.

***Reporting***

**Treasurer**

- 1.) Print report of cash transactions on standardized treasurer's report monthly.
- 2.) Report on location reconciled cash and investment balances monthly.
- 3.) Review trial balance of centralized journal ledger system monthly, with particular emphasis on validation of cash transactions.
- 4.) Provide checking and investment account reconciliations to the Executive Director monthly, and provide copies of account statements as requested.

**Executive Director**

- 1.) Provide Executive Committee with financial fast track reports and other financial statements on as needed basis.

- 2.) Provide auditor, treasurer, and other entities with financial statements, general ledger detail reports, general ledger journals, and trial balances on an as needed basis.
- 3.) Provide summarized financial statements and/or trial balances to Fund Treasurer on a monthly basis.

***Other***

**Treasurer**

- 1.) Certify availability of funds.
- 2.) Participate as needed in the budgetary process.
- 3.) Perform other official duties as outlined in contracts, bylaws, regulations, risk management plan and statutes.



## **IX. LINES OF COVERAGES, LIMITS, RETENTIONS, AND EXCESS PARTNERS**

It is Fund policy that the underwriting department will issue a year-end renewal insurance summary to be distributed to all members during the first quarter of the year following a renewal. This will outline all lines, carriers, limits, retentions, and SIRs for both the individual member and the fund. Additionally, the Plan of Risk Management will be distributed prior to the reorganization meeting in January. This outlines the full scope of coverages, limits, retrospective rating plans, reserving practices, and any additional programs the fund may wish to engage in. Finally, the excess policies are distributed upon receipt to all members and risk managers. Please read the GSMJIF Excess Insurance Policies for specific details of coverages. In the case of any discrepancy between the previously distributed documents and the actual policies of insurance, the terms and conditions of the policies will apply.

## **X. CLAIMS MANAGEMENT AND PROCEDURES**

### **Introduction**

Joint Insurance Funds have established claim reporting requirements. This section provides the user with a quick point of reference on various aspects related to claims.

It is divided into the following sections and appendixes:

**Section One:** A non-exclusive list of types of claims by line of coverage and special requirements related to these claims.

**Exhibit One:** Sample Resolution Adopting Notice of Claim Form  
Sample Transmittal Letter to Fund Attorney and Claims Administrator  
Sample of Notice of Tort Claims Form Transmittal Letter to Claimant  
Notice of Tort Claims Form

**Section Two:** Miscellaneous claims procedures

It should be noted that it is the Joint Insurance Fund's philosophy to pay only those claims for which the members are legally obligated. Claims will be paid by the Fund as promptly as possible after adequate investigation by the Fund's contracted claims administrator and/or excess carrier(s).

**Disclaimer:** The information presented in this manual is only an overview. All claims shall be decided based upon the actual terms and conditions as set forth in the coverage documents.

## **I Examples of Various Types of Claims and Special Reporting Requirements**

### ***Property, excluding Boiler and Machinery***

#### **Types of Property Claims**

Damage to your building or its contents  
Damage to equipment you own or lease and are required to cover  
Damage to any auto you own or lease  
Damage to valuable papers  
An interruption of services on revenue producing property  
Damage to fine arts owned and non-owned  
Damage to a building owned by you and under construction

#### **Special Requirements**

The claims administrators maintain a 24-hour telephone number to report claims. Claims can be reported via the telephone, fax or by a dedicated computer portal. Please contact your claims administrator or risk manager for reporting forms or further information.

You must complete any materials as required by the Fund's Safety Director, PMA Management Corp.

Do not speak to any other carrier without contacting your claims administrator first. This includes any forms sent to you from other carriers.

Note: The Alliant Property Insurance Program (APIP) provides excess property coverage over a statewide per occurrence retention of \$100,000. The insurer may elect to assign their own claims administrator if it appears the claim(s) will exceed the GSMJIF's retention.

### ***Boiler and Machinery***

#### **Types of Claims:**

Any object such as Air Conditioning Systems, Boilers, Electrical Lines and Connections, or Machinery such as Deep Well Pumps, Transformers, and Production Equipment, that result in an accident that causes mechanical breakdown, electrical damage or steam explosion.

For Example: Lightning strikes transformer causing damage, motor used in air conditioning system shorted out damaging system, foreign matter seized the impeller of a submersible pump.

**Special Requirements:**

- . The claims administrators maintain a 24-hour number to report serious claims. Claims can be reported either via the telephone or fax. Please contact your claims administrator \or risk manager for reporting forms.

You must complete any materials as required by the Fund's Safety Director, PMA Management Corp.

Do not speak to any other carrier without contacting your claims administrator first. This includes any forms sent to your from other carriers.

**Note:** APIP provides boiler and machinery coverage. Representatives from their company(s) may adjust the loss.

***General Liability, Police Professional, and Auto Liability Claims***

**Types of Claims**

(Damages Must be Sustained by a Third Party)

- Sewer back up
- Improper design
- Trips and falls on your property
- Your vehicle struck another party
- Allegations of false arrest, false imprisonment, wrongful detention or malicious prosecution
- Pot holes
- Failure to inspect or supervise

**Note:** Please see following page for reporting claims involving employment related issues or matters seeking demands other than monetary damages for bodily injury or property damages.

### **Special Requirements**

Contact your designated claims administrator and local risk management consultant immediately on all claims.

Do not admit to being responsible for the claim.

Do not agree to pay anything.

Document all relevant facts.

**Important:** Any notice of intent to file a claim or a summons and complaint must be forwarded within 24 hours of receipt to Qual-Lynx Corp., the GSMJIF Claims Administrator. Also, you must advise the injured party that the Fund has a policy that requires an official tort notice of claim form to be completed by any individual seeking to assert a claim. **(Please refer to Exhibit I for specific instructions in this area as well as a sample resolution, transmittal letters and notice of claim form.)**

### ***Workers' Compensation***

#### **Types of Claims**

Injuries to employees that arise out of and during the course of employment

#### **Special Requirements**

The Fund has a designated managed care vendor and if an employee is injured, you must report via the Qual-Lynx online claims reporting system or call the toll free number to report the incident. For serious injuries, a nurse case manager will begin managing the file, which will include instructions as to where the employee should be referred for medical treatment. However, you must still file the appropriate forms with your local claims administrator, which includes the "Employer's First Report of Accidental Injury." **You will find a flow chart to assist you in reporting Workers' Compensation claims.**

All injuries must be reported to the GSMJIF claims administrator. If the injury was minor and no medical treatment was rendered, label the claim as "incident only" when reporting to the claims administrator.

Remember, never accuse an employee of malingering or faking, notify family in serious injuries, and preserve the evidence.

Also, complete any required material as distributed by the Safety Director, PMA Management Corp.

Do not speak to any other carriers without contacting your claims administrator first.

### *Public Officials and Employment Practices*

#### **Types of Claims**

- ☐ **Public Officials** - Claims arising out of the wrongful act of a public official. Many of these claims arise out of planning and zoning boards, ordinances, and violation of civil rights.
- ☐ **Employment Practices** - Claims arising out of a wrongful act in connection with an employment relationship such as claims asserting wrongful dismissal, work place harassment, failure to promote, etc. **The GSMJIF has specific underwriting guidelines in this area. These must be met before coverage can become effective. Please contact your risk management consultant for specifics.**

#### **Special Requirements**

- ☐ Contact PMA and local risk management consultant immediately on all losses.
- ☐ Do not admit to being responsible or at fault for the loss.
- ☐ Do not agree to pay anything.
- ☐ **Important:** Any notice of intent to file a claim or summons and complaint must be forwarded within 24 hours of receipt to Qual-Lynx, and (optionally) your local risk management consultant. Also, you must advise the injured party that the Fund has a policy that requires an official tort notice form to be completed by any individual seeking to assert a public officials claim. **(Please refer to Exhibit I for specific instructions in this area as well as a sample resolution, transmittal letters and notice of claim form.)**

## **Exhibit I - Notice of Claim Form**

### **Instructions, Transmittal Letter, and Claim Form**

Joint Insurance Funds throughout the state have established certain uniform procedures for the members to handle claims filed against them. The purpose of this uniform procedure is to ensure that each member takes appropriate action to preserve any defenses that may be available.

Therefore, the purpose of this exhibit is to review the procedures applicable to liability claims (as distinguished from property and workers' compensation claims), so that all claims are handled promptly and efficiently.

There currently exist defenses available to the member because of the failure of claimants to comply with a properly established procedure in accordance with the New Jersey Tort Claims Act. In those instances, public entities must be able to prove that the claimants were given notice of the procedure.

It is the Fund's recommendation that your governing body or commission adopt a "Notice of Claim" form by Resolution, so that there will be a record that the form has been adopted as the official Notice of Claim Form for your public entity. The authority for the adoption of the form is found in the New Jersey Tort Claims Act, N.J.S.A. 59:8-6. **If there is no record of a formal adoption of the Notice of Tort Claim form, then a plaintiff's attorney might argue that the public entity did not adopt the form and that the failure to complete it did not legally bar the claim.**

Under the law, public entities are entitled to require the disclosure of information related to the claim, including information that will enable the Fund to evaluate both liability and damages. The failure of a claimant to provide the requested information in a timely manner can protect the member against the claim by resulting in the dismissal of the claim.

It is not suggested that the use of the official form will win every case, but it will give members an additional basis for defending litigation if the claimants have not filed the claim properly, and if they have not provided the information required by the official form once they have been notified about the form.

It is suggested that the following instructions be followed:

- 1) Whenever a Notice of Tort Claim or a letter asserting a claim against the member or against a members' employee is received by the member, it should be date stamped to show the date on which it was received.
- 2) A copy of that notice should be sent to the Fund's designated Claims Administrator for the GSMJIF (see **Section II of the Claims Manual**).

- 3) At the same time, provide the claims administrator with whatever information you may have on the incident giving rise to the claim, i.e., police reports, copies of documents, etc., as that will enable it to get a handle on the claim quickly.
- 4) In most instances, the first contact that you will have will be a letter from an attorney asserting a claim against the member, or against a member's employee(s). That initial contact rarely will provide sufficient information on the nature of the claim and rarely will it be provided on the "official" claim form adopted by each member.
- 5) When the initial contact is received, the member should notify the claimant or the attorney for the claimant, **by certified mail, return receipt requested**, that the claim must be filed on a specific form adopted by the member for that purpose. A format for a responsive letter is attached for your use. A copy of the officially adopted Tort Claim Form should be enclosed with the response letter. Once the return receipt is returned, you should retain it in your records, in case it is needed at some future time to prove that the claimant was given notice.

**It is strongly recommended that there be no exceptions to the procedure.** Just because you may believe that there is no basis for the claim, because it happened on school property, or because it happened on a State highway, or for any other reason, does not mean that the procedure should not be followed. The member may still be named in the resulting litigation filed by the claimant and it is then too late to:

- ☐ Gather the necessary information that might have protected the member early in the claim process; or
- ☐ Raise defenses based on the failure of the claimant to comply with the New Jersey Tort Claims Act.

A sample Notice of Claim Form and a sample cover letter than can be used to respond to the initial contact are attached for your use.

The Notice of Claim Form should be officially adopted by Resolution of your Governing Body. A certified copy of that Resolution should be provided to:

- ☐ The Executive Director and Fund Administrator for the GSMJIF.
- ☐ The Fund Attorney for the GSMJIF.
- ☐ The Claims Administrator for the GSMJIF.

Additionally, whenever there is a difference of more than a few days between the postmark on the envelope conveying the initial notice or the official notice to you, and the date that is shown on the Notice or the cover letter, it would be useful to keep the envelope and to provide the GSMJIF Attorney with a photocopy of it. It has been found useful on several occasions where a Notice is dated on one



date, and received several weeks later. In that instance, it is very useful to have the envelope showing the date mailed, so that a claimant cannot backdate a Notice to imply compliance with statutory deadlines.

When the completed Notice of Tort Claim has been returned, it should be date stamped to show the date that it was received, and copies should be sent to Claims Administrator, so that their information will be as complete as possible regarding the claim.

When a Summons and Complaint is received or when a Notice of Motion is received, or any document that appears to involve a court proceeding, most likely in the New Jersey Superior Court, or the United States District Court, that document should be transmitted **immediately** to the Claims Administrator as it may require immediate action and the assignment of defense counsel.

When a Summons and Complaint is received, that is **not** the time to send out the form letter on the Notice of Claim procedures. A Summons and Complaint requires a response by the defense attorney to the Court, and sending out the form letter only communicates to the attorney for the Plaintiff that you may not know what you are doing.

It is important that as soon as a claim is received, that members make an effort to determine just what happened, and that the Claims Administrator can collect the reports that may have been made by member's employees, including police reports, on the incident giving rise to the claim.

**For your convenience**, a form letter has been prepared to serve as a "check off" in sending claim documents to the Claims Administrator. Simply check off that you are sending the information and complete the form. Then photocopy the form and send the copies and the information out.

You may certainly use some other format, but you should be certain that the documents are sent out and are sent to the Claims Administrator at the same time.

Once litigation has begun, whether in the New Jersey Superior Court or in the United States District Court, a defense attorney will be assigned to the case. The Claims Administrator is responsible for the assignment in accordance with the defense panel established by the member and approved by the Fund. You should cooperate fully with that attorney.

You should not respond to requests for information from the Plaintiff's attorney without first checking with the assigned defense attorney or with your Municipal Attorney, where litigation has not yet commenced and no defense attorney has been assigned. Please make certain that your various departments (police, public works, code enforcement, sewer, etc.) are aware of the litigation, and that they should not respond to information requests except through retained counsel.

There may be occasions when the Fund has found it necessary to assign more than one defense attorney to the case, where there is a conflict of interest between the position of the member, and the defense of an individual public entity employee. In that instance, you will be advised to discuss the case only with the attorney who is defending the municipality.

Regarding punitive damages, these claims arise from allegation that a member's employee intentionally or willfully caused the injury to the claimant. ***The coverage through the GSMJIF does not cover awards of punitive damages*** because such coverage is prohibited by New Jersey law. The defense of the case, including the punitive damage claims, will in most cases be handled by the assigned defense attorney.

If an employee, who is alleged to have caused injuries sufficient to justify a punitive damage award, wishes to consult with a private attorney with respect to their individual exposure, they have every right do so. They also have a right to have private counsel represent them with respect to the punitive damage claims. That consultation and any representation, however, is on their own determination, and at their own expense. The defense of the claims will be handled by the attorney or attorneys assigned by the GSMJIF.

*Sample Resolution to Adopt Notice of Tort Claim Form*

**A RESOLUTION OF THE \_\_\_\_\_ OF THE \_\_\_\_\_ ADOPTING A FORM REQUIRED TO BE USED FOR THE FILING OF NOTICES OF TORT CLAIMS AGAINST THE \_\_\_\_\_ IN ACCORDANCE THE PROVISIONS OF THE NEW JERSEY TORT CLAIMS ACT, N.J.S.A. 59:8-6.**

**WHEREAS**, the New Jersey Tort Claims Act, N.J.S.A.. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

**WHEREAS**, the \_\_\_\_\_ is a public entity covered by the provisions of the New Jersey Tort Claims Act; and,

**WHEREAS**, the \_\_\_\_\_ deems it advisable, necessary and in the public interests to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

**NOW THEREFORE BE IT RESOLVED**, by the \_\_\_\_\_ of the \_\_\_\_\_ assembled in public session the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the \_\_\_\_\_; and,

**BE IT FURTHER RESOLVED**, that all persons making claims against the \_\_\_\_\_, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1, et. seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

***Sample Transmittal Letter to Fund Attorney and Claims Administrator***

**Date:**

**To:**        <Insert Name of Your Claims Administrator>  
              <Insert Fund Attorney>

**Re:**        **Notice of Claim of** \_\_\_\_\_

Enclosed you will find the following:

- ☐ Initial Notice of Tort Claim received <enter date received>.
- ☐ Copy of Response sent on <enter date> by certified mail, return receipt request, with the official Notice of Tort Claim Form.
- ☐ Reports by employees on the incident given rise to the claim.
- ☐ Official Notice of Tort Claim form received on <enter date>.
- ☐ Summons and Complaint received on <enter date>.
- ☐ Other <List, if any>

Very truly yours,

cc: Risk Management Consultant

***Sample Notice of Tort Claim Form Transmittal Letter to Claimant***

Dear Claimant:

Your claim will not be considered as filed and cannot be evaluated until you return the completed form and provide the information required.

You should be aware of the fact that the New Jersey Tort Claims Act included limitations on claims against public bodies and established time limits for the filing of those claims.

Notice of the claim against the public body generally must be filed within 90 days after the incident giving rise to the claim. No Notice of Tort Claim may be filed after the 90 day period unless there is an Order from the New Jersey Superior Court allowing the late filing of the Notice of Tort Claim. Such an Order can be granted only within one year from the date of the incident and only where the Court determined that good cause exists to permit the late filing.

Your recent communication in which you indicated an intention to assert a claim against \_\_\_\_\_ or against an official, employee or Department of the \_\_\_\_\_ has been received.

In accordance with the provisions of the New Jersey Tort Claims Act, the \_\_\_\_\_ has adopted an official form to be completed by any individual seeking to assert a claim against the \_\_\_\_\_ or against any official, employee or Department of the \_\_\_\_\_.

A copy of the Claim Form is enclosed and includes a form authorizing us to obtain reports with respect to your injury.

Very truly yours:

***Sample Notice of Tort Claims Form***

BOROUGH/CITY/TOWNSHIP OF <Enter Your Address>

CLAIMANT INFORMATION

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

Address: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\_\_\_\_\_  
Social Security#: \_\_\_\_\_

ATTORNEY INFORMATION (If Applicable)

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

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

\_\_\_\_\_  
File No.: \_\_\_\_\_

Send Notices to:      ☐ Claimant      ☐ Attorney

**GENERAL INSTRUCTIONS:** Pursuant to the provisions of the New Jersey Tort Claims Act, this Notice of Tort Claim form has been adopted as the official form for the filing of claims against the Township of\_\_\_\_\_.

The questions are to be answered to the extent of all information available to the Claimant or to his or her attorneys, agents, servants, and employees, under oath. The fully completed Claim Form and the documents requested shall be returned to the:

**Administrator**  
**Borough/City/Township of \_\_\_\_\_**  
**(your address)**

**NOTE CAREFULLY:** Your claim will not be considered filed as required under the New Jersey Tort Claims Act until this completed form has been filed with the Township/City/Borough of \_\_\_\_\_. Failure to provide the information requested, including such responses as “To Be Provided” or “Under Investigation” will result in the claim being treated as not being properly filed.

Timely Notices of Claim must be filed within 90 days after the incident giving rise to the claim.

This form is designed as a general form for use with respect to all claims. Some of the questions may not be applicable to your particular claim. For example, if your claim does not arise out of an automobile accident, questions regarding road conditions might not be applicable. In that event, please indicate “Not Applicable.”

If you are unable to answer any questions because of a lack of information available to you, specify the reason the information is not available to you. If a question asks that you identify a document, it will be sufficient to furnish true and legible copies. Where a question asks that you “identify all persons,” provide the name, address and telephone number of the person.

Please be aware that all sources of primary insurance coverage must be exhausted before the Township/City/Borough of \_\_\_\_\_ is obligated to consider your claim.

If you need more space to provide a full answer, attach supplementary pages, identifying the continuation of the answer with the number of the applicable question.

**DEFINITIONS:**

**“Claimant”** shall refer to the person or persons on whose behalf the Notice of Claim has been filed with the Township.

**“Documents”** shall refer to any written, photographic, or electronic representation, and any copy thereof, including, but not limited to, computer tapes and/or disks, videotapes and other material relating to the subject matter of the claim.

**“Person”** shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

**“Public Entity”** shall refer to the Township of \_\_\_\_\_ along with any agent, official, or employee of the Township of \_\_\_\_\_ against whom a claim is asserted by the Claimant.

**NOTE:** That the questions are divided into sections relating to the claimant, the claim, property damage, personal injury and the basis for the claim against the public entity or public employee.

If the claim involves only property damage, the portion on personal injuries need not be answered. If the claim involves no property damage, then the portion on property damage need not be answered.

### ***INFORMATION ON THE CLAIMANT***

1. Provide the following information with respect to the Claimant:

- ☐ Any other name by which the claimant is known.
- ☐ Address at the time of the incident giving rise to the claim.
- ☐ Marital Status (at the time of the incident and current).
- ☐ Identify each person residing with the claimant and the relationship, if any, of the person to the Claimant.

2. Provide all addresses of the Claimant for the last 10 years, the dates of the residence, the persons residing at the addresses at the same time as the Claimant resided at the address and the relation, of any of the persons to the Claimant.



***INFORMATION ON ALL CLAIMS***

3. Provide the exact date, time and place of the incident forming the basis of the claim and the weather conditions prevailing at the time.
4. Provide the Claimant's complete version of the events that form the basis of the claim.
5. List any and all individuals who were witnesses to or who have knowledge of the facts of the incident which gave rise to the claim. Provide the full name and address of each individual.
6. State the name of all police officers and police departments who investigated the accident.
7. Identify all public entities or public employees (by name and position) alleged to have caused the injury or property damage and specify as to each public entity or employee the exact nature of the act or omission alleged to have caused the injury or property damage.
8. If you claim that the injury or property damage was caused by a dangerous condition of property under the control of the public entity, specify the nature of the alleged dangerous condition, and the manner in which you claim the condition caused the injury.

9. If you allege a dangerous condition of public property, state the specific basis on which you claim that the public entity was responsible for the condition and the specific basis and date on which you claim that the public entity was given notice of the alleged dangerous condition. **Statements such as “should have known” and “common knowledge” are insufficient.**
10. If you or any other party or witness consumed any alcoholic beverages, drugs or medications within twelve hours before the incident forming the basis of the Claim, identify the person consuming the same and for each person (a) what was consumed, (b) the quantity thereof, (c) where consumed, (d) the names and addresses of all persons present.
11. If you have received any money or thing of value for your injuries or damages from any person, firm or corporation, state the amounts received, the dates, names and addresses of the payers. Specifically list any policies of insurance, including policy number and claim number, from which benefits have been paid to you or to any person of your behalf, including doctors, hospitals or any person repairing damage to property.
12. If any photographs, sketches, charts, or maps were made with respect to anything which is the subject matter of the Claim, state the date thereof, the names and addresses of the persons making the maps and of the persons who have present possession thereof. Attach copies of any photographs, sketches, charts or maps.
13. If you or any of the parties to this action or any of the witnesses made any statements or admissions, set forth what was said; by whom said; the date and place where said; and in whose presence, giving names and addresses of any persons having knowledge thereof.

14. State the total amount of your claim and the basis on which you calculated the amount claimed as of the date of presentation.
15. State the amount claimed as of the date of the claim; include the estimated amount of any prospective injury, damage, or loss and the basis for computation of the amount claimed.
16. Provide copies of all documents, memoranda, correspondence, reports (including police reports), etc. which discuss, mention or pertain to the subject matter of this claim.
17. Provide the names and addresses of all persons or entities against which claims have been made for injuries or damages arising out of the incident forming the basis of this claim and give the basis for the claim against each. Are any of the losses or expenses claimed herein covered by any policy of insurance? (    ) No (    ) Yes For each policy, state the name and address of the insurance company, policy number and benefits paid or payable.

***PROPERTY DAMAGE CLAIM***

**Note: If your claim is for property damage only, complete Items 18-20 and proceed directly to the certification section on page 11 of this form.**

18. If your claim is for property damage, attach a description of the property and an estimate of the cost of repair. If your claim does not involve any claim for property damage, enter "None."

a) Describe the property damage

---

---

---

---

b) The present location and the time when the property may be inspected

---

c) Date property acquired \_\_\_\_\_

d) Cost of property \$ \_\_\_\_\_

e) Value of property at time of accident \$ \_\_\_\_\_

f) Description of damage

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g) Has the damage been repaired? ( ) No ( ) Yes If so, by whom, when and cost of repairs. \_\_\_\_\_

h) Attach each estimate of repair costs to this form.

i) Set forth, in detail, the loss claimed by you for property damage.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. Set forth, in detail, all other items of loss or damages claimed by you and the method by which you made the calculation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. The amount of the total claim.

\_\_\_\_\_

### ***PERSONAL INJURY CLAIMS***

21. Was any complaint made to the public entity or to any official or employee of the public entity? State the time and place of the complaint and the person or persons to whom the complaint was made.

22. Describe in detail the nature, extent and duration of any and all injuries.
23. Describe in detail any injury or condition claimed to be permanent.
24. If confined to any hospital, state name and address of each and the dates of admissions and discharge. Include all hospital admissions prior to and subsequent to the alleged injury and give the reason for each admission.
25. If x-rays were taken, state (a) the address of the place where each was taken, (b) the name and address of the person who took them, (c) the date when each was taken, (d) what each disclosed, (e) where and in whose possession they now are. Include all x-rays, whether prior to or subsequent to the alleged injury forming the basis of the claim.
26. If treated by doctors, including psychiatrist or psychologist, state (a) the name and present address of each doctor, (b) the dates and places where treatments were treatments are continuing, the schedule of continuing treatments. Provide true copies of all written reports rendered to you or about you by any doctor whom you propose to have testify on your behalf.
27. If you have any physical impairment which you allege is caused by the injury forming the basis of your claim and which is affecting your ordinary movement, hearing or sight, state in detail, the nature and extent of the impairment and what corrective appliances, support or device you use to overcome or alleviate the impairment.
28. If you claim that a previous injury has been aggravated or exacerbated, describe the injury and give the name and present address of each doctor who treated you for the condition, the period during which treatment was received and the cause of the previous injury.

Specifically list any impairment, including use of eyeglasses, hearing aid or similar device, which existed at the time of the injury forming the basis of the claim.

29. If any treatments, operations, or other form of surgery in the future has been recommended to alleviate any injury or condition resulting from the incident which forms the basis of the claim, state in detail (a) the nature and extent of the treatment, operation, or surgery, (b) the purpose thereof and the results anticipated or expected, (c) the name and address of the doctor who recommended the treatments operations or surgery, (d) the name and address of the doctor who will administer or perform the same, (e) the estimated medical expenses to be incurred, (f) the estimated length of time of treatments, operation or surgery, period of hospitalization and period of convalescence, (g) all other losses or expenditure anticipated as a result of the treatment, operations or surgery, (h) further if it is your intention to undergo the treatments, operation or surgery, please give an approximate date.
30. Itemize any and all expense incurred for hospital, doctors, nurses, x-rays, medicines, care and appliances and indicate which expenses were paid by any insurance coverage.
31. If employed at the time of the alleged injury forming the basis of the claim state (a) the name and address of the employer, (b) position held and the nature of the work performed, (c) average weekly wages for the year prior to the injury, (d) period of time lost from employment, giving dates, (e) amount of wages lost, if any. List any sources of income continuation or replacement, including, but not limited to, workers' compensation, disability income, social security and income continuation insurance.
32. If other loss of income, profit or earnings is claimed, state (a) total amount of loss, (b) give a complete detailed computation of the loss, (c) the nature and dates of the loss.
33. If you are claiming lost wages state (a) the date that the employment began, (b) the name and address of the employer, (c) the position held and the nature of the work performed, (d) the average weekly wages. Attach copies of pay stubs or other complete payroll record for all wages received during the year.
34. Have you received, or agreed to receive, any money from anyone for the damage claimed herein? ( ) No ( ) Yes If so, set forth the details of such agreement.

35. Please specify, if known, whether the claim arises out of any of the following activities of:

- 1) Any Construction project \_\_\_\_\_
- 2) Any Demolition project \_\_\_\_\_
- 3) Any road or bridge project \_\_\_\_\_
- 4) Other \_\_\_\_\_

**DOCUMENT REQUEST:** Provide all documents identified in your answers to the above questions.

1. Copies of itemized bills for each medical expense and other losses and expenses claimed.
2. Full copies of all appraisals and estimates of property damage claimed by you.
3. Copies of all written reports of all expert witnesses and treating physicians.
4. A letter from your employer verifying your lost wages. If self-employed, a statement showing the calculation of your claimed lost income.

**Title 59**

The Legislature recognizes the inherently unfair and inequitable results which occur in the strict application of the traditional doctrine of sovereign immunity. On the other hand the Legislature recognizes that while a private entrepreneur may readily be held liable for negligence within the chosen ambit of his activity, the area within which government has the power to act for the public good is almost without limit and therefore government should not have the duty to do everything that might be done. Consequently, it is hereby declared to be the public policy of this State that public entities shall only be liable for their negligence within the limitations of this act and in accordance with the fair and uniform principles established herein. All of the provisions of this act should be construed with a view to carry out the above legislative declaration.

L.1972, c. 45, s. 59:1-2.

**CERTIFICATION:** I hereby certify that the information provided is the truth and is the full and complete response to the questions, to the best of my knowledge. I am aware that if any statement made is willfully false, that I am subject to punishment provided by law.

Signature of Claimant: \_\_\_\_\_ Date: \_\_\_\_\_

To Whom It May Concern:

I hereby authorize any and all doctors, hospitals or other medical service facility to release to the:

\_\_\_\_\_

or its representatives, any and all records, reports and other information concerning the treatment of the claimant named herein.

**I, (YOUR NAME), hereby authorize the use and disclosure of my individually identifiable health information and other medical and insurance records. I understand that once disclosed, the information I authorize to be disclosed by said person/facility may be disclosed to others and will no longer be protected by state and federal regulations. This release authority applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 U.S.C. 1320d and 45 C.F.R. 160-164.**

Signature of Claimant \_\_\_\_\_ Date: \_\_\_\_\_

(This form must be signed by claimant or the parents of the claimants who are minors.)

## **II Miscellaneous Claim Information and Procedures**

### **Catastrophic Claims**

You must immediately contact your claims administrator to report any catastrophic claims. In the event an accident occurs after normal business hours and you reach an answering service, please advise the service that this is an emergency and they will reach the appropriate adjuster, who will be instructed to contact you immediately. During normal business hours, you may contact the Qual-Lynx to report the claim. Please advise these individuals that it is a catastrophic claim so that claims administrator can commence investigation immediately.

All claims which involve the following injuries must be reported within twenty-four (24) hours:

- Paraplegia
- Quadriplegia
- Brain Damage
- Severe Burns
- Fatalities
- Amputation of a major extremity
- Death
- Sensory Loss (sight, smell, hearing)
- Serious Injuries to two or more employees resulting from one accident
- Property Damage to your property in excess of \$25,000



### **Claim Payments**

Claim payments in most cases will be made by the claims administrator. Payments of 25,000 or more of JIF funds require approval of the Fund Commissioners prior to issuance. The Claims Administrator will present these claims to the members of the Claims Committee of the Fund and, if approved by the Claims Committee, to the Fund Commissioners at a regularly scheduled meeting of the Fund.

### **Coverage Disputes**

Any member who disputes the findings of the Fund's Claims Administrator is urged to write to the Executive Director. All disputes will be presented to the Fund's Executive Committee/Commissioners for further review.

### **Third Party Claims Administrator Subrogation Procedures**

The Fund's Claims Administrator will handle all third party subrogation recoveries for covered losses in excess of a member's deductible. In pursuing a third party recovery, the Claims Administrator will:

- 1) Pay loss less individual member's deductible.
- 2) Send proofs and request reimbursement
- 3) Receive third party check
- 4) Issue a reimbursement check to the member, less any applicable management fee due to the service provider.
- 5) Issue deductible reimbursement check to Fund Treasurer indicating the Fund year and line of coverage to be credited.
- 6) Input recovery amount to reduce the member's total experience.

### **Conflict of Interest**

In the event the Claims Administrator receives notice of a loss involving two or more insured communities with dissimilar interests, a conflict exists. It is, therefore, inappropriate that the Claims Administrator handle more than one insured's interest. It will be necessary to have another branch office or claims administrator handle the companion loss with the understanding that no information be exchanged between the branches, or an independent adjusting company be hired to handle the companion claims.

This same policy will be instituted in cases where the Claims Administrator handles losses for two separate clients who may become joint tortfeasors, i.e., a County Government and Municipal Government.

It shall be the responsibility of the Claims Administrator to bring such situations to the immediate attention of the Fund's Executive Director and Fund Attorney.

### **Structured Settlements**

It is the policy of the Funds to encourage the utilization of Structured Settlements wherever economically advantageous. This would include general liability, auto liability, police professional and workers' compensation lines of coverage.

Only financially sound carriers, licensed to do business in the State of New Jersey, are to be used for placement of the annuity. The same holds true for any assignee used to guarantee the payment of the annuity.

It is also understood that ultimate financial responsibility rests with the Fund. Therefore, archival records must be maintained by the Fund's Executive Director/Administrator, and all cases settled by the Claims Administrator by way of a Structured Settlement should, upon closure, be sent to the Fund's Executive Director/Administrator for archiving. Records of all such transactions will be reported to the Fund's Actuary by the Fund's Executive Director/Administrator.

## **XI. DEFENSE COUNSEL GUIDELINES**

### **I - Selection of Counsel**

The Garden State Municipal Joint Insurance Fund (“JIF”) strives to provide the best possible legal defense of all litigated matters, both for the benefit of the member involved, and the membership in general.

Most importantly, the JIF views this as a collaborative process between the JIF, its membership, and the defense firms representing the members. Based on its 20 years of expertise in defending New Jersey Public Entities, the JIF can provide guidance and recommendations to its members as to which firms are suited to defend a particular type of case. Of course, the JIF also supports the members’ selection of firms to handle JIF litigated matters on their behalf.

The JIF may disallow a member’s selection of counsel in those matters that present the potential for a significant impact to the general membership, in terms of costs of litigation or indemnity, areas of particular expertise, or in matters in which more than one member is implicated. **Of particular note**, counsel who has participated, directed, or otherwise offered advice and counsel in any capacity during the course of an investigation of an employee’s complaint *may **not** serve as defense counsel in an employment practices liability matter that involves the same employee.*

Additionally, firms assigned to defend a JIF member may not prosecute a case against the JIF or another JIF member without the written consent of the Executive Director of the JIF.

### **II – Reporting Requirements**

#### **Conflicts Check**

Within 5 days of receipt of a case, a conflict check will be performed by Counsel with written notice of such findings to the assigned Claims Professional.

#### **Case Analysis and Litigation Plan**

Within 60 days of receipt of any JIF litigated matter or pre-suit investigation, and every 90 days thereafter, counsel will provide a Case Analysis and Litigation Plan (see template in Exhibit A) to the assigned Claims Professional.

