2017 Conference Highlights

By Katrina Bouthot, Assistant Executive Director

What better year for a theme of “Live Long and Prosper” to celebrate PRM’s 30th year! The 11th hour change in venue appeared seamless with much thanks to WRM and Naples Beach Resort – GREAT JOB everyone!

Our keynote speaker, Candy Whirley was welcomed back this year with her “Bridging the Gap, Generational Differences” presentation. Another fun interactive session!

The Legislative Updates, Community Relations in a Post Ferguson World, The Future of Healthcare in Florida and the Nation and the ever-popular Attorney Roundtable completed our educational sessions.

Safety Awards were presented during the Board Meeting to the following:

Most Improved Safety Performance

Small Entity Class
- Northwest Florida Beaches International Airport

Medium Entity Class
- City of Safety Harbor

Large Entity Class
- Levy County Board of County Commissioners

Best Overall Safety Performance

- Town of Lake Placid

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Congratulations to all for your significant risk management achievements!

Again, this year, PRM and WRM will be providing ten (10) scholarships to the PRIMA State Conference to be held October 29th – November 1st in Orlando. The lucky participants are:

Kristi Fixl-Funke       City of Apopka
Sandra Amerson        City of Zephyrhills
Sandi Henley          Town of Longboat Key
Jacqueline Martin      Levy County Board of County Commissioners
Ellen Nichols          Lee County Port Authority
Liberty Gondar        City of Maitland
Kim Nicholls          City of Safety Harbor
Crissy Bublitz/Lori Tucker City of Tavares
Connie Collins        City of Oviedo
Lisa Smith             City of LaBelle

Be sure to mark your calendar for next year’s conference from June 20th to June 22nd back at the Naples Beach Hotel and Golf Club! We look forward to seeing everyone there!

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A Review of the Alcohol Statute

By Betsey Pasanen - Liability Supervisor - Gallagher Bassett

This was a topic that was discussed at the PRM conference during the attorney roundtable session. It sparked a lot of interest and is well worth documenting for all. Mr. Roper’s office was kind enough to write up this recap:

During the 2016 Legislative Session, the Florida Legislature has made significant changes to the restrictions placed upon governmental and non-profit organizations to obtain a temporary permit for the sale of alcoholic beverages at special events. Primarily, the legislative amendments to F.S. 561.422, which authorize temporary permits for nonprofit civic organizations, charitable organizations, municipalities and counties now mandates that only a non-profit organization may profit from the sale of alcohol under a temporary permit. Although a governmental entity may obtain and sell alcohol at a special event, if and only if a non-profit organization cannot be located to obtain the permit, the newly amended statute requires that the governmental entity must disgorge all profits from the sale of alcohol to a bona-fide non-profit organization within 90 days. Furthermore, a governmental entity is not allowed to receive a percentage of any profits a non-profit may make from the sale of alcohol pursuant to a temporary permit. ABT-6003, the application for a temporary permit specifically states: “the organization, as the permit holder, is the ONLY entity that may receive any of the profits from the sale of alcoholic beverages on this permit. You must have responsible members of your organization at the alcoholic beverage sales location at all times. Your event CANNOT involve the SHARING OF ANY PROFITS OR RECEIPTS, or a "DONATION" to your cause if you obtain a temporary permit. Participation in this practice subjects your organization to jeopardy and denial of future alcoholic beverage permits. The full text of F.S. § 561.422 may be found at: http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0561/Sections/0561.422.html
Member Resources 2017! By Michele Faulkner, Loss Prevention Consultant, Employment

PRM is committed to continuously providing both training and educational resources to our members. In addition to our onsite training, web-based safety courses, and access to a video library, members may also contact one of our safety or employment loss prevention consultants for answers to questions, to get recommendations or obtain sample policies. Through our partnership with the law firms of Allan, Norton and Blue, Henderson Franklin, Fulmer, Leroy and Albee, Roper and Roper & The Makholm Law Group, we can readily obtain legal advice, when necessary. Seminars, webinars and regional workshops are planned and scheduled throughout the year to provide members with the most up to date risk management resource information.

We are pleased to announce that the first of 2 Law Enforcement Liability Seminars was held on May 12th and hosted by The City of Zephyrhills. PRM had the pleasure of welcoming representatives from eleven agencies to this event. Attorneys, Robert Shearman, Sean Conahan, Donovan Roper & John Makholm presented an informative program of relevant topics including “Mental & Medical Considerations in Law Enforcement, “Domestic Violence”, “Off-Duty Conduct” & “False Arrest”. Every attendee received a presentation binder containing the training materials to keep. The seminar, designed for Police Chiefs, Agency Senior and Middle Management, Police Training Officers and Risk Managers, was a great opportunity for attendees to gain valuable information, as well as network with other law enforcement agencies in our pool.

So, why is police liability training so important? Statistics show that ongoing, effective, and documented liability training can be the difference between a dismissal of a law suit and a serious judgment against an agency. Non-lethal force claims (for example, alleged false arrest claims) have proven to be among the most frequent throughout law enforcement agencies within our pool. Many agencies may lack the resources for their own legal advisors. The Police Liability Seminar offers members the opportunity to ask questions of attorneys, who are all well respected in their areas of practice and experienced in defending local law enforcement agencies in matters of liability.

If you missed this event, you will not want to miss the second and last one for the year on Friday, August 25. Our host for the event will be The City of Eustis. To register, please contact Michele Faulkner, mfaulkner@prm-fl.com, (239) 599-4827. Registration information will also be sent to members in July.

