

WINTER 2015

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By *Thomas B. Danenower, AIC, ARM-P*
MMIA Risk Management Specialist

It is that time of year again when we all need to revisit winter driving and winter safety issues. Winter conditions are more hazardous due to reduced visibility, low temperatures and reduced traction if conditions are snowy or icy. With planning and other preparation, these hazards can be mitigated.

Winter planning should include considering if a trip has to be made during potentially unsafe conditions—can it be postponed? If travel is necessary, the State has excellent road reports and roadside cameras so check on the travel conditions before setting out. Road reports are available by calling 5-1-1 or (800) 226-7623 or (800) 335-7592 or on the State website at www.mdt.mt.gov/travinfo – look on the right side of the page for “Road Condition Report” or go to <http://roadreport.mdt.mt.gov> If you have to travel in winter, try to schedule your trip during daylight hours. Low light conditions are more hazardous in winter conditions and also it is more likely in these conditions to hit deer and other animals.

The language used in road reports is important. A storm watch indicates severe winter weather could affect the area. A winter storm warning means severe winter conditions are imminent or already occurring. Heavy snow indicates at least six inches of snow in 12 hours and high wind warnings indicate winds of at least 40 miles per hour. Blizzard warnings indicate heavy blowing snow with winds of at

least 35 miles per hour.

If you must drive in winter conditions, keep in mind that stopping distances can be increased and visibility reduced. Following distances should be increased to at least six to eight seconds (the time it takes your vehicle to pass an object the vehicle in front of you just passed). With just five seconds more of reaction time over 85% of traffic crashes could be prevented. Especially in low light or night time conditions, it is important not to “outdrive” headlights. That means at 75 miles per hour a vehicle is going about 40 yards a second; headlights will shine about 75-100 yards in reduced visibility conditions. This makes “effective following distance” about two and a half seconds at these speeds—nowhere near enough! In these conditions speeds of 50 miles per hour make a lot more sense and increase driver time to react to a hazardous condition.

The MMIA recommends putting together a winter travel safety kit. This can include warm clothing, hat and gloves, snow boots, a sleeping bag and emergency food and water. Including a small shovel, flashlight, road flares, ice melt and kitty litter along with fire starting materials. Vehicles can be dug out of a snow bank and kitty litter used for traction under tires. Even floor mats can be placed under a tire and used for traction in low friction icy environments.

In an emergency try to call for help right away and stay with the vehicle. In winter time it is a good idea to keep the tank topped off as a

(Winter safety continues on page 2)

WAGE AND HOUR GUIDANCE: JUDGES

By John Cummings, MBA, PHR, CIC
HR and Risk Management Program Manager

Recently, in a Montana Wage and Hour Claim, the Montana Department of Labor and Industry specified that appointed Judges in the Courts of Limited Jurisdiction are employees of a city, town or county and are entitled to employee benefits such as sick leave, vacation leave, and possibly holiday pay and compensatory time. Please note that this article only applies to *appointed* judges and not *elected* judges.

Notably, in this particular case, the Town had their own employee manual that offered the appointed Judge vacation and sick leave benefits. The policy specifically stated that employees earned vacation and sick leave in accordance with the provisions outlined in Title 2 Part 6 of the Montana Code Annotated. Therefore, even if the judge was not found to be an employee as defined in Title 2, Part 6, the payout of benefits would have been the same.

The decision issued in this particular Montana Wage and Hour claim found that the appointed judge in the Court of Limited Jurisdiction was an employee of the town, and as such was entitled to the vacation and sick leave benefits provided for in Title 2. The Department of Labor and Industry commented that they think many cities/towns and counties believe an appointed judge is not entitled to Title 2 benefits. They are concerned that cities/towns and counties are basing this on an old Attorney General opinion which addressed appointed judges.

Rather, the Montana Department of Labor and Industry's Wage and Hour Compliance Specialist found that the exemption from Title 2 applies only to District Court judges, Supreme

Court justices, and the Water Court judge. According to the Judicial Branch, Judges in Courts of Limited Jurisdiction, are employees of the city/town or counties where they work. Please note that the determination of employment status was not appealed during this particular wage claim.