The expectation for your initial report is that you will provide an analysis of the claims being asserted, including the relevant legal standard the plaintiff will need to satisfy in order to succeed. Your initial report should also identify any potential legal/factual defenses to the claims asserted. Additionally, the JIF requires that you meet with relevant member employees within the first 45 days to investigate and gather background information. Meeting with the member early in the case is critical to understanding the exposure and building the defense of the case. Your report should summarize, in detail, the substance of the information gleaned from the member employees.

Each subsequent 90-day report should be a stand-alone summary of the file, without the need to reference other documents. Further, *new information in 90-day reports should be denoted in some fashion*, e.g., bold face type, for ease of identifying developments or changes since the last reporting interval.

Importantly, the *90-day reports must not simply become an increasingly longer and longer document as the case progresses*. The attorney must review and revise as appropriate given the circumstances. For example, if a motion to dismiss has been filed and decided, the 90-day reports should not still include *prospective* discussions about filing a motion to dismiss. The updates should reference that the motion was filed and the outcome. The 90-day reports should capture the status of the case *at present*, not 90 days ago or at the outset of the case.

Additionally, important or time-sensitive information, should be communicated on an as needed basis with the Claim Professional, rather than waiting for the next 90-day reporting interval.

Counsel must also provide a **Trial Report 60 days in advance of any scheduled trial date** (see Exhibit B template).

For “inactive” matters, a short report or email in lieu of a formal Case Analysis and Litigation Plan is acceptable with the assent of the Claim Professional.

- **Workers’ Compensation Hearing Summary**

In lieu of providing 90-day reports, counsel for workers’ compensation matters shall prepare a Workers’ Compensation Initial Analysis (Exhibit C) and then prepare Workers’ Compensation Hearing Analysis (Exhibit D) forms within 10 days of every hearing appearance thereafter. Counsel will also be required to prepare a pre-trial report (Exhibit F) at least 15 days before trial (as well as to report on any other significant developments in the life of the file). All such forms and correspondence shall be forwarded to the assigned Claims Professional.

It is expected that counsel will avoid unnecessary hearing appearances whenever possible by adjourning same with the court upon the consent of their adversary. A Hearing Summary is expected for every appearance made, and if nothing of substance takes place at a hearing, an explanation of why the appearance was made is expected.

## **OTHER REPORTING REQUIREMENTS**

- **Notice of Key Calendar Events**

Counsel will notify the Claims Professional upon receipt of any key calendar dates including but not limited to dates for trial, motions, workers’ compensation hearings, court-ordered arbitrations, court-ordered mediations, voluntary mediation, party, fact and expert depositions and submission of expert reports. Notification by email is sufficient.

**It is critically important that we be notified *immediately* of any trial date.**

### **III. Other Provisions**

- **Lead Counsel**

In cases in which more than one attorney is assigned due to a conflict of interest, the JIF will designate one attorney to serve as “lead counsel.” Typically, the firm representing the entity, itself, fills this role. It is the expectation that all defense counsel retained by the JIF will cooperate, to the extent practically and ethically possible, with each other. If an overlap of effort and/or appearances is required, same will be discussed and approved in advance by the JIF. It is expected that the billing of attorneys not serving as lead counsel will be commensurately less than that of lead counsel. However, non-lead counsel must still provide reports to the Claim Professional relative to their specific client, unless other directed. Joint defense agreements should be utilized as early in multi-counsel litigation as practicable, and same shall be approved prior to execution by the JIF.

- **Alternative Dispute Resolution (ADR)**

The JIF is in favor of early dispute resolution whenever practicable. However, the JIF requires the following from counsel relative to either court-ordered or voluntary mediation:

- Notification to the appropriate JIF Claims Professional seeking approval of the proposed mediation; and
- Written consent from the JIF Claims Professional on the choice of the mediator and the fees.

The JIF strongly encourages the use of its selected mediators in place of the mediators assigned by the courts in those venues that have mandatory mediation programs.

The JIF requires that counsel submit for review and approval the arbitration or mediation statement prior to service.

### **IV. Discovery and Settlements**

- **Motion Practice**

All motion practice must be pre-approved, in writing, by the JIF.

- **Insurance Production Requests**

Because the JIF has various insurance coverages, retentions, deductibles and attachment points, the preferred response to discovery requests for insurance information is to indicate “self-insured” and to provide the applicable limits of the relevant excess policy. A request should then be made to the JIF for a copy of the relevant excess policy which may be produced with all premium, classification and risk information redacted.

- **Experts**

Experts may be retained by counsel only after securing the written approval of the Claim Professional. Counsel must submit the expert’s CV, the proposed rate, and a proposed budget to the JIF. Counsel and the Claim Professional must agree on a fee “cap” that cannot be exceeded without further discussion and written approval by the Claim Professional. If an expert exceeds that cap without additional authority provided by the JIF, responsibility for the excess fees rests with the law firm, not the JIF.

- **Settlement Offers**

Counsel is prohibited from extending any offer of settlement in any matter without the prior written consent of the JIF. Counsel, the Claim Professional and the member must have a call to discuss any potential settlement offer or resolution strategy. This is a collaborative effort in which all three parties need to be involved. Counsel handling workers’ compensation matters shall complete the JIF Workers’ Compensation Settlement Authorization Request Form (Exhibit E) and submit same both to the assigned Claims Professional before seeking approval of a proposed settlement from a member. Likewise, counsel handling all other litigated matters must first seek settlement authority from the JIF. If the amount of the settlement is wholly within the member’s SIR or deductible, the JIF must be notified of the settlement.

- **Settlements**

- *In cases settling for \$25,000 or more of JIF funds the settlement must be approved by the JIF Commissioners. Accordingly, all settlement documents must contain a provision allowing for the payment of the settlement no sooner than 60 days following the settlement;*
- All cases in which Medicare or Medicaid payments have been made or in which a formal lien has been asserted for recovery of such payments shall be brought to the attention of the assigned Claims Professional and will require specific release language;

- **Email Only Communication**

Counsel is required to submit any and all communications to the JIF via email as the exclusive means of communication absent specific direction to the contrary. Emails should identify the file name by plaintiff/petitioner, member, JIF file number, and have a brief description of its substance.

Email attachments should be labeled in such a way that the content of the attachments is clear from the name of the document.

## **V. Rates and Billing Procedures**

- **Rate Schedule**

All JIF cases are subject to the standard prevailing rate structure for the life of the file.

- **Billing Procedures**

Counsel shall submit invoices for assigned matters to Bottomline Technologies (“Bottomline”), the approved billing payment vendor for the JIF. All billing submissions must be presented in a form acceptable by Bottomline for processing and are subject to compliance with the JIF guidelines. These detailed guidelines are available on the Bottomline website once a firm is registered.

*All work you perform for the Garden State Municipal JIF must be billed through Bottomline regardless of the TPA handling the case, e.g., NIP, Qual-Lynx, CRC, D & H, Inservco, and PMA. Additionally, you must receive direction from the TPA to handle a case before setting up and attempting to bill the file through Bottomline. Do not set up and attempt to bill the file simply because a JIF member has sent the firm a claim or suit.*

Firms are required to submit invoices on a rolling quarterly basis. In other words, a case must first be billed 90 days after it is assigned, and then every 90 days thereafter.

**All fees must be submitted within 6 months of being incurred; otherwise, the JIF reserves the right to deny payment.**

For matters that are ready to be closed, a final bill shall be presented as soon as applicable, with “**FINAL INVOICE**” clearly identified across the top of the bill, so that Bottomline knows to close the file.

- **Defense Counsel Budget Proposal**

Counsel shall include with every Case Analysis and Litigation Plan and Workers’ Compensation Hearing Summary, a proposed budget for the remaining life of the file. The budget should provide a reasonable range of estimated fees and costs based on the particular needs of the case and should become more focused as the case progresses.

- **Bottomline Technologies Protocols**

New firms are directed to [addfirms@bottomline.com](mailto:addfirms@bottomline.com)

Thereafter, the vendor implementation team will contact counsel to arrange training.

General questions should be directed to [legalxsupport@bottomline.com](mailto:legalxsupport@bottomline.com)

The relevant contact person for Bottomline is:

Brittany McKenna – Client Advisor: [Brittany.McKenna@bottomline.com](mailto:Brittany.McKenna@bottomline.com)



## **Exhibit A**

### **Case Analysis and Litigation Plan**

**(submitted 60 days after assignment and every 90 days thereafter)**

Date:

Case Name:

JIF Claim No.:

Defense Attorney:

Plaintiff counsel:

Venue:

#### **I. Parties Involved**

Identify all the parties and provide a brief description of their involvement. If one of the parties is a member employee, please describe her/his role.

For the plaintiff, provide the following information:

- Date of birth
- Marital status and dependents
- Employment status and wages

#### **II. Summary of the Complaint**

Provide a summary of the causes of action set forth in the complaint. You do not need to provide a factual summary as that will be provided in the next section. Provide only the claims set forth, e.g., Count I – Negligence, Count I – Respondeat Superior, etc.

#### **III. Factual Overview**

Detailed outline of the claims tied to the causes of action and what is alleged in the complaint. This should include information developed through your meeting(s) with the member and documentation you have reviewed. Please highlight any divergence in the “story” that member employees tell.

#### **IV. Liability Evaluation**

This is perhaps the most critical section of your report. You must provide a detailed liability **analysis** of plaintiff's claims, setting forth the law applicable to each claim, as well as the standard of proof required. Additionally, please discuss any potential defenses. In this section, you must explain how the facts of the case intersect with the relevant law and provide your opinion as to the member's potential exposure.

Issues that should be addressed in this section include the following. Not all need to be discussed, but any that are relevant to the particular case must be included:

- Frivolous litigation analysis
- Early dismissal analysis
- Notice of claim analysis (timely or not)
- Immunities (Title 59 defenses, Qualified Immunity, etc.)
- Identification of other potentially relevant/responsible parties
- Comparative negligence, contributory negligence, joint and several liability

## **V. Damage Evaluation**

Provide an overview of plaintiff's damages, both those currently claimed and those that potentially could be asserted. Economic and non-economic. If there are any damage caps, please outline them. Please also discuss whether any of the claims include a fee-shifting provision providing for an award of plaintiff's legal fees.

## **VI. Evaluation of Venue and Judge**

Please comment on the venue, and the judge (if known)

## **VII. Relevant Dates**

- Discovery End Date
- Mediation/Arbitration Date
- Settlement Conference Date
- Trial date

## **VIII. Evaluation of Settlement Potential**

Although it is difficult to comment on settlement potential early in a case, it is critical from the very initial stages of litigation to consider whether a case is one where settlement should be considered.

## **IX. Case Management/Litigation Plan**

List, with specificity, all proposed litigation tasks or activities to be completed in the next 90 Days and the rationale for same:

## **X. Budget**

Initial proposed budget:

Last quarter's updated budget:

Current proposed budget (life of file):

## **Exhibit B** **Liability Case Trial Report**

(Trial report is due 60 days prior to any scheduled trial date)

### **I. Case caption**

- a. Venue
- b. Evaluation of the venue and potential jury pool

### **II. Plaintiff Counsel**

- a. Name of plaintiff counsel
- b. Description of her/his expertise and litigation history/outcomes

### **III. Court**

- a. Name of Judge
- b. Evaluation of Judge – experience, reputation, history

### **IV. Facts**

- a. Triable issues of fact and law
- b. Standards of proof

### **V. Liability Evaluation**

This section should mirror in substance the liability section of the 90-day reports.

### **VI. Witnesses**

Identify all witnesses expected to testify, expected testimony of each, and your impression of how each witness will present to the jury/judge

### **VII. Motions**

- a. Identify all motions in limine filed, or to be filed, by both sides
- b. Discuss potential impact of these motions

## **VIII. Proposed Jury Charge/Verdict Form**

### **IX. Anticipated Result**

- a. Estimate chance of defense verdict
- b. Like verdict range in the event of an adverse verdict

### **X. Settlement**

- a. Jury/Settlement Verdict Summary
- b. History and current status of negotiations
- c. Provide your recommended settlement range

## **Exhibit C**

### **Workers' Compensation Initial Analysis**

**(within 30 days of assignment)**

Date:

Case Name:

Claim No.:

Your File No.:

Name and address of opposing counsel:

1. Fact Summary with Compensability Review:
2. District, Judge and Adversary:
3. Investigation Review:
4. Defense/Settlement Strategy:
5. Permanency Evaluation: (including review of findings from all permanency expert reports)
6. Time Lost From Work:
7. Credits/Offset Analysis: (Abdullah credit, accidental/ordinary disability pension, SSD)
8. Prior/Subsequent Accidents/Injuries:

9. Section 20 Dismissal Prospects:
10. Section 40 lien: (identify and preserve interest in 3<sup>rd</sup> party recovery)
11. Return to Work Issues: (FCE, FFD, light duty)
12. Defense/Settlement Strategy:
13. Proposed Budget for Life of File:
14. Authorized Lead Attorney: no substitution of the Authorized Lead Attorney is permitted without the prior consent of the Claims Director or Litigation Manager)

**Exhibit D**  
**Workers' Compensation Hearing Analysis**  
**(within 10 days of hearing)**

Date:

Case Name:

Claim No.:

Date of Hearing:

Place of Hearing:

Hearing Official:

Name and Address of Opposing Counsel:

1. Allegations of Each Claim Petition:
2. Permanency evaluation: (including review of findings from all permanency expert reports)
3. Time Lost From Work:
4. Credits/Offset Analysis: (Abdullah credit, accidental/ordinary disability pension, SSD)
5. Prior/Subsequent Accidents/Injuries:

6. Section 20 Dismissal Prospects:
7. Section 40 lien: (identify and preserve interest in 3<sup>rd</sup> party recovery)
8. Return to work issues: (FCE, FFD, light duty)
9. Hearing Result:
10. Litigation Status:
11. Defense/Settlement Strategy:
12. Initial Proposed Budget:
13. Updated Proposed Budget (life of file):
14. Authorized Lead Attorney: no substitution of the Authorized Lead Attorney is permitted without the prior consent of the Claims Director or Litigation Manager)

### **Exhibit E**

## **Workers' Compensation Settlement Request Form**

Date:

Case Name:

Claim No.:

Your File No.:

Name and address of opposing counsel:

1. Fact Summary with Compensability Review:
2. District, Judge and Adversary:
3. Investigation Review:
4. Permanency Evaluation (including review of findings from all permanency expert reports):
5. Time Lost From Work:
6. Credits/Offset Analysis: (Abdullah credit, accidental/ordinary disability pension, SSD):

7. Prior/Subsequent Accidents/Injuries:
8. Section 40 lien: (identify and preserve interest in 3<sup>rd</sup> party recovery):
9. Return to Work Issues: (FCE, FFD, light duty):
10. Settlement Recommendation:
11. Petitioner's Demand:
12. Hearing Officer and Settlement Recommendation:
13. Authorized Lead Attorney:

**EXHIBIT F**

**Workers' Compensation Trial Report**

**(due 15 days before trial date)**

Date:

Case Name:

Claim No.:

Your File No.:

Trial Date:

Past Trial Dates, if Applicable:

Name and address of opposing counsel:

Name of Attorney Who Will Be Trying This Case:

(cannot be changed after pre-trial report without the express written consent of the Litigation Manager)

Hearing Official:

Name and Address of Opposing Counsel:

Recommendation of Hearing Official for Resolution:

Name of Attorney Who Will Be Trying This Case:

(cannot be changed after pre-trial report without the express written consent of the Litigation Manager)

### **PART I. CASE SUMMARY**

- Brief Summary of Case:
  - a. Allegations of Each Claim Petition
  - b. Permanency evaluation
  - c. Time Lost From Work
  - d. Credits/Offset Analysis (Abdullah credit, pension, SSD)
  - e. Prior/Subsequent Accidents/Injuries
  - f. Section 20 Dismissal Prospects
  - g. Section 40 lien (identify and preserve interest in 3<sup>rd</sup> party recovery)
  - h. Return to work issues (FCE, FFD, light duty)

### **PART II. RESOLUTION EFFORTS**

- Present Demand:
- Present Authority:
- Last Offer Date and Amount:
- Present Settlement Value, If Any, and Basis for Same:
- Present Likely “Bottom line” of Plaintiff:
- Present Resolution Recommendation and Strategy:

### **PART III. TRIAL**

- Identify all experts and summarize their findings; identify all expected fact witnesses and summarize their anticipated testimony):
- Other Insurance or Applicable Credits:
- Evaluation of Case:
  - a. Venue and Trial Judge
  - b. Strengths & Weaknesses of Each Party’s Case
  - c. Verdict Range of Case



**PART IV. BUDGET**

- Initial File Analysis Budget
- Amount Billed to Date
- Predicted Billing to Try Case to Verdict
- Additional Costs and Expenses to Try Case (and itemize, such as expert testimony)

## **GARDEN STATE MUNICIPAL JOINT INSURANCE FUND**

### **XII. LOSS CONTROL PROGRAM**

#### **TABLE OF CONTENTS**

Part 1:	Purpose of Manual & Safety Statement
Part 2:	Safety Policies / Procedures
Part 3:	Safety Training / Employee Orientation
Part 4:	Identifying & Controlling Hazards
Part 5:	Fire Prevention & Fire Safety
Part 6:	Emergency Procedures & Building Evacuation
Part 7:	Basic Precautions for Job Tasks
Part 8:	PPE Policy
Part 9:	Confined Space Entry
Part 10:	Electrical Safety
Part 11:	Material Handling & Storage
Part 12:	Excavation & Protective Systems
Part 13:	Utility Line Safety
Part 14:	Fall Protection
Part 15:	Hazardous Chemicals & Right to Know
Part 16:	Hearing Conservation
Part 17:	Respiratory Protection
Part 18:	Bloodborne Pathogens
Part 19:	Hot Work Permit
Part 20:	Lock Out Tag Out
Part 21:	Miscellaneous Programs

## **I. Purpose Of Manual & Safety Statement**

### **PURPOSE**

This booklet is to serve as an educational aid and to be used in conjunction with the personalized safety training provided by your immediate supervisor for securing uniformity, avoiding misunderstandings, preventing accidents, and promoting effective safety operations.

### **SAFETY ATTITUDE**

An employee has a proper safety attitude when he/she demonstrates a readiness and willingness to apply safety know-how in all work situations.

There are, of course, other factors that characterize a proper safety attitude. These include: the willingness to report or correct unsafe conditions; self-initiated efforts to contribute to the safety know-how of others; and the submission of suggestions to improve the safety of working procedures. These things all reflect an employee's safety attitude. However, it is important to stress again that the ability and readiness of an employee to apply safety know-how stands out as the core ingredient.

### **BENEFITS OF SAFETY**

The most obvious benefits of working safely include:

- ◆ Freedom from injury, or even death.
- ◆ Freedom from temporary or permanent loss of earning power.
- ◆ Freedom from serious disciplinary action.
- ◆ Increased productivity and less waste.
- ◆ Savings from reduced claims of personal injury and property damage
- ◆ And finally, working safely adds to an employee's overall reputation as a good worker who is cooperative, and such a reputation has many advantages.

## **SAFETY POLICY STATEMENT**

Within the Municipality, our safety objective is to continue, year by year, a reduction in the number of occupational injuries and illnesses. It is therefore our goal to plan and conduct our operations in such a manner as to provide the highest degree of safety for our employees and the public.

The policy of this Municipality is that the first consideration in the performance of all work shall be the safety of our employees and the public. All reasonable methods, procedures and equipment necessary to achieve this end must be used and will be provided. There will be no compromise with safety.

We will continue our efforts to equip ourselves with the knowledge of safe methods, and shall train our employees in the safest way of doing each job. We shall see that protective devices, guards, and personal equipment are readily available and used when necessary, and will continue to maintain high standards of sanitation and housekeeping in all active working areas, for it is only through our ability to improve working conditions that we will be able to maximize productivity while reducing accidents and injuries.

In addition, we will not forget the most important ingredient for safety success. It is your ability, willingness, and readiness to apply your safety know-how in all situations that call for such an application. Good safety practice must be carried out accordingly as an essential part of our everyday work habits. Together as a safety team, we can improve the quality of life for all employees.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

## **II. Safety & Health Policies & Procedures**

### **PROGRAM RESPONSIBILITIES**

#### **Top Management:**

- ◆ Provide the time, as well as the money, for the establishment and continuation of the Loss Control Program.
- ◆ Ensure that all members of management, including supervisors are held accountable for accident prevention activities and managing the safety process.
- ◆ Set a positive example by following prescribed safe work practices when in the field.
- ◆ Demonstrate leadership by attending employee safety seminars.
- ◆ Cooperate with the Safety Officer and Workers' Compensation Manager in their efforts to prevent accidents and control the associated costs.
- ◆ Encourage employees to take an active part in maintaining a safe workplace.
- ◆ Create an avenue for employees to make feasible safety and health suggestions to management.
- ◆ Create an avenue for employees to report unsafe conditions/behaviors to their supervisor.
- ◆ Discuss safety processes and improvements regularly during staff meetings.
- ◆ Annually assess the success of the safety process.
- ◆ Establish long and short-term safety goals for your department.
- ◆ Support and have department representatives attend regularly held safety committee meetings.
- ◆ Provide all employees with a written statement of our Safety Policy.
- ◆ Provide Loss Control/Safety Contacts (hereafter referred to as Safety Delegates) of each Municipality who will be responsible for the implementation of the Safety Program in their respective Municipality.
- ◆ Ensure that all rules and regulations related to the activities of this Safety Program are conveyed to each employee where applicable.

#### **Supervision:**

- ◆ Enforce the use of safe-work practices and housekeeping policies.
- ◆ Support and attend regularly held safety committee meetings.
- ◆ Constructively correct unsafe behaviors.
- ◆ Take the appropriate action to correct unsafe conditions in a timely manner.
- ◆ Conduct regular audits of the workplace to identify unsafe conditions and unsafe behaviors.
- ◆ Ensure that all employees have been issued the proper personal protective equipment before beginning their job functions.
- ◆ Ensure that all employees are properly educated on general and specific safe work practices before beginning their job functions.
- ◆ Hold regular meetings discussing safety and health topics.

- ◆ Conduct a thorough accident analysis when occupational injuries and illnesses occur and recommend corrective action.
- ◆ Listen to employee suggestions and concerns regarding safety issues and give feedback in a timely manner.
- ◆ Communicate feasible safety and health suggestions and concerns to management

## **Employees:**

Each Municipality employee is expected, as a condition of employment for which he is paid, to work in a manner which will not cause injury to him or to those with whom he works. It is important to the concept of safety that each employee understand that responsibility for his own safety is part of his job requirement.

This Municipality's total injury prevention program cannot be achieved unless employees are dedicated to the prevention of accidents. All employees play an important part in making the job a safe and healthful place in which to work.

## **Municipal employees shall**

- ◆ Follow all safe work practices prescribed by the Municipality covered during educational sessions, on-the-job training and new employee orientation.
- ◆ Actively participate and listen during safety educational sessions.
- ◆ Wear and maintain the personal protective equipment provided.
- ◆ Use safety equipment provided to perform your job functions.
- ◆ Report unsafe conditions and unsafe behaviors immediately to your supervisor.
- ◆ Report all accidents to your supervisor by the end of the shift.
- ◆ Demonstrate personal safety awareness and concern for the safety of your coworkers.
- ◆ Support Safety Committee Meetings as necessary.

## **Safety Delegate/Departmental Safety Coordinator:**

- ◆ Demonstrate a commitment to preventing occupational injuries and illnesses.
- ◆ Serve as a link between management and employees with the interest of maintaining a safe workplace.
- ◆ Assist with the coordination of safety efforts for the Municipality and specific divisions.
- ◆ Assist departmental management in justifying the need for specific safety systems and processes.
- ◆ Help management and employees identify safety and health training needs.
- ◆ Identify and communicate new safety and health requirements.
- ◆ Compile injury and illness-related records.
- ◆ Track the progress of safety and health-related projects.
- ◆ Help supervisors make changes or develop strategies that improve safety processes.
- ◆ Work with employees to optimize safe work practices.
- ◆ Lead and support Safety Committee Meetings
- ◆ Attend educational seminars to increase expertise in the safety field.
- ◆ See that all accidents are investigated, utilizing the Confidential Report of employee Injury or Vehicle Accident Form to determine the conditions(s) responsible and to take, and/or

recommend the necessary corrective action to eliminate the unsafe condition or unsafe act from recurring. Upon completion, forward this form to the Safety Delegate.

- ◆ In the absence of the Supervisor, the Safety Delegate or His/Her Designee shall investigate all accidents.
- ◆ Make periodic studies of all jobs under our supervision to determine any conditions that could result in an accident or loss and take or recommend corrective action.
- ◆ Perform periodic inspections to determine unsafe conditions and recommend corrective action.
- ◆ Oversee all Loss Control Activities within each facility or department within the Municipality. This will include office areas and off premise services including vehicle operations.
- ◆ Act as the coordinator between management and outside agencies.
- ◆ Review accident and accident investigation reports made by the supervisors and check for compliance of any recommendations. Check for completions of the reports and forward them to the Safety Director.
- ◆ Establish and preside over a Safety Committee. The Safety Committee should be composed of a cross section of all personnel including the Safety Delegate and the Supervisor of each department.
- ◆ Conduct monthly or bi-monthly safety committee meetings to review all accidents and injuries since the last meeting; see that minutes are maintained of each meeting, with a copy forwarded to the Fund's Safety Director.
- ◆ Be the main contact with the Safety Director and accompany him during the periodic safety surveys. The value of a safety Survey lies in:
  - (a) Correction of unsafe physical conditions.
  - (b) Correction of unsafe practices.
  - (c) Improved housekeeping.
  - (d) Safety training of employees.
  - (e) Management's improved insights into working conditions.
  - (f) Preparedness to render first aid.
  - (g) Preparedness for firefighting.

## **Safety Rules And Regulations**

Because of the numerous departments in a municipality and because each is subjected to different and unrelated exposures, the safety rules and regulations established under the GSMJIF will be determined by each individual department. However, to insure uniformity, which is the key to our Loss Control Program, safety rules and regulations will be drafted by a committee of supervisors from each department of each municipality then merged into one single set of standards. The rules and regulations will be determined by the supervisors of the following departments:

1. Public Works Department (See Appendix A)
2. Water Department
3. Sewerage Department
4. Municipal Office Workers
5. Police Department



6. Fire Department
7. First Aid Squads
8. Beach Patrol
9. Parks and Grounds

The following are a few suggestions that should be incorporated into the Safety Rules and Regulations:

1. All incidents and accidents, regardless of severity, must be reported by the affected employee to their supervisor, and any other designated employee, immediately.
2. Any incident, regardless of severity, must be investigated and documented by the employee and immediate supervisor on the enclosed Incident Report form. This Incident Report will be reviewed at the next Safety Committee Meeting held after the date of the incident.
3. All work place hazards identified must be promptly addressed or communicated to management and other, appropriate employees.
4. Personal protective equipment furnished to employees must be worn or used in all designated areas.
5. Machine guards must not be removed except for repairs and the machine rendered inoperative until repaired.
6. All unsafe conditions and behaviors are to be reported immediately to the appropriate supervisor.
7. All hand tools, prior to and after use, must be inspected by the individual and any defects noted reported to Supervision immediately.
8. Employees are to be trained in all PEOSH required subject matters, and areas that require specialized skills, to ensure they are knowledgeable of the hazards associated with their job tasks, they are trained to prevent incidents or accidents, and know how to perform their job tasks safely.

NOTE: The above are basic safety rules. The Safety Delegate and/or the Department Supervisor can develop additional rules to apply to specific problems. However, in establishing the rules and regulations, it is suggested that they be coordinated by all municipalities having similar operational departments.

For example, the fire department officers should meet collectively to establish minimal rules and regulations that would be adhered to by all firefighters. All water department personnel should meet collectively to establish minimum safety rules and regulations that will apply to their department.

Some rules and regulations may apply only within a specific municipality. However, these will be beyond the minimum rules and regulations established for the program.

It must be stressed that all municipalities should adopt and enforce the safety rules applicable to the Public Employee Occupational Safety and Health Standards (PEOSH). Each Municipality must at least meet the minimum standards established by PEOSH and other Federal and State regulations, where applicable.

All hazardous chemicals must be labeled and identified. All unidentifiable container(s) should be reported immediately to the New Jersey Department of Environmental Protection at (609) 292-7172.

## **SAFETY WITHIN THE WORK AREA**

Most fatal accidents have occurred inside the work areas while employees are near moving vehicles and equipment. You must comply with the following instructions:

- ◆ Never stand behind or in front of vehicles and equipment that are in operation.
- ◆ Do not stand on running boards or other vehicle parts outside of the cab.
- ◆ Movement of vehicles or equipment inside the work area should have the supervisor's approval.
- ◆ **You are forbidden to back up a vehicle without conducting the circle of safety.** This requires the operator to walk a complete circuit of his/her vehicle, looking under the wheels as well as the front and rear of the vehicle, to observe potential hazards before backing up.

## **GENERAL SAFETY RULES & ENFORCEMENT PROCEDURES**

- ◆ It is the responsibility of Department Heads, Supervisors and Acting Supervisors to enforce all safety rules.
- ◆ Each employee shall be given a copy of the general safety rules and enforcement procedures by his or her supervisor and be made familiar with all other the policies and procedures applicable to his or her work situation contained in this manual.
- ◆ All supervisory personnel are required observe the rules set forth and enforce compliance with these policies and procedures by their employees.
- ◆ Each employee, whether elected, appointed, permanent, temporary, or seasonal is required and expected to follow all safety policies and procedures.
- ◆ Employees who violate a safety policy/procedure, or knowingly permit violation, are subject to immediate disciplinary.
- ◆ If there is a difference of opinion as to the interpretation or applicability of any safety policy/procedure, the appropriate Department Director will make the decision.
- ◆ Employees are required to immediately report any emergency or unsafe situation to their supervisor.
- ◆ It will be the responsibility of the Department Supervisor to see that all incidents and accidents, regardless of how minor including near misses, are investigated utilizing the Incident Investigation Form (See Exhibit 1), Confidential Report of Employee Injury or Vehicle Accident Form. (See Appendix B).
- ◆ If an employee feels unable to safely complete his/her assigned work duties, the employee must report this information to his/her immediate supervisor.

## **HOUSEKEEPING**

The purpose of good housekeeping is to establish and maintain clean, orderly working conditions to assure maximum safe use of the work area and to eliminate fire hazards. It is essential to good safety performance, and is an excellent indicator of the safety attitude of both you and your supervisor.

Spot checks will be performed by your supervisor to see that the Department's housekeeping standards are maintained. Superior work/housekeeping habits and a safety attitude will help protect you, other employees, and the public.

## **DISCIPLINE**

Effective discipline is necessary to assure the maintenance of orderly, safe and efficient operations. It is the responsibility of the immediate supervisor to inform the employee of his or her job duties, responsibilities, and appropriate standards of conduct. An employee whose behavior is unacceptable shall be subject to progressive discipline. Disciplinary actions will be fully documented and shall be in accordance with established Municipality, Departmental, Union Contract and Labor Relations practices. Circumstances that involve stealing, fighting, gambling, use/possession of alcohol or illegal drugs on Municipality time and property may warrant **immediate dismissal**.

For more information relating to progressive discipline, please refer to Human Resource, Administration or Labor Counsel.

## **HORSEPLAY**

Horseplay, such as scuffling, practical jokes, misuse of Municipal equipment, throwing objects at another person, putting lighted matches or cigarettes in or on another's clothing, wrestling, blowing air or steam toward another person, removing furniture as a fellow worker sits down, shooting rubber bands or paper clips, etc., are causes of many accidents. Such practices are prohibited and warrant disciplinary action.

## **SMOKING**

Employees will observe all "No Smoking" signs and facility no smoking rules. Smoking is not permitted in areas where flammable/combustible materials are used or stored. Designated smoking areas must be free of, and be at least 30 feet away from flammable/combustible materials. Appropriate receptacles for waste material must be provided in designated smoking areas. Matches, cigarette and cigar butts and pipe ashes shall be discarded into an appropriate receptacle and not be place in a receptacle while still burning.

## **MUNICIPALITY MOTOR VEHICLES AND EQUIPMENT**

The drivers of Municipal vehicles and equipment are expected not only to obey traffic rules and regulations, but also to help make the streets and highways safer by their carefulness and courtesy. All drivers must be properly licensed by the state in which they live, and must have the approval to operate any Municipality vehicle from their supervisor. Only in cases of emergency will other than regularly assigned employees be permitted to drive. **Any/all changes in license status (i.e. suspension, etc.) must be immediately reported to your supervisor. Driving personal vehicles on Municipal business must be approved and follow the Fleet Policy.** You must also remember:

- ◆ To prevent your feet from slipping off the brake or clutch pedal(s) while driving. Keep your footwear free of mud, grease or snow.
- ◆ **Do not** drive if you are ill or fatigued. You are responsible for any accident, which may occur because of these conditions.
- ◆ Before starting a vehicle, make sure that the wheels are unobstructed, particularly by children, pets or toys.
- ◆ Allow no more than two other employees in the front seat (excluding vehicles with only two front bucket seats).
- ◆ Make sure that passengers in both the front and back seats do not expose their arms or legs outside the body of the vehicle, and that the vehicle comes to a complete stop before passengers are permitted to mount or dismount.
- ◆ Wear seat belts, and instruct your passengers to use them where provided. This pertains to Municipal vehicles/equipment, as well as personal vehicles while engaged in Municipality business.
- ◆ Wear the necessary safety belts when working within the bed or body of any moving vehicle.
- ◆ Vehicles and mobile equipment shall not be left running while unattended.
- ◆ Only authorized, trained employees are permitted to operate mobile construction vehicles, such as cranes, forklifts and backhoes.
- ◆ Employees are responsible for inspecting their equipment for defects.
- ◆ Employees must conduct a pre-operational inspection to verify the vehicle's condition.

- ◆ The vehicle should be parked on as level a surface as possible with the parking brake set.
- ◆ Defective equipment must be tagged out and not used until the defects are corrected or the equipment is replaced.
- ◆ All persons driving fleet vehicles must have a valid driver's license. The appropriate Supervisor will verify that all persons requesting a municipal vehicle has a valid license. Administration or their appointee will verify that all employees driving other fleet vehicles have a valid license.

### **PREVENTIVE MAINTENANCE**

All drivers, through their supervisors, are responsible for ensuring that their vehicle/ equipment is in a safe operating condition. It is important to:

- ◆ Report defective equipment to your supervisor. Do not operate vehicles or equipment with makeshift repairs.
- ◆ Test your brakes periodically to ensure they are being ready for an emergency. Do not operate any vehicle with faulty brakes. Report this condition to your supervisor.
- ◆ Give special attention to your vehicle's windshield, windows, wipers, and lights. Make sure they are always clean and in good working order.
- ◆ It is the driver's/operator's responsibility to check and ensure **all** fluids meet specified operating levels.

