



*Working together for  
Montana's municipalities.*



*Miles City Bucking Horse Parade, Photo courtesy of Travel Montana*

*Spring 2021*  
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## AMERICAN RESCUE PLAN

The recently passed American Rescue Plan includes \$65 billion in funding specifically for municipalities.

### Montana League of Cities and Towns (League) Resources

The Montana League of Cities and Towns (League) is working hard to get municipalities the information they need to get their funding and put it to use as quickly as possible.

- ▶ <https://mtleague.org/resources/arp/>

### National League of Cities (NLC) Resources

The National League of Cities (NLC) is holding frequent meetings to update members on the national guidelines for the act.

- ▶ <https://www.nlc.org/initiative/covid-19-pandemic-response/#arp>

The League will also send emails to our lists of mayors, city managers, clerks, and finance officers to keep everyone up-to-date.

Any questions can be directed to [info@mtleague.net](mailto:info@mtleague.net). ■



# THE IMPORTANCE OF MUNICIPAL POOLING – AN HISTORICAL PERSPECTIVE

Those new to municipal government may not know the history of the MMIA. With many tasks to accomplish and priorities to balance, you may wonder why you should care. When it comes to workers compensation, health benefits, property, or liability coverage, why not just go with the cheapest option to save municipal resources? At first blush, that may make sense, but the story of MMIA shows how Montana towns came together to pool resources and created stable, high quality coverage protected from the volatility of the commercial markets.

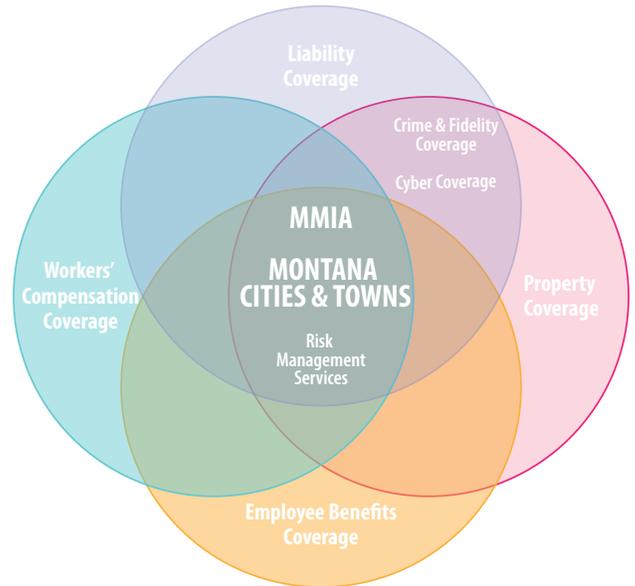
## The History

In the early 1980s cities and towns across the US faced drastically rising costs for workers compensation and liability coverage. Many commercial carriers refused to even cover municipalities because the risks and associated costs were just too high. The Montana League of Cities and Towns (League) saw Montana municipalities struggling and came together in November of 1985 to form the League Insurance Trust with 13 original Workers Compensation (WC) Program members. By 1986, the WC Program had expanded to 50 cities and towns and the League worked to change Montana law to allow public entities to self-insure by issuing bonds. The Montana Municipal Insurance Authority (MMIA) was established.

In 1993, MMIA hired its first safety coordinator. In 1998, Montana cities and towns sought more affordable coverage for their buildings, vehicles, construction equipment, animals, art, and history. The MMIA was doing a great job with Workers' Compensation and Liability, and so the Property Program was created.

In 1999, claims adjusting moved in-house to offer top-notch services specific to the needs of cities and towns. In 2004, health benefit rates began to sky-rocket, and there was no transparency in the pricing, so the cities and towns pooled their resources to create the Employee Benefits Program. In 2009, the municipal member-owners of MMIA changed the name to Montana Municipal Interlocal Authority. Today, nearly every city and town in Montana is a member-owner of at least one MMIA program and many are owners in all four.