Additionally, the Department of Labor and Industry has received calls where the city/town and county are sharing a judge. Again, the city/town/county judge, as an employee, is entitled to Title 2 benefits. It may mean that each governmental entity is responsible for a prorated portion of the benefits. The two parties are encouraged by the Montana Department of Labor and Industry to coordinate the benefits and make sure it is defined who is responsible for what, before an employee begins work.

As far as compensatory time goes, again, as an employee of a municipality, Title 29, CFR Part 553 provides guidance on compensatory time. In the case in question, the employment contract clearly specified the judge would receive a monthly salary which compensated



Please note that this article only applies to appointed judges and not elected judges.

them for a minimum of 16 hours per week. However, the judge felt the salary paid for exactly 16 hours and any additional hours worked would be tracked as compensatory time. There was no record that the employer ever tracked the additional hours and, more importantly, the employment contract clearly defined that the salary paid for a minimum of 16 hours per week. Thus it was found that the employee was correctly paid for the hours they worked. The lesson here is that the employer has a clearly written employment agreement.

However, compensatory time is simply a tool governmental agencies can use rather than paying a non-exempt employee when they work over 40 hours in a week. Although it never came up in this particular claim, the Judge was more than likely an exempt employee which means, even if they did track compensatory time it was not required to be paid out at termination. Again, compensatory time is generally provided when a non-exempt employee works overtime.

Basically, the guidance the Department of Labor and Industry can provide is that all employees of a governmental agency are entitled to benefits under Title 2. Cities and towns should review their employee records and look at who is not receiving benefits. If someone is not being considered an employee, then the employer needs to know what guidelines they are using not to provide the statutory benefits.

One additional wrinkle is when, via an Interlocal Agreement, a City and County share a Judge. If the County pays the judge (for work in both the City and County) and the county issues the W-2 then the Judge would be the County's employee.

If the city or town has a question, they should contact a Wage and Hour Compliance Specialist with the Montana Department of Labor and Industry at (406)444-5600. ■

(Winter safety continued from page 1)

full tank and a running engine with the heater on can create a safe haven against our frequently very cold winter conditions.

The State Disaster & Emergency Services Division put out an excellent Winter Survival Handbook with great information on how to survive in a wide array of winter conditions while at work or during winter recreation. Everything from avalanches to building a winter shelter to winter driving tips has been in-

cluded. MMIA still has a good supply of these booklets and we will be glad to send you copies.

Remember to wear your snow boots or slip resistant footwear into work. Doing the "duck walk" or walking in pairs can prevent some of the slips and falls. Slip-on fall prevention cleats are also a good option to reduce winter slips and falls.

Municipal employees need to help each other maintain sidewalks in terms of snow removal; with sanding and use of ice melt as needed. This is especially important for areas

law enforcement is using (they are on duty 24/7). While driving remember to increase following distances and slow down! When plowing snow always use the emergency lights; snowplows performing winter road maintenance with amber lights on and allowing for public safety in accordance with statute have right-of-way status (MCA 61-8-317) and claims are much more defensible. If you have questions or need more information contact Thom Danenhower tdanenhower@mmia.net or call us at (800) 635-3089. ■

ARMA and Records Management

By Vicki Wilham, Office Manager

I recently returned from the ARMA International Annual Conference held in San Diego, CA. ARMA is a not-for-profit professional association and the authority on governing information as a strategic asset. This conference is the world's best event to learn about the latest information technologies, network with information governance colleagues, and gain new insights into the profession.

The association was established in 1955 and has 27,000 plus members including records and information managers, information governance archivists, professionals, corporate librarians, imaging specialists, legal professionals, IT managers, consultants, and educators, all of whom work in a wide variety of industries, including government, legal, healthcare, financial services, and petroleum in the United States, Canada, and more than 30 other countries around the globe.

There were education sessions featuring the profession's best and brightest facilitators focusing on its most pressing issues, as well as the fundamentals for those new to the profession. There was an expo with vendors from all across the country in all areas of information/records management including all phases of

the information lifecycle from creation to destruction.

Sessions included:

- *Releasing the Legal Hold*: How to Return to Normal: very interesting session. The best advice is to (1) follow your attorney's advice



and (2) document, document, document.