It is the driver's/operator's and supervisor's responsibility to ensure that our programmed inspections, state inspections, upkeep and minor repair of vehicles/equipment are properly utilized to minimize unscheduled downtime.

### **VEHICLE ACCIDENT POLICY**

Each vehicle should carry a Vehicle Accident Report form to be filled out by the driver involved. The state or city report must be completed in any cases required by law. This vehicle accident report form must be completed for any accident involving a vehicle in service, which results in death, personal injury, or property damage, regardless of who was hurt, what property was damaged, or who was responsible. If an employee is injured, an employee injury form must also be completed.



## **THE DEFENSIVE DRIVING ATTITUDE**

Professional drivers have a bigger stake in driving defensively than anyone else. Lapses in attention and mistakes behind the wheel cannot only result in injuries or death, they can also affect your career.

Keep a four-second following distance on dry pavement when all other conditions are also good. Watch the rear bumper of the vehicle just ahead of you pass a stationary marker (a tar strip, sign post, phone pole, etc.) and count “one thousand one, one thousand two, one thousand three, one thousand four.” As you say “four,” your front bumper should reach that marker. If you reach it before you say “four,” reduce your speed by one or two miles per hour and check your distance again. When conditions are not good, increase your following distance to six seconds.

Don’t use controlled substances (i.e. alcoholic beverages, drugs, etc.). Also, keep in mind that other depressants, including most cold remedies, tranquilizers and sleeping pills, will affect your driving skills just as alcohol does. You must notify your supervisor if you are taking any medication at all as they may affect your ability to drive safely.

When you have a bad day, take a few deep breaths before you get behind the wheel and while you are driving. Be especially alert for potential hazards when you are under stress. Always remember that your driving style can be a reflection on our Department. Drive as though your name was on the side of your vehicle.

**For further information regarding vehicle safety and accident procedures, please refer to the Department’s “Vehicle Fleet Manual.”**

## **DRUG-FREE WORKPLACE**

The illegal use of drugs, whether on or off the job, may adversely affect an employee's job performance and jeopardize the safety of others, the public, and the reliability of the Department's operations and/or equipment. Therefore, cooperation of every employee is essential to maintain a drug-free working environment.

### **Our Drug-Free Workplace Policy Statement is as follows:**

prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance as listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812), whether on or off the job. Violations of such prohibitions on our premises or while conducting Municipal related business will result in the appropriate discipline, up to and including discharge of the employee involved.

1. Possession and use of alcohol and illegal drugs by an employee during work is prohibited.
2. Employees using prescription medications that could impair their ability to operate machinery, vehicles and other equipment must make their supervisor aware of the situation. This policy is for the safety of all employees.
3. An employee who is suspected to be under the influence of drugs or alcohol on the job, and poses a threat to themselves or other employees will not be permitted to continue their job duties and may be subject to immediate drug and/or alcohol testing.

## **REPORTING ACCIDENTS**

### **Reporting On-The-Job Accidents**

Employees must immediately report all injuries and/or property damage occurring on the job (regardless of how minor) to their supervisor, and complete and sign the required employee accident or property damage report forms. Failure to do so is in direct violation of the general safety rules and will warrant disciplinary action.

### **Reporting Off-The-Job Accidents**

Throughout the United States each year, more than 25,000 people are killed in home accidents and more than two million are killed or seriously injured in motor vehicle accidents. Statistics prove that an employee is five times safer on the job than he is off the job. This is true because of the lack of a well-organized effort to prevent "off-the-job" accidents.

Since off-the-job accidents are just as painful and disabling as those occurring at work, and often would involve loss of an employee's service and unnecessary costs, it is expected that each employee will take the safety precautions off-the-job as are required while working. Wherever you are, whatever you are doing...do it safely!

Any injuries or sickness of a severe nature off the job that may involve lost time or physical disability must also be reported. Full and correct information regarding the accident and injury will be given by the employee to the supervisor.

### **Why Should Injuries and Accidents Be Reported?**

Reporting accurate facts about accidents (no matter how minor the injury) will help to make sure that the injured employee receives the prompt medical attention needed. In addition, any reports of unsafe conditions will help assure that a potentially dangerous situation is avoided.

## **BASIC ACCIDENT TYPES**

The first and most common type is the "**struck-by**" accident. It is always a struck-by accident when an individual has been contacted unexpectedly by a moving object or substance. Being struck by a car, a hammer, a flying fragment, or a falling box are all examples of struck-by accidents.

A second basic type is the "**struck-against**" accident. This is always the case when an individual is in motion and encounters some object or substance. Contacting a hot pipe, a sharp blade, or a moving pulley belt would all be examples of struck-against accidents.

A third common type of accident is "**caught-between**," which is the "**caught-in, on, or between**" type of incident. All three are different, although it is common practice to think of them as one basic type.

An example of a caught-in accident is the case of an employee whose shoe caught in a floor grate and resulted in a sprained ankle. An example of a caught-on accident is the case of an employee whose clothing caught on a revolving machine part, resulting in a strained back while attempting to pull free. An example of a caught-between accident is the case of an employee whose finger was caught between meshing gears with the result being traumatic amputation of the finger.

There are, of course, other types of accidents, three of which should be mentioned because they are common:

**Fall From Above** - Many accidents involve falls from a higher level to a lower level. Falls from a ladder, platform, or catwalk are "falls from above" accidents. Also included in this category are cases of falling into excavations, floor openings, sumps, and so forth.

**Fall At Ground Level** - Many accidents involve a fall on the same level. This is usually the case when an individual slips or trips and falls to the floor. Poor housekeeping is a common cause of such accidents.

**Strain/Overexertion** - Many injuries are the result of excessive strain or overexertion. These are particularly common when one tries to do a two-man job

**Please refer to the Accident Reporting Packet for more information.**

**Any questions regarding reporting procedures can be directed to the Department's Safety or Workers' Compensation Coordinator.**

## **REPORTING UNSAFE CONDITIONS**

Employee observations can be extremely important to preventing accidents. Many times, an accident may result from a condition that employees were aware of, but did not report. If an employee notices an unsafe condition in his or her work area, that employee is required to report the information immediately to the supervisor. The attached form may be used for this purpose. Once the condition is reported, the supervisor must take the necessary corrective action. Supervisors should use the attached form to document the action taken.

### **Reporting Unsafe Conditions and Defective Equipment:**

1. Employees must immediately report unsafe conditions, defective equipment or any other situation they judge to be unsafe to their supervisor.
2. The supervisor will investigate these situations and take corrective action if necessary.
3. If the supervisor cannot complete the necessary corrective action unassisted, he or she must go through the proper channels to complete the corrective action.

**INCIDENT INVESTIGATION REPORT**

Date of Report:		
INDIVIDUAL(S) INJURED:		DATE OF ACCIDENT:
LOCATION OF ACCIDENT:	POLICE REPORT? <input type="checkbox"/> Yes <input type="checkbox"/> No	TIME OF ACCIDENT:
1. INDIVIDUAL INTERVIEWED:	DATE OF INTERVIEW:	TIME OF INTERVIEW:
INDIVIDUAL'S PRESENT DURING THE INVESTIGATIVE INTERVIEW:		
STATEMENT OF HOW ACCIDENT OCCURRED:		
WERE THERE ANY WITNESSES? IF YES, PROVIDE NAMES. <input type="checkbox"/> No <input type="checkbox"/> Yes:		
2. INDIVIDUAL INTERVIEWED:	DATE OF INTERVIEW:	TIME OF INTERVIEW:
INDIVIDUAL'S PRESENT DURING THE INVESTIGATIVE INTERVIEW:		
STATEMENT OF HOW ACCIDENT OCCURRED:		
WERE THERE ANY WITNESSES? IF YES, PROVIDE NAMES. <input type="checkbox"/> No <input type="checkbox"/> Yes:		
3. INDIVIDUAL INTERVIEWED:	DATE OF INTERVIEW:	TIME OF INTERVIEW:
INDIVIDUAL'S PRESENT DURING THE INVESTIGATIVE INTERVIEW:		
STATEMENT OF HOW ACCIDENT OCCURRED:		
WERE THERE ANY WITNESSES? IF YES, PROVIDE NAMES. <input type="checkbox"/> No <input type="checkbox"/> Yes:		
WHAT EVENTS/ACTIONS OCCURRED THAT CONTRIBUTED TO OR CAUSED THE INCIDENT: <input type="checkbox"/> EQUIPMENT <input type="checkbox"/> PROCEDURES & PRACTICES <input type="checkbox"/> ACTIONS OF PEOPLE EXPLAIN:		
CORRECTIVE ACTION TAKEN OR RECOMMENDED:		
INDIVIDUAL'S SIGNATURE/DATE:		
INTERVIEWER'S SIGNATURE/DATE:		
NOTES:		

Exhibit 1

## **Incident Investigation Best Practices**

### **Fact Finding**

1. Emphasis is placed on gathering facts, not placing blame or determining the cause of the accident.
2. Inspect the accident site before any changes to it occur.
3. Preserve essential and critical evidence.
4. Take photographs or make sketches of the accident scene.
5. Interview the injured party and witnesses as soon as possible after an accident. Record pre-accident conditions, the accident's sequence of events, and post-accident conditions.
6. Document the location of the injured party, witnesses, machinery, equipment, energy sources, and hazardous materials.
7. Ask who, what, when, where, why, and how during interviews.
8. Re-interview the injured party and witnesses to resolve any conflicting accounts.
9. Remain completely objective during interviews and in documentation.
10. Keep complete and accurate notes.

### **Interviews**

1. Obtain preliminary statements from injured party and witnesses as soon as possible.
2. Explain the purpose of the investigation (accident prevention) and put the witness at ease.
3. Let the witness speak freely and take notes without distracting the witness.
4. Record the exact words used by the witness to describe each observation.
5. Be sure that the witness understands each question.
6. Identify the witness completely (name, occupation, years of experience, phone number).
7. Supply each witness with a copy of his or her statement (signed statements are desirable).

### **Investigation Reporting**

1. Provide complete, thorough information about the accident.
2. Describe the accident. Document the sequence of events and identify the extent of the injury or property damage.
3. Identify hazardous conditions and/or unsafe work practices for each event of the accident.
4. Identify the root cause of each hazardous condition or unsafe work practice.
5. Provide short-term and long-term corrective actions that prevent or eliminate the identified hazardous conditions, unsafe work practices, and root causes.
6. Describe the corrective actions recommended, the persons accountable for each corrective action, and the approximate timeframe for completion of each corrective action.

### **Corrective Actions**

1. Recommend immediate corrective actions to eliminate or reduce hazardous conditions and/or unsafe work practices.
2. Recommend long-term corrective actions that correct policies, programs, plans, processes, and/or procedures.
3. Recommend engineering controls, administrative controls, or personal protective equipment.
4. Estimate the cost to implement each immediate and long-term corrective action.
5. Develop an action plan for each corrective action.
6. Monitor implementation of the action plan to ensure appropriate corrective action is taken.

**MUNICIPALITY**  
**EMPLOYEE REPORT OF UNSAFE CONDITION**

**Name:** \_\_\_\_\_ **Phone:** \_

**Department:** \_\_\_\_\_ **Division:**

**Date:** \_\_\_\_\_

**Briefly Describe Condition:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Specific  
Location:**

\_\_\_\_\_

----- ~~Action Taken~~ -----  
(Completed by Supervisor)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

**Cc: Municipality Safety Coordinator**



## **EMPLOYEE SAFETY SUGGESTION PROGRAM**

Employees can participate in our safety and health program through our Safety Suggestion Program. Attachment one is the form that employees should complete (anonymously if preferred) and return to their supervisors. Safety Suggestion boxes are stationed at each of our locations for this purpose. Supervisors are required to review these forms on a weekly basis and provide feedback as to why or why not a suggestion can be implemented.

Employees may also contact a member of our Safety Committee to submit a safety suggestion. These suggestions are reviewed during the safety committee meetings. After reviewing these suggestions, the committee will submit a recommendation to management and provide feedback to employees.

**MUNICIPALITY EMPLOYEE SAFETY SUGGESTION FORM**

**Name:** \_\_\_\_\_ (optional)

**Date:**      \_\_\_\_/\_\_\_\_/\_\_\_\_

**Department:**

**Division:**

**Phone:** \_\_\_\_\_ (optional)

**Briefly Describe Your Suggestion and the Location:**

---

---

---

---

---

---

---

### **III. Safety & Health Training & Employee Orientation**

#### **SAFETY TRAINING**

When an employee does a job, his activities involve him directly with objects which surround him and make up his environment. The job may require him to use tools or to operate equipment. He may have to handle materials or operate a machine. Even when he does not deal with the environment in such direct ways as these, he always has a close physical relationship to what is around him. It is therefore very important that every employee understand the hazards inherent within his working environment and the safe job procedures that will help him avoid these hazards.

#### **Primary data and subject matter will include the teaching of:**

**Hazards:** Each employee must understand and be informed about the hazards inherent in the working procedures and in the physical environment. The worker must be reminded continually of these hazards so that he/she is easily able to identify and "red flag" any and all hazardous situations.

**Safety Rules and Regulations:** The employee must know the safety rules and regulations appropriate to the work that is being performed, and be trained to work safely. Compliance is necessary for protection against the hazards. Therefore, rules are made.

**Recent Accidents:** Each employee must also be kept informed of recent accidents relating to his/her work. This serves to strengthen hazard awareness and to motivate safety know-how.

In addition to these areas, anything that directly or indirectly helps prevent injury, harm, or creates costs is proper subject matter for training.

#### **Who is responsible for safety training?**

Safety training is the primary responsibility of the supervisor. The supervisor knows the jobs, the hazards involved, the safety rules and regulations applicable to the work being performed, and the employees who are doing the work.

Safety Training support and resources will be provided by the Safety Director based on job hazard analysis, exposure and accident experience. Training will include films, slides, and other visual aids as required to fully explain the hazards associated with a job and potential personal injuries.

GSMJIF Safety Videos, live training, and on-line training modules are available free of charge through the Safety Director's Office. Call your designated Risk Control Representative or email [vault@nipgroup.com](mailto:vault@nipgroup.com) to obtain these training tools.

### **Department Supervisor's Safety Training**

The "key" person in the implementation of any Safety Program is the Department Supervisor. The Supervisor is responsible for the actions and operations of the employees that he or she is managing. A basic outline of the Department Supervisor's Safety Training Program is as follows:

1. Basic Safety Principle.
2. Developing safe working conditions.
3. Personalized Safety Training.
4. Employee participation in safety.
5. Safety rules and measuring safety performance.
6. Specialized training.
7. Defensive Driving.

The Training Program for Supervisors will be provided by the Safety Director upon request.

### **Who will be trained?**

It is important that every employee receives training in safe job procedures that are essential to the work he/she will be performing. This includes the new or inexperienced worker, as well as the more experienced worker.

**Inexperienced workers** are those who have moved into positions and have not had enough time on the job to learn how to work safely. These individuals are usually unfamiliar with the operations, and not experienced in safe operating procedures or the use of protective safety equipment. Included are situations where an individual has been in a position for an extended period, but one of his job requirements is done only once in several months, or once a year or longer. A worker who has not taken part in such jobs can be said to be inexperienced, no matter how long he/she has been in the position. As a rule, the inexperienced worker is one who has had little time performing all of the responsibilities of the position.

The **more experienced worker** also needs training. This is because several situations could possibly turn into problems. There could be a tendency to become lax, take shortcuts in work operations, or neglect to use protective safety equipment because of that "safe" feeling brought about by familiarity.

Other examples might include distraction or inattention when an individual is thinking about off-the-job matters, family affairs, money problems, leisure activities, and so on. In these cases, the worker's mind is not on his job. Our challenge in these situations is to move all employees closer toward the idea of 100 percent safety consciousness, because it is in that direction we all must move if accident prevention is to be successful. Continuous safety training, combined with your cooperation, will help us accomplish this key objective.

## **PROPER JOB INSTRUCTION**

Your supervisor (or designated representative) will implement the following guidelines when giving you proper job instructions. He/she will:

- ◆ Explain the importance of doing the task properly, giving step-by-step instruction on how to perform the task and inform you of the personal protective equipment that must be worn.
- ◆ Show you the proper procedures and answer any questions you may have.
- ◆ Let you perform the task, while watching carefully to correct any procedure done incorrectly.
- ◆ Check back with you from time to time to see if the job is being done properly, and if you have any questions.

Your supervisor will follow up because it is an excellent opportunity to correct any safety problems before an accident happens.

## **SAFETY MEETINGS**

Supervisors must conduct a minimum of two (2) "on the job" or "toolbox" safety meeting per month. A knowledgeable Supervisor may be utilized as the safety facilitator on an occasional basis. All employees assigned to work at this designated work site must attend. An outlined report containing subject matter, signature of attendees, date, time, and location of meeting shall be maintained and documented on a pertinent work order. A copy should be filed at the administration office and a copy provided to the Department's Safety Coordinator.

(The average length of a "toolbox" meeting is 5 to 10 minutes in duration. The subject matter for this meeting is provided by the Safety Coordinator based on current safety needs.)

In addition, Safety Committee Meetings with representatives from every department will be held on a monthly or bi-monthly basis, depending on need.

## **SAFETY COMMITTEE MISSION AND GOALS**

Committee Mission Statement: The Executive Safety Committee will embrace the mission of controlling injuries and accidents involving (Town) employees, citizens, visitors and City equipment, which may cause adverse financial impact.

To promote this mission the Committee will strive to accomplish the following goals:

- Evaluate administrative policies and procedures which may adversely affect the health and safety of employees or City residents and guests; make written recommendations to City Administration for change or adoption of new policies or procedures.
- Review reports of accidents, injuries, and incidents and employee or public safety and health complaints that relate to safety. Recommend to City Management steps to eliminate, minimize or control factors contributing to loss. Assign corrective action where authorized.
- Review each department's records to insure accident investigations are accomplished and follow up steps are taken, when applicable, to limit the possibility of an accident recurring.
- Develop and maintain a Safety Handbook for use by all City employees.
- Assist in providing information and training to Department Heads regarding safety and Health concerns.
- Identify employee safety related training needs and make recommendations to City Management concerning employee training.
- Assist in the development of safety training programs for specific areas/work hazards.
- Provide resources to City Departments and Divisions to assist with safety training.
- Develop safety awareness programs.
- Establish Citywide safety policies assuring uniformity among all Departments.
- Establish Citywide policy and procedure for handling injuries and accidents, including accident reporting and follow-through.
- Establish policy and procedure for identifying preventable and non-preventable injuries and accidents and making final determination on safety awards. Evaluate employee appeals for safety awards.
- Standardize safety, accident, and injury forms for all City Departments.
- Develop a recognition program for safe, accident-free work sites and employees.
- Maintain confidentiality regarding information relating to investigation of injuries and accidents.

## **THE SAFETY COMMITTEE**

Municipal safety committees play an important role in determining if a joint insurance fund is successful. With the full support of the township administrator/manager, a safety committee can be effective in developing, implementing, and monitoring the safety management program.

### **PURPOSE**

The purpose of a safety committee is to create a strong awareness of safety and to reduce or eliminate workplace accidents, injuries, and illnesses. As a committee they should be doing the following:

- Meet regularly to plan the safety program and to make decisions regarding its objectives.
- Identify problems and suggest solutions.
- Help communicate safe work practices to co-workers.
- Review accidents that have happened, discover why they occurred, and recommend corrective measures so that they won't happen again.
- Analyze accident trends to evaluate the performance of the safety program and identify areas for improvement.
- Review work areas and specific jobs to identify items that could cause injury or damage.
- Review employee suggestions for workplace or job procedure improvements.
- Help plan and contribute to safety education training programs that promote safety awareness among employees.
- Communicate safety information to other employees so they can help prevent recurrences.
- Ensure that the company follows federal, state, and local regulations and industry standards regarding health and safety.

### **SAFETY COMMITTEE JOB DESCRIPTIONS**

#### ***Chairperson ( i.e. Township Administrator / Manager)***

Arrange meeting place; schedule the meetings and notify members; set the agenda; make assignments; review minutes and materials; and conduct meeting in a timely and efficient way.

#### ***Secretary ( i.e. Assistant to the Mayor or Township Administrator/ Manager)***

Prepare and distribute minutes, report on the status of recommendations.



***Members (i.e. Safety Coordinator, Department Heads, Supervisors, and “Key” personnel)***

In addition to all items listed above the members should gather ideas and suggestions for improvements from other employees; work safely and influence others to follow safe practices; conduct organized inspections and provide written reports on unsafe methods and procedures.

**SAMPLE AGENDA**

Safety and Health Committee Meeting  
Order of Business

- Call to order [*promptly, on time*]
- Sign-in for all attendees
- Introduction of any visitors
- Minutes of previous meeting presented by the Secretary
- Incident Review
  - Discussion and Corrective Action Plan based on accidents that have occurred since the last meeting
- Reports of Department Heads
- Review of Departmental Self-Inspections
- Sub-committee reports
  - Reports and discussion of programs and/or projects (e.g. incident investigations)
- Education and Training
  - Discussion of training activities since the last meeting
  - Provide speaker on safety or related health topic
- Old Business – open action items
- Other (e.g. – Road sign, walkway update, and SFI progress update)
- New Business
  - Action on recommendations raised by studies, reports
  - Action on complaints of OSHA violations
- Meeting critique
- Adjourn

**MUNICIPALITY**  
**SAFETY MEETINGS SIGN-IN SHEET**

All Municipal employees are required to participate in scheduled safety meetings as directed. The sign in sheet below will verify attendance. *The sign-in sheet is to be kept on file with a copy to the Municipality Safety Officer and the Department's Safety Coordinator.*

<b>DATE</b> ____/____/____		<b>SUPERVISOR:</b>	
<b>EMPLOYEES IN ATTENDANCE WERE:</b>			
1.		16.	
2.		17.	
3.		18.	
4.		19.	
5.		20.	
6.		21.	
7.		22.	
8.		23.	
9.		24.	
10.		25.	
11.		26.	
12.		27.	
13.		28.	
14.		29.	
15.		30.	

**Supervisor Signature:** \_\_\_\_\_ **Department:** \_\_\_\_\_

**The following topics were discussed:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**MUNICIPALITY**  
**SAFETY ORIENTATION CHECKLIST FOR NEW EMPLOYEE**

Employee Name \_\_\_\_\_

Supervisor \_\_\_\_\_

Department/Division \_\_\_\_\_

Job Title \_\_\_\_\_

Date Hired \_\_\_\_\_

Subjects to be reviewed with employee.

**General Subjects** (*Applies to all new employees including temporary and seasonal*):

1. Safety and Health Policy Statement
2. General Safety Rules and Enforcement Procedures
3. Safety Suggestions
4. Reporting Unsafe Conditions
5. Substance Abuse Awareness
6. Emergency Action Plan (fire, medical, weather and threats to personnel)
7. Work-Related Accident Reporting Procedures
8. Vehicle Accident Policy
9. Lifting Techniques

**Maintenance Employees:**

1. Safe Operation of Vehicles
2. Housekeeping
3. Material Handling and Storage
4. Personal Protective Equipment
5. Hand Tools and Power Tools
6. Ladders
7. Machine Guarding
8. Power Lines
9. Hazardous Chemicals and Materials
10. Compressed Gases
11. Flammable Liquids
12. Welding and Cutting
13. Digging and Excavations
14. Traffic Safety
15. Winter Operations
16. Confined Spaces
17. Lockout Tagout
18. Electrical Safety

**Job Specific Items:**

1. Job Specific Hazards
2. Job Specific Safety Precautions and Rules
3. Required PPE

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

**Please forward Copy to Human Resources to be placed in Personnel File.**

## IV. Identifying & Controlling Hazards

### **METHODS TO IDENTIFY AND CONTROL HAZARDS**

Each Municipal facility must have workplace analysis methods in place to identify and control hazards in their facilities. These methods include safety and health audits for unsafe conditions and unsafe behaviors and job safety analysis.

The purpose of workplace analysis is to recognize existing and potential hazards, identify employees at risk, and to establish control measures. Workplace analysis is a continuous process to recognize, identify, and control workplace hazards. The frequency of analysis activities depends on our specific divisions and the nature of occupational hazards present in each work environment.

#### **Types of Audits:**

1. Scheduled Inspections – Are required at regular intervals. Certain types of equipment, such as elevators, boilers, cranes and fire extinguishers are required by law to be inspected at certain intervals.
2. Intermittent Inspections – Are made at irregular intervals. These inspections include unannounced inspections of a department, equipment or small work area.
3. Monitoring Inspections - Involve critical operations or equipment that must be surveyed constantly.
4. Special Inspections – Necessary when new equipment is installed or a new process is set up.
5. Work Procedures or Practices – Continuous observation of tasks to ensure they are done in the safest manner possible. A major weakness in most safety programs is the lack of observation of unsafe work practices.

Scheduled site safety and health audits are required to be conducted by Supervisors on a quarterly basis, using the Hazardous Condition Inspection Form so that new or unrecognized hazards can be identified. These inspections are in addition to any special inspections specific to your equipment that is required during a shorter time frame.

An inspection should always begin with a discussion with managerial staff, supervisor, employees, and possibly union representatives. During the discussion, the person leading the inspection should explain the purpose of the inspection. Departmental representatives should be able to explain relative processes as well as staff safety and health concerns. This discussion may indicate problems that would not be detected by a visual inspection alone.

The walkthrough is done by walking through the worksite and noting as many hazards as possible. The people conducting the walkthrough should observe work processes, methods, engineering controls and personal protective equipment used.

During the walkthrough, it is useful to speak to employees and staff in the area and ask questions. Some helpful examples of questions to ask include:

- ◆ Have safety or health problems been commonly noticed among employees?
- ◆ Do any hazards exist that are not on the checklist?
- ◆ Do the employees have questions about safety and health?
- ◆ Are there any additional safety and health concerns or suggestions?

### **Inspecting for Unsafe Conditions:**

A good inspection depends on knowing where to look and what to look for. The following list of hazardous conditions should be used as a guide - Pinch-points, flying objects, falling objects, electricity, compressed gases, heavy objects, chemicals and flammables, heat/cold, radiation, sharp and pointed objects, slippery surfaces, trip and fall hazards. Attachment's 1 and 2 are inspection checklist that can be used for conducting an inspection. These checklists must be tailored to your work area.

### **Inspecting for Unsafe Work Practices:**

The following checklist of questions should be used to identify unsafe behaviors:

- ◆ Do employees operate machinery or use tools and equipment without authority?
- ◆ Have guards been removed or have safety devices been rendered ineffective?
- ◆ Do people use defective tools or equipment instead of marking it out of service?
- ◆ Do they overload objects during material handling tasks?
- ◆ Do people stand or work under suspended loads or get off equipment while it is moving?
- ◆ Do they repair or adjust equipment while it is in motion, under pressure, or electrically charged?
- ◆ Do they fail to use personal protective equipment or safety devices?
- ◆ Is housekeeping poor or are conditions unsanitary?
- ◆ Does anything distract or startle workers?

### **How to Conduct an Inspection:**

- ◆ Observe all conditions for compliance with checklist.
- ◆ Observe all operations for unsafe acts or violations of safety rules.
- ◆ Take notes when unsafe practices are observed.
- ◆ Follow up with a written report.

- ◆ Establish a procedure for handling and following up on recommendations.

**Corrective Action:**

If a hazard is identified and corrective action is not promptly taken, the possibility of an accident exists. In those cases where a serious hazard has been identified, make sure that dangerous equipment is taken out of service and dangerous areas are roped off.

**Outside Contractor Inspections:**

A review of contractor's responsibilities, prior to the beginning of the work, should be part of your regular operations. Any outside contractor performing any job function within any municipality will be required to comply with and meet all Municipal, State and Federal safety standards. When required, they will provide safety barricades and/or personnel to warn the public of hazardous conditions. The General Contractor should be responsible for checking the job site for proper and safe operations and advise the appropriate authority of any noted unsafe action or condition.

## **DEPARTMENT SELF- INSPECTION CHECKLIST**

---

### **Work Place**

1. Are all electrical cords strung so they do not hang on pipes, nails, hooks, etc?  
☐OK  
☐Action Needed
2. Is there no evidence of fraying on any electrical cords?  
☐OK  
☐Action Needed
3. Are rubber cords kept free of grease, oil and chemicals?  
☐OK  
☐Action Needed
4. Are all portable electric tools and appliance grounded to double insulated?  
☐OK  
☐Action Needed
5. Are all ground connections clean and tight?  
☐OK  
☐Action Needed
6. Are all fuses and circuit breakers the right type and size for the load on each circuit?  
☐OK  
☐Action Needed
7. Do switches show evidence of overheating?  
☐OK  
☐Action Needed
8. Are switches mounted in clean, tightly closed metal boxes?  
☐OK  
☐Action Needed
9. Are all electrical switches marked to show their purpose?  
☐OK  
☐Action Needed
10. Are motors clean and kept free of excessive grease and oil?  
☐OK  
☐Action Needed
11. Are motors properly maintained and provided with adequate over-current protection?  
☐OK  
☐Action Needed
12. Are portable lights equipped with proper guards?  
☐OK  
☐Action Needed



13. Are all lamps kept free of combustible material?

☐OK

☐Action Needed

### **Exits and Access**

1. Are all exits visible and unobstructed?

☐OK

☐Action Needed

2. Are all exits marked with a readily visible sign that is properly illuminated?

☐OK

☐Action Needed

3. Are there sufficient exits to ensure prompt escape in case of an emergency?

☐OK

☐Action Needed

4. Do you take special precautions to protect employees during construction and repair operations?

☐OK

☐Action Needed

### **Fire Protection**

1. Are portable fire extinguishers provided in adequate number and type?

☐OK

☐Action Needed

2. Are fire extinguishers inspected monthly for general condition and operability and noted on the inspection tag?

☐OK

☐Action Needed

3. Are fire extinguishers recharged regularly and properly noted on the inspection tag?

☐OK

☐Action Needed

4. Are fire extinguishers mounted in readily accessible locations?

☐OK

☐Action Needed

5. Is the fire alarm system tested at least annually?

☐OK

☐Action Needed

6. Are employees periodically instructed in the use of extinguishers and fire protection procedures?

☐OK

☐Action Needed

7. Is your local fire department well acquainted with the facility, location and specific hazards?

☐OK

☐Action Needed

## Housekeeping and General Work Environment

1. Is smoking permitted in designated “safe areas” only?
  - ☐ OK
  - ☐ Action Needed
2. Are NO SMOKING signs prominently posted in areas containing combustibles and flammables?
  - ☐ OK
  - ☐ Action Needed
3. Are covered metal waste cans used only for oily and paint soaked waste?
  - ☐ OK
  - ☐ Action Needed
4. Are waste receptacles provided, and are they emptied regularly?
  - ☐ OK
  - ☐ Action Needed
5. Do the toilet facilities meet the requirements of applicable sanitary codes?
  - ☐ OK
  - ☐ Action Needed
6. Are all areas adequately illuminated?
  - ☐ OK
  - ☐ Action Needed
7. Are floor load capacities posted in second floors and storage areas?
  - ☐ OK
  - ☐ Action Needed
8. Are floor openings provided with toe boards and railings or a floor hole cover
  - ☐ OK
  - ☐ Action Needed
9. Are portable ladders (wood or metal) adequate for their purpose, in good condition and provided with secure footing?
  - ☐ OK
  - ☐ Action Needed

## **Machines and Equipment**

1. Are all machines or operations that expose operators or other employees to rotating parts, pinch points, flying chips, particles or sparks adequately guarded?

☐OK

☐Action Needed

2. Are mechanical power transmission belts and pinch points guarded?

☐OK

☐Action Needed

3. Are hand tools and other equipment regularly inspected for safe condition?

☐OK

☐Action Needed

4. Is compressed air used for cleaning reduced to less than 30 psi?

☐OK

☐Action Needed

5. Are grinding wheel tool rests set to within 1/8 inch or less of the wheel?

☐OK

☐Action Needed

6. Are safety valves tested regularly and frequently?

☐OK

☐Action Needed

## **Materials**

1. Are approved safety cans or other acceptable containers used for handling and dispensing flammable liquids?

☐OK

☐Action Needed

2. Are all flammable liquids that are kept inside buildings stored in proper storage containers or cabinets?

☐OK

☐Action Needed

3. Do you have an enforced NO SMOKING rule in areas for storage and use of hazardous materials?

☐OK

☐Action Needed

4. Are only trained personnel allowed to operate forklift trucks?

☐OK

☐Action Needed

5. Have appropriate control procedures such as ventilation systems, enclosed operations, safe handling practices, and proper personal protective equipment been instituted for toxic materials?

☐OK

☐Action Needed

### **Employee Protection**

1. Are your first-aid supplies adequate for the type of potential injuries in the facility?  
☐ OK  
☐ Action Needed
2. Are there quick water eye flush facilities available where employees are exposed to corrosive materials?  
☐ OK  
☐ Action Needed
3. Are protective goggles or glasses provided and worn where there is any danger of flying particles or splashing of corrosive material?  
☐ OK  
☐ Action Needed
4. Are approved respirators provided for regular or emergency use?  
☐ OK  
☐ Action Needed
5. Is all protective equipment maintained in a sanitary condition and readily available for use?  
☐ OK  
☐ Action Needed
6. When lunches are eaten on the premises, are they eaten in areas where there is no exposure to toxic materials, and not in toilet facility areas?  
☐ OK  
☐ Action Needed

### Summary of actions needed to correct hazardous conditions

This image shows a full page of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## **HAZARD CONTROL METHODS**

Once hazards are identified, they must be controlled and or eliminated using hazard controls. Exposure to hazards should be prevented or controlled by using engineering controls wherever feasible and appropriate. When engineering controls are not feasible or appropriate, administrative controls, work practice controls and personal protective equipment must be used

When new equipment or products are purchased, where safety and health issues are involved, the Purchasing division should also consult with the safety officer to review applicable safety requirements and potential safety problems that could arise from a new process or piece of equipment.

The Municipality strives to work with Supervisors and Employees to provide appropriate equipment so the assigned tasks can be completed in the safest manner possible. In-put and suggestions are welcome from all employees.

### **Engineering Controls**

Engineering controls, if feasible, should be the first consideration for injury prevention. The purpose of an engineering control is to eliminate and or reduce hazards through job re-design. Many engineering controls increase productivity in addition to making the job easier. A few common examples of engineering controls include:

- ◆ Ventilation systems to eliminate or reduce atmospheric hazards.
- ◆ Machine guarding to prevent contact with dangerous machine parts.
- ◆ Ergonomic design controls to eliminate bending and lifting from repetitive job tasks.
- ◆ Material handling equipment to eliminate manual handling of awkward or heavy materials.
- ◆ Covering loud equipment with sound dampening material to reduce noise levels at the source.

