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NEWS & RISK MANAGEMENT REVIEW

SPRING 2022

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— SDAO Board of Directors —

**President**

Michele Bradley, Port of Tillamook Bay

**Vice President**

Todd Heidgerken, Clackamas River Water

**Secretary**

Ben Stange, Polk County Fire District #1

**Treasurer**

Emily Robertson, Multnomah County Drainage District #1

**Past-President**

Carl Tappert, Rogue Valley Sewer Services

**Board Members**

Nick Bakke, Rogue Valley Sewer Services

MaryKay Dahlgreen, Lincoln County Library District

Adam Denlinger, Seal Rock Water District

Jennifer Holland, Sisters Park & Recreation District

Kathy Kleczek, Sunset Empire Transportation District

Scott Stanton, Umatilla County Fire District #1

Brent Stevenson, Santiam Water Control District

— Next Board of Directors Meetings —

Apr. 6-7 | Oregon Garden Resort | Silverton  
*(Joint Work Session Meeting with Board of Trustees)*

June 15 | SDAO Office | Salem

— Executive Director —

Frank Stratton

— Services —

Awards, Education and Training, Internship Grant, Legislative, Research and Technical Assistance, Scholarship and Grant Fund. and SDAO Advisory Services, LLC

— Contact —

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# 2022 SDAO Annual Conference

*That's a Wrap!*



*By: Frank Stratton, Executive Director*

Last summer, we started planning for the 2022 annual conference with excitement and anticipation. We were thrilled to be planning our first in-person conference since February 2020. We were also excited to be offering a virtual option for those that could not join in person and getting prepped for a hybrid event. Unfortunately, our plans took a turn, and in early January, we made the difficult decision to pivot the conference to a fully virtual event.

While hosting another virtual conference was definitely not our first choice, we felt grateful that we had to option to still hold the event. Our staff worked hard to get everything shifted over – all in just one month! Due to the generosity of our conference sponsors and exhibitors, members were able to attend the conference at no charge. On behalf of SDAO, thank you so much to these organizations who stuck with us during the changeover to virtual. We greatly appreciate your dedication to our members. With your help, we had 915 registrants representing 320 different districts gain access to valuable trainings and networking opportunities.

A highlight of the event was our keynote speaker, Lou Radja. Lou kicked off the event with a positive and inspiring message. He gave us tools to help us all to remember our why. Attendees were able to interact on the chat and later let us know that Lou was one of the best keynote speakers they had seen. Lou truly made an impact on our members and taught us all how to “dance in the rain”.

We hosted our Welcoming Reception online filled with an interactive virtual trivia game. Bragging rights were on the line and the competition was tough, but the Power Ladies team prevailed. Congratulations to Gina Wescott, MaryKay Dahlgreen, Nikki Burton, and Emily Knaus. The next two days were filled with fantastic training sessions, caucus meetings, and the Annual Business Meeting. The following board members were re-elected for a two-year term:

- **Fire:** Ben Stange, *Polk County Fire District #1*
- **Irrigation:** Brent Stevenson, *Santiam Water Control District*
- **Sanitary:** Nick Bakke, *Rogue Valley Sewer Services*
- **True At-Large:** MaryKay Dahlgreen, *Lincoln County Library District*
- **At-Large (Big Six):**
  - Adam Denlinger, *Seal Rock Water District*
  - Scott Stanton, *Umatilla County Fire District #1*

**The conference platform will be available until May 6<sup>th</sup>.** During this time, you can view sessions that you may have missed or those you want to review again. If you were unable to register and you'd like to view these sessions, you can still register by contacting Kaylie Bahnsen at [kbahnsen@sdao.com](mailto:kbahnsen@sdao.com).

*Save the Date!*

Next year, we are excited for the opportunity to hold the 2023 SDAO Annual Conference in person at Sunriver Resort from February 9-12. I hope to see you there!

# PSU's Center for Public Service Support to Oregon Special Districts

Portland State University's Mark O. Hatfield School of Government Center for Public Service can provide a variety of consulting and training services for Oregon's special service districts.