- *Take the Terminology Challenge and Win*: Every time I go to ARMA there is new lingo. Do you know what vlogging is? How about spoliation? The cloud? Vlogging is video blogging. Spoliation isn't new but it's a tough one. The word itself is ugly. Basically, it's the intentional destruction of evidence. The cloud isn't a white puffy thing in the sky. It's a file hosting site. Who'd a figured? How about BYOD?

Get your minds out of the gutter. It's Bring Your Own Device. It refers to staff bringing their own devices to work to download documents. Yikes! That could be scary.

- *Halt the Hoarding of E-Mail and Other Documents*: this can really be a problem, and traditional approaches don't seem to work.
- *Can You Destroy Paper Records that have been*

Imaged: very simply, yes, you can. Images may be considered as admissible in evidence as the original paper record in any legal or administrative proceeding—subject to certain legal admissibility provisos that apply to all types of records. Per the Uniform Photographic Copies of Business and Public Records as Evidence Act (UPA), if any business, in the regular course of business, has kept any writing, and has caused any to be “reproduced by any process which accurately reproduces or forms a durable medium for so reproducing the original,” the original may be

destroyed in the regular course of business.

And a whole lot more.

So much so, that I just couldn't hit everything. It's overwhelming, but interesting. Luckily, many of the sessions were recorded for my later listening pleasure.

Montana's ARMA affiliate is the Big Sky Chapter of ARMA at www.bigsky.arma.org. Check their website often for scheduled activities right here in Montana. Better yet, become a member. ■

Vision and Dental Plan changes for Employee Benefits

By Amanda Clark, EB Program Manager

The Employee Benefits Program offers an array of health benefits for our participating members, including dental and vision. Throughout the years, our self-funded dental and vision plans have been very successful and stable cost-wise. While we have offered our members a selection of plans in the past, the plan options have been very similar. Therefore our Board of Directors has elected to streamline these benefits once again by offering one dental plan and one vision plan to all of our members starting July 1, 2015. This will allow for more efficient claims processing and benefit administration of these plans. Ad-

ditionally, we will be able to provide more program-wide education to our participants of these plans.

While change can be scary, especially when it comes to one's health benefits, we're proceeding with this transition to make it as easy as possible for our members and participants. Simply put, we will be offering the best plan option in the dental and vision programs, at costs lower than what we have required in the past. Both of these programs are healthy and have adequate funding to be able to make this shift. Exact rates will not be set until the spring, but we have reviewed the stable history of these programs and anticipate this to be a better benefit for the cost for our members.

We will be contacting members of the EB Program with more specific information about the benefits for dental and vision for the new plan year. Additionally, we will share preliminary rate information once the Board has made their determination in the spring. If currently offering dental and/or vision, members can consider benefit improvements provided to employees, cost savings, or perhaps both. If you haven't provided dental or vision benefits to your employees through MMIA before, now is a great opportunity to consider these cost-effective benefits. Please contact the EB Department for more information or any questions. Remember this change will take effect July 1, 2015. ■

Take Care When Considering Public Works Projects

By Randy Siemers,

Montana Department of Labor & Industry

Montana's "Little" Davis-Bacon Act became law 83 years ago. It protects local labor markets—workers and contractors—by eliminating wage cutting as a way to compete for contracts to build public works. Currently, the payment of prevailing wages is required when a contract for services is let by a public entity in excess of \$25,000.

The Montana Department of Labor & Industry publishes prevailing wage rates annually. These rates are the minimum wage rates to be paid to various classifications of blue collar workers, like laborers or painters, on construction projects let by the State of Montana or political subdivisions.

In the 1980's, the Montana Supreme Court ruled in one municipal case that a construction project may be subject to Montana's Prevailing Wage Law even if a public entity does not directly contract for the work. It may be sufficient that the project eventually becomes the property of the public entity.

In this particular case, the municipality in question entered into a lease agreement for a building to be constructed on municipal property. The lessor made the construction arrangements, hiring a general contractor who hired and paid all contractors and subcontractors. The municipality was not a party to the construction contract, and prevailing wages were not paid to the construction workers.