**Administrative Controls:**

Administrative controls are management-dictated policies to reduce exposures to hazards. Administrative controls are the second line of defense against hazards. Common examples of administrative controls include:

- ◆ Scheduling more frequent, shorter rest breaks for repetitive tasks.
- ◆ Rotating workers more frequently through physically tiring jobs.
- ◆ Broadening or varying work tasks to offset ergonomic risk factors.
- ◆ Rotating workers more frequently to reduce exposure time to noise.

**Work Practice Controls:**

Work practice controls reduce the likelihood of exposure to occupational hazards by altering the way a task is performed. Examples of work practice controls are hand washing immediately after wearing latex gloves or handling chemicals. Each department must have written work practice controls specific to the job tasks performed by employees.

**Personal Protective Equipment:**

Management enforcement and training on proper use of Personal Protective Equipment (PPE) is extremely important. Examples of PPE include safety glasses, face shields or masks, aprons or gowns, gloves and rubber boots. When selecting PPE, ANSI standards are used as acceptable performance guidelines.

Personal protective equipment must be provided in the appropriate size and fit. Employees in the Department are responsible to make sure that the equipment is properly maintained, repaired, cleaned and replaced. Personal Protective Equipment is discussed in greater detail later in this manual.

## **V. Fire Prevention & Fire Safety**

### **FIRE PREVENTION**

Fires can start easily and spread quickly, causing damage and possibly loss of life. By following a few simple rules, fire can be **prevented**.

You must obey all rules, regulations, and signs for fire safety. Signs restricting smoking, open flames, and other sources of ignition and those controlling storage, handling and use of flammable liquids are displayed for your protection and that of the workers around you.

All flammable liquids must be contained in approved containers. These containers should be NFPA approved and have automatically closing nozzles. To keep fuel from combining with oxygen and heat, keep covers on flammable liquid containers, especially gasoline and alcohol. To keep heat from combining with fuel and oxygen, be sure no source of ignition is near exposed flammable liquids. Sources of ignition include, but are not limited to: cigarettes, torch flames, welding sparks, static electricity sparks, heat lamps or any other equipment that produces high temperature.

All containers must always be labeled with the proper contents. At no time shall flammable or combustible liquids be allowed to be transferred, stored, or used out of any type of glass container. **NO EXCEPTIONS!**

#### **Fire Prevention Tips**

- ◆ Always dispose of cigarette butts and matches properly. Do not use ashtrays as waste cans and do not use waste cans as ashtrays.
- ◆ Never smoke in restricted areas or near combustible materials.
- ◆ Store oily rags in closed airtight containers. Remember oily rags or rags with combustible solvents on them can easily release gases and spontaneously combust.
- ◆ Remove and clean up spills immediately.
- ◆ Immediately report any faulty electrical equipment to your supervisor. Faulty equipment could short out and cause a fire.
- ◆ Always ground all flammable materials to prevent the possibility of static electricity buildup, which could spark and lead to an explosion.
- ◆ Know the locations and proper use of fire extinguishers. Always keep access to fire extinguishers open and clear of obstructions.
- ◆ Never use a flammable liquid to clean your hands or clothing. **GOOD HOUSEKEEPING** will prevent the accumulation of material which often constitutes a serious fire hazard. Keep your work areas and buildings neat and unobstructed.



Flammable materials are used in many applications throughout the Municipality. All employees are required to utilize the safe work practices explained below to prevent fires. Departments with operations creating significant fire hazards must have a training program in place, so employees understand the hazards of flammables and how to control them.

### **Common Causes of Fires:**

The most common cause of fires in the workplace is electrical. This includes faulty electrical wiring as well as misuse of electrical equipment. Other causes of workplace fires include lack of hot work procedures, improper disposal of cigarettes and improper handling and storage of flammables and fuels.

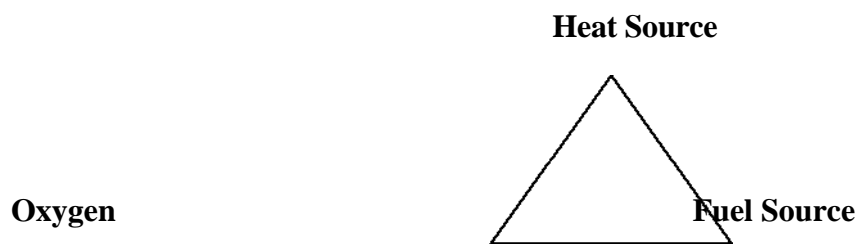
### **What is a Flammable?**

A flammable is anything that ignites easily and burns quickly. Flammables such as gasoline, oil, coal and wood are also referred to as fuels because they support combustion by supplying heat. Flammables can be solids, liquids or gases. Other examples of flammables include:

- ◆ Paper
- ◆ Acetone
- ◆ Paint
- ◆ Plastic
- ◆ Propane
- ◆ Acetylene
- ◆ Methyl ethyl ketone
- ◆ Paint thinner
- ◆ Varnish

### **Fire Triad:**

For a fire to start, three things must be present. This equation is referred to as the Fire Triad:



If these three components do not exist together, a fire cannot start. Most materials need an outside heat source for a fire to start. However, some materials will “spontaneously combust”. This means that when a chemical is mixed with certain materials, heat is produced creating a fire hazard. It is important to read labels and material safety data sheets to know what materials are incompatible with certain substances and if spontaneous combustion could occur.

**Housekeeping:**

Proper housekeeping is extremely important in preventing fires. Many combustible materials such as wood, paper and gasoline will fuel and fire and make it worse. Proper housekeeping procedures must be followed to control the build-up of combustible materials. Gasoline, oil and grease spills must be cleaned up immediately. Combustible storage areas cannot block fire exits and paths of egress. If a facility is protected with a sprinkler system, materials cannot be stored within 18 inches of the sprinkler heads. This will inhibit the ability of a sprinkler system to control a fire.

**Fire Prevention in Office Areas:**

In open office environments, smoke from office fires is not contained or isolated as effectively as in less open designs. Open office designs allow smoke to spread quickly and the incorporation of many synthetic and other combustible material in office fixtures (such as furniture, rugs, drapes, plastic wastebaskets, and vinyl covered walls) often makes "smoky" fires. In addition to being smoky, many synthetic materials can emit toxic materials during a fire. For example, cyanide can be emitted from urethane, which is commonly used in upholstery stuffing. Most burning materials can emit carbon monoxide. Inhalation of these toxic materials can severely hamper an office worker's chances of getting out of a fire in time. This makes it imperative for office workers to recognize the signal to evacuate their work area and know how to exit in an expedient manner.

All employees who work in office environments must observe the following safe work practices for fire prevention:

- ◆ Heat-producing equipment - copiers, coffee makers and hot plates are often overlooked as a potential fire hazard. Keep them away from anything that might burn.
- ◆ Electrical malfunctions and misuse are the number one cause of fires in the workplace. Electrical appliances can also be fire hazards. Be sure to turn off all appliances at the end of the day. Use only grounded appliances plugged into grounded outlets (three-prong plug).
- ◆ If an electrical appliance malfunctions or gives off a strange odor, disconnect it and call the appropriate maintenance personnel. Promptly disconnect and replace cracked, frayed, or broken electrical cords.
- ◆ Keep extension cords clear of doorways and other areas where they can be stepped on or chafed and never plug one extension cord into another.
- ◆ Do not allow combustible material (boxes, paper, etc.) to build up in inappropriate storage locations (near sources of ignition).

### **Fire Prevention in Maintenance Areas:**

Due to the nature of work performed in industrial environments, there are many different types of fire hazards. Employees working in maintenance areas must be well aware of the fire hazards associated with their job tasks, in order to prevent fires.

- ◆ Keep motors and machine tools free of dust and grease.
- ◆ Don't let transmissions shafts or bearings overheat
- ◆ Dispose of combustible scrap such as oily rags in tight metal containers and empty them daily.
- ◆ Welding and cutting operations must be conducted in designated areas.
- ◆ Check chemical labels and Material Safety Data Sheets to make sure you do not store incompatible substances together.
- ◆ Keep designated aisles and fire doors clear.
- ◆ Don't store oxygen cylinders near combustible materials or other flammable liquids.

## **FIRE AND EXPLOSIVE HAZARDS**

Please remember **NEVER**

- ◆ Smoke while refueling or handling fuel containers. Always shut off engine and any electrical equipment when fueling. When the fuel tank is directly above the engine, let the engine cool before opening gas cap and refueling. Ground funnel or fuel nozzle against filler neck to avoid sparks when refueling.
- ◆ Use gasoline or diesel fuel for cleaning parts. Always use a non-flammable solvent. Discard greasy or oily rags in a closed metal container.
- ◆ Smoke near a battery, or check electrolyte level with a match. Hydrogen gas from the battery may explode and cause severe injury.
- ◆ Place a metal object across battery terminals. Serious burns and explosion may result.

## **WORKING WITH FLAMMABLES AND FUELS**

Flammables and fuels are widely used in Municipal facilities. Employees must learn about the specific properties of the flammables they work with and how to control hazards.

### **Definitions:**

#### **1. Flammable Liquid Vapors:**

The flammable liquid itself will not burn. However, the vapors will. Sometimes, these vapors cannot be seen or smelled. Flammable liquid vapors gather around the surface of the liquid, and are usually released from heat. When flammable liquid vapors escape they tend to sink low to the ground since they are usually heavier than air.

#### **2. Flash Back:**

Flash back will occur when vapors spread across a room and find an ignition source. The fire will follow the trail of the vapor back to the flammable liquid source, or “flash back”.

#### **3. Flash Point:**

The flash point is the minimum temperature at which an ignitable mixture of air and vapor is produced. When this temperature is reached, vapors will ignite if any source of heat is present. If enough oxygen is present, a serious fire will occur. Flammable liquids have flash points below 100 degrees Fahrenheit. This means that flammable liquid vapors can ignite under typical atmospheric conditions. The lower the flash point, the more dangerous the liquid becomes. Combustible liquids have flash points at or above 100 degrees Fahrenheit. This means that combustible liquid vapors must be heated to ignite. Therefore, combustible liquids are not as hazardous as flammable liquids. However, both flammables and combustibles will burn readily and can be explosive.

#### **4. Autoignition Temperature:**

This is the minimum temperature at which a flammable vapor or gas will spontaneously ignite without a spark or flame. Autoignition is usually only a hazard when containers of flammable liquids are exposed to extremely high temperatures during a fire.

#### **5. Lower and Upper Flammable Limits:**

The lower flammable limit (LFL) is the leanest mix of vapor and air that will support combustion. The upper flammable limit (UFL) is the richest mix of vapor and air that will support combustion. Any concentration in between these two values is within the flammable range and will burn. Lower and upper flammable limits differ for specific flammable liquids and gases. This information is found on the Safety Data Sheet.

Flammables may be poisonous or may release toxic vapors when burning. Pressure buildup inside containers during a fire can lead to further damage by causing containers to explode. To prevent these situations before they occur, employees must use the following safe practices must when handling flammable liquids and gases.

**Before Using a Flammable:**

- ◆ Check the Safety Data Sheet the specific flammable prior to use.
- ◆ Read the label on the flammable container.
- ◆ Know the location of fire extinguishers in your facility.
- ◆ Pay close attention to the clothing you are wearing.
- ◆ Use personal protective equipment.

**Safe Handling and Use:**

- ◆ Make sure the area is properly ventilated.
- ◆ Use safety cans whenever possible.
- ◆ Follow grounding and bonding procedures when transferring flammable liquids to dissipate static electricity.
- ◆ Look for signs of damage to containers such as leaking, rust, discoloration and report it immediately so it can be removed.
- ◆ Keep heat sources away from flammables.
- ◆ Follow hot work permit procedures for welding, cutting and brazing.
- ◆ Listen for hissing sounds to detect leaks.
- ◆ Use non-sparking tools in the presence of flammables whenever possible.
- ◆ Open containers of flammable liquids slowly.

**Safe Storage:**

- ◆ Handle containers of flammables with care – Seal containers tightly after use and return them to the proper storage areas. Flammables should be stored away from sources of heat. For very large quantities of flammable liquids, a flammable storage room should be used.
- ◆ Use flammable liquid cabinets whenever possible – Flammable liquid cabinets offer protection as well as ventilation.

### **Cleanup and Disposal:**

- ◆ Never dispose of flammables down a drain.
- ◆ Clean up small spills according to the manufacturer's recommendations on the material safety data sheet.
- ◆ Shut off ignition sources and wear safety goggles and gloves when disposing of flammables.
- ◆ Dispose of saturated rags and clean-up materials in safety cans.
- ◆ Know the locations of emergency showers and eyewash stations.
- ◆ Large spills must be contained and cleaned according to the material safety data sheet recommendations. A HazMat team may be necessary to clean up very large spills. Report these incidents immediately and evacuate the area.
- ◆ Know whom to contact in case of an emergency.

## **COMPRESSED GASES**

Compressed gas cylinders are color coded by placards for easy identification.

**Oxygen .....Green**  
**Acetylene.....Orange**  
**Propane .....Silver**  
**Carbon Monoxide .....Black**

The following safety precautions must be followed when using and moving compressed gases:

- 1) All cylinders must have a protective cap or collar in place when stored or transported. Stored tanks must be secured to a wall or other immovable object. When in use, tanks may be secured to a movable cart or to a fixed object.
- 2) Oxygen cylinders must be stored a minimum of 20 feet away from any flammable or combustible materials, or separated by a flame proof barrier that is at least 5 feet high and has a  $\frac{1}{2}$  hour fire rating.
- 3) Always keep cylinders in an upright position. This includes empty cylinders that are to be transported for refilling.
- 4) When lifting or moving cylinders, always use a mechanical device such as a dolly or fork lift. Be sure the cylinders are properly secured to avoid damage to them. When transporting cylinders, always make sure valves are closed, protective caps are on, and they are properly secured.
- 5) When working with compressed gases, always have a fire extinguisher readily accessible.
- 6) Always store empty cylinders away from full ones and make sure that the valves are closed.
- 7) Make sure all cylinders are properly identified.
- 8) Make sure the threads on the valve are not damaged before connecting hoses or regulators.

## **WELDING AND CUTTING**

Welding and cutting apparatus, equipment, and operations shall be in accordance with the standards and recommendations in the current OSHA 29 CFR 1910.252 and 1010.255.

Welding equipment shall be inspected daily prior to utilization. Defective equipment should be taken out of service and your immediate supervisor notified. The equipment will not be used until proper repairs or replacement has taken place.

Welding shall be done in a designated area whenever possible. When welding must be done in the field or outside a designated area, the Hot Work Program, included in this manual, should be followed. Precautions should be taken to remove combustible or flammable materials and liquids from the area.

Proper fireguards are to be utilized when the operation requires them. Appropriate fire extinguisher should be accessible when welding or cutting is taking place.

Both the welder and the welder's helper, if necessary, must have the proper personal protective equipment and be knowledgeable in the use and care of this equipment. Proper ventilation of the area should be considered before welding or cutting begins. Welding can produce smoke quickly and cause a small area to fill up rapidly.

Gas cylinders for torch cutting shall be transported, handled and maintained as illustrated in the compressed gas section of this manual. All cylinders must be identified, inspected, and secured before operation.

Torch valves shall be closed and gas supply shut off when work is suspended. Torch valves should be checked for leaks at the beginning and the end of each job. All oxygen/ acetylene gas combinations shall have reverse flow check valves at the inlet side of the torch.



## **FIRE EMERGENCIES**

All fires that occur within a facility, regardless of size, must be reported immediately to the proper authorities and management upon discovery. Never assume that a fire is not serious, even if you are able to extinguish it yourself. Never assume that you will be disciplined or criticized for reporting unusual smells or the presence of smoke by reporting them as a fire. Never shout the word “fire” or act in a manner that could cause others to panic.

Time is very critical in responding to a fire. Fires can spread in minutes, even seconds in a very short period of time. The earlier a fire is detected and actions are taken to control its spread, the more likely it is that serious damage or personal injury can be avoided.

The fire plan is activated by your facility’s fire alarm system. Certain doors in corridors should automatically close to isolate areas and control the possible spread of smoke. For this reason, it is critical that stairwell doors never be propped open. The fire plan will remain in effect until Building Security gives the “all clear” signal. While the fire plan is in effect, do not open doors without first checking for smoke beyond the door.

Do not go to the fire area unless you are assigned to do so. Unless you are actively engaged in your routinely assigned fire response, moving from your regularly assigned area into the fire area will only make your whereabouts unknown to those who may need you before the end of the alarm, and may further complicate emergency fire operations. It is critical that all steps outlined by the acronym R.A.C.E. be followed in the event of a fire. This is particularly true with respect to activating the fire alarm system.

**RESCUE** – Remove persons requiring assistance from immediate, life threatening danger.

**ALARM** – Locate and activate the nearest manual fire alarm pull station. Contact building security to report the exact fire location.

**CONTAIN** – Close doors and windows to contain the spread of smoke and fire to as limited of an area as possible.

**EXTINGUISH** – If the fire is small, attempt to extinguish it with a fire extinguisher. DO NOT attempt this if alone or prior to completing all of the above steps.

In some buildings the alarm system can detect the presence of smoke, heat or the discharge flow from fire sprinkler heads automatically, and initiate the above actions without human interventions, but manual activation could buy additional time.

### **Emergency Exits:**

All emergency exits must be marked with a standard “EXIT” sign that is easily visible. Doors that could be confused for an emergency exit must be marked “Not an Exit”.

Emergency exits cannot be locked at any time when employees are in the building. Exits that are locked for security reasons must contain panic hardware on the inside entrance. Exit doors in the stairwells cannot be propped open at any time. This practice will create a “smoke stack” effect if a fire were to occur.

### **Fire Drills:**

Fire drills are an important part of any fire plan and should be conducted on a regular basis. All drills should be treated as if they were the real thing and should be used as an opportunity for you to review proper fire procedures.

### **Personal Safety in the Event of a Fire:**

If your clothing catches fire, smother the flame. Roll on the floor or ground if necessary. **NEVER RUN.**

### **How to Evacuate During a Fire:**

1. Stay close to the floor until you are sure there is no smoke. Smoke contains hot and toxic gases.
2. Check each door for heat before opening it. Open the door slowly and check for smoke.
3. Shut your room or office door and all fire doors between you and the fire. This will help prevent smoke and fire from spreading. Do not lock doors, as this will slow the work of firefighters and rescuers.
4. Only take essential personal belongings and medicine if there is time. Attempting to move equipment or other items wastes time and makes evacuating more difficult.
5. Go to the nearest exit. If blocked, proceed to your secondary exit.
6. Use the stairs. Do not use elevators. Power may fail causing elevators to stop between floors or elevator doors may open onto the fire floor. Most elevators become inoperable during a fire, so do not waste time waiting for one.
7. When outside, move away from the building and go to your designated meeting place.
8. Observe all instructions from fire or police authorities.

### **If You Can't Evacuate:**

1. Move to a safe location. In case of fire, try to find a room or office with fire-rated walls, heavy or fire-rated doors and few interior openings.
2. If available, use a phone to notify authorities of your location. Also, turn on lights and hang a towel or other materials outside a window to mark your location.
3. Wet towels or other materials and place them at the bottom of doors to keep fire and smoke out.

### **Pre-Fire Responsibilities:**

Be alert of signs of fire. If you see or smell smoke, report it immediately by pulling the nearest fire alarm station and contact building security. Early detection means prompt fire control. Form habits of watchful care and be alert at night.

Memorize the location of fire alarm pull stations, fire extinguishers and exits. Never tamper with any fire or emergency warning devices. When needed, you'll want them to work properly. Immediately report deficiencies to facilities management. Know the fire procedures and remember that fire prevention is your responsibility, not only as an employee but also more importantly, as a trustee of human life.

The acronym P.A.S.S. will work for most extinguishers. You can operate most fire extinguishers following four simple steps:

**Pull** - Stand back and pull the pin.

**Aim** - Aim the nozzle at the base of the fire.

**Squeeze** - Squeeze the handle.

**Sweep** - Sweep the nozzle from side to side at the base of the flames.

Become familiar with all fire extinguishers in your work area. Know where they are located and what type they are (Class A, B, C or multipurpose). Use common sense. Sometimes a small fire-in a corridor trash can, for example-can be put out simple by pouring a glass of water on it or covering it with a blanket. Only attempt to extinguish a fire after instructing another staff member to report it by notifying building security. A fire department representative will determine that it is completely extinguished. Never leave a smoldering fire.

### **Fire Fighting Equipment:**

Fire equipment is to be used only for preventing, controlling, or extinguishing fires. Hand-operated fire equipment, hoses, etc., must be kept fully accessible and always unobstructed. Report any obstructions to your supervisor for removal. If you use a fire extinguisher or any other fire equipment, notify your supervisor at once so that it can be immediately restored to workable emergency service. Inspections of this equipment should be done by an outside vendor every six month, and by the supervisor on a weekly basis. Fire equipment located on vehicles and equipment should be inspected by the supervisor or his/her designee daily.

The following is a brief description of fire classifications and the recommended extinguisher to be used.

**CLASS A FIRES:** Ordinary combustibles such as rubbish, paper, rags, wood, etc. These are fires that require a cooling agent to extinguish. Recommended extinguishers are water using hose, pump type water cans, pressurized extinguishers and soda-acid extinguishers.

**CLASS B FIRES** Flammable liquids, oils and grease. These fires require a smothering effect to extinguish. Recommended extinguishers are carbon dioxide, dry chemical and foam.

**CLASS C FIRES** Electrical equipment fire requires a non-conducting extinguishing agent. Recommended extinguishers are carbon dioxide and dry chemical.

**CLASS D FIRES** Combustible metals (e.g. magnesium, titanium, etc.). Recommended extinguishers are specially blended sodium chloride based dried powder extinguishing agent.

Probably the best choice of fire extinguisher would be one that is able to extinguish all three of the above classifications (A, B and C), and a second fire extinguisher designed for classification D fires where employees could conceivably encounter this type of fire.

### **Fire Alarm**

You shall become familiar with fire alarm signals and the procedure for vacating your building or work area in the event of a fire. Take all reasonable measures that you can to extinguish or control the fire until assistance arrives.

## **Vi. Emergency Procedures & Building Evacuation**

### **WHAT TO DO WHEN SOMEONE IS INJURED**

The first rule of first aid is that if you don't know how to give it, don't try to. You may do more harm than good. It's important to know not only what to do, but what **NOT** to do.

For instance, don't try to move an injured person unless you know that moving him will not worsen the injury. Improper and/or careless moving can increase the severity of an injury and even cause death. In case of a fracture or broken bone, it's often best to let the victim lie where he is until competent help arrives. **Remember that fracture cases are not for amateurs.** Wait until a person arrives whom is experienced in first aid.

Designated physicians and medical centers are available for emergency treatment in case of accident or sudden illness. Familiarize yourself with proper use of communication devices (e.g. telephone, department radio system, etc.), the locations of the devices, and who to call in case of an emergency before you start your work assignment. Know where the nearest emergency facility is located to your work area. Stay as calm as possible and utilize good common sense when making personal judgments about these situations.

### **MEDICAL EMERGENCIES**

It is the Municipality's policy for employees to call 911 and contact building security when medical emergencies occur. To minimize confusion and panic, employees must be made aware of critical information before an emergency occurs, such as who to call and how to care for a victim until professional help arrives.

Several facilities are now equipped with Automated External Defibrillators (AED). An AED is a hand-held device that weighs about six pounds. In the event of a cardiac or respiratory arrest, AEDs can be used by non-medical personnel in conjunction with cardio-pulmonary resuscitation (CPR). If your facility has these devices, an education program and communication system must exist to inform people in the building that these devices are available. Contact your facility manager to find out if your location is equipped with these devices.

## **WEATHER EMERGENCIES**

When weather conditions warrant, a radio in the office area will be tuned to a local weather station to monitor the situation. If a severe weather warning is issued, the senior management officer will evaluate company operations to determine if the operation should be canceled, until the threatening weather has passed. If the building is damaged, designated maintenance personnel will shut down electricity and gas. EMS and/or the fire department will be notified immediately in case of injury or failure to locate all personnel and visitors.

## **THREATS TO PERSONNEL**

The Municipality will not tolerate any threat of physical violence to another person. If there is the threat of physical violence to an employee or visitor, then that threat must be reported to management. If the threat is determined to be valid, then management will take whatever steps are necessary to ensure that the person issuing the threat is denied access to the building. Management will notify the proper authorities of the threat immediately. If it is another employee who issues the threat, then disciplinary action will be taken. If a violent individual is in the facility, employees should attempt to cooperate with the individual until the police arrive.

## **BOMB THREATS**

If a bomb threat is made to the facility, the person receiving the call will get as much information as possible. When the caller is finished, notify the proper authorities and management of the threat. If there is any doubt as to the validity of the threat, it must be treated as a real threat and the facility must be evacuated. All employees evacuated will remain there designated meeting area until told to return to the facility by building security and their supervisor.

## **BIOLOGICAL THREATS**

Recently, much more attention has been paid to biological agents such as Anthrax. If you receive a suspicious package or letter or open a package containing a strange substance, the following action should be taken:

- ◆ Immediately put down the package/letter and notify your supervisor. Do not handle, smell or further inspect the package/letter. Wash your hands, or any other part of your body that met the package/letter immediately.
- ◆ The supervisor will evacuate all employees in the area and contact the Police.
- ◆ Make a list of all the people that were in the area when the package/letter was received.
- ◆ In accordance with Health Department indications, if it is determined that there was an exposure to anthrax or any other biological agent, arrangements will be made for testing, treatment, etc.

## **ACCIDENTS WITH HAZARDOUS MATERIALS**

When approaching the scene of an accident involving any cargo (not only hazardous materials):

- ◆ Move and keep people away from the accident scene.
- ◆ Do not walk into or touch any spilled material.
- ◆ Avoid inhaling fumes, smoke and vapors even if no hazardous materials are involved.
- ◆ Do not assume that gases or vapors are harmless because of lack of smell.

## **BUILDING EVACUATION**

When evacuation is announced at any Municipal facility, all employees must immediately leave the building and go to their designated meeting location. It is critical that each location have their own plans in place ahead of time, to minimize confusion and panic during an emergency. These pre-planning elements include the following:

1. Designated meeting places are assigned that are located at least 100 feet away from the building.
2. Employees know when and how to evacuate and are aware of primary and secondary exit routes.
3. Able employees are designated to assist individuals with impairments (*mobility, visual, mental, hearing*) during evacuation.
4. Employees are aware of the location of fire alarm pull stations and fire extinguishers, and how to operate them.
5. Employees are designated to search private restrooms, private offices and other isolated areas during an evacuation.
6. Identify the chain of command so that in an emergency confusion will be minimized and employees will have no doubt about who has authority for making decisions.
7. Identify the method of communication that will be used to alert employees that an evacuation or some other action is required as well as how employees can report emergencies (such as manual pull stations, public address systems, or telephones).
8. Identify the evacuation routes from the building, tornado shelter areas and locations where employees will gather.
9. Regular evacuation drills are conducted at least once per year.

### **Evacuating Persons with Impairments:**

Each location must have a plan to evacuate employees with physical/mental impairments and designate enough escorts for each of these individuals. This plan involves designating escorts for employees that require assistance leaving the building during an emergency, and establishing a meeting location so that these employees can be accounted for. Building Security must be given a list of these employees.

### **Pre-Evacuation Responsibilities:**

- ◆ Assign one escort and one alternate to each employee that is visually, mentally or hearing impaired.
- ◆ Assign at least four escorts and four alternates to each employee using a wheelchair.
- ◆ Assign two escorts and two alternates to each employee having other mobility impairments (crutches, walkers, canes, etc.)



Visually Impaired:

- ◆ Describe the nature of the emergency to the person.
- ◆ Offer to guide the person and ask if he/she prefers to take your elbow.
- ◆ Advise the person of the evacuation route.
- ◆ Take the person to your designated assembly area.

Hearing Impaired:

- ◆ Never assume a hearing-impaired person can read lips.
- ◆ If the person did not hear the warning or alarm, write down the nature of the emergency.
- ◆ Offer to walk the person to the exit.
- ◆ Take the person to your designated assembly area.

Persons using Crutches, Canes or Walkers:

- ◆ Describe the nature of the emergency.
- ◆ Offer to guide the person and ask if he/she prefers to take your elbow.
- ◆ Advise the person of the evacuation route.
- ◆ Take the person to your designated assembly area.

Persons Using Wheelchairs:

- ◆ Describe the nature of the emergency.
- ◆ Ask the person how you can help him/her exit the building.
- ◆ Always follow the instructions of the wheelchair user.
- ◆ Do not remove a person from their wheelchair unless he/she agrees to such a procedure.
- ◆ Some electric wheelchairs weigh up to 400 pounds. Four injury-free, able employees are needed to lift the wheelchair without the battery. Even in an emergency, remember that correct lifting techniques must be used to avoid injury.

Unconscious Person:

- ◆ Call 911.
- ◆ Give your name, location and phone number.
- ◆ Describe the situation and where you will meet emergency personnel.
- ◆ If you are unable to meet emergency personnel outside, ask someone in your unit to escort emergency personnel to your location.
- ◆ If immediate evacuation is required, do what is required to exit the building safely.
- ◆ Follow all instructions from the emergency dispatcher.

## **VII. Basic Precautions For Job Tasks**

### **BASIC SAFETY PRECAUTIONS AND RULES FOR:**

(Not designed to be all-inclusive)

#### **BRUSHING**

- ◆ Hearing protection, safety vests, full mesh face shields, chaps and gloves should be worn.
- ◆ Make sure proper guards are on Brush Hogs.
- ◆ Keep tools sharp.
- ◆ Bow saws are safest to use on banks.
- ◆ Avoid snow covered or frozen banks.
- ◆ Only one person on a crew should feed the chipper.

#### **SHOULDER GRADING AND CUTTING**

- ◆ Use pilot vehicle if possible to aid in traffic control.
- ◆ Have protective cab on tractor/broom.
- ◆ Check mirror system of tractor/broom.
- ◆ Pay close attention to sign placement.

#### **CRACK AND JOINT SEALING**

- ◆ Use safety vest, leather shoulder-length heat resistant gloves, chaps, and eye/ear protection devices.
- ◆ Don't use plastic coveralls.
- ◆ Rubber hose on applicator wand will cut down on the heat.

- ◆ Fire extinguisher on kettle should be easily accessible.

## **ROLLER OPERATION**

- ◆ Inspect rollers often to make sure they are in proper operating order. Do not operate if brakes and/or steering are faulty.
- ◆ Always operate roller at a safe speed. If possible, stop roller and put in low gear before starting downhill.
- ◆ When possible, roll forward downhill and backward uphill.
- ◆ Always check for pedestrians and vehicles/equipment before changing directions.
- ◆ When working on steep hills, caution must be taken to severely restrict vehicles or pedestrians through the area where a runaway roller might pass. Check for a runaway area, and steer the roller toward it.
- ◆ Try to stay within the paddle controlled area. If you must go outside this area, make sure the roller is equipped with a "slow moving vehicle" sign and wear a safety vest.
- ◆ Always chock wheels of unattended rollers parked on hills. Utilize a rubber or aluminum (with teeth) chock to help hold the roller steady, and prevent any motion.
- ◆ Watch for low or soft shoulders that could cause the roller to tip over.

## **FLAGGERS**

At work sites, flaggers are provided to stop traffic when necessitated by the work, or to maintain continuous traffic flow past the work site at reduced speeds. In all cases, the flagger must be clearly visible to approaching traffic for a distance sufficient to permit drivers to properly react to the instructions given. This will be approximately 10 times the posted speed limit (in feet), or 550 feet for a 55-mph posted road.

A flagger should be:

- ◆ **Professional** and have a neat, clean appearance, and be alert and properly positioned.
- ◆ **Responsive** and able to adjust to changing conditions.

- ◆ **Informed** and properly briefed by the supervisor. Know the limits of the work area and the type of traffic that will be encountered.
- ◆ **Decisive** and give clear signals that both motorists and the crew will understand and comply with.
- ◆ **Effective** and able to efficiently control the flow of traffic by following these rules.

## **FLAGGER EQUIPMENT**

All flaggers should be given a "STOP" and "SLOW" paddle. It shall display an 18" minimum sized "Stop" sign on one face and a diamond shaped "Slow" sign on the opposite face. It shall be attached to a 72" staff and be reflectorized if used during hours of darkness.

The **STOP AND SLOW PADDLE** will be used as follows:

- ◆ To stop traffic, the flagger shall face traffic and hold the Stop and Slow paddle with the message "STOP" facing oncoming traffic. For emphasis, the other arm should be raised to approximately shoulder level, with the palm toward approaching traffic.
- ◆ When it is safe for traffic to proceed, the flagger shall slowly turn the paddle to the message "SLOW" and motion traffic to proceed with the other hand.
- ◆ Where it is desired to alert or slow traffic, the flagger shall use the paddle with the message "SLOW". For added emphasis, the flagger may slowly raise and lower the free hand with the palm down.

The use of the **RED FLAG** will be as follows:

- ◆ The red flag shall only be used to control one-lane, two-way traffic in emergencies when a STOP and SLOW paddle is not available, or at an intersection where a single flagger is used within the intersection.
- ◆ To stop traffic, the flagger shall face the traffic and extend the flag horizontally across the traffic lane in a stationary position, so the full area of the flag is visible below the staff. For added emphasis, the free arm may be raised with the palm open toward approaching traffic.
- ◆ When it is safe for traffic to proceed, the flagger shall stand parallel to the traffic movement, and with the flag and arm lowered from the drivers' view, motion traffic ahead with the free arm. Flags shall not be used to signal traffic to proceed.

When flagging, all flaggers shall wear a hard hat and orange vest. During inclement weather, orange or yellow rain gear is permissible. For nighttime operations, similar garments shall have reflectorized striping. A neat, clean appearance helps to promote a professional image, and helps you to be a more effective flagger. When positioning yourself, remember to maintain color contrast between the work area and your garments.

## **TRAFFIC SIGN REPAIR AND REPLACEMENT**

- ◆ Wear gloves to prevent hand injuries from splintering metal and sharp points.
- ◆ Watch footing and surroundings for uneven surfaces, slippery rocks, etc. Ensure proper footing to maintain balance when straightening posts.
- ◆ Wear proper personal attire (hard hat, gloves, long sleeved shirts, and slacks) to prevent contact with environmental hazards.
- ◆ When straightening a post, be careful that it does not snap off and strike you.
- ◆ Watch for pinch points.
- ◆ When pounding posts, the individual holding the post should ensure that his/her hands will not get hit if post is missed. Be cautious of curious travelers.