## **Current areas of expertise include:**

- *Board effectiveness; board-staff relationships; strategic planning*
- *Citizen engagement*
- *Compensation/classification surveys and analysis (including pay equity issues)*
- *Training and assistance in improving cybersecurity (targeted to elected and appointed leaders)*
- *Cultural competence and other HR issues*
- *Performance measurement and process improvement*
- *Customized organizational and operational studies*
- *Financial forecasting/budget management consulting and training*

Through its Public Service Fellowship Program, the Center can provide current graduate students for 10-week summer fellowships (the Oregon Summer Fellowship) or recent Master's or Ph.D. graduates for a 10-month residency fellowship (the Hatfield Fellowship). Many of Oregon's special district staff members have earned their graduate degree through the Executive Master of Public Administration program, coordinated by CPS.

For more information, see the Center's website, or contact CPS Director Sara Saltzberg or Local Government Projects Manager Scott Lazenby at [slazenby@pdx.edu](mailto:slazenby@pdx.edu).





# Special Districts Consulting Services

*"Seasons change, and so do we." – NikkiChe*



Spring is a lovely reminder of how beautiful change can truly be. We should all be holding our heads high and patting ourselves on the back for what we have all been through. The past two years have been a bit of a challenge. We have lost

some great friends and dear family members due to fires, natural causes, the pandemic, etc., and we have come out the other side to rebuild a better community and a stronger stance on what we value most. If we have learned nothing from the past two years, hopefully we have all learned that we are better together. We are stronger together. And together, anything is possible.

It is that time of year to make goals, implement change and improve on processes. Let the Consulting Services team help. Our diverse group of senior consultants with their vast knowledge in many areas of special districts can offer tips and tricks that will benefit you and your district.

Please ask us how a Board Practices Assessment (BPA) can benefit your board. The BPA is conducted in a 90-minute, on-site, facilitated meeting with the full board and management

staff personnel who normally participate in board meetings. The BPA is a self-assessment process in which participants will evaluate the board's effectiveness in key performance areas to identify strengths and weaknesses in the board's governance practices. Within a week following the meeting, the board will receive a written summary of their self-assessment along with a document called the *Consultant's Impressions and Recommendations*. When your board participates in a BPA, your district will receive a 2% discount on your general liability, auto liability, and property insurance contributions for 2023. Schedule your BPA soon, slots are filling up quickly.

Be sure to make us your first call for any consulting assistance your district may need. Each year, member districts are eligible for **up to eight hours of free consulting services** by one of our skilled senior consultants. After this time is exhausted, members will have the option of continuing at a nominal hourly rate. We assist with management recruitments, organizational assessments, district manager transition planning, board trainings, Board Practices Assessments and much more.

We look forward to hearing from you soon!

*~Shanta Carter*



# 2022 INTERNSHIP GRANT PROGRAM

**APPLICATION DEADLINE:**  
5pm on Friday, April 15, 2022

Applications are now being accepted for the 2022 SDAO Internship Grant Program! Essential and critical to Oregon's communities, special districts deliver much-needed services while also supporting their local workforce. In addition, many districts offer summer internships to college-level students in their area who are seeking to learn more about local government careers. SDAO recognizes and supports these efforts by providing matching grants through the SDAO Internship Grant Program.



Through this program, interns must be hired by the district as temporary employees to be in compliance with wage and hour laws relative to compensating student interns. A freshman through junior college-level student will need to be hired to qualify for funding of this grant. The **maximum grant per district is \$3,000**; the funding must be matched by the district by 50%. For example, you may be eligible to receive up to \$3,000 on your request for a project that will cost your district \$6,000 or more. You may be eligible to receive up to a maximum of \$2,100 on your request for a project that will cost your district \$4,200. SDAO may not fund all grant requests. **This grant is not intended to fund routine maintenance needs or normal staffing requirements.**

The SDAO Awards Committee will review each application to determine which projects are eligible to receive funding. **Funds will be disbursed by July 1, 2022.**



To be considered, your completed Internship Grant Program application **must be received by SDAO by 5pm on Friday, April 15, 2022**. Submit your completed application by mail to SDAO, PO Box 12613, Salem, Oregon 97309; by e-mail to [sdao@sdao.com](mailto:sdao@sdao.com); or by fax to 503-371-4781. Attach a separate sheet if necessary.