The municipality argued that the lease was not a public works contract, because it did not let the contract directly. Nevertheless, the Department of Labor & Industry filed a complaint, which ultimately found its way to the Montana Supreme Court. The Department sought the difference between the wages paid during the construction of the storage building and prevailing wage rates, which the Department contended should have been paid.

The Supreme Court noted that the municipality acquired absolute ownership of the building for a nominal fee after 20 years and retained ownership of the land. The Court found that the lease was, in fact, a sale of the building to the municipality making the project a public

works project. The municipality was found liable for the underpayment of wages.

Today, local governments in particular are beset by requests from various groups who propose needed or desired infrastructure improvements, from swimming pools to skate parks. In response, local governments do their best to pull together funding and devise ways to get projects built.

This particular example demonstrates that it is important to explore these types of projects from multiple angles and ensure your municipality reviews the applicability of Prevailing Wage Law on projects that involve a public agency. As always, it is prudent to seek legal advice if you have questions about statutory requirements. Additional State of Montana resources, and wage rates, can be found at <http://erd.dli.mt.gov/labor-standards/public-contracts-prevailing-wage-law/> and <http://erd.dli.mt.gov/labor-standards/state-prevailing-wage-rates> . ■



Montana Department of
LABOR & INDUSTRY

Something New for Your Winter Safety Training: On-Line Emergency Responder Vehicle Education Program

By John Cummings, MBA, PHR, CIC

HR and Risk Management Program Manager

Looking for something new and different to add to your municipality's safety training this winter? Well look no further, the MMIA is pleased to provide a number of free access licenses to the S:ERVE ON-LINE Emergency Responder Vehicle Education Program. This is the same training program being offered to recruits at the Montana Law Enforcement Academy.

This driver simulation was created to educate Law Enforcement, Firefighters, EMS and other emergency responders to drive at their safest in an effort to reduce collision rates in emergency response scenarios. This on-line program can be accessed right at your emergency responder's desk or in your training center.

The S:ERVE program guides emergency responders through a series of situations in which decision making is key. Emergency responders

prioritize their vehicle handling and emergency task activities while experiencing situations related to typical emergency response or pursuit operations. The S:ERVE program incorporates 5 core lessons:

- **Intersection Approach:** Select appropriate methods for maximizing vehicle control when approaching intersections and recognizing the risks associated with improper intersection negotiation.
- **Intersection Assessment:** Learn to recognize, categorize and prioritize all potential hazards.
- **Clearing the Intersection Basics:** Decipher appropriate techniques and recognize the dangers associated with improper intersection clearing.
- **Clearing the Intersection Advanced:** Review and reinforce awareness of risk factors when clearing intersections and how to avoid common mistakes when doing so.
- **Intersection Departure & Course Summary:**



Learn the steps for safely departing an intersection, then complete a comprehensive course recap of all key concepts.

The S:ERVE Program takes 2.5 hours to complete. If you are interested in accessing this program, please contact John Cummings or Laura Wigen at the MMIA at 800-635-3089. Once again, this is a new and fresh way to add something different to your winter safety training. In addition, this program has the ability to reduce your municipality's liability, property and workers' compensation loss experiences. ■

MMIA Property Coverage: Part 1 of Series

By Linda Coombs, AIC, CIC
Sr. Liability/Property Claim Adjuster

Ann Komac and Linda Coombs are going to approach this series at the 20,000 foot level. They will provide this series of articles to you in an attempt to provide a basic understanding of your property coverage under the MMIA Memorandum of Property Coverage using the 2013 edition of the Memorandum.

The Memorandum of Property Coverage can be located on the MMIA website, www.mmia.net, click on the Property Program icon and then to Coverage Documents. To view the Memorandum of Property Coverage that is most current, click on July 1, 2013. Please note the Declarations page is not attached to this document as they are individual to each Member.

The definitions section will provide numerous definitions for terms used throughout the Memorandum. Two definitions I want to bring to your attention are Replacement Cost and Stated Amount. These are the two levels of coverage we provide our Members.