We look forward to seeing you in Eustis!
Continuing with our efforts this year to reduce pool wide motor vehicle accidents, pedestrian hazards are often overlooked exposures with potentially disastrous claims cost and negative publicity for the entity. This is two-fold for our entities and we operate in both realms. From the maintenance workers not wearing proper PPE while working in the ROW and traffic, failure to maintain proper MOT procedures, to the administrative personnel walking through the parking lot or crossing the street from one facility to another, we are pedestrians. As drivers with a large amount of time spent on the road within our entities, we are constantly exposed to the distracted pedestrian.

In Florida, during the 10-year period ending in 2014, 5,142 people were killed by a car while walking. In South Florida, the toll was 1,508. With pedestrian fatalities at a 10-year high, Florida leads the way among the seven most dangerous metropolitan communities to walk around in the country. Though South Florida didn’t crack the top 10, Miami-Fort Lauderdale-West Palm Beach came in at a not-so-respectable 11th, according to the Dangerous by Design report released by Smart Growth America, a Washington D.C.-based organization that advocates for walkable cities.

Cape Coral-Fort Myers claimed the top spot, followed by Palm Bay-Melbourne-Titusville, Orlando-Kissimmee-Sanford, Jacksonville, Deltona-Daytona Beach-Ormond Beach, Lakeland-Winter Haven, and Tampa-St. Petersburg-Clearwater. North Port-Sarasota-Bradenton placed 10th. An interactive map on Smart Growth’s website shows the most dangerous spots in those metro areas.

The rest of the country didn’t do much better. The total number of pedestrians killed in the same 10 year period was 46,149. Between 2005 and 2014, Americans were 7.2 times more likely to die as a pedestrian than from a natural disaster. In 2014 alone, an average of 13 people were struck and killed by a car every day while walking.

There are many reasons cited in these reports. Seasonal population influx and over-crowded roads with fast-moving cars and poor pedestrian infrastructure. Distracted drivers and distracted pedestrians. This just reinforces the need for constant vigilance and situational awareness. As pedestrians, we should never assume that the vehicles on the road way will see us, or yield right away, and use designated cross walks when available. All MOT standards should be strictly adhered to in Work Zones and proper PPE worn at all time when working in the ROW or close proximity to traffic. As drivers, we should constantly be scanning ahead for all potential hazards within our path and never assume pedestrians have spotted your vehicle and not dart into your path unexpectedly. We should expect and be prepared for the unexpected pedestrian hazard.

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What is a safety culture? According to OSHA, a safety culture consists of shared beliefs, practices and attitudes that exist at an organization. Culture is the atmosphere created by those beliefs and attitudes which shape our behavior. A safety culture is not something you can get or buy; it is something that an organization acquires as a result of a combined individual and group effort toward values, attitudes, goals and the proficiency of an organization’s safety program. Safety Culture can be positive, negative or neutral. Its essence is in what people believe about the importance of safety, including what they think that their peers, superiors and leaders believe about safety as a priority. Can the culture of your organization affect your safety program? Absolutely, and both education and involvement (or lack of) is the key.

Safety Conversations that Matter - Communication - Let it flow up, down and sideways. Clear and frequent communication between management and the safety committee is very important. Communicate safety expectations, goals, problems, solutions and challenges. The safety committee should function as a communication link between employees, the safety department and management. Understanding that each person thinks of safety differently becomes vitally important when we try to create a culture of safety excellence. It demonstrates the importance of involving every person in the organization, from the ground up in the conversation.

Tap into your workers’ knowledge - A 2008 study published in the journal *New Solutions* (Vol. 18, No. 4), reports organizations that had safety committees made up of more hourly workers than managers had lower injury and illness rates. Researchers also found that organizations with a higher percentage of their workforce on safety committees had even better rates. There is a lot of potential lost when organizations do not use safety committees to involve employees in their safety programs. Front-line workers have the most experience with how a task is performed every day and can help identify hazards that others may overlook.

Measuring Safety - An important foundational step in building an effective safety culture is to change the way safety is measured. While incident rate is a necessary metric, it should be one of several. The majority of measures should focus on proactive behaviors on the part of all employees — measures that track what people are doing to prevent accidents. When there are measures of what leaders do on a daily and weekly basis to prevent accidents, immediate and certain consequences can be engineered in to ensure those activities occur. This ensures that safety is attended to all the time, not just when there are incidents.

A few things to consider are:
- **Advertise** - Keep activities and goals visible and experiment with methods to effectively get the word out. Perception is reality. Make sure the message being received is the one you want to broadcast. Publicize the committee’s accomplishments, as well as any assistance to management.
- **Enthusiasm** - Safety committees may struggle with maintaining member enthusiasm over time.

The following are a few techniques to prevent or address committee member burnout:

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1) Rotate the committee’s focus among a variety of topics. An example would be ergonomics for a certain time frame followed by chemical hazard reduction, and so on.

2) Bring in new committee members when the committee becomes stale. You can periodically invite non-committee front-line workers to participate in a meeting and discuss any day-to-day hazards that they may encounter.

3) Invite safety committees from similar organizations to visit and help identify hazards.

4) Invite a PRM Loss Prevention Consultant to help answer questions and guide the committee to stay on track.

5) Find ways to recognize the efforts of individuals and groups within your organization who make significant contributions to the safety program.

**Conclusion** - A Safety Culture is something that comes out of the organization that allows it to achieve its objectives (even in a high-risk environment). In this way, a safety culture is not something that is done to the organization, but something that comes out of it. If we combine different employee perceptions of safety and support each of them, we will find ourselves a big step closer to having our safest year yet!

PRM recognizes the importance of safety by awarding a safety credit to members who have a written safety program. Members that conduct regularly scheduled safety meetings are more likely to succeed in their journey of creating a positive safety culture within their entity. A positive safety culture means a happier and safer work environment for everyone!