To download the application, visit  
<https://www.sdao.com/internship-grant-program>



SDAO  
**COMMITTEE  
& VOLUNTEER  
INTEREST**  
FORM

We need your help! Our strength and effectiveness as an organization is directly related to the involvement of our members. The talent and energy that our members bring to SDAO are the critical components of our success as an association. Please review the volunteer opportunities listed below and indicate those of which you are willing to serve. If you have any questions, please contact SDAO at 800-285-5461 or [sdao@sdao.com](mailto:sdao@sdao.com).

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

Title/Position: \_\_\_\_\_

District: \_\_\_\_\_

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

Phone: (w) \_\_\_\_\_ (h) \_\_\_\_\_ (c) \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

- Awards Committee**      Reviews applications and submits rankings for the SDAO Awards Program and SDAO Internship Grant Program. This is conducted by email.
- Conference and Education Committee**      Meets two to three times prior to the SDAO Annual Conference to provide recommendations for conference programming.

Submit your completed form to:



P.O. Box 12613, Salem, OR 97309-0613

Fax: 503-371-4781

Email: [sdao@sdao.com](mailto:sdao@sdao.com)

**Deadline: May 27, 2022**  
Thank you for your willingness to serve!



## SDAO Board Member Spotlight

# Nick Bakke

## Rogue Valley Sewer Services

*Central Point, Oregon*



## SDAO Board of Directors Position: Sanitary Representative

*November 5, 2020 - Present*

### **What role do you serve at your special district and how long have you been with them?**

I've been with Rogue Valley Sewer Services (RVSS) for six years in my current position of District Engineer. I get to work with our excellent staff managing sewer and stormwater infrastructure development as well as the design and construction of our capital improvement projects.

### **Why did you seek to join the SDAO Board of Directors?**

RVSS has been active with SDAO since the late 70's with our current general manager and his predecessor both serving as the sanitary seat. When this seat became available, I was encouraged to run. I initially had no idea what I was getting into but quickly found that SDAO provides so many valuable services, particularly for small or underfunded districts.

This is ultimately due to incredibly talented SDAO staff and the folks serving on the board. I only hope I can provide a positive contribution.

### **How has SDAO helped you or your district?**

Our district has taken advantage of just about every service SDAO offers including insurance, legal services, online training, board assessment, onsite risk management, policy guidance, and background checks.

### **Tell us about your life outside of your day job(s).**

Outside of shuttling our three children around to practices and tournaments, our family enjoys spending time in the garden, doing projects around the house, and visiting grandparents. On occasion, we find some time to enjoy the outdoors, running trails, fishing, hunting and otherwise foraging in the woods.



Each year, the SDAO Awards Program honors member districts for accomplishments which allow them to provide better service to the public and gives recognition to individuals who have greatly contributed to the success of their organization. The following award winners were selected by the SDAO Awards Committee and recognized at the 2022 SDAO Annual Conference on Saturday, February 12<sup>th</sup>.



*Howard Terpenning Lifetime Achievement  
Award Winner*

***George Dunkel***

The Howard Terpenning Lifetime Achievement Award is presented to an individual who has shown an outstanding commitment to Oregon's special districts and to SDAO. George Dunkel has demonstrated all of the qualities and experience necessary for being recognized with this award.

George began his Oregon fire service career as a volunteer firefighter with Scappoose Rural Fire District and was later hired as a career firefighter by Washington County Fire District #1 (now Tualatin Valley Fire & Rescue). Then, as Fire Chief of St. Helens Fire District, George managed the merger of the Rainier Fire District and St. Helens Fire District forming Columbia River Fire & Rescue.

George has served as chair of the Board of Directors of the Oregon Fire Chiefs Foundation, is a recent past board member and chair of the International Fire Service Training Association (IFSTA) Executive Board, and past board member and chair of the SDAO Board of Directors. He also recently stepped down from his full-time position as the Consulting Services Administrator for SDAO and now works part-time as a Senior Consultant for the program. George continues to be an extremely valuable resource to SDAO, our members, and the community.