## **WORKING OUTDOORS**

Use caution when performing work outdoors, and watch for environmental hazards such as:

- ◆ Mud slides
- ◆ Branches or vines hidden in high weeds
- ◆ Slippery rocks, grass and slopes
- ◆ Uneven, loose or broken steps
- ◆ Hidden icy spots
- ◆ Uneven terrain or holes
- ◆ Animals, insects, or other pests

These environmental hazards can cause slips, tripping, and/or falls which can cause serious injuries. Be sure of your footing and watch for hidden dangers.

## **PLANT POISONING**

Learn to identify poisonous plants and make every effort to avoid them. When working in areas that may contain such plants, sleeves should be rolled down and gloves worn. If you are exposed, wash the exposed parts with soap and water and/or poison ivy wash four or five times, and apply poison ivy lotion. Always report it to your supervisor and get medical attention if deemed necessary.

## **RIDING MOWERS**

- ◆ Know the controls, and how to stop quickly.
- ◆ Do not carry passengers.
- ◆ Clear the work area of objects that might be picked up and thrown.
- ◆ Disengage all attachment clutches and shift into neutral before attempting to start the engine.
- ◆ Disengage power to attachment(s), and stop the engine before leaving the operator's position, before making repairs or adjustments, and when transporting or not in use.
- ◆ Take all possible precautions when leaving the vehicle unattended, such as disengaging the power take-off, lowering the attachment(s), shifting into neutral, setting the parking brake, stopping the engine, and removing the key.
- ◆ Do not stop or start suddenly when going uphill or downhill. Mow up and down the face of steep slopes.
- ◆ Reduce speed on slopes and in sharp turns to prevent tipping or loss of control. Exercise extreme caution when changing direction on slopes.
- ◆ Keep the vehicle and attachments in good operating condition, and keep safety devices in place. Ensure that there is appropriate tread on all tires.
- ◆ The vehicle and attachments should be stopped and properly inspected for damage after striking a foreign object, and the damage should be repaired before restarting and operating equipment.

## **WINTER OPERATIONS**

- ◆ **Blocking Snow Plows** - Snowplows are to be blocked to the proper height for immediate attachment to vehicles. Care should be taken that the plows hoist chain, shoes and hydraulic attachments are in proper condition and working order. Employees are not permitted to lift snowplows manually.
  
- ◆ **Jammed Spreaders** - Turn off power to the augers, open spreader box and clear jam with metal pry bar, then return to cab and activate auger. Employees are not permitted to place their hands in augers, except for required maintenance when the auger is disconnected.
  
- ◆ **Getting On and Off Vehicles** - It is important to clear snow and mud from your boots. Use a firm hand grip and place feet securely when climbing on and off vehicles. Do not jump off vehicles. Use steps and hand grips to dismount, facing the same way you entered.

Perform a dry run of your snow route. Become familiar with any hazards such as low power lines, raised manholes, expansion joints and low bridge clearance.

Check equipment and all fluid levels before each use, look for cracks or damage to the plow, and insure that all controls are working properly.

Before leaving the stockpile, check the anti-skid material for lumps, stones, etc. Make sure the truck has not been overloaded, and do not forget to perform the circle of safety with lights on.

Recommended speed limit for plowing is not to exceed 20 to 25 miles per hour.

## **HANDLING OF SNOW AND ICE CONTROL MATERIALS**

### **Safety tips for handling snow and ice control materials are as follows:**

- ◆ When removing lumps in snow and ice control materials from the bed of the truck, make sure you have good footing when climbing and descending. Be sure to use handholds.
- ◆ When covering stockpiles, watch footing for possible sinkholes. To locate sinkholes, probe with a bar or pole in front of you as you climb.
- ◆ If you must spread snow and ice control materials manually, avoid standing in the bed of a truck whenever possible. If this is unavoidable, a safety harness must be worn. Never stand behind a moving vehicle.
- ◆ Always wear appropriate personal safety equipment (i.e. proper gloves, footwear, hard hat, etc.) when handling snow and ice control materials.
- ◆ Ensure limited contact exposure to skin, and remove snow and ice control materials from clothing as soon as possible.
- ◆ Ensure spreader calibration is properly adjusted to avoid damage to private property and to ensure proper material usage.
- ◆ Check for lumps and foreign objects before spreading.
- ◆ When loading snow and ice control materials within an enclosed facility, ensure that proper ventilation exists.



## **TREE TRIMMING**

- ◆ It is imperative that all necessary barricades and warning devices be placed in appropriate locations to safeguard the public against injury. If it is necessary to divert pedestrians or vehicular traffic, flagmen should be used. Employees should be instructed to work within the designated work area. If this cannot be done, enlarge the work area so that both the employee and the public can be protected from traffic and falling limbs.
- ◆ Sharp tools in the hands of experts rarely cause injury. Employees cut themselves because they do not know the proper way to use sharp tools. It should be a habit for all employees, under the supervision of their supervisor, to inspect all tools and saws prior to using them on a trimming operation.
- ◆ Hard hats, gloves, ear protection, safety belts, safety vests, goggles or safety glasses should always be worn during trimming operations.
- ◆ Employees must remain constantly alert to the possible hazards of power lines and falling limbs or branches.

## **VISITOR PROTECTION**

All visitors who enter operational work areas shall wear department approved safety equipment, if applicable, and follow all safety rules. No visitor should enter Municipality work areas without the notification and approval of the supervisor.

## **HAND AND POWER TOOL SAFETY**

The supervisor should train employees on their specific tools before employees use them on the job. Never assume that a new employee has prior safety training due to job experience. Employees are required to use the right tool for the job, keep tools in good condition, and use tools properly to reduce the risk of serious injury. Horseplay accounts for a significant number of injuries associated with tools. Although tools are simple and familiar instruments, they can still cause injury if one is not careful. By keeping respect for the tools we use, we can prevent many injuries.

Many tools and devices are furnished by the Municipality for your use. Take care of them and keep them in a safe working order. If any tools wear out, break, or otherwise become dangerous to use, do not use them and report such conditions to your supervisor.

It is important to always keep these tools in good condition. Keeping impact tools free from mushroomed heads, replacing cracked hammer handles, and maintaining wrenches in good condition so they will not slip are all good examples of tool safety. Other safety rules pertaining to hand tools include the following:

- ◆ Tools and materials must not be left in an elevated position or in above-the-head areas, if there is any possibility that they will fall to a lower level.
- ◆ Do not use tools for any purpose other than those for which they were designed.
- ◆ Get instructions from your supervisor before using tools with which you are not familiar.
- ◆ Never drop tools or equipment from one level to another. Raise and lower tools or equipment by hand or in a canvas tool bag.
- ◆ Do not carry sharp edged tools loosely in clothing; use a sheath or container.
- ◆ Manufacturer's suggested safety devices must be properly maintained and utilized. No modifications should be made to any equipment.

### **Striking Tools – carpenter's hammers, machinist's hammers, mallets and sledges:**

Striking tools should be cleaned and repaired, if necessary before they are stored. Before using striking tools, make sure the faces are free from oil or other material that would cause them to glance off the object being struck. The heads should be dressed to remove mushroomed or battered edges. Handles must fit tightly into the heads of striking tools. Use the correct hammer to strike hardened steel surfaces, so steel fragments will not break off and injure workers. Appropriate safety eye protection should be worn when using striking tools.

### **Turning Tools and Wrenches:**

Wrench types include open-end, box, socket, torque, adjustable, spanner and Allen. It is important to select the proper wrench for the work to be done. Wrench jaws would be clean and oil-free to prevent slipping. One should be especially careful when using adjustable wrenches. They can slip if not adjusted to fit the work surface snugly, causing hand injuries.

### **Metal-cutting Tools – snips and shears, bolt cutters, hacksaws, chisels and files:**

Snips and shears should be sharpened, oiled and adjusted to make cutting easier and to produce surfaces free of burrs. When using bolt-cutters, make sure fingers are clear of jaws and hinges. Take precautions to prevent bolt heads or other metal fragments from striking co-workers.

Hacksaws should be used to cut metal that is too heavy for snips or bolt-cutters. A significant risk associated with hacksaw use is injury to the hand if the blade breaks. To avoid severe hand injuries and broken blades, apply only enough pressure to keep the blade in firm contact with the work piece. Exerting excessive force causes the blade to overheat and bind. Likewise, cut on a straight line to avoid twisting the saw blade. Periodically check the blades to ensure tightness within the saw frame.

Chisels are used for chipping or cutting metals and other materials. Make sure that head of the chisel is not mushroomed. Dress damaged heads by removing all excess metal. Generally, the chisel should be held so the hand muscles hold the shaft firmly, but not with a “death grip”. If the hammer accidentally hits the hand it will permit the hand to slide down the chisel, lessening the effect of the blow. This technique is not always possible, but when used, it can be effective. Safety eye protection must be worn when using any chisel.

Files should be kept sharp by keeping them wrapped in paper or cloth to protect the teeth. Clean files by using file cards and keep them free of oil and other types of moisture. To prevent hand injuries, use files with handles and employ the proper technique – the cutting stroke smooth and away from the body.

### **Wood-cutting Hand Tools – handsaws, planes and wood chisels:**

Handsaws should be kept sharp and free of rust to prevent them from binding or jumping causing injuries. Keep planes sharp and properly adjusted so they cut smoothly without requiring excessive force. When storing planes, adjust the blades above the bottom of the planes to prevent contact with the blade. Keep wood cutting chisels sharp, and make sure both hands are always behind the cutting edges. Never cut toward yourself when using a chisel, and use chisels only for their intended purpose.

### **Screwdrivers – slotted, Philips, torx, and hex:**

Screwdrivers are designed to insert and remove screws, not as pry bars, scrapers, chisels or punches. When using a screwdriver, it is important to use the proper size so that the blade fits the screw head tightly. This prevents the screw slot from burring, which could lead to serious lacerations. Additional safety tips include keeping screwdrivers away from electrical circuits to avoid shock, and using a vice or other holding device rather than hold work in your hand to prevent serious punctures.

### **Pliers and Knives:**

Do not use pliers to cut hard wire unless they are specifically manufactured for this purpose. Always cut at right angles. Do not use pliers as hammers. Wear safety eye protection when using pliers to cut wire.

Knives can be extremely dangerous. Use cutting instruments only for their intended purpose. Size, blade design and handle configuration are important considerations when choosing safe and effective cutting instruments. Cutting blades must remain sharp to avoid excessive forces, which can cause the blade to be thrust out past the work piece after the cut is made. Always cut away from your body. Store knives with the blade closed or sheathed to prevent accidental contact. Treat knives with care, always protecting the sharp cutting edges.

### **Power Tools:**

Portable power tools present accident hazards also. With power tools however, the magnitude of an accident is often significantly increased. Nearly all power tool accidents are caused by lack of training, improper technique, failure to wear personal protective equipment, or poor maintenance practices.

Use power tools only after becoming thoroughly familiar with their controls, safety requirements and operating procedures. When in doubt re-read the instructions, or get information from the supervisor. Inspect all tools before use to see that they are clean and in good repair. Before connecting a power tool to the power source, make sure that the tool switch is turned off. Ensure that all safety guards are installed. Wear safety eye, face, hand and other protective equipment. Disconnect the power source from the tool before adjusting, oiling or changing accessories.

Every electrical portable power tool must be grounded by a third safety-ground pin or have double insulation. Double insulated tools have a two-prong plug and a double insulated plastic housing. Ensure that the integrity of the electrical connection at the plug or motor is intact. Wires pulled loose or frayed insulation must be repaired before use. Splicing electrical cords is not recommended. It is better to replace the cord. When

operating electrical tools in wet locations, ground-fault circuit interruption (GFCI) is necessary to prevent accidental shock.

When operating portable power tools, undivided attention to their operation is required. Check power sources to portable power tools to ensure electrical cords and air hoses are in good repair.

**Select power tools with the following characteristics:**

- ◆ Handles long enough to distribute pressure across the entire palm, rather than in one small area,
- ◆ Designed to provide the required force for the job,
- ◆ Tools that have varied weights, sizes and handle design to accommodate worker differences,
- ◆ A handle orientation that allows the wrist to remain straight,
- ◆ Tools that minimize repetitive motions and awkward postures.

In addition, provide gloves that are designed for the function and that reduce the hazards. Provide sizes to ensure proper fit. Excessive force applied while using hand tools may result from poorly fitted gloves.

## **LADDER SAFETY**

Serious injuries resulting from falls from ladders and stairs occur frequently in the workplace. Some of these accidents result in death. These injuries often occur because of improper ladder use. Therefore, all employees are required to use ladders in a safe manner and follow all safe work practices written below.

### **Portable Ladders:**

Portable ladders must be the proper selection for the job. Ladders are to be used primarily for climbing and not working from. If an employee needs to work at heights, a scaffold or scissor lift must be used instead of a ladder.

The correct length ladder must be selected for each job. That means the side rails must extend at least three feet above the top-landing surface. For every four feet of ladder, a pitch of one foot is required.

Ladders must also be of a sufficient capacity rating for the job. The duty rating is the maximum safe load capacity of the ladder. This includes the weight of the user, clothing, tools and material. There are five duty ratings for portable ladders:

Type	Working Load
Light Duty – Type III	200 lbs
Medium Duty – Type II	225 lbs
Heavy Duty – Type I	250 lbs
Extra Heavy Duty – Type IA	300 lbs
Special Duty – Type IAA	375 lbs

### **Ladder Inspection:**

Most ladders, though different in type, have the same safety requirements. Prior to each use, the ladder must be inspected for:

- ◆ Cracks, splits or deterioration of side rails
- ◆ Broken or split rungs or cleats
- ◆ Spreader is in good condition
- ◆ Automatic locks
- ◆ Ladder is free of grease, oil and slipping hazards

### **Safe Use of Ladders:**

Excessive paint will cover defects and should not be used on ladders. Ladders in storage should be protected from damage and kept out of high traffic areas.

- ◆ Ladders must extend three feet above the landing surface. If this is not possible a grab rail must be put in place to assist in mounting and dismounting the ladder.
- ◆ When erecting a ladder, the base should be out one foot for every four feet in ladder height. Both side rails need to rest securely against the top support.
- ◆ The ladder must be secured to prevent slippage.
- ◆ Ladders cannot be used for anything other than their intended purpose and are designed for single-person use.
- ◆ Metal ladders are not to be used near electricity.
- ◆ Ladders may never be used in the horizontal position to form a walkway.
- ◆ Ladders cannot be tied together to provide a greater length.
- ◆ Ladders must be erected on level, stable surfaces.
- ◆ Always face the ladder when climbing up or down it and use both hands to hold on.
- ◆ If a ladder is to be used near a door or traffic area barricades or guards must be put in place.

### **Fixed Ladders:**

Fixed ladders are to be provided when stairways are not available. If the distance is greater than 20 feet, rest platforms need to be installed in increments of 20 feet. Rest platforms must include standard guard railing and toe boards.

**Remember**, if you are working near any type of power line, it is important to take the necessary precautions to protect yourself from electrocution. A metal ladder is an excellent conductor of electricity. Whether at work or home, use ladders safely.

## **SCAFFOLDS**

Although scaffolding often varies in design, there are several safety requirements that apply to all:

- ◆ Erecting and dismantling of scaffolding must be done under the direct supervision of a competent person.
- ◆ All components must be free of damage.
- ◆ Planking must be scaffold grade.
- ◆ Unless planking is secured, it must extend a minimum of 6 inches overlap but not exceed 12 inches.
- ◆ Safe access to the scaffold, such as a ladder must be provided.
- ◆ The scaffold must be kept free of debris or slippery substances.
- ◆ All cross braces must be in place.
- ◆ A minimum 18-inch platform width is recommended.
- ◆ Scaffolding must be kept away from energized or unguarded power lines.
- ◆ If erected over walkways or traffic areas, 18-gauge screen or equivalent must be in place to prevent items from falling below.



## **GUARD AGAINST PINCH POINTS**

In everyday operations there are many pinch points. Sometimes we don't even think about these hazards. Here are a few to consider:

- ◆ Closing doors on equipment, car and even office or shed doors.
- ◆ Closing tailgates and adjusting tailgate chains.
- ◆ Operating equipment, guarded and unguarded.

### **Ways of guarding against pinch points include:**

- ◆ Wear gloves which will help to protect the hands and fingers.
- ◆ Never remove equipment guards. They are there for your protection.
- ◆ Take your time and make sure hands are clear before shutting doors and tailgates.
- ◆ Operate equipment in the proper manner, using handholds.

Taking a few extra minutes to check could save you or someone else from severe injury.

## **COMPUTER WORKSTATION USE**

The following is a list of guidelines and principles to assist the employees in the proper set up of their computer workstation. By following these guidelines and principles, employees can relieve unneeded stress on the body related to prolonged sitting and typing while at their workstation.

### **Keyboard Position**

- ◆ Upper arms should hang relaxed at side during use.
- ◆ Elbow joint should be located at about a 90-degree angle.
- ◆ Hands need to be in line with forearms during keyboard/mouse use.
- ◆ Forearms need to be supported while using a keyboard or mouse.

### **Monitor**

- ◆ The top of the screen needs to be located at eye height
- ◆ Screen viewing distance needs to be between 45cm to 60cm.
- ◆ The monitor needs to be centered in front of the user during use.

### **Seating**

- ◆ The set pan needs to have an adjustable height ranging from 42-54cm.
- ◆ The set pan tilt needs to be adjustable from +3 to -4 degrees.
- ◆ The backrest of an office chair needs to be adjustable from 8-15cm.
- ◆ The backrest of the chair needs to have a well-formed lumbar support.
- ◆ Feet need to be flat on the floor with thighs parallel to the floor.

### **Desk**

- ◆ Horizontal knee space needs to be greater than 46cm.
- ◆ Horizontal toe space needs to be greater than 61cm.

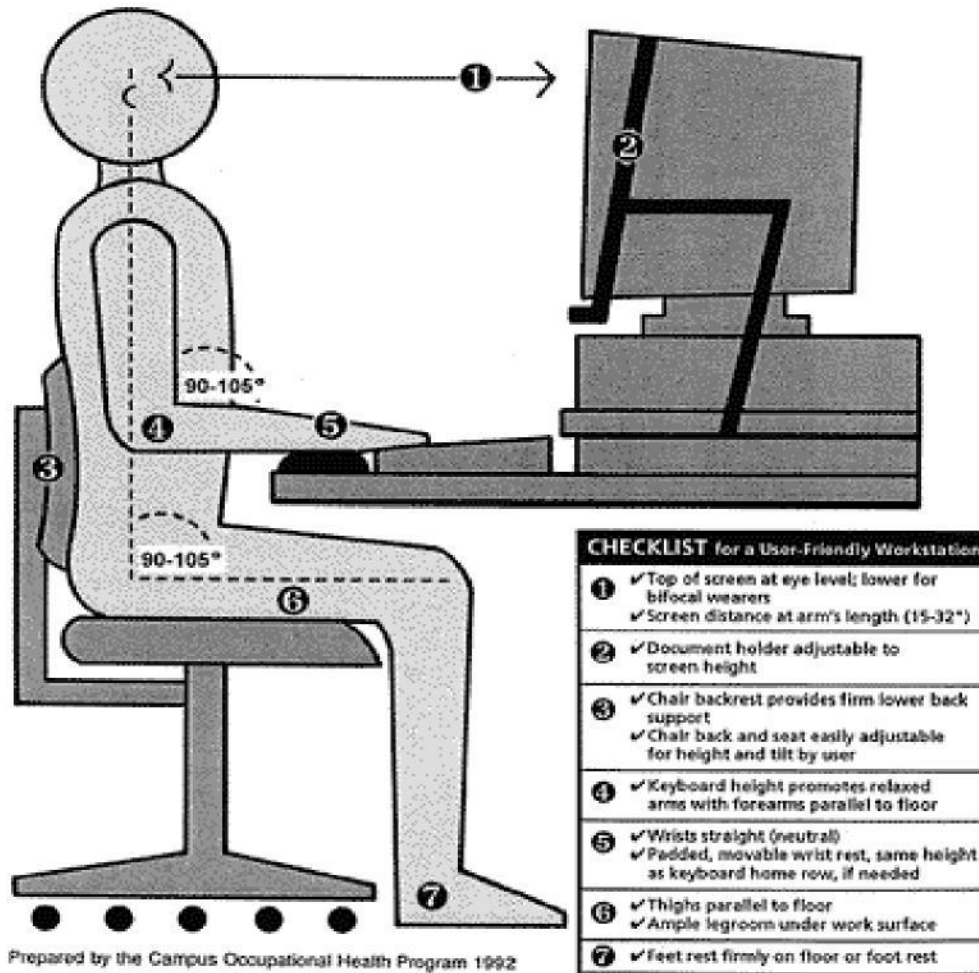
### **Document Holder**

- ◆ A document holder needs to be adjustable.
- ◆ It must be large enough to hold documents that it will be used for.

### **Lighting**

- ◆ The screen must stay clear of glare spots.
- ◆ Indirect lighting fixtures should illuminate the office area.
- ◆ The workers line of sight should be parallel to the plan of the window.

## COMPUTER WORKSTATION SETUP GUIDELINES



Prepared by the Campus Occupational Health Program 1992

## **OFFICE SAFETY**

The following are guidelines for the prevention of injuries at the office. You are required to make your best effort to comply with these guidelines to eliminate the hazards associated with working in the office environment.

### **Office Furniture, Equipment, Aisles, Floors, Doors, and Stairs**

- ◆ Desks, working areas, aisles, stairways and storage areas should be well lighted.
- ◆ Make sure that you close all furniture or equipment doors/drawers when not in use.
- ◆ Store pointed or sharp objects such as scissors, paper cutters, pencils and pens with care.
- ◆ Use only ladders or stands with non-slip treads when reaching high filing cabinets, shelves or other pieces of elevated equipment.
- ◆ Do not leave objects lying in aisles or places where they could pose a tripping hazard.
- ◆ Loose floor tile, holes in tiles or carpeting, or other defective flooring is dangerous.
- ◆ Corridors and entryways may become slippery when wet. If storm mats of suitable material are not provided, walk with extreme caution.
- ◆ Use handrails when ascending or descending stairs.
- ◆ Report wet, cluttered or unclean stair treads or areas to your supervisor.

## **VIII. PPE Policy**

### **MUNICIPALITY** **PERSONAL PROTECTIVE EQUIPMENT POLICY**

#### **Policy:**

As part of this Municipality's ongoing commitment to job safety, management expects all employees to use the personal protective equipment (PPE) provided by this Municipality in accordance with the attached guidelines. Although PPE is not relied on as the only way to protect against hazards, it is an important element of our overall safety and health program.

#### **Purpose and Scope:**

The purpose of the Municipality's Personal Protective Equipment Program is to minimize the potential for injury by providing and enforcing the use of personal protective equipment (PPE), and documenting efforts to implement the PPE program. PPE devices are not relied on as the only means to provide protection against hazards, but are to be used in conjunction with guards, engineering controls and safe work practices.

This policy pertains to all employees under the Maintenance Division of the Municipality. This policy covers PPE Selection, Hazard Assessments, Responsibilities of Management, Supervisors and Employees, Training, Inspection and Maintenance and Record Keeping.

Types of personal protective equipment covered in this program include:

- ◆ Eye and Face Protection
- ◆ Head Protection
- ◆ Respiratory Protection
- ◆ Foot Protection
- ◆ Hearing Protection
- ◆ Hand Protection
- ◆ Protective Clothing

(Note: Personal fall arrest systems covered in separate policy)

## **Responsibilities:**

### **Management/Department Head's Office:**

- ◆ Authorizing the necessary resources to provide appropriate PPE and training to employees.
- ◆ Providing support to supervisors for program implementation and enforcement.
- ◆ Setting the example for employees by wearing PPE when required.

### **Supervisors/Superintendents:**

- ◆ Providing all required PPE to the employees working under them.
- ◆ Enforcing the PPE Policy in accordance with departmental guidelines.
- ◆ Using disciplinary action in accordance with departmental guidelines when deemed necessary.
- ◆ Setting the example for employees by wearing PPE when required.
- ◆ Ensuring employees are trained on the proper use, care, and cleaning of PPE.
- ◆ Maintaining records on PPE inventory and training.
- ◆ Notifying the Department Head when new hazards are introduced or when processes are added or changed.
- ◆ Ensuring defective or damaged equipment is immediately replaced.

### **Employees:**

- ◆ Wearing PPE as required.
- ◆ Attending required training sessions.
- ◆ Caring for, cleaning, and maintaining PPE in accordance with the attached guidelines.
- ◆ Informing the supervisor of the need to repair or replace PPE.
- ◆ Showing up for work in proper attire, including work boots and jeans or work pants.
- ◆ Must wear tops with sleeves and long-legged pants. If issued shirts or other work-related clothing, you are expected to wear these items. Sleeveless tops, tank tops, halters, tube tops, see-through shirts/blouses, and shorts of any type are not permitted.

**Safety Officer:**

- ◆ Conducting workplace hazard assessments to determine the presence of hazards that necessitate the use of PPE.
- ◆ Conducting periodic workplace reassessments of the program.
- ◆ Providing training and technical assistance to supervisors on the proper use, care, and cleaning of PPE.
- ◆ Providing guidance to supervisors and purchasing division in PPE selection.
- ◆ Reviewing, updating and evaluating the overall effectiveness of the PPE Program.

**Selection:**

The PPE required for each job is selected based on the findings during hazard assessments of jobs and the recommendations of the Safety Officer. All PPE provided by the Municipality is approved by the appropriate governing agencies, based on technical data and research.

**Hazard Assessments:**

The purpose of conducting hazard assessments of jobs is to identify all potential hazards where PPE is expected to minimize the potential for injuries among our employees. Consideration is given to the following basic categories during hazard assessments:

- ◆ Impact
- ◆ Penetration
- ◆ Compression
- ◆ Chemical
- ◆ Heat
- ◆ Harmful Dust, Fumes and Vapors
- ◆ Light Radiation
- ◆ Noise

**Cleaning and Maintenance:**

It is our policy that each employee keeps his/her assigned PPE clean and properly maintained. Cleaning is particularly important for eye and face protection where dirty or fogged lenses could impair vision. PPE is to be inspected, cleaned and maintained by employees as part of their normal job duties. Supervisors are responsible for ensuring compliance of this policy. It is the responsibility of the employee to report the need for repair or replacement of any PPE assigned to him/her.

### **Training:**

All employees will be trained on the hazards of their jobs and the required PPE, as part of their new employee orientation, by their supervisor. This training includes:

- ◆ The hazards of their specific job and the PPE that must be used.
- ◆ Enforcement of the PPE policy.
- ◆ Proper use, care and maintenance of the PPE assigned to them.
- ◆ Procedures to replace lost, stolen or damaged PPE.

Supervisors will also provide training to their employees via safety meetings, toolbox talks, and periodic discussions.

### **Recordkeeping:**

Supervisors must keep records of the following:

- ◆ All training conducted relevant to PPE (new employee orientation and safety meetings).
- ◆ Inventories of PPE assignments to their employees.

Administration and the Safety Officer will keep records of all hazard assessments, program updates and periodic re-evaluations.

### **Enforcement:**

This Municipality will make every effort to reinforce the use of personal protective equipment on the job through employee education and positive reinforcement. However, it is the Supervisors duty to use disciplinary action when necessary to enforce our PPE policy. If a Supervisor determines disciplinary action is warranted, the Municipality's Progressive Discipline Policy will be followed.

**General Guidelines:** *(See Hazard Assessments Section for information on specific jobs.)*

#### **I. Eye and Face Protection**

This Municipality provides the following types of eye and face protection:

- ◆ Safety Glasses with Side Shields
- ◆ Goggles
- ◆ Face Shields (shaded and standard)



Employees are required to wear eye protection when the following obvious eye hazards are present:

- ◆ Dusts, powders, fumes, and mists that could get in the eyes
- ◆ Flying objects and particles
- ◆ Glare
- ◆ Splashing chemicals
- ◆ UV Rays (Welding, Cutting, Brazing)
- ◆ Mechanical irritants
- ◆ Any combination of the hazards mentioned above

Safety glasses must be equipped with side protection and are required to protect against flying objects/particles. Employees who wear prescription eyewear must wear appropriate safety glasses with side shields. Safety glasses that fit over eyeglasses are provided by the Department. Supervisors must approve all prescription safety glasses.

Safety goggles are required when working with corrosive chemicals or during processes where splashing of chemicals is a concern. A face shield is required to be when using a grinder (portable or stationary).

Eye and face protection of the proper shade is required during welding, cutting and brazing operations to protect against harmful UV rays.

### **Proper use, Cleaning and Maintenance of Eye and Face Protection:**

Contact lenses usually do not pose a problem when worn with eye protection. If contacts are bothering a worker, he or she should remove them immediately.

Pitted, cracked, scratched, broken or dirty lenses impair vision of the wearer. Lenses must be cleaned daily using water or a mild cleaning solution. Damaged lenses must be reported to the supervisor for replacement immediately. Employees are not permitted to wear damaged eye protection.

## **II. Hand Protection**

This Municipality provides the following types of hand protection:

- ◆ Cotton Gloves
- ◆ Rubber Gloves
- ◆ Leather Gloves
- ◆ Latex Gloves

Employees are required to wear gloves to protect against the following hazards:

- ◆ Mechanical injuries (cuts, punctures, crushing and scrapes) when operating or setting up machinery and equipment.
- ◆ Extreme heat or cold
- ◆ Electrical shock or burns
- ◆ Skin irritation from corrosive chemicals and solvents
- ◆ Exposure to bloodborne pathogens

### **Proper use, Cleaning and Maintenance of Gloves:**

The following procedures apply to general use, removal and disposal of gloves:

- ◆ Inspect gloves for defects like holes, cracks and other signs of wear before each use.
- ◆ Powder hands to make it easier to put gloves on and take them off.
- ◆ Wash or rinse reusable gloves according to specified cleaning procedures after each use.
- ◆ Hold the cuff and pull the glove so it turns inside out to remove a glove. Do not pull on the fingers.
- ◆ Store reusable gloves away from hot areas because they may stiffen, shrink or crack.
- ◆ Dispose of gloves containing human fluids according to bloodborne pathogen control procedures.
- ◆ Gloves should never be worn around pinch points or rotating parts where use of the glove could expose the wearer to an amputation or crushing hazard.

Good hygiene can also help prevent injury to workers' hands and fingers. Hands must be washed before and after using any type of chemical, even if gloves are worn.

### **III. Protective Clothing**

This Municipality provides the following protective clothing:

1. Safety Vests
2. Tyvex Suits
3. Rubber Boots
4. Rain Suits
5. Chainsaw Chaps

#### **Safety Vests:**

All Maintenance employees are required to wear a safety vest during their job duties. All Parks Maintenance and Parks Trades employees are required to wear a safety vest during their job duties. All non-maintenance employees working in public right of ways are required to wear a reflective safety vest. Drivers are required to wear a safety

vest immediately upon exiting their vehicles while on the worksite. Orange or lime green safety incentive shirts are permitted in place of vests during daylight hours.

#### **IV. Head Protection**

This Municipality provides the following types of head protection:

- ◆ Hard hats (non-conductive type)
- ◆ Bump caps

Employees are required to wear head protection when the following hazards are present:

- ◆ Overhead struck by hazards
- ◆ Flying objects
- ◆ Falling objects
- ◆ Strike against hazards in confined areas
- ◆ Vehicle traffic struck by hazards

Maintenance is required to wear a hard hat during all job duties. In addition, all non- maintenance employees are required to wear hard hats during the following job tasks.

- ◆ Road work
- ◆ Bridge work
- ◆ Tree cutting and trimming
- ◆ Building construction sites
- ◆ Working below scaffolding

Maintenance and Public Works employees are required to wear a bump cap during all job duties.

Drivers are required to wear appropriate head protection dependent on the job site as identified above upon exiting their vehicles.

#### **Proper Use, Cleaning and Maintenance of Hard Hats:**

Fit - Headbands are adjustable in 1/8 size increments. When the headband is adjusted to the right size, it provides sufficient clearance between the shell and the headband. The removable or replaceable type Sweatband should cover at least the forehead portion of the headband. The shell should be of one-piece seamless construction and designed to resist the impact of a blow from falling material. The internal cradle of the headband and sweatband forms the suspension. Any part that encounters the wearer's head must not be irritating to normal skin.

A common method of cleaning shells is dipping them in hot water (approximately 140F) containing a good detergent for at least a minute. Shells should then be scrubbed and rinsed in clear hot water. After rinsing the shell should be carefully inspected for any signs of damage.

All components, shells, suspensions, headbands, sweatbands, and any accessories should be visually inspected daily for signs of dents, cracks, penetration or any other damage that might reduce the degree of safety originally provided.

Users are cautioned that if unusual conditions occur (such as higher or lower extreme temperatures than described in the standards), or if there are signs of abuse or mutilation of the helmet or any component, the margin of safety may be reduced. If damage is suspected, helmets should be replaced. Hard hats should not be stored or carried on the rear-window shelf of an automobile, since sunlight and extreme heat may adversely affect the degree of protection.

## **V. Foot Protection**

Employees are required to supply their own safe work shoe. All maintenance employees are required to wear appropriate work boots. Shoes other than work boots will only be worn with your supervisor's approval. Employees shall not work barefooted, or wear sandals, and sneakers/tennis shoes.

## **VI. Respiratory Protection**

This Municipality provides the following types of respiratory protection:

- ◆ Dust Masks
- ◆ Half and Full-Face Piece Air Purifying Respirators
- ◆ Supplied Air Respirators

Employees are required to wear respiratory protection when hazardous chemicals enter their breathing zone at levels above permissible exposure limits or at unknown concentrations. Dust masks may only be worn to protect against nuisance dusts. For air purifying respirators, the proper type of cartridge must be used to protect against specific types of hazardous chemicals.

Areas where respiratory protection is required are identified through air monitoring results and review of Safety Data Sheets of the specific substances being used. Employees are not permitted to wear a respirator (except dust masks) without completing an initial medical history questionnaire and being fit tested (See Respiratory Protection Section for more information).

### **Proper Use, Cleaning and Maintenance of Respiratory Protection:**

Respiratory protection must be cleaned after each use using soap and water or a disinfectant wipe. When not in use, respirators must be stored in a plastic bag to keep it clean.

Respirators must be inspected for cracking and other signs of damage.

When a respirator is donned, the user must complete a positive and negative pressure test to ensure proper fit before each use. Employees with facial hair are not permitted to wear respiratory protection.