MMIA is owned by Montana cities and towns and managed by a board of municipal representatives. Cities and towns have direct control over coverage,



rates, methodologies, and services. Unlike commercial insurance, which is beholden to shareholders and fluctuates with national trends, accountability for MMIA program performance is governed and shared by all member-owners.

## Thinking Outside the Box

In 2017, the cost of healthcare continued to raise at an unsustainable rate. The MMIA Employee Benefits Program, at the direction the MMIA Board of Directors (Board) took the brave step to negotiate reference-based pricing. This methodology requires hospitals to base prices as a percentage above Medicare instead of completely unregulated amounts. This move, and others, have saved the EB program hundreds of thousands of dollars resulting in stable rates in a time of commercial market instability.

In 2018, the MMIA Board approved the creating of the Treasure State Public Captive (TSPC). This new entity puts even more control in the hands of cities and towns by offering another level of reinsurance managed and funded by Montana municipalities.

## Facing Challenges Today

In June of 2020, the Montana Association of Counties' (MACo) in response to competitive pressure from the Montana State Fund (MSF) closed their WC Program

## Importance of Pooling - Continued

for all future claims. Counties who participated in that program were migrated to MSF. In conjunction with this event, it was brought to the MMIA's attention MSF rates for several workers' compensation class codes were significantly lower than MMIA's rates. Because the MMIA is not a for profit operation and only exists to serve Montana cities and towns, staff and the Board knew something had to be done. Long, difficult conversations were had. The question was faced: Would it be better for cities and towns to do what MACo did and turn the WC Program over to the MSF?

The answer emerged. Shuttering MMIA's WC Program would mean giving up the ability of cities and towns to control their own destinies. It would sacrifice long-forged relationships between cities and towns and municipal-specific training, risk management, education, and staff. It would mean exposing cities and towns to the whims and volatility of the commercial marketplace. And if, in a few years, the costs of workers' compensation coverage in the commercial marketplace began to soar again, cities and towns would have nowhere to go back to. The MMIA WC Program needed to stick around!

However, something still needed to be done to offer cities and towns great coverage at the right price. In January 2021, the Board approved a change to the WC Program rating methodology resulting in an overall rate decrease of 26.67%. This put rates in-line with the MSF.

This move was only possible because of the careful management of funds for more than 35 years which resulted in financial stability and adequate reserves. It shows the ability of the MMIA to respond to the needs of its member-owners.

## Working Toward the Future

Member-owners know they can count on the MMIA to face challenges and take advantage of opportunities for municipalities now and into the future. This includes continuing to build close partnerships with organizations like the League and Local Government Center, continuing to build the capacity of the TSPC, and more. ■

**Not subscribed?** If you want to receive this newsletter, please contact Janel Favero, MMIA Communications Specialist, at [jfavero@mmia.net](mailto:jfavero@mmia.net). Please indicate if you would like to receive an electronic or hard copy.

## MMIA'S Foundational Pillars Municipal Owned

In 1985, Montana's cities and towns pooled resources to address a need for affordable coverage, creating MMIA. Only Montana cities and towns can participate as member-owners of MMIA's self-funded pools.