*Ophir Rural Fire  
Protection District*

*Outstanding Special District Service Award:  
Board Member  
**Trudi Sthen***

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Trudi Sthen has dedicated over 35 years to Ophir RFPD! For almost 20 years, she served as the secretary/treasurer performing monthly and annual financial duties. Long-term financial planning is perhaps her most notable accomplishment while serving on the board. Realizing the need for fire equipment, Trudi worked to have the tax base raised and very diligently managed this money. While her duties have varied over the years, her role on the board and in the community has continued to be invaluable.



*Crystal Springs  
Water District*

*Outstanding Special District Service Award:  
Manager  
**Fred Schatz***

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Fred Schatz has received the Outstanding Special District Service award for his amazing leadership to the Crystal Springs Water District while aggressively pursuing an improved water system, ensuring that the Hood River Valley community has safe, accessible water service for years to come. Fred provided a public information campaign on the Capital Improvement Plan, trained new staff, coordinated with local jurisdictions, and navigated a pandemic while maintaining professionalism.



*Clackamas  
River Water*

*Outstanding Special District Service Award:  
Employee  
**Donn Bunyard***

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Donn Bunyard has worked for Clackamas River Water since 1984 (when it was Clairmont Water District) and moved into the district's first ever Emergency Manager role in 2014. Since that time, Donn has overseen the development of the district's continuity of operations plan and has been responsible for security grants for emergency water treatment and distribution system for the district and region. During the wildfires, ice storm and while creating a safe work environment during a pandemic, Donn was a critical part of the preparation and response to these natural disasters.



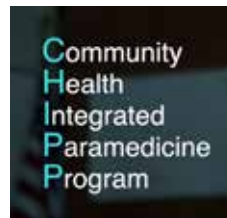
McKenzie  
Fire & Rescue

*Outstanding Special District Service Award:  
Volunteer*  
**Thomas Maddock**

Thomas Maddock became a volunteer with McKenzie Fire and Rescue 45 years ago and has maintained active status even as he celebrated his 80<sup>th</sup> birthday this year. During the Holiday Farm Fire, Thomas and another volunteer were trapped in the Blue River area at the onset of the fire, and due to his knowledge of the area, Thomas was able to direct out-of-area emergency response personnel to safe zones, identify functional hydrants, and keep his crew and apparatus safe during the instability that occurred as the fire grew. After residents were forced to flee, Thomas took on the project of taking care of the animals left behind. He cared for horses, cows, pigs, sheep, goats, chickens, dogs, cats, and even a macaw. His contributions over his tenure have been immeasurable.

*Outstanding Special District Program Award:  
5 or Fewer Employees*  
**Mist-Birkenfeld RFPD**

Mist-Birkenfeld RFPD was selected to receive the Outstanding Special District Program Award in the 5 or fewer employees category for their innovative Community Health Integrated Paramedicine Program (CHIPP). CHIPP serves as a preventative service for the community by catching medical problems before they become 911 calls. It is also designed to provide follow-up care for recent surgeries or any other medically related issue or concern. This has saved lives by identifying serious medical issues early, and getting those individuals the help they needed, before progressing to a life threatening or deadly situation.



*Outstanding Special District Program Award:  
6 to 25 Employees*

## *Rainbow Water District*

Rainbow Water District was selected to receive the Outstanding Special District Program Award in the 6 to 25 employees category for their support of neighboring small rural water systems, offering them the benefits of a larger utility with full-time professional staff. They have entered into several intergovernmental agreements (IGAs) with these neighboring districts and associations to provide billing and customer service, engineering and planning, construction and repair with on-call emergency response, and total system operation. These public and private water systems work together to share knowledge and resources to collectively offer better services to their communities.



*Outstanding Special District Program Award:  
26+ Employees*

## *Lebanon Fire District*

Lebanon Fire District was selected to receive the Outstanding Special District Program Award in the 26+ employees category for their Western University Lebanon Fire Emergency Alliance (WLEA) and Fire Corps programs. WLEA is the only known program of its kind in the country where medical students volunteer with the fire district to gain experience and in turn, give back to the community. The Fire Corps programs is one of a few programs in the state that trains Lebanon Fire District support volunteers in emotional practical support. These programs have greatly benefited the Lebanon community.