### **VII. Hearing Protection**

This Municipality provides the following hearing protectors:

- ◆ Ear Plugs
- ◆ Ear Muffs

Hearing protection is required to be worn when employees are exposed to noise levels at or above 90dbA. Hearing protection is optional when employees are exposed to noise levels between 85dbA and 89dbA. Exposure levels will be determined by conducting noise surveys of potentially hazardous areas using a noise dosimeter.

The type of hearing protection selected depends on the preference of the employee. All hearing protection provided by this Municipality has a noise reduction rating (NRR) of 31dBA, offering the highest level of hearing protection.

### **IX. Jewelry**

The potential for catching, snagging, pulling, and tearing exist in and around most maintenance operations. Because of this, controls must be exercised over wearing rings, watches, bracelets, necklaces, and other items of jewelry. All such items of jewelry must be removed before entering the work area. To protect your hands and fingers, employees shall not wear jewelry on the job.

**Hazard Assessments of Jobs Tasks and Required Personal Protective Equipment**

(List not all-inclusive)

*All employees must wear appropriate head protection and a safety vest during all job tasks.***1. Road and Bridge Work:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Vehicle traffic, equipment, falling/flying objects and materials	Struck by	Hard hat
Public right of way	Struck by	Safety vest
Flying particles from tools and equipment	Particle in eye(s)	Safety glasses
Noise (from tools and equipment)	Hearing damage	Hearing protection

**2. Building Construction Sites:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Falling/flying objects, low ceilings, entryways, pipes	Struck by, strike against head injury	Hard hat
Flying objects and particles	Eye injury	Safety glasses
Noise (from tools and equipment)	Hearing damage	Hearing Protection

**3. Paving Crew:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Vehicle traffic, falling/flying objects	Struck by	Safety vest
Public right of way	Struck by	Hard hat
Hot Asphalt	Burns	Heat resistant gloves

**4. Flagging:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Vehicle traffic, falling/flying objects	Struck by	Hard hat
Public right of way	Struck by	Safety vest

**5. Drivers:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Outside of vehicle on work site	See #1	See #1
Assisting with chipper	See # 7	See #7
Assisting w/ snowplow setup	See #13	See #13

**6. Tree Trimming and Cutting:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Falling tree limbs	Struck by – head injury	Hard hat
Flying particles	Particle in eye(s)	Safety glasses
Chainsaw blade	Leg, arm lacerations	Chainsaw chaps
Noise	Hearing damage	Hearing protection

**7. Chipper Operation:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying tree branches	Struck by – head laceration, contusion	Hard hat
Flying wood chips	Particle in eye(s)	Safety glasses

**8. Weed Whacking:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying particles	Particle in eye(s)	Safety glasses
Flying Objects	Struck by	Bump cap
Sharp branches/thorns	Hand laceration	Gloves
Noise	Hearing damage	Hearing protection

**9. Lawn Mowing:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Low Tree Branches	Strike against – head laceration, contusion	Bump cap
Stones kicked up from ground	Particle in eye(s)	Safety glasses
Noise	Hearing damage	Hearing protection

**10. Using Power Tools and Hand Tools:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying chips, dust, metal	Particles in eye(s)	Safety glasses

**11. Golf Course Maintenance:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying golf balls	Struck by – head injury	Bump cap
Employees not visible to golfers	Struck by	Safety vest

**12. Emptying Garbage:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Potential bloodborne pathogen contaminated materials	Infectious disease	Rubber gloves
Flying objects/particles	Struck by	Bump cap

**13. Snow Plow Setup:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Sharp edges	Hand laceration	Gloves

**14. Working with Chemicals (general):**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Skin absorption	Dermatitis	Gloves (refer to MSDS)
Inhalation in poorly ventilated areas	Illness	Respiratory protection (Refer to MSDS)
Chemical splashing	Chemical in eye(s)	Safety goggles

Note: Refer to Hazard Control Section of Safety Data Sheet for specific information on hazards and recommended PPE.

**15. Changing Chlorine Gas Cylinders – Stationary Engineers:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Potential leak or cylinder rupture, unknown concentration of chlorine gas	Illness, respiratory arrest	SCBA

**16. Liquid Chlorine:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Chemical splashing	Chemical in eye(s)	Safety goggles
Breathing chemical vapors	Illness	Cartridge-type air purifying respirator
Skin absorption	Dermatitis	Rubber gloves, boots

**17. Working in Chlorine Pump Rooms – Stationary Engineers:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Noise	Hearing damage	Hearing protection

**18. Spraying Pesticides:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Chemical vapors blown into breathing zone	Illness	Cartridge-type air purifying respirator
Chemical vapors blown into eyes	Chemical in eye(s)	Safety goggles
Skin absorption	Dermatitis	Rubber gloves

**19. Working in Confined Areas:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Low ceilings, entryways, pipes	Strike against – head laceration, contusion	Hard hat



**20. Handling Glass:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Sharp edges	Laceration	Cut-resistant gloves

**21. Welding, Cutting and Brazing:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
UV Light	Eye injury	Eye protection
Hazardous fumes and smoke in poorly ventilated areas	Illness	Respiratory protection

**22. Woodworking Equipment:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying wood chips, dust	Particle in eye(s)	Safety glasses

**23. Spray Finishing in Paint Shop:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Breathing vapors	Illness	Air purifying respirator

**24. Grinding:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying Objects (piece of wheel)	Struck by – eye, face injury	Face shield

**25. Nail Gun:**

<b>Hazards</b>	<b>Type of Injury</b>	<b>PPE Required</b>
Flying Objects (nails)	Struck by – eye injury	Safety glasses

**EMPLOYEE PERSONAL PROTECTIVE EQUIPMENT INVENTORY LIST****Name:****Supervisor:****Work Location:**

**I certify that I have been issued the following safety equipment. I acknowledge that this equipment must be used to perform my job functions. I also acknowledge that I am responsible for the proper care and storage of these items.**

**Initials:****Date:****Equipment:**

/\_\_\_/\_\_\_

**Safety Glasses**

/\_\_\_/\_\_\_

**Face Shield**

/\_\_\_/\_\_\_

**Gloves**

/\_\_\_/\_\_\_

**Hard Hat**

/\_\_\_/\_\_\_

**Respirator**

/\_\_\_/\_\_\_

**Vest**

/\_\_\_/\_\_\_

**Tyvex Suit**

/\_\_\_/\_\_\_

**Hearing Protection****Other Equipment (Supervisor should list all other equipment here.)****Initials:****Date:****Equipment:**

\_\_\_/\_\_\_/\_\_\_

\_\_\_/\_\_\_/\_\_\_

\_\_\_/\_\_\_/\_\_\_

/ /

\_\_\_\_\_

**Attachment 1**

**PERSONAL PROTECTIVE EQUIPMENT HAZARD ASSESSMENT  
DESCRIPTION OF HAZARDS**

**Job Task:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Sources of Motion:**

- 1.
- 2.
- 3.

**Sources of High Temperatures:**

- 1.
- 2.
- 3.

**Sources of Light Radiation:**

- 1.
- 2.
- 3.

**Types of Chemical/ Flammable Liquid Exposures:**

- 1.
- 2.
- 3.

**Sources of Sharp Objects:**

- 1.
- 2.
- 3.

**Sources of Rolling or Pinching Objects:**

- 1.
- 2.
- 3.

**Layout of Workplace and Location of Co-Workers:**

- 1.
- 2.
- 3.

**Sources of Noise:**

- 1.
- 2.
- 3.

**Municipality**  
**Personal Protective Equipment Assessment Chart**

Division: \_\_\_\_\_ Location \_\_\_\_\_

Job: \_\_\_\_\_ Date \_\_\_\_\_

Type of Hazard	Required Personal Protective Equipment		
Impact Penetration	Hand Protection	Type:	
Compression	Head Protection	Type:	
Temp. Extremes Dusts,	Foot Protection	Type:	_____
Fumes, Vapors Light	Protective Clothing	Type:	_____
Radiation Noise Noise	Respiratory Protection	Type:	_____
	Eye Protection	Type:	_____
	Hearing Protection	Type	_____
	Other	Type	_____
	Other	Type	_____

ADDITIONAL COMMENTS: \_\_\_\_\_

**PPE POLICY ACKNOWLEDGEMENT**

I hereby acknowledge that I have received a copy of the Municipality Personal Protective Equipment Policy.

Employee (PRINT)

---

Date

---

Employee Signature

---

Work Location

---

Supervisor/Witness

---

Date

---

## **IX. Confined Space Entry**

### **PERMIT REQUIRED CONFINED SPACE PROGRAM**

**Purpose:** The purpose of this Permit Required Confined Space program is to establish guidelines for a permit system. It is also for controlling the safe operating procedures for entering a confined space and regulating employee entry into confined spaces.

**Policy:** It is the policy of the Municipality to safeguard against any unauthorized entry into a confined space by the implementation of this permitting system. Also, disciplinary action will be taken for any unauthorized entry into permit required confined spaces.

**Scope:** This program contains the requirements for the procedures to protect employees from the hazards of entry into permit required confined spaces.

#### **Definitions:**

Attendant- an individual stationed outside one or more permit spaces who monitors the entry into confined spaces and who performs all attendant's duties prescribed in this program

Authorized entrant- an employee who is authorized by the Department Head to enter a permit space.

Confined Space- a space that:

- 1) Is large enough and so configured that an employee's body can enter and perform assigned work.
- 2) Has limited or restricted means of entry or exit (i.e.: communications vaults, storm sewers, sanitary sewers, fueling pits, fuel storage tanks, electrical vault, manholes).
- 3) Is not designed for continuous employee occupancy.

Emergency- any occurrence or event internal or external that could endanger the entrants.

Entry- the action by which an employee passes through an opening into a permit required confined space. Entry includes ensuing work activities in that space and is considered to have occurred as soon as the entrant's body breaks the plane of an opening into that space.

Entry permit- the written or printed document that is provided by the employer to allow and control entry into a confined space.

Entry supervisor- the person designated responsible for determining if acceptable entry conditions are present for authorizing entry and overseeing entry operations, and for terminating entry at any time. (An entry supervisor may also serve as an attendant or as an authorized entrant, if that person is trained and equipped for the role he or she fills.)

Hazardous atmosphere- an atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue, injury, or acute illness from one or more of the following causes:

- 1) Flammable gas, vapor, or mist in excess of 10 percent of its lower flammability limit (LFL).
- 2) Airborne combustible dust at a concentration that meets or exceeds its LFL;
- 3) Atmospheric oxygen concentration below 19.5% or above 23.5%
- 4) Any atmosphere that is immediately dangerous to life or health
- 5) An atmospheric concentration of any substance for which a dose or PEL/TLV (permissible exposure limit/threshold limit value) is published and could result in employee exposure in excess of its dose or PEL/TLV.

Immediately Dangerous to Life or Health (IDLH) - any condition that poses an immediate or delayed threat to life or that would cause irreversible adverse health effects or would interfere with an employee's ability to escape unaided from a permit space.

Non-permit confined space - a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious injury.

Oxygen deficient atmosphere - an atmosphere containing less than 19.5% oxygen by volume

Oxygen enriched atmosphere - an atmosphere containing more than 23.5% oxygen by volume.

Permit Required Confined Space - a space that has one or more of the following:

- 1) Contains or has a potential to contain a hazardous atmosphere.
- 2) Contains a material that has potential to engulf an entrant.
- 3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor, which slopes downward and tapers to a smaller cross section.

### **General requirements:**

1) The Department Supervisor will evaluate its properties to determine if the workplace contains any confined spaces. The Bureau of Fire has already identified the following commonly entered areas as permit required confined spaces: communications vault, electrical vault, fueling pits (valve & control vaults), fuel storage tanks, sanitary sewers, storm sewers, etc.

2) If confined spaces are found, then it will be determined if the spaces are non-permit-requiring confined spaces or permit requiring confined spaces. When in doubt supervisors shall treat all confined spaces as permit required.

- 3) If these spaces are not to be entered, then measures must be taken to deny access to any individual without proper authority. Locks, signs, barriers, gates, and fences are acceptable methods of denying access to these spaces
- 4) Entry into confined spaces shall be controlled. Only trained, authorized individuals shall enter a confined space. Signs shall be posted in the immediate area of the confined space. "DO NOT ENTER-PERMIT REQUIRED CONFINED SPACE"
- 5) This written program must be available for inspection by all employees.
- 6) When entrance covers are removed to gain access to the confined space, the opening shall be promptly guarded by a railing, temporary cover, or some other temporary barrier that will prevent an accidental fall through the opening.
- 7) Before an employee enters the space, testing must be done to ensure that there is no hazardous atmosphere present. The following conditions should be monitored for oxygen deficient atmosphere, oxygen enriched atmosphere, flammable gases and vapors, and potential toxic air contaminants (such as carbon monoxide (CO), hydrogen sulfide (H<sub>2</sub>S), etc.) Acceptable levels are included on the entry permit.
- 8) Periodic monitoring within the breathing zone of the entrant must be done while in the confined space to ensure that no hazardous condition arises while the entrant occupies the space.
- 9) If a hazardous atmosphere is detected during the time an entrant is in the confined space then:
  - 1) Each employee shall exit the confined space
  - 2) The space shall be evaluated to determine how the hazardous atmosphere developed.
  - 3) Measures must be taken to ensure that the hazardous atmosphere is under control before any reentry to that space is attempted. Mechanical ventilation can be used to dilute the hazardous atmosphere. A Self-Contained Breathing Apparatus (SCBA) must worn if it is absolutely necessary to enter the space even though the hazardous atmosphere cannot be controlled. However, SCBA's are only to be worn by qualified personnel.
- 10) Communication must be maintained between the entrant and the attendant during the duration of entry in the confined space. If necessary, two-way radios shall be used.



### **Permit Required Confined Space Procedure:**

1. Before any work is done in a confined space, the appropriate agency must be contacted. They are the primary rescue team and must be notified prior to any entry into a confined space. The atmosphere of the confined space must be tested prior to any entry to ensure that a safe atmosphere exists. The designated work crew may perform the initial monitoring provided that all participants are fully aware of their duties under this program, knowledgeable on the use of the monitoring equipment and the hazards associated with confined spaces. If the designated work crew does not have monitoring equipment or would like another opinion, the Fire Department must do the initial monitoring to determine if the confined space is safe to enter. It is then the responsibility of the designated working crew to continuously monitor the space while the work is being performed.
2. Any unauthorized entry into a permit required confined space shall result in disciplinary action.
3. Certain space areas will be designated as permit required confined spaces. These spaces must be protected from unintentional entry. Signs, barriers, yellow caution tape, and locks are acceptable methods to prevent unauthorized entry. Any space that is designated with any type of confined space sign is a predetermined confined space. Areas that are not marked with appropriate signs and are of any question shall be evaluated to determine if a permit is needed to enter that space. When in doubt, supervisors shall treat all confined spaces as permit required.
4. Entry into a confined space is only permitted after atmospheric testing is done to ensure a safe atmosphere. Monitoring shall be conducted by a qualified individual who has been trained in the use of the monitoring equipment. The testing will include monitoring of oxygen deficient or oxygen enriched atmosphere. This means the oxygen levels shall be above 19.5 % and below 23.5% oxygen by volume. Also, to be tested are flammable gases and vapors. The levels of any flammable gas or vapors that are present shall not exceed 10% of its lower flammable limit (LFL). Also, any concentration of any substance that is listed in the American Conference of Governmental Industrial Hygienists (ACGIH) handbook or 29CFR 1910.subpart Z (Toxic and Hazardous Substances) table Z-1 thru Z-3 shall not exceed its listed Threshold Limit Value (TLV) or it's Permissible Exposure Limit (PEL). No entry shall be allowed if an atmosphere is determined to be Immediately Dangerous to Life and Health (IDLH).
5. If the atmosphere in the confined space needs to be ventilated to gain acceptable limits then no entry shall be granted until proper ventilation is set up and the atmosphere is re-tested and determined acceptable. Ventilation shall continue throughout the duration of scheduled work or until all entrants are out of the confined space. Continuous monitoring by the attendant shall be done while

any entrant is in the confined space. The entrant shall be alerted and removed from the confined space if at any time the monitoring reveals a hazardous atmosphere.

6. The entry supervisor shall also assure that all provisions of the lockout/tagout program are followed.
7. Once the confined space is tested and entry is acceptable, the permit must be then signed by the entry supervisor, the authorized attendant, and the authorized entrant. Once entry is granted the space must be protected from any surrounding employees or protected so that the authorized entrant is in no danger of being struck by falling objects or any other external hazards.
8. If the space is deeper than 5 feet from the surface, the entrant shall wear a full body harness with "D" ring attached to a rescue tri-pod. A hard hat shall also be worn by all entrants to prevent against possible head injuries from falling objects and/or bumps in close quarters.
9. After work is completed, the permit must be signed off by the entry supervisor to show that all work is complete and that no further entry is needed. All tooling and equipment that was used to complete the task must be removed. The confined space must then be protected from unauthorized entry to that space once all attendants and entrants have completed their assigned duties.
10. The Supervisor must receive a copy of the cancelled permit within 48 hours, which is to be kept on record for a period of one year. All cancelled permits are permitted to be reviewed by employees.

### **The Confined Space Permit:**

The confined space permit shall include the following:

1. The space that is to be entered or the location of the space.
2. The purpose of the entry (why entry is needed).
3. The date and the authorized duration that the permit is valid.
4. The authorized entrant(s) by name so the attendant can quickly and accurately determine who has entered the space.
5. The employee's name who is serving as the attendant.
6. The individual, by name, who is serving as the entry supervisor.
7. The hazards of the space that is to be entered.
8. The measures used to isolate the hazards while entry is conducted
9. The acceptable entry conditions (oxygen, flammable gases and vapors, etc.)
10. The results of initial and periodic testing of the space. This must be accompanied by the individual's name who did the testing and when it was performed.
11. The number of the rescue services that must be called and a list of the equipment that is used in case of an emergency.

12. The type of equipment that is needed for entry into the confined space (i.e. Ventilation equipment, rescue equipment, respiratory protection equipment, head protection, hearing protection, rain suits, boots, gloves, radio equipment, lighting equipment, etc.).

### **Duties of the Authorized Entrant:**

All authorized entrants shall:

- 1) Know the hazards that may be faced during entry, including signs or symptoms and consequences of the exposure.
- 2) Properly use protective equipment to maintain safe working conditions.
- 3) Communicate with the attendant as necessary to enable the attendant to monitor entrant status and to enable the attendant to alert entrants of the need to evacuate the space, if necessary.
- 4) Alert the attendant if any warning sign or symptom of exposure to a dangerous situation is recognized, or when a prohibited condition is detected.
- 5) Exit from the permit space as quickly as possible if an order to evacuate is given by the attendant or entry supervisor; if the entrant recognizes a warning sign or symptom of a dangerous situation; the entrant detects a prohibited condition, or if the evacuation alarm on the monitoring equipment is activated.

### **Duties of the Attendant:**

All authorized attendants shall:

- 1) Know the hazards that may be faced during entry, including information on the mode, signs, or symptoms and consequences of the exposure.
- 2) Be aware of the possible behavioral effects of hazard exposure to authorized entrants.
- 3) Continuously maintain an accurate count of authorized entrants in the space and assures that the means used to identify who is in the space accurately identifies that person.
- 4) Remain outside the entry space until relieved by another attendant.
- 5) Communicate with authorized entrants as necessary to monitor entrant status and to alert entrants of the need to evacuate the space.
- 6) Monitor activities inside and outside of the space to determine if it is safe for entrants to remain in the space and order the authorized entrants to evacuate the permit space under any of the following conditions: if the attendant detects a prohibited condition; if the attendant detects any behavioral effects in the entrant(s); or if the attendant cannot safely perform any of the duties described in this section.
- 7) Summon rescue and other emergency services as soon as the attendant determines that the authorized entrant needs additional assistance to escape from the confined space. The attendant shall NOT enter the space to perform rescues, but wait for emergency services to arrive who are equipped with SCBA's and other rescue equipment.

- 8) Take the following action when unauthorized persons approach or enter a confined space while entry is underway: warn the unauthorized person that they must stay away from the permit space; advise the person that they must exit immediately if they have entered a permit space; inform the authorized entrants and the entry supervisor if unauthorized persons have entered the permit space.
- 9) Perform no duties that may interfere with the attendant's primary duty to monitor and protect the authorized entrants.

### **Duties of the Supervisor:**

All supervisors shall:

- 1) Know the hazards that may be faced during entry, including information on the mode, signs and symptoms, and consequences of exposure.
- 2) Verify by checking that the appropriate entries have been made on the permit, that all tests specified by the permit have been conducted and that all procedures and necessary equipment specified by the permit are in place before endorsing the permit and allowing entry to begin.
- 3) Verify that all entrants and attendants are knowledgeable of their duties and responsibilities to perform the entry in accordance with this procedure.
- 4) Terminate the entry and cancel the permit when the work on the permit is completed or if a situation arises that is dangerous to the authorized entrant(s).
- 5) Verify that the rescue services are available and that the means for summoning them are operable.

### **Training**

Training must be given to all employees whose work will require them to perform tasks within a confined space. Training shall be provided to each affected employee:

- 1) Before the employee is first assigned duties of an entrant, attendant, or an entry supervisor;
- 2) Whenever there is a change in the assigned duties;
- 3) Whenever there is a change in permit space operations that presents a hazard about which an employee has not previously been trained;
- 4) Whenever the supervisor has reason to believe either that there are deviations from the permit space entry procedures or that there are inadequacies in the employee's knowledge or use of these procedures.

Employees shall be trained in the following areas:

- 1) Educate all affected employees on which potential work areas are permit required spaces, and that entry into such spaces requires an entry permit.
- 2) Educate all affected employees on the recognition, evaluation, and control of hazardous atmospheres in confined spaces. Affected employees will be trained to recognize the hazards that they may encounter, what to do when a hazardous situation arises, and how to control the area to gain an acceptable entry condition.
- 3) Designated employees will be trained on how to use the monitoring equipment to recognize the difference between hazardous and acceptable atmospheres, and have proper training in the care of the equipment.
- 4) Designated employees may be trained on the proper use of a SCBA. These individuals will follow strict guidelines pursuant to (29 CFR 1910.134/ Respirator Protection Program) when using such equipment.
- 5) Training will be conducted on the use of rescue equipment that is required for entrants to have when entering a confined space. Also, training will be conducted on the use of communication equipment that will be used between attendants and entrants.
- 6) Employees will be trained how to properly fill out a confined space permit. All the information on the permit will be explained so that the employee filling out the permit understands the purpose of the permit.
- 7) Employees will be trained that once the work is completed, the permit needs to be cancelled, and the confined space needs to be protected from unauthorized entry.

## **X. Electrical Safety**

### **ELECTRICAL SAFETY**

As part of their everyday activities, employees may be exposed to electrical hazards to some degree on a regular basis. Employees must respect the potential hazards of electricity, by following the safe work practices listed below when using or working around electrical equipment. Only authorized, trained employees are permitted to work on live electrical equipment.

#### **Basic Principals of Electricity:**

Electrical equipment is potentially hazardous and can cause serious shock and burn injuries if improperly used or maintained. Electricity travels through electrical conductor that may be in the form of wires or parts of the human body. Most metals and moist skin offer very little resistance to the flow of electrical current and can easily conduct electricity. Other substances such as dry wood, porcelain, or pottery offer a high resistance and can be used to prevent the flow of electrical current. If a part of the body encounters the electrical circuit, a shock will occur.

The electrical current will enter the body at one point and leave at another. The passage of electricity through the body can cause great pain, burns, destruction of tissue, nerves, and muscles and even death. Factors influencing the effects of electrical shock include the type of current, voltage, resistance, amperage, pathway through body, and the duration of contact.

The longer the current flows through the body, the more serious the injury. Injuries are less severe when the current does not pass through or near nerve centers and vital organs. Electrical accidents usually occur because of faulty or defective equipment, unsafe installation, or misuse of equipment on the part of workers.

#### **Electrical Hazards:**

- ♦ **Ungrounded Equipment** - Grounding is a method of protecting employees from electric shock. By grounding an electrical system, a low-resistance path to earth through a ground connection is intentionally created. When properly done, this path offers sufficiently low resistance and has sufficient current-carrying capacity to prevent the build-up of hazardous voltages. Most fixed equipment such as large, stationary machines must be grounded. Cord and plug connected equipment must be grounded if it is in hazardous or wet locations, if operated at more than 150 volts to ground, or if it is of a certain type of equipment. Smaller office equipment, such as typewriters and coffee pots, would generally not fall into these categories and therefore would not have to be grounded. In such cases, the equipment must be used in accordance with the manufacturer's instructions. Never remove the third (grounding) prong from any three-prong piece of equipment.

- ◆ **Overloaded Outlets** - Insufficient or overloading of electrical outlets is not allowed. Enough outlets will eliminate the need for extension cords. Overloading electrical circuits and extension cords can result in a fire. Floor mounted outlets must be carefully placed to prevent tripping hazards.
- ◆ **Unsafe/Non-Approved Equipment** - The use of poorly maintained or unsafe, poor quality, non-approved equipment, including office equipment and appliances (often provided by or used by employees) is not allowed. Such equipment can develop electrical shorts creating fire and/or shock hazards. Equipment and cords should be inspected regularly, and a qualified individual should make repairs.
- ◆ **Defective, frayed or improperly installed cords** - When the outer jacket of a cord is damaged, the cord may no longer be water-resistant. The insulation can absorb moisture, which may then result in a short circuit or excessive current leakage to ground. If wires are exposed, they may cause a shock to a worker who contacts them. These cords must be repaired or replaced. Electric cords should be examined on a routine basis for fraying and exposed wiring. Damaged cords must be reported to the supervisor, put out of use and repaired/replaced
- ◆ **Improper Placement of Cords** - A cord cannot be pulled or dragged over nails, hooks, or other sharp objects that may cause cuts in the insulation. In addition, cords should never be placed on radiators, steam pipes, walls, and windows. Attention must be placed on connections behind furniture, since files and bookcases may be pushed tightly against electric outlets, severely bending the cord at the plug.
- ◆ **Electrical Cords across Walkways and Work Areas** - An adequate number of outlet sockets should be provided. Extension cords should only be used in situations where fixed wiring is not feasible. However, if it is necessary to use an extension cord, never run it across walkways or aisles due to the potential tripping hazard. If you must run a cord across a walkway, either tape it down or purchase a cord runner.
- ◆ **Live Parts Unguarded** - Wall receptacles should be designed and installed so that no current-carrying parts will be exposed, and outlet plates should be kept tight to eliminate the possibility of shock.
- ◆ **Pulling of Plugs to Shut Off Power** - Switches to turn on and off equipment should be provided, either in the equipment or in the cords, so that it is not necessary to pull the plugs to shut off the power. To remove a plug from an outlet, take a firm grip on and pull the plug itself. Never pull a plug out by the cord.

- ♦ **Working on "Live Equipment"** - Disconnect electrical machines before cleaning, adjusting, or applying flammable solutions. For equipment other than cord and plug, lockout tagout practices must be used. If a guard is removed to clean or repair parts, replace it before testing the equipment and returning the machine to service.
  
- ♦ **Blocking Electrical Panel Doors** - If an electrical malfunction should occur, the panel door, and anything else in front of the door will become very hot. Electrical panel doors should always be kept closed, to prevent "electrical flashover" in the event of an electrical malfunction.



## **XI. Material Handling & Storage**

### **MATERIAL HANDLING AND STORAGE POLICY**

All employees must follow safe work practices for lifting and material handling designated below. When lifting assists are provided, employees must use the equipment available. The purpose of establishing these procedures are to prevent common injuries associated with material handling, including strains, struck by and slips/falls.

### **SAFE LIFTING GUIDELINES**

- ◆ Take a balanced stance with your feet placed shoulder-width apart. When lifting something from the floor, squat close to the load.
- ◆ Keep your back in its neutral or straight position. Tuck in your chin so your head and neck continue the straight back line.
- ◆ Grip the object with your whole hand, rather than only with your fingers. Draw the object close to you, holding your elbows close to your body to keep the load and your body weight centered.
- ◆ Lift by straightening your legs. Let your leg muscles, not your back muscles, do the work. Tighten your stomach muscles to help support your back. Maintain your neutral back position as you lift.
- ◆ Never twist when lifting. When you must turn with a load, turn your whole body, feet first.
- ◆ Never carry a load that blocks your vision.
- ◆ To set something down, use the same body mechanics designed for lifting.

### **LIFTING FROM A SEATED POSITION**

Bending from a seated position places tremendous strain on your back. Also, your chair could be unstable and slip out from under you. Instead, stand and move your chair out of the way. Squat and stand whenever you must retrieve something from the floor.

## **ERGONOMIC SOLUTIONS**

Ergonomic controls are the most effective method of reducing strain injuries from lifting and material handling. The following basic ergonomic principals must be considered in addition to enforcing the use of safe work practices:

- ◆ If you are doing a lot of twisting while lifting, try to rearrange the space. People who must twist under a load are more likely to suffer back injury.
- ◆ Rotate through tasks so periods of standing alternate with moving or sitting. Ask for stools or footrests for stationary jobs.
- ◆ Store materials at knee level whenever possible instead of on the floor. Make shelves shallower (12-18") so one does not have to reach forward to lift the object. Break up loads so each weigh less.
- ◆ If you must carry a heavy object some distance, consider storing it closer, request a table to rest it on, or try to use a hand truck or cart to transport it.

## **MATERIAL STORAGE**

Materials that are improperly stored can lead to objects falling on workers, poor visibility, and create a fire hazard. A good housekeeping program will reduce or eliminate hazards associated with improper storage of materials. Examples of improper storage include - disorderly piling, piling materials too high, and obstructing doors, aisles, fire exits and fire-fighting equipment. The following are good storage practices:

Boxes, papers, and other materials should not be stored on top of lockers or file cabinets because they can cause landslide problems. Boxes and cartons should all be of uniform size in any pile or stack. Always stack material in such a way that it will not fall over.

- ◆ Store heavy objects on lower shelves.
- ◆ Try to store materials inside cabinets, files, and lockers.
- ◆ Office equipment such as typewriters, index files, lights or calculators should not be placed on the edges of a desk, filing cabinet, or table.
- ◆ Aisles, corners, and passageways must remain unobstructed. There should be no stacking of materials in these areas.
- ◆ Storage areas should be designated and used only for that purpose. Store heavy materials so you do not have to reach across something to retrieve them.

- ◆ Fire equipment, extinguishers, fire door exits, and sprinkler heads should remain unobstructed. Materials should be at least 18 inches minimum away from sprinkler heads.

The following safety guidelines should be followed when storing material:

- ◆ When using a lift truck, always adjust forks to proper width.
- ◆ Round objects like pipe should be blocked and chained, if necessary, to prevent rolling.
- ◆ Materials in bags should be stacked by varying each layer in direction, so that each bag rests on two bags in the layer below.
- ◆ Large cans and kegs should be banded or chained together on each layer.
- ◆ Lumber should be stacked with cross-tie pieces to steady the pile and prevent shifting. This also provides ventilation.

## **FORKLIFT SAFETY**

Only trained, authorized employees are permitted to operate forklifts. Employees must receive detailed training before operating a forklift including: forklift types, uses, designs, limitations, parts, and inspection procedures, safe loading, unloading, operation parking and refueling procedures.

Incorrect or careless forklift operation can cause serious accidents. Forklifts often steer with the rear wheels and can tip easily. Operators or nearby workers can be injured or killed if a forklift tips over, falls off a loading dock, collides with or drops a load on equipment, a vehicle or another person. Other forklift hazards include operator injuries caused by jumping on or off a forklift and fires caused by improper refueling or recharging.

It is the Municipality's policy that forklift operators and those working around forklifts follow the guidelines written below:

- ◆ Forklifts must be inspected – tires, brakes, steering, horn, forks etc., before use each day or shift.
- ◆ The forklift operator must wear a seatbelt.
- ◆ Horseplay during forklift operation is prohibited.
- ◆ Keep arms, hands and legs inside the truck
- ◆ Beware of surface holes, uneven patches and overhead clearances.
- ◆ Don't drive up to a person standing in front of a bench or any fixed object.
- ◆ Obey speed limits.
- ◆ Drive in the assigned lane or on the right.
- ◆ Yield the right of way to pedestrians.
- ◆ Sound the horn at intersections.
- ◆ Stay at least three truck lengths behind the vehicle in front of you.
- ◆ Slow down for turns.
- ◆ Stop before going in reverse.
- ◆ Don't pass at intersections or blind spots.
- ◆ No one is permitted to ride directly on the truck's forks.

## **XII. Excavations & Protective Systems**

### **EXCAVATIONS AND PROTECTIVE SYSTEMS POLICY**

It is the Municipality's Policy that an acceptable protective system be provided when employees must perform work in a trench that is 5 feet or more in depth. A competent trained person must be on site to always supervise the job site. All Supervisors and Superintendents have been trained and are designated as Competent Persons. If the potential for atmospheric hazards exist in a trench, air monitoring must be conducted and mechanical ventilation must be used.

No matter how many trenching, shoring, and backfilling jobs have been performed in the past, each job should be planned carefully. It is important to make certain you will be able to protect yourself, other employees, the public, and property.

Adequate information about the job site should be available. Considerations in planning this type of operation may include traffic, nearness of structures and their conditions, soil, ground water, water table, overhead utilities, and weather. In addition, there should be a mechanism in place for informing all involved parties. Individuals performing these operations should be knowledgeable about all underground installations, including sanitary systems, storm water facilities, water, fuel, telephone, gas, and traffic loop control lines, etc., that may be encountered in the digging process.

#### **Soil Classifications:**

The soil classification will dictate the type of protective system used and sloping ratios. Competent persons must be trained to be able to identify the different types of soils.

- ◆ Stable Rock – can be excavated with vertical sides and remain intact while exposed.
- ◆ Type A Soil – the highest compressive strength (except for stable rock) including different types of clays. No soil can be classified as Type A if it is fissured, subject to vibration from traffic and equipment, or part of a sloped, layered system.
- ◆ Type B Soil – clays, gravels, silts and loams with a less compressive strength than Type A soil.
- ◆ Type C Soil – soils such a gravel and sand, submerged soil, unstable submerged rock, or soil from which water is freely seeping

#### **Types of Protective Systems:**

The following are acceptable types of protective systems to prevent cave-ins. Departments are responsible for determining which system will best fit their situation:

Sloping and Benching -Sloping or benching is one option to protect against cave-ins when trenches are less than 20 feet deep. If the soil classification cannot be identified,

the sides of the excavation must be sloped to an angle not steeper than  $1\frac{1}{2}$  H : 1V. If the soil type can be identified, the following maximum allowable slopes must be used:

- ◆ Stable Rock – Vertical 90 degrees
- ◆ Type A Soil –  $\frac{3}{4}$ H : 1V
- ◆ Type B Soil – 1H : 1V
- ◆ Type C Soil –  $1\frac{1}{2}$  : 1V

Shielding - Shielding is a structure that can withstand the forces imposed on it by a cave-in, sometimes referred to as a trench box. Shields can be permanent structures or designed to be portable and moved along as work progresses. Shields can be pre-manufactured or built for a job.