Replacement Cost coverage, is the cost of repairing, replacing, constructing or reconstructing (whichever is the least) the property on the same site, using new materials of like kind and quality and for like occupancy without deduction for depreciation, subject to the following:

- Until the property is actually repaired, replaced or reconstructed, the maximum amount recoverable shall be the actual cash value of the lost or damaged property;
- Replacement shall be effected by the Member with due diligence and dispatch;
- Replacement need not be on the same site, or of same or similar construction or occupancy provided that the MMIA shall not be liable for any additional costs that are directly attributable to the inclusion of this provision;

For historical buildings as more specifically defined in Section III: Property Damage

- In no event shall the MMIA's liability exceed the amount actually and necessarily expended in repairing or replacing (whichever is less) Covered Property or any part thereof.

Stated Amount coverage represents an agreed value between the member and MMIA on real property and personal property and is specified on the Summary of Values on file with the MMIA.

Our program is Pool Shared. This means there are shared pool limits and Sub-Limits of Liability listed in the Declarations that apply across participating pool membership and are not specific to an individual Member. These shared pool limits apply per occurrence unless otherwise indicated. The Sub-Limits of Liability that are provided in the declarations apply per occurrence unless indicated otherwise. Those include:

- Peril of Flood
- Peril of Earthquake Shock
- Combined Business Interruption, Rental Income, Tax Interruption
- Extra Expense
- Miscellanies Unnamed locations
- Automatic Acquisition
- Unscheduled landscaping, tees, sand traps, greens and athletic fields if specific values for such items have not been reported as part of the Member Summary of Values held on file with the MMIA
- Scheduled landscaping, tees, sand traps, greens and athletic fields if specific values for such items have been reported as part

of the Member Summary of Values held on file with the MMIA

- Errors & Omissions
- Course of Construction and Additions
- Money and Securities for Fire, Wind, Hail, Explosion, Smoke, Lightning, Riot, Civil Commotion, Impact by Aircraft or Objects falling there from, Impact by Vehicles, Water Damage and Theft (other than by an employee of the Member)
- Unscheduled Fine Arts
- Accidental Contamination including owned land, land values and water owned by the Member
- Unscheduled tunnels, bridges, dams, catwalks (except those not for public use) roadways, highways, streets, sidewalks, culverts, street lights and traffic signals (unless specific values for such items have been reported as part of a Member Summary of Values held on file with the MMIA) excluding Coverage for the period of Earthquake Shock and excluding FEMA and/or OES declared disasters
- Increased Cost of Construction due to the enforcement of building codes/ordinance or law
- Transit
- Unscheduled Animals
- Watercraft; up to 27 feet. Unscheduled watercraft over 27 feet if held for sale by the Member
- Off premises services interruption includ-



- ing Extra Expense resulting from a covered period at non-owned/operated locations(s)
- Separately as respects Contingent Business Interruption, Contingent Rental Value, and Contingent Extra Expense;
- Expediting Expense
- Claim Preparation Expenses;
- Separately as respects furs, jewelry, precious metals and precious stones
- Business Interruption for power generation facilities, which is understood to be part of, and not addition to, the Sub-limit of liability set forth in Item 2c above
- Terrorism per Occurrence and in the aggregate combined for all Members as provided on the declarations
- Personal property outside the USA and
- Boiler Explosion and Machinery Breakdown as provided in the declarations

An example of shared pool limits would be if a single occurrence effected more than one Member at the same time (example: storm event or flooding), then the effected Members would share the limit of coverage on a proportionate basis as well as a proportionate share of the deductible for that covered occurrence.

If two or more deductible amounts apply for a single occurrence, the total to be deducted will not exceed the largest per occurrence deductible amount applicable. Please note on the declarations pages that more specific deductibles can apply to an occurrence. Examples of this would be more than one member affected by a single occurrence and those members carry different deductibles. The members would share a single deductible instead of each incurring their individual deductible. Another example would be if a member carries one deductible for automobiles and a different deductible for property and both types of property are damaged in a single occurrence, the higher of the two deductibles would apply, not both.

Under Section III: Property Damages please note under A. Coverage

Subject to the terms, conditions and exclusions contained, the Memorandum covers all property of every description both real and personal (including improvements, betterments and remodeling) of the Member or property of others in the care, custody or control of the Member, for which the Member is liable or under obligation to cover. MMIA strongly recommends that any property for which you have agreed to cover is clearly outlined in a contract

or written agreement with the property owner. This contract or written agreement should clearly outline each party's obligations for that property. Without this written agreement or contract it will be very difficult to show the Member is obligated to provide coverage for this item and coverage could be denied. Unless a more specific Deductible is applicable for a particular loss, and yes there are several more specific deductibles, the Deductible shown on your declarations shall apply per occurrence.