Links to videos of each of our award winners can be found on our website at [www.sdao.com/sdao-awards-program](http://www.sdao.com/sdao-awards-program).



***SDAO Underwriting  
Manager***

## *Extraordinary Staff Service Award: Kevin Pardy*

This award honors an SDAO staff member who has gone above and beyond to help our members. Kevin Pardy has dedicated over ten years at SDAO, specifically in our risk management and underwriting departments. His knowledge of insurance mixed with his unique ability to bring people together, has made a big difference at SDAO for members, board members, trustees, agents, and staff. His work has been primarily behind the scenes with ensuring that our districts are appropriately insured against catastrophic losses while keeping the insurance pool running smoothly. Though he has dealt with some personal challenges over the last few years, Kevin has never wavered from being dedicated to our association and those it serves.

## **SDAO Board Leadership Academy *Certificate Recipients***

Congratulations to our recent SDAO Board Leadership Academy certificate recipients!



**Stephen Lusch,**  
*Green Area Water & Sanitary Authority*



**James Snyder,**  
*Rogue Valley Sewer Services*



**John Collier,**  
*Salishan Sanitary District*

The SDAO Board Leadership Academy has been designed to ensure that Oregon's special district board members have all the tools necessary to provide superior leadership and governance to their communities. Our program offers current, in-depth training and education opportunities in several areas including board member basics, statutory obligations, risk management, and human resources.

Learn more about this educational program at <https://www.sdao.com/sdao-board-leadership-academy>



ADVISORY SERVICES, LLC

# *Your District's Financial Advocate*

## **SDAO Advisory Services**

When you need funding options for your district, SDAO Advisory Services is here to support you. We are a wholly-owned, not-for-profit limited liability corporation of SDAO formed for the sole purpose of serving SDAO members. Your best interest is placed before any others and we offer competitive pricing. We are here to advocate for your district as your financial partner.

We provide SDAO members with funding options, structures, and alternatives that are best suited to accomplish funding requirements. Focused on the long-term relationship with each member that goes beyond just a transaction, our goal is to earn your trust and business as a financial partner, working together in meeting your long-term goals by providing value-added results through seamless execution. Put our 25+ years of experience to work for your district.

## **SERVICES**

### **Financial Management**

- Debt monitoring and analysis
- Refinancing opportunities
- Investment alternatives
- Operating cash flow analysis

### **Debt Issuance Planning Financing Alternatives**

(public and private options, including bank loans)

- Market analysis
- Debt structuring options
- Credit rating consultation
- Document and disclosure guidance

### **Bond Assistance**

- Review and guidance of ballot titles
- Manage the issuance process, working with bond counsel and other financing team members
- Evaluation of the merits of a competitive or negotiated bond sale
- Assist in the solicitation of other financing professional service providers
- Review and evaluate bond pricing
- Guidance and monitoring of continuing disclosure compliance

## **CONTACT US TODAY**

David Ulbricht | Director of Advisory Services | 503-701-7774 | [dulbricht@sdao.com](mailto:dulbricht@sdao.com)

*SDAO Advisory Services is a Registered Municipal Advisor with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board.*





*Save the Date!*

September 15, 2022

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Summer Conference  
& Awards Banquet

Mark your calendar! We will be hosting a one-day conference and networking event at the Salem Convention Center on September 15th. We are looking forward to the opportunity to provide valuable training, honor our 2022 award recipients, and network with one another after a long pause on in-person events. More details and registration information will be provided in June.



SDAO

SPECIAL DISTRICTS  
ASSOCIATION OF OREGON



# 2022 GOLF TOURNAMENT

**SEPT 16**

FRIDAY | 2022

**CHEHALEM GLENN  
GOLF COURSE**

4501 E Fernwood Rd, Newberg, OR 97132

Save the date for our 2022 SDAO Member Scholarship Golf Tournament! Registration details to come this summer. Tournament proceeds will go to fund member training scholarships.