Shoring - A structure such as metal hydraulic, mechanical or timber shoring system that supports the sides of an excavation.

### **Entry and Exit:**

Enough ladders must be provided for safe entry into and exit out of a trench. The number of ladders depends on the size of the trench. Generally, one ladder must be provided every 20 feet.

### **Barricades and Warning Signs:**

All open trenches must have barricades and signage in place to warn employees in the area to keep out. Open trenches that are left overnight must be covered to prevent injury to the public. Wood planking or metal coverings are sufficient.

**REMEMBER - CALL BEFORE YOU DIG -811 or 800-272-1000**

### **XIII. Utility Line Safety**

#### **UTILITY LINE SAFETY POLICY**

The purpose of the Municipality Utility Line Safety Policy is to prevent employee injury and property damage by avoiding contact with underground and overhead live utility lines.

During excavation or digging, area utilities must be contacted during the planning stage for assistance in locating their underground service lines in and around the job site. If work is to be performed near overhead power lines, the lines must be de-energized and grounded by the owner or operator of the lines. If a utility line is accidentally contacted, it must be reported to the utility company immediately.

##### **Underground Utility Services:**

Underground utility services constitute many hazards when damaged. Rupture of gas service lines presents an immediate danger to workers. Planning in advance can prevent such accidents.

Before work is started, supervisors and superintendents should do the following:

- ◆ Check plans and local utilities having service in the area. Additional information on underground services may be obtained **by calling 811 or 800-272-1000, at least 48 hours before digging.**
- ◆ Inspect the job area to identify what signs, post markers and overhead electrical lines may be seen.
- ◆ Obtain emergency service and repair telephone numbers of all utilities having service in the area.

##### **Natural Gas Service:**

- ◆ Inform all crewmembers of the location and depth of buried pipelines.
- ◆ Consult the local gas utility for closely paralleling or crossing buried pipelines.
- ◆ Specifically instruct equipment operators to avoid contact with buried lines. Use only hand digging when near buried pipelines.
- ◆ Do not use mechanical compaction equipment when back filling over buried pipelines.

### **Damaged Gas Pipeline:**

- ◆ Immediately call the gas utility repair service and report the damage.
- ◆ Shut off all motors in the area.
- ◆ Remove all flares, lanterns or open flames.
- ◆ Enforce no smoking in the area.
- ◆ Do not operate gas valves.
- ◆ Do not cover-up damaged pipeline.
- ◆ Check buildings in the immediate area for gas odors.
- ◆ Request nearby occupants to evacuate the area if gas odors are detected.
- ◆ Re-route vehicle traffic from the immediate area.
- ◆ Stay near the area until relieved by police, fire or gas company personnel.
- ◆ If ignition of the escaping gas occurs, clear and barricade the area. Do not attempt to extinguish burning gas.

### **Electrical Transmission Service:**

- ◆ Contact the local electric power utility if work is to be done near electrical lines. Accurately locate any buried service lines.

### **Overhead Power Lines:**

Contact with live overhead power lines may result in electrocution. Employees working around overhead lines must observe the following work practices to prevent accidents:

- ◆ Unqualified employees and mechanical equipment must stay at least 10 feet away from overhead power lines. If voltage is over 50,000 volts, the clearance must be increased by 4 inches for each additional 10,000 volts.
- ◆ When mechanical equipment is being operated near overhead lines, employees standing on the ground may not contact the equipment unless it is located so that the required clearance cannot be violated even at the maximum reach of the equipment.
- ◆ Use insulated protective equipment such as rubber-insulated gloves, hoods, sleeves, matting, blankets, line hose and hard hats.
- ◆ If mobile equipment accidentally becomes energized stay in your vehicle if possible. If you must exit the vehicle, hop instead of walking or running to avoid becoming the path to ground.



## **XIV. Fall Protection**

### **FALL PROTECTION POLICY**

All employees working at unprotected heights at or above six feet must be protected by a fall protection system. The purpose of fall protection systems is to prevent employees from falling off, onto, or through working levels and to protect employees from being struck by falling objects. Areas where fall hazards exist must be identified and evaluated. Training must be specific to the hazards identified.

Activities where fall protection is needed include:

- ◆ Ramps, runways and other walkways
- ◆ Excavations
- ◆ Hoist areas
- ◆ Holes
- ◆ Formwork and reinforcing steel
- ◆ Leading edge work
- ◆ Unprotected sides and edges
- ◆ Overhand bricklaying and related work
- ◆ Roofing work
- ◆ Precast concrete erection
- ◆ Wall openings
- ◆ Residential construction
- ◆ Hazard of falling into dangerous equipment

Fall protection can be provided using guardrail systems, safety net systems, personal fall arrest systems, positioning device systems, and warning line systems.

#### **Controlled Access Zones:**

A controlled access zone is a work area designated and clearly marked in which certain types of work may take place without the use of conventional fall protection systems – guardrail, personal arrest, or safety net. Controlled access zones are used to keep out workers other than those authorized to enter work areas from which guardrails have been removed.

Controlled access zones must be defined by a control line or by any other means that restricts access. Control lines shall consist of ropes, wires, tapes or equivalent materials, and supporting stanchions, and each must be:

- ◆ Flagged or clearly marked at not more than 6 foot intervals.
- ◆ Rigged and supported in such a way that the lowest point, including sag is not less than 39 inches from the walking/working surface and the highest point is not more than 45 inches.

- ◆ Strong enough to sustain stress of at least 200 pounds.
- ◆ Control lines must be connected on each side to a guardrail system or wall.

### **Roofing:**

- ◆ Low Sloped Roofs – employees working on low-sloped roofs with unprotected sides and edges of 6 feet or more shall be protected by a guardrail, safety net, personal fall arrest system, or combination of a warning line and guardrail, warning line and safety net, warning line and personal fall arrest system, or warning line and safety monitoring system.
- ◆ Steep Roofs – employees working on steep roofs with unprotected sides and edges 6 feet or more must be protected from falling by a guardrail system, safety net system or a personal fall arrest system.

### **Working in Arial Lifts:**

Employees perform many jobs in arial lifts, including tree trimming and electrical work. Employees are required to tie off to the bucket when performing this work and make sure the wheels are chocked.

### **Fall Protection System Criteria:**

#### **1. Standard Guardrail Systems:**

Toprails and midrails or guardrail systems must be at least  $\frac{1}{4}$  inch thick to prevent cuts and lacerations. If wire rope is used for toprails, it must be flagged at 6-foot intervals. Steel and plastic banding cannot be used as toprails or midrails. Manila, plastic, or synthetic rope used for toprails or midrails must be inspected for strength and stability. The following specs are required for guardrail systems: (1) Toprail – 42 inches above working/walking level, (2) Midrail – 21 inches or middle distance between toprail and working surface, (3) Capable of withstanding 200 pounds of force in any direction

#### **2. Personal Fall Arrest Systems:**

Employees are required to wear personal fall protection when working at unprotected heights of 6 feet or more, when a guardrail or safety net system is not provided. The components of a personal fall arrest system include a full body harness, lanyard and anchorage point. Tie off points must be of sufficient strength the hold the maximum amount of force that could be exerted during a fall. Light fixtures and conduit are not acceptable anchorage points. These consist of an anchorage, connectors, and a body harness and may include a deceleration device, lifeline, or suitable combinations. If a personal fall arrest system is used for fall protection, it must do the following:

- ◆ Limit maximum arresting force on an employee to 900 pounds when used with a body belt
- ◆ Limit maximum arresting force on an employee to 1,800 pounds when used with a body harness
- ◆ Be rigged so that an employee can neither free fall more than 6 feet nor contact any lower level
- ◆ Bring an employee to a complete stop and limit maximum deceleration distance an employee travels to 3.5 feet (1.07 meters); and
- ◆ Have sufficient strength to withstand twice the potential impact energy of an employee free falling a distance of 6 feet or the free fall distance permitted by the system, whichever is less.

Personal fall arrest systems must be inspected prior to each use for wear damage, and other deterioration. Defective components must be removed from service. Dee-rings and snap hooks must have a minimum tensile strength of 5,000 pounds. Dee-rings and snap hooks shall be proof tested to a minimum tensile load of 3,600 pounds without cracking, breaking, or suffering permanent deformation. Snap hooks shall be sized to be compatible with the member to which they will be connected, or shall be of a locking configuration. Unless the snap hook is a locking type and designed for the following connections, they shall not be engaged (a) directly to webbing, rope, or wire rope; (b) to each other; (c) to a d-ring to which another snap hook or other connector is attached; (d) to a horizontal lifeline; or (e) to any object incompatible in shape or dimension relative to the snap hook, thereby causing the connected object to depress the snap hook keeper and release unintentionally.

### **3. Position Devices:**

Body belts are not permitted to be used as personal fall arrest systems, but may be used for positioning. Body belts or body harnesses used for positioning are set up so the worker cannot free-fall more than 2 feet. They shall be secured to an anchorage capable of supporting at least twice the potential impact load or 3000 pounds, whichever is greater.

### **4. Safety Monitoring Systems:**

When no other alternative fall protection has been implemented, a safety monitoring system shall be used. A competent person must monitor the safety of workers. The safety monitor must: be able to recognize fall hazards, warn workers of fall hazard dangers, be able to see the worker(s) and be able to orally communicate with workers.

Only workers engaged in roofing operations are allowed in the monitored area. Mechanical equipment shall not be used or stored in areas where safety monitoring systems are being used.

## 5. Safety Net Systems:

Safety nets must be installed as close as practicable under the walking/working surface and never more than 30 feet below such levels. Defective nets shall not be used. Safety nets shall be inspected at least once a week for wear, damage, and other deterioration. Each safety net mesh shall not exceed 36 square inches nor be longer than 6 inches on any side and the openings of mesh ropes or webbing shall not exceed 6 inches. Each safety net shall have a border rope for webbing with a minimum breaking strength of 5000 pounds.

Safety nets must be installed with sufficient clearance underneath to prevent contact with the surface below. When net are used on bridges, the potential fall area from the walking/working surface to the net shall be unobstructed.

Safety nets must extend outward from the outermost protection of the work surface as follows:

Vertical distance from working level to horizontal plane of net	Minimum required horizontal distance of outer edge of net from the edge of the working surface
Up to 5 feet	8 feet
More than 5 feet up to 10 feet	10 feet
More than 10 feet	13 feet

Safety nets shall be capable of absorbing an impact force of a drop test consisting of a 400-pound bag of sand 30 inches in diameter, dropped from the highest working point.

## 6. Warning Line Systems:

Warning line systems consist of ropes, wires, or chains and supporting stanchions and are set up as follows:

- ◆ Flagged at 6-foot intervals
- ◆ Rigged and supported so that the lowest point is not less than 34 inches from the surface and its highest point is no more than 39 inches from the surface
- ◆ Stanchions after being rigged with warning lines, shall resist a force of at least 16 pounds, 30 inches above the surface, perpendicular to the warning line and in the direction of the floor, roof, or platform edge.
- ◆ The rope, wire or chain shall have a minimum tensile strength of 500 pounds and after being attached to stanchions, must support without breaking
- ◆ Shall be attached to each stanchion in such a way that pulling on one section of the line will not result in slack being taken up in the adjacent section before the stanchion tips over.

**Covers:**

Covers located in roadways and vehicular aisles must be able to support at least twice the maximum axle load or the largest vehicle to which the cover might be subjected. To prevent accidental displacement from wind, equipment or workers, all covers must be secured. All covers shall be marked “HOLE” or “COVER”.

**Protection from Falling Objects:**

When guardrail systems are used to prevent materials from falling from one level to another, any openings must be small enough to prevent passage of falling objects.

1. **Canopies** – when used as protection from falling objects, canopies must be strong enough to prevent collapse and penetration by any objects that may fall onto them.
2. **Toeboards** – toeboards must be erected along the edges of the overhead working surface to protect persons below. Toeboards must be at least 3.5 inches high and have no more clearance than .25 inches above the working surface.

**Training:**

Employees must be trained to recognize fall hazards and how to minimize them. Employees must be trained in the following areas: (1) the nature of fall hazards in the work area, (2) procedures for erecting, maintaining, disassembling, inspecting fall protection systems, (3) use and operation of controlled access zones and fall protection systems, (4) role of each employee in safety monitoring system, (5) limitations on use of mechanical equipment during work on low-sloped roofs, (6) correct procedures for equipment and erection of overhead protection and (7) employees' roles in fall protection plans.

## **XV. Hazardous Chemicals & Right To Know**

### **HAZARDOUS MATERIALS**

There are thousands of useful chemicals that are essential in our jobs and at home. Many can be hazardous to health and safety IF they are not treated with respect and handled properly.

Typically, a material is hazardous if it can cause harm to people or the environment. It can be classified as corrosive, explosive, flammable, radioactive, reactive, or toxic. The three routes by which exposure to hazardous materials can take place are through the skin, inhalation, and ingestion or swallowing.

The most effective way to avoid any potential problems with hazardous materials is to know what the chemical is, why it is hazardous, and how to work with it safely. Guidelines to follow before using any hazardous material include:

1. Removing things that could burn, explode, or react dangerously with nearby materials.
2. Removing food, cigarettes, and street clothing from the area so they do not get contaminated.
3. Knowing where the emergency shower and eye wash stations are located.
4. Making sure the correct type of fire safety equipment is nearby and ready for use.
5. Check for adequate ventilation.
6. Knowing who to contact in case of an emergency.
7. Having someone nearby who knows where you are and what you are doing at all times.
8. Assembling the protective clothing and equipment that will be needed for the job.
9. Getting the final ok from the supervisor to proceed.

Always follow all appropriate Departmental and SDS safety procedures before, during, and after the job. Be careful not to contaminate clean areas or other people, and follow the proper instructions for disposing of all chemicals, contaminated rags, throwaway containers, work clothes, brushes, utensils, etc.

It is important to note that hazardous materials DO NOT have to be dangerous if you handle them properly.

## **HAZARDOUS CHEMICALS AND MATERIALS POLICY**

The purpose of the Hazardous Chemicals and Materials Policy is to prevent employee injury or illness from the improper use of hazardous chemicals and materials and to provide employees with information on the chemicals and materials they use on the job. It is the policy of the Municipality that all worksites develop safe work procedures and provide employee training specific to the hazardous chemicals and materials they use. Locations identified as using, storing or disposing of hazardous chemicals and materials must follow the state regulations (*Copy available through Safety Officer*).

### **Definitions:**

A hazardous material is defined as any substance that has the potential to cause harm including:

- ◆ Toxic substances/materials
- ◆ Flammable substances
- ◆ Reactive Substances
- ◆ Corrosives
- ◆ Radioactive substances
- ◆ Hazardous waste or bi-products

### **Required Posting:**

The supervisor at each work location where hazardous chemicals and materials are used and/or stored must post the Employee Work Place Notice in a common area where employees can view it. This posting should be displayed at each physical work site where hazardous chemicals and materials are used.

### **Hazardous Substance Survey Form:**

Each Supervisor must keep a Hazardous Substance Survey Form, which is a list of hazardous chemicals used at each of their facilities. This survey must be updated annually and must be posted in a common area at each facility.

**Container Labeling:**

Once the chemical is in the individual facility, it is the responsibility of the Supervisor to maintain the correct labeling of the material container. All hazardous material containers must be marked with specific information. This information includes the name of the material, hazard warnings and name and address of the manufacturer or distributor. All labels must be legible, prominently displayed on the container. Any chemical that is transferred from a labeled bulk container to a portable container must be labeled with the same information as the bulk container. There are no size limitations to this rule.

Material that is taken from a labeled container may be transferred into an unlabeled container as long as the person who transfers the material remains in control of the chemical and intends to use it immediately and within the same shift.

The NFPA has a fire diamond that is divided into four sections. Each section is assigned a color indicating a specific type of hazard. The four section and associated colors are:

- ◆ Blue – Health
- ◆ Red – Flammability
- ◆ Yellow – Reactivity
- ◆ White – Special Hazards

Each colored section is marked numerically to include the severity of each type of hazard:

- ◆ Zero– Special Hazard
- ◆ One – Minor Hazard
- ◆ Two – Slight Hazard
- ◆ Three – Moderate Hazard
- ◆ Four – High Hazard

**Safety Data Sheets:**

Safety Data Sheets (SDS) are sent by the manufacturer with any hazardous chemicals or materials that are ordered. Sometimes these sheets are sent automatically, but it is up to the person ordering the product to request material safety data sheets. These sheets contain important information on the specific hazards and properties of a material and how to control exposures. Each facility must keep a book of material safety data sheets on-site in a location easily accessible to employees. The following information should be contained on SDS

- ◆ The identity used on the container label.
- ◆ Physical and chemical characteristics (vapor pressure, boiling point, etc.)
- ◆ Physical hazards (potential for fire or explosion, reactivity)



- ◆ Chemical health hazards (signs, symptoms, or medical conditions due to exposure)
- ◆ Primary routes of entry (Inhalation, Ingestion, Absorption)
- ◆ OSHA Permissible Exposure Limit or ACGIH Threshold Limit Value
- ◆ Whether it is potentially a carcinogen
- ◆ Any general safe handling practices
- ◆ Any general control measures (engineering controls, administrative controls, PPE)
- ◆ Emergency and first aid procedures
- ◆ Date of SDS
- ◆ Name, address and telephone number of manufacturer

### **SDS Updating Procedures:**

When a new chemical is purchased, the manufacturer must also include a safety data sheet. The supervisor must update the SDS book whenever a new chemical is used. If an SDS is not sent with the new chemical then the purchasing agent or supervisor must request a copy from the manufacturer or distributor immediately. The SDS book and chemical list shall be reviewed and updated annually to remove any SDS of chemicals that are no longer used. Old SDS are not to be discarded; they are to be kept in a separate book.

### **Employee Information and Training:**

Training should be conducted for:

- ◆ Any operations in work areas where hazardous chemicals are present.
  - ◆ Location and availability of the hazard communication program, including the list of chemicals and the corresponding SDS.
  - ◆ Methods used to detect the presence or release of a hazardous material (monitoring devices, visual appearance, and odor)
  - ◆ Physical and health hazards of the materials.
  - ◆ Measures to prevent exposure to those hazards (safe work practices, engineering controls, and use of PPE).
  - ◆ An explanation of the labeling system and our hazard communication program.
  - ◆ How to read and understand SDS.

Training should also be given when there is a non-routine task assigned to an employee. A non-routine task includes a task for which an employee has not had previous training or a task that has a limited duration. Employees must be notified of any hazards related to the material they will be dealing with. Employees must also be made aware of any precautions that must be taken to ensure safe handling, the use of protective equipment, and safe work procedures.

**Disposal:**

All hazardous materials must be disposed of according to the manufacturer's recommendations. Employees are not permitted to pour chemical down sink and sewer drains without checking the SDS first. Work locations that deal with hazardous waste disposal must understand and follow all applicable standards, including those set forth by local, state and federal government.

## **XVI. Hearing Conservation**

### **HEARING CONSERVATION PROGRAM**

This hearing conservation program is intended to monitor for noise levels, and to ensure adequate engineering, administrative and hearing protection controls are implemented for exposed employees. The program applies to all employees who are exposed to noise levels at or above the action level of 85 dBA on an 8-hour time-weighted average ("TWA").

#### **Noise Monitoring**

**Sampling Requirements** - Noise monitoring by representative personal samples will be undertaken for all areas where information indicates that exposure may exceed the action level. A consultant will be used to ensure the appropriate sound levels are included, the instruments properly calibrated and the test room meets OSHA requirements. Monitoring will be repeated whenever a change in production, process, equipment or controls increases noise that exposes employees to levels at or above the action level or the hearing protection provided is no longer sufficient. Employees will be notified of the test results and will be given an opportunity to observe the monitoring.

#### **Employee Training**

Employees will receive training in the selection, fitting, use, care and purpose of hearing protection as well as the advantages, disadvantages and attenuation of various types. Employees will be trained in the purpose of audiometric testing and the test procedures will be explained. Employees will be trained in the effects of noise on hearing. Employees covered by this program will receive training annually.

#### **Access to Information**

This policy, as well as all training materials used, shall be available to employees. In addition, employees will receive information on their noise exposure and hearing test results.

#### **Record Keeping**

Noise Exposure Records must be retained for two year. Audiometric Test Records must be kept for the duration of the test. Employee's employment records will include the name and job classification of the employee, the date of the audiogram, the examiner's name, the date of the last calibration of the audiometer, the most recent noise exposure for that employee, and measurements of the background sound pressure levels in the audiometric test rooms.

### **Control of Noise Exposure**

**Engineering Controls** - Whenever noise levels are at or above 90 dBA TWA, all feasible engineering controls will be explored and implemented to reduce such levels to below 90 dBA TWA.

**Administrative Controls** - Where reduction in noise levels may not be accomplished by engineering controls, all feasible administrative controls, such as job rotation, will be explored and implemented to reduce individual employee exposure to noise.

**Hearing Protection - When Hearing Protection is Required** - All employees exposed to noise levels at or above 90 dBA TWA and all employees exposed to noise levels at or above 85 dBA who either have not yet had a baseline audiogram or who have had a STS must wear hearing protection. Employees will be provided with proper hearing protection to sufficiently reduce the noise exposure below 85 dBA TWA for those employees who have had an STS and below 90 dBA TWA for all other employees covered by this program. The hearing protection will be reevaluated if noise exposures increase so that the protection provided may no longer be adequate. Proper fitting of the hearing protection must also be ensured.

## **XVII. Respiratory Protection**

### **RESPIRATORY PROTECTION POLICY**

The purpose of the Municipality Respiratory Protection Policy is to prevent occupational illness related to overexposure to hazardous chemicals and materials where the use of a respirator is required.

Employees are required to wear a respirator when hazardous chemicals, such as chlorine or pesticides, can enter his or her breathing zone, causing an exposure. Employees with facial hair are not permitted to be fit tested or wear a respirator. If there is question as to if respiratory protection should be used, the Safety Officer should be consulted.

#### **Selection Procedures:**

These procedures apply to supplied air respirators and air purifying respirators. Respirators must be selected based on respiratory hazards to which the worker is exposed. Refer to the Safety Data Sheet of the hazardous substance(s) present to determine the correct respirator for the job. All respirators issued by the Municipality must be certified by NIOSH.

Employees exposed to atmospheres that are Immediately Dangerous to Life and Health (IDLH), including chlorine gas, must wear a Self-Contained Breathing Apparatus (SCBA). An additional trained employee (also equipped with SCBA) must stand by outside the IDLH area for rescue.

#### **Fit Testing:**

Before an employee dons a respirator, that employee must be fit tested to ensure a proper seal. There are two basic types of fit tests.

- ◆ Qualitative Fit Test – this test involves the introduction of a gas, vapor or aerosol test agent into an area around the head of the respirator user. If the user can detect the presence of the agent through subjective means, such as odor, taste or irritation, the respirator fit is inadequate. A qualitative fit test must be conducted annually for each respirator user.
- ◆ Positive and Negative Pressure Test - this procedure tests the adequacy of the respirator fit by measuring the amount of leakage into the respirator. To perform this test, the user must cover the cartridge openings with his or her hands and breathe in and out. If the mask collapses and inflates the fit is adequate. The user must complete this test each time a respirator is donned.

### **Medical Evaluations:**

Employees required to wear respirators must be evaluated before wearing a respirator. Certain employees may have respiratory or heart conditions that affect their ability to breathe properly. The medical evaluation is necessary to determine the employee's ability to wear a respirator without physical impairment. Each employee required to wear a respirator must first complete the medical questionnaire. A qualified health care provider must review the medical questionnaire. Based on the medical questionnaire, the health care provider will determine if:

- ◆ The person is fit to wear a respirator.
- ◆ A medical exam, pulmonary function test, or chest x-ray is necessary for more information.
- ◆ The person is un-fit to wear a respirator.

## **XVIII. Bloodborne Pathogens**

### **BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN**

Bloodborne Pathogens are organisms transferred through body fluids that can cause disease in people. Examples of these diseases are HIV and Hepatitis B. The purpose of the Municipality Bloodborne Pathogen Exposure Control Plan is to ensure that affected employees are provided with training and use universal precautions, exposure control procedures and proper cleanup procedures when dealing with human body fluids. It is the policy of the Municipality for employees to treat all human fluids as potentially infected. These procedures are known as Universal Precautions and include the following:

- ◆ Wearing protective equipment such as gloves, barrier mask, etc., when handling contaminated materials or administering emergency care.
- ◆ Regular hand washing after handling any materials contaminated with human fluids.

#### **At-Risk Job Tasks:**

There are job tasks within our workplace where employees are at risk of exposure to bloodborne pathogens. These jobs include:

1. Cleaning restrooms,
2. Cleaning up blood or body fluids
3. Emptying trash containers
4. Repairing broken plumbing
5. Performing first aid or CPR

Anytime there is blood-to-blood contact with infected blood or body fluids, there is a slight potential for transmission. Unbroken skin forms an impervious barrier against bloodborne pathogens. Infected blood can enter your system through open sores, cuts, abrasions, acne or any sort of damaged or broken skin such as sunburn or blisters. In an emergency involving blood or potentially infectious materials, you should always use Universal Precautions and try to minimize your exposure by wearing gloves, splash goggles, pocket mouth-to-mouth resuscitation masks, and other barrier devices.

#### **Clean-Up Procedures:**

Clean up is a top priority and should begin as soon as possible after the incident. Universal Precautions must always be followed to prevent contact with blood or bodily fluids.

- ◆ Wear protective gloves.
- ◆ Pick up any broken glass with a dustpan and brush, tongs, etc., not by hand.
- ◆ Do not use a mop and bucket unless specifically directed to do so. This can spread the contamination.

- ◆ Clean soiled area.
- ◆ Use scoop to pick up any contaminated material.
- ◆ With paper towels, wipe up remaining soil. Disinfect area using a fresh mixture of one cup of bleach to  $\frac{1}{2}$  gallon of water. Allow area to remain wet for ten minutes.
- ◆ Place soiled paper towels and disposable contaminated equipment in closed bag.
- ◆ Sanitize hands each time gloves are removed. Scrub exposed skin thoroughly with soap and water and change soiled clothing before returning to work.
- ◆ Contaminated instruments that are not thrown away must be disinfected and washed with soap and water.

### **Disposal of Contaminated Items:**

- ◆ Non-sharps waste (bandages, swabs, dressings) that does not meet the criteria of regulated wastes will be disposed of into domestic waste.
- ◆ Non-sharps waste considered regulated waste is placed in red biohazard bags.
- ◆ Place contaminated laundry in bags and marked as biohazard. Do not presoak or wash laundry by hand.

### **Exposure Procedures:**

- ◆ Wash the exposed area thoroughly with soap and running water. Use non-abrasive, antibacterial soap if possible.
- ◆ If blood is splashed in the eye or mucous membrane, flush the affected area with running water for at least 15 minutes.
- ◆ Report the exposure to your supervisor immediately. An Employee Accident Report should be completed by the Supervisor.

### **Post Exposure Procedures:**

- ◆ Document the route of exposure and exposure event circumstances.
- ◆ Identify and document the source individual.
- ◆ Contact the source individual. His/her blood must be tested for HBV and HIV immediately.
- ◆ Send exposed employee to have his/her blood tested.

### **Training:**

Affected employees must be trained in bloodborne pathogen exposure and control procedures. Training must review universal precautions, protective equipment, and cleaning procedures.



## **XIX. Hot Work Permit**

### **HOT WORK PERMIT PROGRAM**

#### **General**

The purpose of a hot work permit is to ensure the elimination or control of fire hazards before any flame or spark producing work (hot work) is conducted. This document explains the requirements for hot work permit issuance and the applicable rules and regulations. Training requirements and responsibilities are also documented herein.

#### **Scope**

This program is to be implemented in all facilities where welding operations are conducted. The program requirements also apply to hot work conducted in the field by all Municipal employees.

#### **Requirements**

Before welding or cutting, the welder must obtain a blank permit from the area supervisor. This permit must be completed with all applicable boxes checked in regard to the pre-work inspection. The permit is authorized (signed by the supervisor) only after it indicates that all fire hazards have been eliminated and the supervisor verifies that the requirements have been met by personally inspecting the area. The supervisor and welder or other person completing the inspection and permit must sign the permit.

#### **Requirements/Considerations for conduction of pre-hot work inspection and permit completion.**

- ◆ If the object to be cut/welded cannot be moved to an area that is free of flammable or combustible materials, all movable flammables or combustibles must be moved 35 feet away to a safe location.
- ◆ Any flammable or readily combustible materials that are not movable from the site must be guarded with fire resistant material or metal guards for protection against heat, slag or sparks.
- ◆ Floor openings, cracks in the floor and duct-work must be covered or guarded to ensure that combustibles below will not be exposed to falling sparks or slag.
- ◆ Broken windows, doorways and holes in walls must also be guarded to protect any adjacent combustibles from falling sparks or slag.
- ◆ A fire extinguisher must be conveniently positioned for use in the event of fire caused by the hot work.
- ◆ Floors must be swept 35 feet in all directions of the hot work to ensure that all

combustible waste/dust (wood shavings, etc.) are removed.

- ◆ Hot work may not be conducted in buildings with sprinkler systems if the system is not functioning properly.
- ◆ Cutting or welding on pipes or other metal in contact with roofs, walls, partitions or other combustible materials must not be conducted if the work is close enough to the combustibles to cause ignition by heat conduction.
- ◆ The welding or cutting of containers is prohibited until they have been thoroughly cleaned. Drums, barrels and tanks must be completely free of any flammable material such as tar, oil, grease or acid.
- ◆ All hollow spaces, cavities, or containers must be vented to permit the escape of air or gases prior to welding.
- ◆ Confined spaces must be checked for hazardous atmospheres (oxygen deficiency, toxic or flammable vapors) prior to entry with a gas monitor or electronic “sniffer.”
- ◆ Combustible floors must be kept wet or covered with wet sand (except wood over concrete).
- ◆ All equipment and tools must be inspected and determined to be free from any and all defects.
  - 1) All oxygen/acetylene gas combinations shall have reverse-flow check valves at the inlet side of the torch.
  - 2) All arc-welder power circuits must be properly installed.
  - 3) Worn, spliced or repaired welding cables must be replaced with new ones.
  - 4) Torch valves should be checked for leaks at the beginning of each shift by applying soapsuds with a brush. Hoses may be inspected for leaks by submerging them in water.
- ◆ Torch valves must be closed and gas supply shut off when work is suspended. Friction lighters, not matches, may be used for lighting torches.
- ◆ If the above requirements cannot be met, the permit is not to be authorized and hot work may not be conducted.
- ◆ An issued permit is valid for one day.

## **Fire Watch**

- ◆ An individual must be designated to monitor the area for fire (fire watch) if:
  - 1) The area possesses materials such that a major fire could result. Combustibles (in the form of building structure or materials) are present within 35 feet of the point of operation.
  - 2) Materials 35-40 feet away are easily ignitable.
  - 3) Adjacent areas (includes levels below) have been exposed to slag or sparks through openings in floors and walls of any kind.
  - 4) Adjacent materials may have received a substantial amount of heat through conduction from pipes or metal walls.
- ◆ If sparks are falling to an area that the welder cannot see, then an additional person must be instructed to monitor those areas until the welder can see all areas exposed to sparks or slag.
- ◆ The fire watch must last for 30 minutes after the completion of hot work to ensure that no smoldering fires develop.
- ◆ Fire watchers must have extinguishers ready for use and be trained in its use. The fire watcher must use the extinguisher only for small fires and be familiar with the location of the fire alarm if a large fire develops.

## **Responsibilities**

### **Management (Department Head)**

- 1) Must recognize his/her responsibility for the safe use of cutting and welding equipment at facilities under his/her control.
- 2) Establish approved areas for welding at all facilities and/or recognize a procedure for approving hot work elsewhere.
- 3) Designate an individual responsible for authorizing hot work. At operations, the individual responsible to authorize is the supervisor or the supervisor of each department.
- 4) Hire only contractors with suitable trained personnel.
- 5) Ensure that supervisors and welders have been trained in safe operation of equipment and emergency procedures in the event of a fire. Training must also meet the requirements set forth in section 4.6 of this document. All training must be verified in document form, including the signature of the trainee as proof of training.
- 6) Must hold supervisors accountable for properly orchestrating the hot work permit program through annual audits. Annual audits will confirm the presence of previously issued permits kept on file by the supervisor.
- 7) Annual audits will confirm the presence of previously issued permits kept on file by the supervisor.
- 8) Must provide workers with safe, high quality tools and equipment as well as any safety equipment such as fire-resistant tarpaulins, protective clothing, etc.

### **Supervisors in all departments where hot work is conducted**

- 1) Must ensure that welders seek his/her approval (authorization) before hot work begins.
- 2) Shall ensure that hazards are eliminated (i.e. have combustibles moved or guarded) so that the requirements of the permit can be met.
- 3) Shall ensure that fire extinguishers are properly located throughout the facility and at hot work areas.
- 4) Shall ensure that the hot work permit is completed and that its requirements are met before work begins.
- 5) Must ensure that workers have been trained properly as required by section 4.62 of this document.
- 6) Shall facilitate the fire watch process by designating an individual (may be the welder who completes hot work) to monitor the hot work area for fire.
- 7) When a fire watch is not required, the supervisor must make a walk-through inspection of the work area  $\frac{1}{2}$  hour after work stoppage.
- 8) Insist that contractors comply with the requirements of the Municipality of Hot Work Permit Program.
- 9) Must keep all expired permits on file for one year after issuance.
- 10) Shall discipline workers for any hot work conducted in violation of the hot work permit program.

### **Training Requirements**

Training for supervisors and welders shall be conducted upon hot work permit program implementation and initially upon employment. Records must be kept verifying all employee training. Trainees must sign training documentation indicating that they have been trained.

#### **Supervisors**

Training criteria for supervisors consists of the following:

- 1) The requirements of OSHA 1910.252
- 2) The requirements of NFPA Code 51B
- 3) Fire extinguisher principles and use
- 4) Must be given a copy of the Municipality of Hot Work Permit Program

#### **Welders**

Training criteria for welders consists of the following:

- 1) Fire extinguisher principles and use
- 2) The requirements of the Municipality of Hot Work Permit Program
- 3) Safe cutting and welding procedure

# MUNICIPALITY

## Hot Work Permit

A hot work permit is required any time welding or torch cutting is to be performed outside of areas authorized as designated hot work areas. Designated hot work areas may be determined by the supervisor. Designated hot work areas must meet the requirements of the Municipality of hot work permit program. A permit is valid for one workday only.