**Open and Transparent**  
MMIA operates in an open and transparent environment.

**Unique Services**  
Member-owners drive the creation of innovative and flexible solutions to municipal issues.

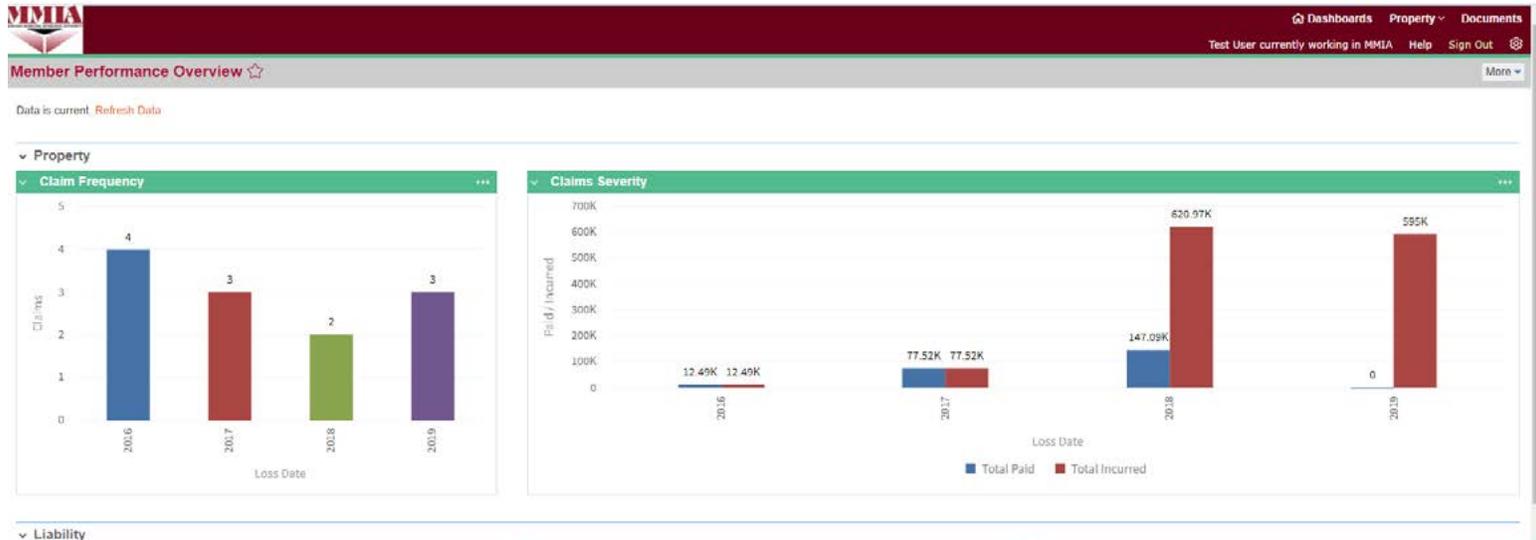
**Stable and Consistent**  
MMIA offers member-owners long-term benefits of stability and consistency in rates, coverage, and service.



# ENHANCEMENTS TO MEMBER PORTAL IN ORIGAMI RISK

## Member Portal Guide

Performance Overview Example



MMIA made enhancements to the Origami Risk portal for our member-owners, effective 04/16/2021. This tool was developed to enhance service to our member-owners by providing access to your coverage information, 24-hours a day, 365 days a year. Original portal tools included online claim filing and property schedule updates. The recent enhancements include access to:

- ▶ recently reported incidents,
- ▶ detailed claim reports by program,

- ▶ performance history by program,
- ▶ printing vehicle evidence of coverage cards,
- ▶ member documents such as declaration pages, workers' compensation posting notices, third party certificates, and more!

For more information on the MMIA portal for member-owners, please contact Britani Laughery at 406-495-7004 or [blaughery@mmia.net](mailto:blaughery@mmia.net). ■

## Origami Risk Portal Enhancements Webinar

Join MMIA Staff for a live webinar to learn more about enhancements to the Origami Risk Portal and how to make the most of them.

**When:** Friday, April 16, 2021 • 10:00 a.m.

**Webinar Address:** <http://bit.ly/2021OrigamiWebinar>

**Dial In:** 1 (253) 215-8782

**Meeting ID:** 958 3114 4040

**Access Code:** 641239



## GUIDELINES FOR SEASONAL, TEMPORARY, AND SHORT-TERM EMPLOYEES

Summer is quickly approaching, which means cities and towns must once again work to recall and hire summer employees. Hiring seasonal staff introduces new risks in regards to proper classification of staff and enforcement of child labor laws. In the event your municipality needs to hire additional staff for the summer months, it is important to know the differences in employment status and benefits for which staff may be eligible as well as age restrictions for certain types of work.