Let's swoop down a little closer for a look at those specified perils and coverage deductibles because they come up frequently.

Flood deductible per occurrence is \$100,000 for all flood zones with the exception of A & V for which a \$250,000 deductible applies. Vehicles or contractors equipment deductible for flood is \$10,000 per vehicle/item subject to a \$100,000 maximum as respects to the peril of flood and Fine arts carries a \$50,000 per occurrence and annual aggregate flood deductible. Please keep in mind the shared deductibles that can easily come into play in a flood event. It is unlikely that only a vehicle was damaged. We routinely find where both vehicles and real property are damaged and the higher deductible will apply. There is a \$50,000,000 shared pool coverage limit for the peril of flood per occurrence for zones outside A, V and all other 100 year flood plains. There is a \$25,000,000 shared pool coverage limit for members in flood zones A, V and all other 100 year flood plains.

Earthquake deductible per occurrence is \$100,000 subject to a \$100,000 minimum except 10% with minimum for buildings constructed prior to 1940. There is a \$100,000,000 shared pool coverage limit for earthquake.

Animals that are specially trained are subject to a \$1,000 deductible. These include our K-9s but not the office kitty. There is a coverage limit per animal not to exceed \$50,000.

Please take note of this one: Tunnels, bridges, dams, catwalks, roadways, highways, streets, sidewalks, culverts, street lights and traffic signals unless a specific value has been declared are subject not only to a \$500,000 shared pool limit of coverage but also a \$500,000 per occurrence deductible.

Boiler and Machinery deductibles per occurrence range from a \$2,500 to \$350,000 deductible.

Now that you have seen the 20,000 foot introduction into the MMIA Property coverage, we look forward to getting a little more into the actual coverage document which will outline



EMPLOYEE SPOTLIGHT: KIMBERLY WEISERT

The MMIA is excited to introduce our newest employee, Kimberly Weisert. She joins the MMIA in the Employee Benefits department as the Program Development Specialist. Kimberly grew up in Belgrade, and apart from a short stay in Australia, has been a Montana resident most of her life. She received her Bachelor's Degree in Health Promotion from Montana State University Bozeman in 2009. Shortly after graduation she moved to Helena and has been working in the healthcare industry since. She loves teaching her fitness classes, skiing and traveling.

more specific information as to what is covered and how coverage applies in the event of an actual loss. We will discuss what perils are covered and those that are excluded. We will discuss interruption of business earnings and extra expense coverage. We will discuss what conditions are placed on our members to be afforded coverage and more importantly what breaches of those conditions which can affect your coverage. We will briefly discuss fine arts coverage, contractor's equipment coverage and devote one entire article on Boiler and Machinery Breakdown coverage which is commonly overlooked by our Members.

If you have any questions regarding property coverage be sure to call the MMIA today, (406) 443-0907. ■

Employee Visibility While Working On Municipal Streets

By Thomas B. Danenhower, AIC, RS, ARM-P
MMIA Risk Management Specialist

MMIA member employees in public works spend a lot of time on busy municipal streets in hazardous heavy traffic conditions. It has been nice to see almost everyone in high visibility bright char- treuse or orange reflective vests and other personal protective equipment compliant with new American National Standard Institute (ANSI) and International Safety Equipment Association (ISEA) for high visibility safety apparel.

ISEA published the first American National Standard for high-visibility safety apparel in 1999. Garments complying with ANSI/ISEA 107-1999 quickly became widely accepted as the best way to protect workers against hazards of low visibility, and to enhance the visibility of workers who are exposed to struck-by hazards. A revision to the standard in 2004 added criteria for headwear, and introduced test report forms. Garments complying with the standard are now required by the Federal Highway Administration (FHWA) for anyone working in a right-of-way or highway work zone.

In January 2010, ANSI approved a revised edition of the standard, ANSI/ISEA 107-2010. This is the culmination of several years of work by the ISEA High Visibility Products Group, in cooperation with employers and workers, test labs and material suppliers, safety professionals, and federal, state and local authorities.