Location of hot work authorization: \_\_\_\_\_ Date: \_\_\_\_\_

Purpose: \_\_\_\_\_

1) No cutting/welding is to be done where sprinklers are impaired. Sprinklers checked? Y Not Applicable	
2) No cutting of welding is permitted in the presence of flammable dust, vapors, liquids, or unpurged tanks, lines, other containers, or equipment previously containing flammable materials. A. Tanks, lines, other containers vented, cleaned and purged? Y Not applicable	
3) If welding is to be done in a confined space, has atmospheric testing been conducted using a gas monitor to ensure that air is not toxic, flammable or oxygen-deficient? Y Not applicable	
4) Before hot work begins, the following areas must be checked: A. Area swept clean for 35 ft. in all directions, floor wet down if of combustible construction? Y B. All combustibles moved 35 feet from operator, or covered with flameproof tarpaulins or metal? Y C. Are all floors or wall openings within 35 feet of the welder covered? Y D. Has a fire watch been organized so that all areas exposed to slag and sparks will be monitored during and 1/2 hour after welding stops? Y E. Is a functional fire extinguisher ready at the work area? Y	
5) Are all hot work tools and equipment free from any type of defect? Y	
I certify that the above hot work location has been personally examined. The requirements for authorization have been met and are documented on this form. Hot work is authorized in the above location for the duration of this workday provided that no hazards develop.	
Signature	
Supervisor	
Signature	
Supervisor	
I have been properly instructed for safe cutting and welding and understand my duties.	
Welder	Welder
Fire Watch	
Fire Watch	

**Recommendations:**

## **XX. Lock Out Tag Out**

### **LOCKOUT TAGOUT POLICY**

The purpose of the Municipality Lockout Tagout Program is to protect all employees during machine and equipment servicing and maintenance where the unexpected start up or release of stored energy could occur and cause injury. Authorized Municipal employees must lock and tag out all hazardous energy sources at the main disconnect prior to beginning repairs or maintenance.

#### **Definitions:**

Authorized employee - a person who locks out machines or equipment to perform servicing or maintenance on that machine or equipment. An affected employee becomes an authorized employee when that employee's duties include performing servicing or maintenance that exposes him/her to potentially hazardous energy.

Affected employee - an employee whose job requires him/her to operate /use a machine or equipment or work in an area in which servicing or maintenance is being performed under lockout.

Energy isolating device - a mechanical device that physically prevents the transmission or release of energy.

#### **Requirements:**

- ◆ Locks, chains, wedges, or other hardware shall be provided.
- ◆ Lockout devices shall be singularly identified. They shall be the only devices used for controlling energy and shall not be used for other purposes.
- ◆ The lockout devices shall indicate the identity of the employee applying the devices.
- ◆ All machines/equipment shall be locked out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Lockout will also apply when working on or near exposed de-energized electrical circuits / parts.
- ◆ No employee shall attempt to operate any switch, valve, or other energy-isolating device that is locked out.
- ◆ Only the employee who applied the lockout device shall remove each lockout device.
- ◆ Lockout procedures must be written for each piece of equipment requiring lockout tagout. These procedures must identify the type(s) of energy to be locked out and the method(s) used and the magnitude of energy to which employees are exposed (See Attachment 1).

### **Preparation for Shutdown:**

- ◆ In preparation for lockout, an initial survey must be made to locate and identify all energy isolating devices to be certain which switch, valve, or other energy isolating devices apply to the machine / equipment to be locked out. More than one energy source may be involved.
- ◆ Before an authorized or affected employee turns off a machine or piece of equipment, the authorized employee must have knowledge of the type and magnitude of the energy to be controlled, and the methods or means to control the energy.

### **Machine or Equipment Shutdown and Isolation:**

- ◆ All affected employees shall be notified that a lockout system is going to be utilized and the reason for it, before the controls are applied.
- ◆ If the machine or equipment is operating, shut it down by normal stopping procedure.
- ◆ Physically locate and operate the switch, valve, or other energy isolating devices so that the equipment is isolated from its energy sources and apply adequate hardware.

### **Lockout Device Application:**

- ◆ Authorized employees shall lockout the energy isolating devices with their assigned individual locks.
- ◆ Lockout devices shall be applied so that they will hold the energy isolating devices in a “Neutral” or “Off” position.

### **Stored Energy:**

All stored or residual energy in rams, flywheels, springs, pneumatic, or hydraulic systems, etc. shall be blocked or dissipated. If there is a possibility of re accumulation of stored energy, verification of isolation must be continued until servicing or maintenance is completed.

### **Verification of Isolation:**

Prior to starting work on machines or equipment that have been locked and after ensuring that no personnel are exposed, the authorized employee shall operate the push button or normal operating controls to verify that the appropriate equipment or machine has been de-energized and make certain it will not operate. Return Operating Controls to the “Neutral” or “Off” Position After the Test.

### **Removal of Lockout Devices:**

After the servicing and / or maintenance, the lockout devices are removed and energy is restored by the authorized employee only. The authorized employee will notify the affected employees that the devices were removed.

Every effort must be made to contact the authorized employee if he/she accidentally leaves a lockout device on a machine. If the authorized employee who applied the lock is not available, the supervisor takes the following steps:

- ◆ Clear the machine or equipment of tools and materials
- ◆ Remove employees from the machine or equipment.
- ◆ Remove the lockout device.
- ◆ Energize and proceed with testing or positioning.
- ◆ Energize all systems and reapply energy Notify the authorized employee that the lockout device was removed control measures.

### **Additional Requirements:**

In the preceding steps, if more than one individual is required to lockout machines, the following procedures shall be implemented to provide protection to all employees.

- ◆ Each authorized employee will place his/her own personal lockout device on the energy isolating device(s).
- ◆ When an energy-isolating device cannot accept multiple locks, a multiple lockout system must be used.

### **Shift or Personnel Changes:**

If a lockout procedure will extend into the following shift, the authorized employee who originally placed the lock will remove it and it will immediately be replaced with the lock of the new authorized employee for the following shift.

### **Cord and Plug Connected Equipment:**

If servicing or maintenance is performed on cord and plug connected equipment the following procedure shall be performed to protect employees.

- ◆ Unplug equipment from its electrical socket.
- ◆ Place a lockable cover over the plug and a lock on the plug cover during machine/equipment servicing or maintenance.



### **Outside Contractors:**

If outside contractors perform servicing or maintenance that requires lockout, responsible person for contractor safety shall take the following steps.

- ◆ Inform the outside contractor of our Municipality's lockout procedures and supply them with a copy.
- ◆ Obtain and review a copy of the outside contractor's lockout procedures.
- ◆ Ensure that our employees understand and comply with the responsibilities and prohibitions of the outside contractor's lockout procedure.

### **Training:**

All lockout tagout training must be documented and kept on file. (See Attachment 2). Authorized Employees must be trained in the following:

- ◆ Recognition of hazardous energy sources.
- ◆ Types and magnitude of hazardous energy in the workplace.
- ◆ Methods, devices, and procedures used to lockout, verify lockout, and otherwise control hazardous energy on all pieces or types of equipment (including cord and plug connected equipment).
- ◆ Procedures for removing locks and returning a machine or piece of equipment to operation.
- ◆ Transfer of lockout responsibilities.
- ◆ Group lockout procedures.

Affected Employees must be training in the following:

- ◆ Recognize when energy control procedures are being implemented, and
- ◆ Understanding the purpose of the procedures and the importance of not attempting to start up or use the machine / equipment that has been locked out.

### **Enforcement of Lockout Tagout:**

Accidents involving lack of lockout/tagout procedures have resulted in serious injuries, amputation and deaths. Therefore, management must strictly enforce these practices. Failure to use identified lockout/tagout practices will result in disciplinary action.

## ATTACHMENT 1 Municipality

### Lockout Tagout Energy Source Evaluation

Date: \_\_\_\_\_

Conducted by: \_\_\_\_\_

Location: \_\_\_\_\_

Equipment Name: \_\_\_\_\_ Procedure#: \_\_\_\_\_

ENERGY SOURCE \ MAGNITUDE	LOCATION OF ISOLATING DEVICE	MEANS OF ISOLATION
ELECTRICAL		
ENGINE		
SPRING		
COUNTER WEIGHT		
FLYWHEEL		
HYDRAULIC		
PNEUMATIC		
CHEMICAL		
THERMAL		
OTHER		

## PROCEDURE FOR CONTROLLING HAZARDOUS ENERGY:

1. Notify affected employees that the machine is about to be shut down and locked out.

**Specific Instructions:**

---

---

2. Shut down the machine using normal stopping procedures.

**Specific Instructions:**

---

---

3. Isolate all energy sources listed above.

**Specific Instructions:**

---

---

4. Apply locks to all isolation devices operated in step four.

**Specific Instructions:**

---

---

5. If a tag is used in lieu of a lock when the energy-isolating device is incapable of lockout the following additional safety precaution(s) shall be taken:

6. Block or dissipate all stored energy in rams, flywheels, springs, pneumatic or hydraulic systems, etc.

**Specific Instructions:**

7. Verify that the machine is locked out by testing the machine operating controls. RETURN ALL CONTROLS TO THE “NEUTRAL” OR “OFF” POSITION AFTER TESTING.

**Specific Instructions:**

---

---

---

**ATTACHMENT 2**  
**Municipality**  
**Lockout Tagout Training Record**

Municipality/ Department: Job

Title / Work Location: Date:

**Authorized Employees**

Name (Print)	Signature
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	

**Affected Employees**

Name (Print)	Signature
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	

## **XXI. Miscellaneous Programs**

### **SUGGESTED SAFEGUARDS FOR PUBLIC WORKS DEPARTMENT**

1. Personnel should be required to wear the following equipment:
  - A. Protective shoes (steel tips optional) (No sneakers).
  - B. Gloves with leather palms.
  - C. Goggles or safety glasses with side shield.
  - D. Reflective vests or orange shirt.
2. Long pants are suggested to be worn at all times.
3. Personnel should tilt large trash cans before lifting to estimate the approximate weight. Trash weighing over 50 lbs. should not be lifted by any one individual.
4. It is suggested that both the refuse truck and the recycling truck be identified on the rear with reflective stripping, flashing amber lights and slow-moving vehicle decal during pick-ups.
5. Vehicles are not to be modified or the safety features or controls by-passed to speed up operations.
6. Personnel are required to ride the front seat of the vehicle if the distance traveled exceeds 2/10th of a mile or exceeds 10 miles per hour.
7. Personnel under the age of 18 should not be assigned to operations involving mechanical equipment.
8. All vehicles should be equipped with back-up alarms.
9. Drivers should require someone to direct them at the rear of the vehicle while backing. The driver and spotter must be properly trained in such operations due to the high risk involved.
10. In addition to side mirrors, it is suggested that a convex mirror also be installed either on both sides of the vehicle or on the passenger side mirror to improve drive visibility.

11. Drivers are not permitted to zigzag from side to side during roadway operations on main streets or heavily traveled highways.
12. Personnel are not permitted to cross any main street or heavily traveled highway to pick up trash or recyclables.
13. Personnel riding the back step are not permitted to transfer from the step to the hopper while vehicle is in operation.
14. The use of drugs and alcohol on the job that will impair the individual's ability to perform their required job functions are not permitted. Drug testing will follow municipal policies and those specified by law for CDL Drivers, including pre-employment testing, random testing, post-accident and reasonable suspicion testing.
15. Personnel are instructed to stay clear of the rear of the vehicle while unloading. Driver should not unload until directed to do so by one of the accompanying personnel.
16. Motor vehicle driver reports should be obtained on a yearly basis for all drivers
17. Pre-trip inspection forms are to be completed by the driver prior to leaving the garage.
18. All hand rails should be covered with non-slip material. All platforms must be sturdy and provide good traction.
19. All new and present employees should be properly trained and/or periodically retrained to perform their job function before being involved in a refuse or a recycling operation.
20. It is suggested that reflective markings be placed on the rear of the trash truck to improve visibility.
21. All employees will be trained to use three points of contact for entering, exiting, climbing onto, or climbing off from vehicles.

## **Safety Incentive Program (SIP)**

Outlined below is the GSMJIF Safety Incentive Program (SIP). As we all know, safety in the workplace saves injuries and money, and the GSMJIF is committed to the highest standards of loss control and safety training. This Program is offered in the spirit of establishing some “friendly competition” to help us achieve or exceed our safety goals. The elements of the SIP are essential activities for any employee safety program. While members are being graded on these criteria for purposes of this Program, a superior loss control program will also include a comprehensive incident investigation program, on-going employee training sessions, individual and group safety performance incentives, monthly facility inspections, discipline, etc. Most important is management’s visible and ongoing commitment to providing a safe workplace where continuous improvement is the minimum standard.

---

**Level A** – Each member is eligible to receive **\$1,000** if each of the following criteria is met:

**Safety Certification Score** must meet minimum of **85** points

Timely Reporting – a percentage  $\geq$  **80%**, or  $\geq$  the JIF average (whichever is higher) of Workers’ Compensation claims reported **within three (3) days**

**GSMJIF Safety Committee & Police/ Fire/ DPW Subcommittee Meetings** – participation in a **minimum of 10 meetings** (out of 18) during the calendar year

**Safety Training Attendance** – member representation at a **minimum of four (4) sessions** conducted by PMA or other GSMJIF recognized training provider during the calendar year.

**Completion of Mandatory Training** –

**Cyber** – member must have all municipal employees who can access a municipal network, including any computer with internet access, complete cyber awareness training provided by GSMJIF Risk Control or an approved third-party provider

**Harassment/Discrimination** – All employees must complete training on harassment/discrimination provided by GSMJIF Risk Control or an approved third-party provider

**Other requirements as specified by Risk Control**

**Level B** – *Members are eligible for **additional funds** based upon performance if all of the following criteria is met:*

Lost Time Claims per 100 EE’s – Lower than GSMJIF’s Average for the year

Total # Liability Claims / 1,000 Population – Lower than GSMJIF’s Average for the year

Total # Vehicle Claims / 100 vehicles – Lower than GSMJIF's Average for the year

Level B rewards are based upon each Member's % share of the total GSMJIF assessment (% share of GSMJIF Assessment, multiplied by balance of \$20,000 budgeted) \*\*

**Monies awarded will be held by the GSMJIF, and released for the approved purchases to support safety efforts by each member. Ideas for approved items are listed below:**

Audio/Visual Training Equipment

Luncheon to reward departments for performance

Shirts / jackets / hats/ duffel bags – with safety messages to promote safety

Purchase of safety equipment & PPE – Reflective vests, hard hats, safety shoes, gloves, glasses, hearing protection

Enrollment fees for on-line training programs or services, Management of Aggressive Behavior (MOAB) training, etc.

Other ideas: additional categories can be considered for approval

**\*\* Level B examples:**

Member A: \$157,484 assessment ÷ \$14,791,553 total JIF budget = **1.06%**

Level B awarded = \$20,000 X 1.06% = **\$212** (Total of A+B = \$1,212)

Member B: \$1,390,633 assessment ÷ \$14,791,553 total JIF budget = **9.40%**

Level B awarded = \$20,000 X 9.40% = **\$1,880** (Total of A+B = \$2,880)

**Method of Disbursement of Awards:**

Awards will be calculated by JIF Risk Control based on preceding calendar year performance, and presented at the corresponding monthly Fund safety meeting.

**Law Enforcement Accreditation –**

**Commission on Accreditation for Law Enforcement Agencies (CALEA) or NJ Law Enforcement Accreditation Commission (NJ LEAC)** - Upon presentation of a completed Application, the GSMJIF will award the Member the following reimbursement of related costs:

- 100% of accreditation initial and annual fees
- 50% of fees paid for approved consulting firms
- 50% of training costs directly required for accreditation

Maximum reimbursement per Member of \$20,000 every three-year cycle.

**Wellness Incentive Program (WIP)**

The WIP will provide the foundation and support for Members of the GSMJIF to develop activities, modify work environments and create policies to support the health and well-being of



their employees. In addition to the benefits for employees, positive benefits are likely to accrue to families of employees, resulting in better health for them and positively affecting local communities. Not only will the WIP help employees and their communities, wellness activities are expected to provide direct cost savings to participating municipalities by reducing workers' compensation and health benefit costs. In addition, participating Members will be recognized by the GSMJIF for their wellness efforts, making them eligible for awards.

Scientific studies correlate employees' health and well-being to their job and safety performance and have documented the increasing obesity rates throughout the United States.<sup>1,2</sup> Since the risk of injury to Police, Fire and Public Works personnel is well established, the WIP includes incentives to increase participation of these department personnel to improve their wellness and ensure their safety.

---

Each member is eligible to receive up to **\$1,000** if each of the following criteria is met:

- 1) **Establish/Maintain a Wellness Program** – A wellness program meeting minimum GSMJIF standards as defined in the Wellness Policy guidelines. Details of the program must be provided to the GSMJIF.  
**Annual Award: \$250**
- 2) **Establish and regularly hold a Wellness Committee** – The committee must meet GSMJIF Wellness Policy guidelines. Committee members must participate in a minimum of four (4) Member Wellness Committee meetings during the calendar year. A department representative from Police, Fire, and Public Works must attend all Wellness Committee Meetings. Attendance sheets as well as agenda must be maintained and provided to the GSMJIF.  
**Annual Award: \$250**
- 3) **Wellness Special Event Participation** – member participation in a minimum of two (2) special events promoted by the GSMJIF, PMA or another GSMJIF recognized provider during the calendar year such as “Biggest Loser Competition”, “Walk to Win”, “Wellness Slogan contest”, etc. A department representative from Police, Fire, and Public Works must participate in each Special Event.  
**Annual Award: \$500** (*Additional performance awards may be available*)

**Risk Control may modify and announce changes to the plan during the year**

**Method of Disbursement of Awards:**

- Awards will be calculated at the end of each Program year and will be based on the preceding year's performance. Special event awards will be distributed within a reasonable time frame following the event.
- Award summaries will be issued to Members by the GSMJIF Administrator at the end of the one-year commencement of the WIP, and followed annually thereafter.

- Award checks will be issued to the Members upon receipt and acceptance of documentation supporting activities including wellness committee meeting agendas and sign in sheets, event sign in sheets, and as otherwise requested.
- The WIP may be changed at any time by the GSMJIF Administrator and the GSMJIF Wellness Committee.

## CDL Drug Testing Program

Drug and alcohol testing for employees that are required to have a CDL license will be reimbursed upon request. All municipality employees SHOULD be subject to post-employment offer testing and reasonable suspicion testing. In addition, holders of CDLs are REQUIRED (per Title 49 Part 40) to be subject to random, reasonable suspicion and post-accident testing. The GSMJIF reimburses members for CDL required testing only. We use a preferred provider to perform CDL Random Drug and Alcohol testing, including post-accident testing, although other vendors will be considered for approval upon request. All tests can be scheduled at the municipality's preferred site, adding to the convenience of this service.

To proceed with the drug and alcohol testing, the municipality will need to provide a list of the employee names in the test group (CDL holders) with their birth dates and employee numbers. The municipality must also provide contact information for their Designated Employee Representative (DER) who is the primary contact for notice of tests and confidential test results. Results are to be maintained in separate and dedicated confidential records and not in personnel files. The vendor will bill testing service fees to the JIF Director's office for payment, assuming they are all required for drivers with CDLs. The testing must be verified or labeled as "CDL Required testing" on the invoice for reimbursement.

CDL holders are subject to the Federal Motor Carrier Safety Administration regulations per:

<http://www.fmcsa.dot.gov/overview-drug-and-alcohol-rules>

Risk Control staff can also provide a D&A Orientation Training Program for all municipal employees and Reasonable Suspicion Training which is required per the FMCSA regulations for municipal supervisors.

The GSMJIF will also reimburse for Clearinghouse Query Submissions, which are \$1.25 per charge. The system will allow a report to be issued (see below example), which is required for reimbursement. Reimbursements are capped on advance query purchases at \$50 for the year, until queries are completed.

[illegible]

### **Safety First Pilot Program**

The National Highway Traffic Safety Administration reported that an average of 89 people died each day in motor vehicle crashes in 2011. This equates to one person every 16 minutes. Considering the known risk facing our drivers and the number of municipal vehicles on the road, automobile safety has to be one of our top priorities. GSMJIF Risk Control continues to focus on improving fleet loss control programs and is continuing the pilot program that we believe can further reduce the risk of loss due to automobile collisions.

The GSMJIF is continuing to support a Fleet Loss Control pilot program with Safety First which began January 1, 2014. Countless studies have shown that the correct implementation of a “How’s my driving” bumper sticker program, supplemented by comprehensive driver training, can significantly reduce the frequency of auto accidents and claim costs upwards of 20% for each. Safety First can also regularly schedule Motor Vehicle Record (MVR) checks which are an absolute necessity as every employee that drives on Municipal business must be checked to ensure they are safe drivers and have a driver’s license in good standing with the DMV. Failure to ensure your drivers are qualified and safe can lead to substantial liability for your municipality.

Through Safety First’s relationship with the GSMJIF, services are offered below “retail” costs with the “How’s My Driving?” Training Program costing \$16 annually per vehicle. To encourage participation in this pilot program, GSMJIF Risk Control will pay all annual costs of implementing the Safety First plan, up to \$1,600 per member for 100 vehicles, for the first five (5) members that agree to implement the program. This can save your municipality tens of thousands of wasted dollars spent on auto repairs throughout the year, reduce liability and likely prevent many injuries to your employees.

The GSMJIF will consider requests from members to be added to this pilot program until the conclusion of the program TBD.

## **PEOSH Recordkeeping**

The PEOSH Act along with recordkeeping regulations adopted from federal OSHA (29 CFR 1904), provide specific recording and reporting requirements which comprise the framework for the statewide public-sector employer recording system. Under this system, it is essential that data recorded by employers be uniform and accurate to assure the consistency and validity of the statistical data which is used by PEOSH and OSHA for many purposes, including inspection targeting, performance measurement. The data also aid employers, employees and compliance officers in analyzing the safety and health environment at the employer's establishment and preparing the U.S. Bureau of Labor Statistics' (BLS) Annual Survey.

The text of the current PEOSH Standard on Recording and Reporting Occupational Injuries and Illness resides on the federal OSHA website and should be read with the published NJ exceptions in mind:

1.All references to the Secretary of Labor shall be deemed to mean the Commissioner of Labor of the NJ Department of Labor.

2.All references to OSHA shall be deemed to mean the New Jersey Department of Labor, Division of Public Safety and Occupational Safety and Health, Office of Public Employees Occupational Safety and Health (PEOSH).

3.All references to OSHA forms 300, 300A and 301 shall be deemed to mean New Jersey Occupational Safety and Health (NJOSH) forms 300, 300A and 301.

4.29 C.F.R. 1904 Subpart B-Scope: New Jersey requires ALL public employers to record and report work-related deaths, injuries or illnesses as contained in this chapter.

5.29 C.F.R. 1904.1, Partial exemption for employers with 10 or fewer employees does not apply to any New Jersey Public Employer as defined in N.J.S.A. 34:6A-7(c).

6.29 C.F.R. 1904.2, Partial exemption for establishments in certain industries, does not apply to any New Jersey Public Employer as defined in N.J.A.C. 12:110-2; and

7.7. 29 C.F.R. 1904.39: Reporting fatalities and multiple hospitalization incidents must be reported to the Office of Public Employees Occupational Safety and Health (OPEOSH) via the 24-hour hotline number (800) 624-1644, the 24-hour fax line (609) 292-3749, or in person to the OPEOSH at 225 East State Street, 8th Floor West, Trenton, NJ 08625 within eight hours of the occurrence.

### **Employment Practices Liability**

In a major employment law ruling, the NJ Supreme Court, in *Gaines vs. Bellino* on July 24, 2002, unanimously upheld that the failure to provide managerial and supervisory employees with anti-harassment training is negligent and may deprive an employer the right to raise its workplace anti-harassment policy as an affirmative defense against claims of sexual harassment. The GSMJIF has therefore aggressively expanded training provided to all members, making supervisor anti-harassment training mandatory. Training is performed by senior risk control professionals, attorneys of the Employers Association of New Jersey (EANJ), local labor attorneys, and Change & Response Strategies.

The GSMJIF continues to work closely with the Employers Association of New Jersey (EANJ) to provide free employment practices advisory services and make available law summaries, human resource alerts, featured articles, benchmark data, and model policies to every member municipality. Employment practices audits and enhanced Supervisor and Human Resources training is available. In addition, on-line training can be assigned to supplement live anti-harassment/discrimination training.

At minimum, anti-harassment, anti-discrimination training shall be provided to employees upon hire and every two years, and preferably annually. In addition, an Employee Handbook shall be in place and made available to all employees which will be updated periodically.

### **Employee Assistance Program (EAP)**

The GSMJIF has partnered with Rutgers University Behavioral Health Care to provide an Employee Assistance Program (EAP) at a discounted rate for all member municipal employees. UBHC is committed to provide the highest quality behavioral health solutions to aid employees manage stress levels and acute or chronic behavioral health conditions with the goal of promoting wellbeing and a more productive work environment.

The University Behavioral Health Care EAP has been providing employee assistance services in the state of New Jersey for over **thirty-four years**. They have offices and affiliates located in Voorhees, Princeton, Montclair, Jersey City, Bayonne, Newark, and Piscataway. Today, they provide evidence-based services to municipalities, school districts and private corporations throughout the State, leveraging an extensive infrastructure including 24-7 telephone availability. Services offered include policy development, clinical services, supervisor trainings, drug free workplace consultation, and crisis management support to the contracted organizations.

The UBHC EAP offers assessment, referral and short-term counseling to employees and their household members. In addition, the EAP provides training, supervisory consultation, and other specialized assistance as needed. All EAP services are based on the principle that if personal problems are identified, addressed and resolved quickly, productivity in the workplace is improved, absenteeism is lowered, and accidents are reduced.

Counseling sessions are available “per person/per problem/per year.” All employees and household members are eligible to use this program. Sessions focus on the following primary areas (many other issues are also welcomed into the EAP, as long as the issue has the potential to adversely impact job performance):

- Drug and Alcohol Treatment
- Marriage and Family Counseling
- Individual Psychotherapy
- Stress Management
- Workplace Conflict
- Smoking Cessation
- Behavior Modification
- Weight Control
- Psychological Assessment
- Harassment
- Trauma

Contact the GSMJIF if you are interested in receiving more information.

## **Contractual Risk Transfer**

Risk management starts with the Contractual Liability Risk Transfer process. Employees should be educated on proper contractual risk transfer. Below are a few of the basic concepts of contractual risk transfer that need to be part of a comprehensive program:

### **Written contract**

Boilerplate contracts for each type of contracted operations should be used, including:

- Repairs, installations and renovations (e.g., roofing, electrical work, paving, carpentry)
- Services and vendors (e.g., janitorial, fuel delivery, snow removal, window washing)
- Consultants (e.g., professional evaluations and advice)
- Entertainment (e.g., special event entertainers, parade organizers, fireworks)

Contract wording including indemnification and insurance language shall be adopted. Legal Counsel will review all contracts and wording prior to use.

### **Indemnification agreement**

Every contract shall include an indemnification section including hold harmless, indemnification, and defense clauses in the municipality's favor. We advise that Legal Counsel experienced in contract liability review this as well.

### **Insurance specifications**

Insurance specifications within the contract are to be used to detail such things as required coverage and limits, "Additional Insured Status", waivers of subrogation and written notice of cancellation. Specifications are dictated by the type of operations/services considered, and advice is often provided by Risk Control, Underwriting, Risk Manager or Legal Counsel.

### **Certificates of Insurance**

All Certificates of Insurance are to be forwarded to the agent/broker to ensure they match the contractual specifications required in the written contract. Also, Certificates of Insurance for any contractor performing work for the municipality must also be reviewed carefully and received/reviewed before work begins.



## **Motor Vehicle Record (MVR) Review**

As part of the Fleet Policy, motor vehicle records of all drivers will be reviewed on a regular basis, with a minimum of one check per year. This review will include all employees operating municipal vehicles, volunteers operating vehicles owned or insured by the municipality, as well as employees operating their personal vehicles on municipal business.

MVR reviews are intended to verify that not only does the operator have a valid license to drive, but that their driving record is acceptable to the Municipality based upon the criteria established herein.

A review of municipal operation shall establish a list of all employees/volunteers who operate vehicles in the performance of their duties. Each of the employees/volunteers identified shall provide their driver's license number or a copy of their license, along with an acknowledgement form that recognizes the Municipality's authority to review the MVR on a periodic basis. MVRs shall be reviewed by the designated Personnel Officer for the municipality to ensure that employee personal information is protected. The results of the review shall be shared with the respective directors or supervisors for each department where drivers are assigned. Department supervisors shall ensure that all drivers within their control have been properly evaluated and meet the established criteria for operating the vehicles.

### **Review Criteria**

All drivers shall be evaluated on the below criteria, which categorizes violations found on MVRs based upon the severity of the violations. Driving records reflect the driver's approach to operating a motor vehicle. A driver with a poor driving record is more likely to be involved in a collision and is likely to drive municipal vehicles in the same manner he/she drives their own vehicles.

#### **Violations:**

##### **A. Statutory Violations:**

- a. Driving while license is under suspension
- b. Operating an unregistered vehicle
- c. Operating an uninsured vehicle

##### **B. Major Violations**

- a. Driving under the influence of alcohol or drugs
- b. Reckless driving
- c. Careless driving
- d. Leaving the scene of a motor vehicle collision

##### **C. Moving Violations**

- a. Speeding
- b. Failure to yield the right of way
- c. Disregard of a traffic control device

#### **Driving Determination:**

- No one shall operate a municipal vehicle without a current valid driver's license.
- Drivers with one or more major violations over the past 2 years should be restricted from driving or closely monitored if permitted to operate a vehicle.
- Drivers with 2 or more moving violations should be restricted from driving or closely monitored if permitted to operate a vehicle.
- Drivers with a history of repeated violations should be restricted from driving municipal vehicles.

Note: Operation of motor vehicles may be a requirement for employment and therefore the criteria listed in this program should be evaluated carefully and formally adopted to ensure consistent application of the policies and adherence to the rules as developed.

On-line abstract services are offered through the NJ MVC for an annual fee of \$150 for up to 5,000 abstracts. The municipality will need to complete an application detailing the administrator and number of users who will have access to the system along with other required information. The below web address provides details and includes a link to the application:

[www.njmvc.gov/cair](http://www.njmvc.gov/cair)

The GSMJIF will reimburse the annual fee of \$150 upon submission of the paid receipt.

### **Cyber**

As part of a comprehensive Cyber Security Program, Security Awareness Training should be made available for employees. Annual simulated phishing testing will be coordinated with each member's administration and IT staff, providing baseline testing, training, and phishing simulations to municipal computer users.

In addition, a Municipal Cyber Assessment is available, in which the municipal IT infrastructure will be reviewed against the NIST framework and standards, and recommendations will be provided to IT staff. The cost is not included in the budgeted assessment, but the GSMJIF will reimburse 25% of the cost of the Cyber Assessment.

Online training and a self-assessment tool are available in the GSMJIF Vault to assist members with evaluating their cyber security program and assist with risk mitigation.

## **GSMJIF Vault** **Learning Management System-LMS**

As a member of the GSMJIF, your municipality has access to an innovative, digital risk management platform, GSMJIF Vault, proven to help members mitigate risk & reduce claims. The GSMJIF NIP Vault provides the following resources:

- Your municipality's own, secure Learning Management System (LMS) platform.
- Access to an online training module library with hundreds of online training modules, many specific to department operations.
- Ability to track all online and in-person training for agency compliance.
- Claim information for review and to compare to industry standards.
- Toolbox Talk Kit planners and Industry specific safety resources including policies, procedures, inspection forms, presentations, and safety bulletins.
- Risk control surveys and assessments are available to ensure continued best practices.
- Access to a resource library holding thousands of employment-related and workplace best practices articles.
- Municipal specific records, forms, and other resources can be uploaded into the system to create a master resource center for the organization.

Recommended online training:

### **OSHA/PEOSH Compliance**

Recommended Modules: Bloodborne Pathogens, Confined Space Entry, HazCom, Hearing Conservation, Personal Protective Equipment, Respirator Basics, Lockout/Tagout, Hotwork Permit

Description: Modules to assist members' good faith efforts to comply with mandatory training required by PEOSH

### **Fleet Safety**

Recommended Modules: Defensive Driving: Attention and Distraction Part 1 & 2 and SERVE-EVOC for EMS, Fire, and Police

Description: Each module takes approximately 20-30 minutes to complete with proof of proficiency

### **Harassment/Discrimination**

Recommended Modules: Sexual Harassment and Discrimination and Ethics in Action

Description: Modules are available for supervisors and regular employees, in English or Spanish, addressing NJ State and Federal law.

### **Cyber Security**

Recommended Module: Cybersecurity Awareness in the Workplace

Description: General training addressing malware, phishing, denial-of-service attacks, and man-in-the-middle attacks—as well as best practices for preventing cyberattacks in the workplace.

### **Police Professional**

Recommended Modules: Applied Ethics, Bias Free Policing, Body Cameras, The Opioid Fentanyl Epidemic (NJ), Community Policing & Customer Service, Officer Survival, Policing the Mentally Ill

Description: Dozens of courses from nationally renowned authors on topics directly affecting officers.

**\* Contact Risk Control for information on hundreds of additional training modules**

**Log in now by using the following information:**

**Web Address:** [www.nipgroup.com/risk-control](http://www.nipgroup.com/risk-control)

**Email:** vault@nipgroup.com for assistance

**DISCLOSURE TO GARDEN STATE MUNICIPAL JOINT INSURANCE FUND MEMBERS AND COMMISSIONERS**

Re: Garden State Municipal Joint Insurance Fund ("GSMJIF")  
Disclosure under N.J.S.A. 11:15-2.26 (a)

Dear Fund Commissioner:

Pursuant to N.J.S.A. 11:15-2.26 (a), this is to provide notice that NIP Management Services, LLC , the Administrator of the GSMJIF, and Business and Governmental Insurance Agency, Inc. the Underwriting Manager, Insurance Broker and Risk Manager for members of the GSMJIF, are under the common ownership of Mr. Richard F. Augustyn.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jonathan Hall". The signature is fluid and cursive, with the first name "Jonathan" and last name "Hall" clearly distinguishable.

Jonathan Hall  
Executive Director