Montana Code Annotated (MCA) 2-18-601 defines seasonal, short term worker and temporary employees. Highlighted differences are listed below:

**Seasonal Employees** are regular/permanent employees who only work seasonally. They are entitled to accrued leave and such leave is not cashed out at the end of the year, it remains on the books until they are recalled the next season. They do not reapply for this job the next year, they are instead recalled. Probationary periods apply to these employees. They may be eligible for retirement and benefits based on policy.

**Temporary Employees** are hired to work no more than 12 continuous months. Such work can be seasonal in nature or may instead be to help for a short term project or when staffing is low due to absence of a regular employee. They are entitled to accrued leave and such leave may be cashed out at the end of their employment term, if they worked the minimum number of days/months to qualify for use of leave. Their employment has an end date and they may apply to be rehired the following year. Probationary status should not apply to such employees as their entire term of temporary employment is a probationary term. They may be eligible for retirement and benefits based on policy.

**Short-Term Workers** are not allowed to work more than 90 actual days of work within a 12 month period from date of hire. Such days need not be consecutive. They do not accrue leave and in most cases do not qualify for other benefits.

Summer work often involves employing staff under the age of 18 years old. Hiring such workers can add a great benefit both to the municipality and also to the youth as they learn to engage in the working world. However, it is important to understand and follow Child Labor laws. These laws exist to ensure safe working environments. You can find the Montana Child Labor Standards Act under MT MCA 41-2. Many of these employees will be



hired for the first time in their lives and therefore may need additional training in harassment prevention and safety, along with basic training for their position.

The following are highlights based on common questions asked regarding the employment of staff under the age of 18 years old.

**Minors age 14 and 15** cannot operate power driven equipment such as lawn mowers and power driven string trimmers. They can do manual lawn care using hand operated equipment, can work in office and other non-hazardous environments and at age 15 may be able to become a certified lifeguard depending on the licensing agency's age requirements. Refer to the MCA above for specifics on hours allowed to work during school year vs non-school year.

**Minors age 16 and 17** can use power mowers and string trimmers, but cannot use other power driven equipment such as chainsaws and string trimmers equipped with brush and wood cutting blades.

**Minors under the age of 17** may not drive a vehicle on public roadways, even if they have a driver's license. Minors age 17 may drive, but there are restrictions on how many hours of their work day may be spent driving.

**Minors under the age of 18** may not work in hazardous work environments as defined in law.

Seasonal hiring can have many moving parts and introduce risks not found during other types of hiring. Municipalities are encouraged to call or email Ann Komac, Claims Manager at MMIA to ask questions around the hiring of minors and/or seasonal staff. [akomac@mmia.net](mailto:akomac@mmia.net) or 406-495-7011. ■

# U.S. CENSUS BUREAU'S CENSUS OF GOVERNMENTS

## Timeline

The program will produce data targeted releases between July 2023 and September 2024. These CoG data products provide unique detailed national, state, and local level statistical measures.



The Census Bureau conducts a Census of Governments (CoG) of all state and local government organization units every five years, for years ending in two and seven, and these data will be part of a three-phase effort to document the size, structure, and finances of all state and local governments. Phase 1, Government Organization, is now underway.

The CoG is the most comprehensive and precise measure of government economic activity. It identifies the scope and nature of the nation's public sector and provides authoritative benchmark figures of public finance, pensions, and employment. It classifies the complex and diverse state and local government organizations, powers, activities, and measures state and local fiscal relationships.

The CoG is comprised of three components — Organization, Employment, and Finance. With the

release of each data product, the CoG provides policy analysts, researchers, and the general public with a more complete and clear

picture of the public sector. These data products present information to assist in addressing the issues that concern state and local governments and serve as the foundation for developing national economic and public policy.