This standard provides a uniform, authoritative guide for the design, performance specifications, and use of high-visibility and reflective apparel including vests, jackets, bib/jumpsuit coveralls, trousers and harnesses. Garments that meet this standard can be worn 24 hours a day to provide users with a high level of conspicuity through the use of combined fluorescent and retro-reflective materials.

The standard establishes three Performance Classes for high-visibility safety apparel based on the wearer's activities, and determined by the total area of background and reflective materials used.

Though the 2010 revision does not change the long-standing requirements for compliant garments with respect to classification and color, it does address important issues for the wearer related to flame-resistance and use during rainfall (After ANSI/ISEA 107-2010).

MMIA members can also benefit by



reminding the public with a flyer in utility bills to use reflective clothing and follow best practices for safety when bicycling or walking on municipal streets especially in low light conditions. Most of the nearly 6,000 pedestrian deaths nationally each year are teenagers. Most of these were crossing the road at places other than an intersection. Some of these best practices are:

- Wear reflective or light colored clothing in low light conditions; the flashing lights available for bicyclists and pedestrians are even better. Wear easily seen bright colors during daylight hours.
- Pick routes with sidewalks and less traffic – it is never a good idea to walk along the edge of a busy street.

- Do not let children cross streets by themselves or play or walk near traffic; kids are small and drivers may not see them in time.
- Make eye contact with drivers before crossing streets in crosswalks. Look left, right and left again for traffic. Always use crosswalks and obey the signal.
- Never cross roadways in places other than intersections.
- Avoid drivers' blind spots—if you cannot see the mirrors of the vehicle, the driver may not see you.
- Especially in low light conditions, drivers need to slow down and expect the unexpected. If drivers would give themselves just five more seconds of reaction time, 87% of crashes would have been avoided.
- Carry a flashlight when walking in the dark. If you have to use a roadway with no sidewalk, walk facing traffic.

As children get older, they should be taught to do three key things before crossing the street: a) use crosswalks on a corner with a traffic light; b) stop at the curb; c) look left, right and then left again to make sure no cars are coming. If there are cars present it is a good idea to make eye contact with the drivers.

Traffic quieting is a term used to slow traffic to 15 to 25 miles per hour in urban settings. At these speeds most vehicle – pedestrian crashes are non fatal. Drivers need to obey speed limits and keep speeds low in school zones.

For more information on pedestrian and bicycle safety and pedestrian safety programs go to the National Highway Traffic Safety Administration website, www.nhtsa.gov ■

Bob Worthington Risk Management Achievement Award: Ben Sautter

This quarter, the MMIA has nominated Ben Sautter, Street Superintendent for the City of Helena for the Bob Worthington Risk Management Award. Ben is very quick to respond to problems that may arise, as well as looking for effective solutions. Ben responds to requests to fill potholes in an exceptionally timely and well organized manner. He also promotes a great safety culture among his staff so his department ranks among one of the best in terms of low workers' compensation claim experience. ■



MONTANA MUNICIPAL INTERLOCAL AUTHORITY

Montana Municipal
Interlocal Authority

PO Box 6669
Helena, Montana 59604-6669

www.mmia.net

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MONTANA MUNICIPAL INTERLOCAL AUTHORITY

Montana Municipal
Interlocal Authority

3115 McHugh Dr.
Helena, MT 59602

Phone (406) 443-0907
Toll Free (800) 635-3089
Fax (406) 449-7440

www.mmia.net

Calendar of Events

- | | |
|-----------------|--|
| January | 1 New Years Day, Holiday |
| | 16 MMIA Board of Directors Meeting, Helena |
| | 19 Martin Luther King Jr. Day, Holiday |
| February | 16 President's Day, Holiday |
| March | 4-5 Executive Forum, Helena |
| | 8-11 AGRiP Spring Conference, Las Vegas |
| | 20 MMIA Board of Directors Meeting, Helena |
| May | 4-8 Municipal Institute/Elected Officials/
Tillotson, Billings |
| | 25 Memorial Day, Holiday |
| June | 19 MMIA Board of Directors Meeting, Helena |