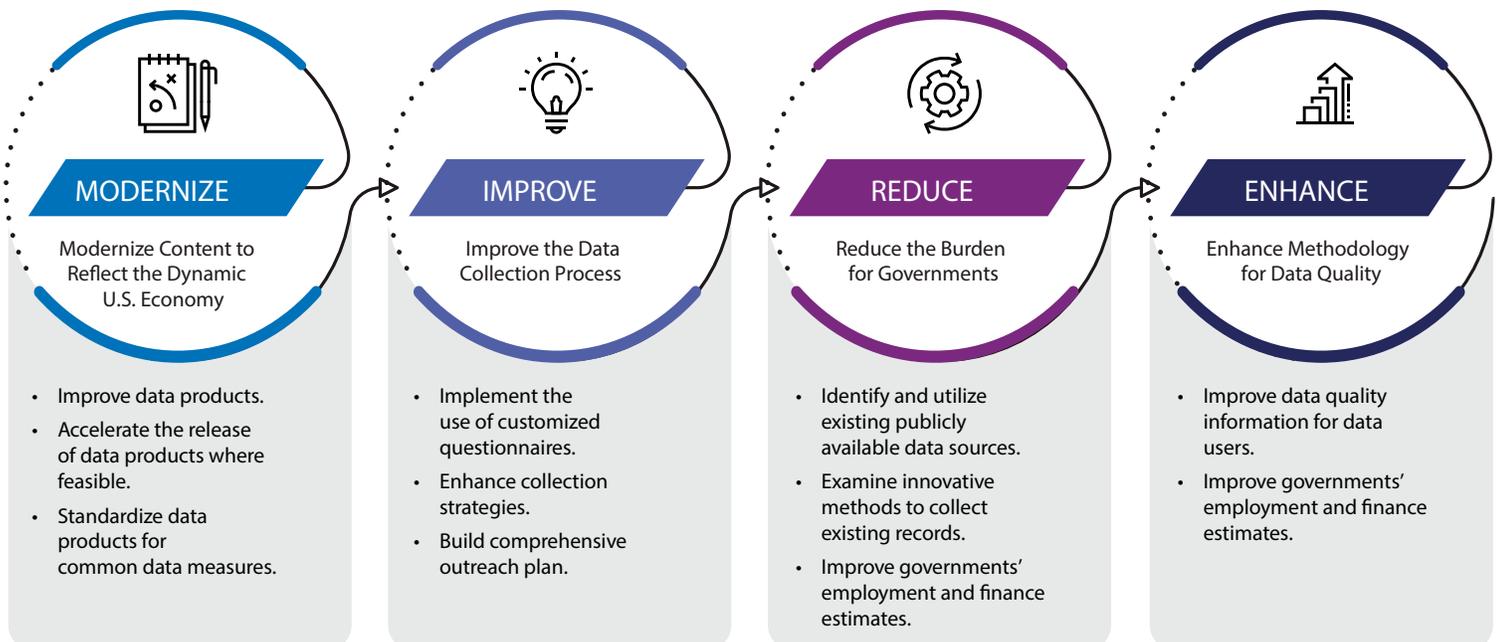
Improvements to the 2022 CoG will increase efficiency, reduce response burden for state and local governments, and provide data products that reflect our ever-changing U.S. economy.

For more information about the Census of Governments, please visit

<https://www.census.gov/programs-surveys/cog.html>. ■

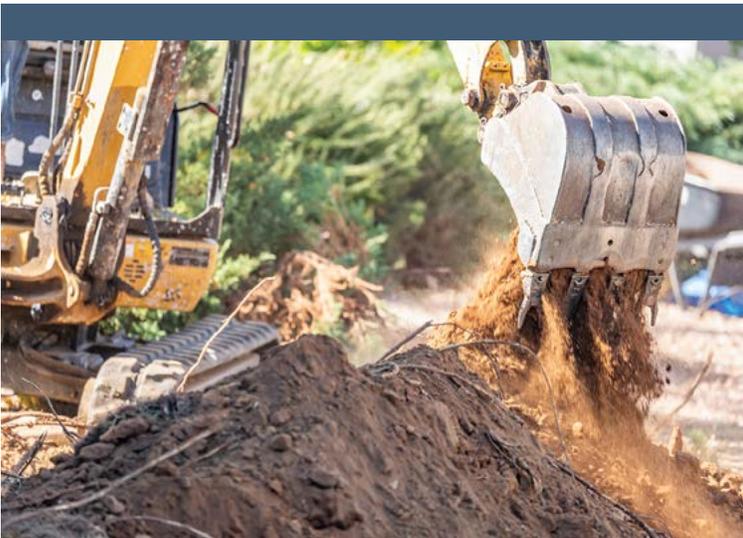


## Goals for Conducting a More Efficient Census of Governments



## CHRIS BESKID JOINS THE EMPLOYEE BENEFITS GROUP

Chris Beskid has recently joined the Employee Benefits group at MMIA as a Member Relations Strategist in addition to his other duties. He brings a passion for health and wellness and is excited to work with the great EB team at MMIA to assist members in their health journey. When not at work, Chris spends his time coaching the CHS boys cross country team, hiking or running the Helena trail system and spending time with his wife and two sons. ■



## TRENCHING AND EXCAVATION SAFETY RESOURCES

With the seasons changing, the number of public works projects involving trenching and excavation will increase. Trenching and excavation related injuries are serious, and often fatal. Keep your public works staff safe by following the requirements outlined in 29 CFR 1926.651 and 1926.652, and visiting the MMIA Trenching and Excavation Safety page at: <https://mmia.net/trenching-and-excavation-safety/> ■

## Upcoming Events

Due to COVID-19, some of our events have gone virtual. Visit [www.mmia.net/news-events/calendar/](http://www.mmia.net/news-events/calendar/) for up-to-date information.

- Apr  
**16**

**Origami Risk Portal Enhancements Webinar**
- Apr  
**29**

**MMIA Board of Director's Meeting**
- May  
**4-6**

**2021 Municipal Elected Officials Virtual Institute**
- May  
**12**

**Healthcare Coverage in Retirement Webinar**
- May  
**14**

**Municipal Town Hall**
- May  
**15**

**Employee Benefits Open Enrollment begins**
- May  
**18**

**Open Enrollment Benefits Webinar**
- May  
**31**

**Memorial Day**  
MMIA Offices Closed
- June  
**11**

**Municipal Town Hall**
- June  
**15**

**Employee Benefits Open Enrollment ends**
- June  
**17**

**League Board of Director's Meeting**
- June  
**18**

**MMIA Board of Director's Meeting**



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Montana's municipalities.*

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## MUNICIPAL CLERKS & ELECTED OFFICIALS VIRTUAL INSTITUTE

The MSU Local Government Center invites you to attend the 2021 Municipal Clerks & Elected Officials Virtual Conference, May 4-6.

The purpose of the conference is to enhance the capacity of local government officials to serve effectively, professionally and efficiently in municipal government. In addition to helping mayors and council members learn about their roles and responsibilities as elected officials, the conference also provides pertinent information about emerging issues and opportunities of importance to local governance.

Professional development is offered for the clerk, treasurer and finance officer positions in all Montana municipal governments through the MSU Local Government Center (LGC). The LGC hosts a Municipal Institute each May, at which 30 hours of IIMC certified training and typically 20+ hours of APT certified training are offered.

To register online, go to [www.msulocalgov.org](http://www.msulocalgov.org). ■



## 2021 JIM TILLOTSON SERVICE PROGRAM PLAN

Because the legislative session has been extended, the MMIA and the League have decided to move the Jim Tillotson Service Program this year. Instead of having it in conjunction with the virtual Clerks' Institute put on by the Local Government Center, we will wait until the legislative session wraps up.

We know you all have many questions regarding some of the laws being debated at the legislature right now (guns, marijuana, etc.), and we want to be able to provide you with the most accurate answers.

The current plan is to hold Zoom meetings in May and June. In this way, we plan to offer between 8 and 12 CLEs.

Please watch your email for more information as it becomes available. ■