FOR MORE INFORMATION  
PLEASE CONTACT :

EMAIL  
PHONE

MEMBERSERVICES@SDAO.COM  
1.800.285.5461

# LEGISLATIVE UPDATE

*By: Hasina E. Wittenberg, Government Relations Strategies for SDAO*

## 2022 Legislative Session Overview

Since the conclusion of the long session on June 18, 2021, the Legislature convened for two special sessions. The first special session was held in September (2021) and focused on redrawing legislative and congressional districts; this resulted in significant acrimony between the two parties. The second special session, held in mid-December (2021), addressed on-going COVID-19 pandemic-related issues like rental assistance. The assembly also extended assistance to the agricultural sector due to ongoing drought conditions in the state and addressed some of the emerging challenges created by the multitude of illegal cannabis grows located primarily in Southern Oregon.

In the weeks and months leading up to the 2022 short session, several resignations resulted in a raft of new members and new leadership was installed. Tina Kotek, Oregon's longest serving Speaker of the House, resigned after five sessions as Speaker to make a bid to become the state's next Governor. Furthermore, Representative Barbara Smith-Warner resigned as the Democratic Majority Leader. Rep. Dan Rayfield (D-Corvallis), a four-term Democrat and previous co-chair of the powerful Ways & Means Committee, was elected as the new House Speaker, and Representative Julie Fahey (D-Eugene) was elected as the new Democratic Majority Leader.





On the other side of the aisle, Rep. Christine Drazen resigned her seat and position as Minority Leader to run for Governor. She was replaced by Vicki Breese-Iverson (R-Prineville) as the new Minority Leader. There were 11 new members of the legislative assembly that were appointed to office since the previous election in 2020. In the Senate, Tim Knopp (R-Bend) was elected by his colleagues to serve as the new Minority Leader in the Senate. Long-serving member Senator Betsy Johnson resigned to conduct an independent run for Governor. Additionally, Oregon's longest serving legislator, and longest serving President of the Senate, Peter Courtney, announced that he would not seek another term in the Oregon Senate; thereby ending a nearly 30-year span of service in Oregon's Legislative Assembly.

The 81st Oregon Legislative Assembly, 2022 Regular Session convened on February 1st with Democrats controlling the Senate by an 18 to 11 margin with one Independent member. In the House of Representatives, Democrats held a 37 to 23 majority over their Republican counterparts. Measures that were not posted for a work session by February 7th were considered dead, and those that were posted but had not been moved out of their originating committee by February 14th were also considered dead under the provisions of Senate Concurrent Resolution 25 (2021). As a result of these deadlines, many of the bills introduced and printed at the beginning of the session saw no further action. Bills that moved to the second chamber were required to be posted for a work session by February 18th and moved out of committees by the 24th. These timelines did not apply to the Joint Ways & Means Committee, neither chamber's Rules Committees, the House and Senate Finance and Revenue Committees, or other "Joint" committees.

Entering the short session, a great deal of attention had been given to agriculture worker overtime. Attempts to enact similar legislation in the previous session had failed and a workgroup was formed during the interim with the hope of reaching a compromise, but those efforts failed as well. Democrats, mostly from urban areas of the

state, stated that the exemption to overtime for farm workers was a remnant from a time where people of color were the subject of discrimination in Oregon. Furthermore, farm workers have been subjected to extraordinarily difficult working conditions recently due to heat and smoke while continuing to feed Oregonians during a world-wide pandemic. Republicans, on the other hand, worried that the new overtime requirements would force some farms to mechanize, thereby reducing working opportunities, or would simply strangle small family farms and eliminate their ability to survive. As the bill progressed, Republicans attempted to slow the process by requiring all bills be read in their entirety prior to a floor vote. The result was a slow-down in each chamber that lasted for much of the session.

State coffers were full of money from unspent federal financial relief funds and state tax revenues that far exceeded projections considering the circumstances and the number of people who were forced out of work due to the pandemic. The December state economic and revenue forecast projected \$1.5 billion more in revenue than budgeted for 2021-2023 biennium. When lawmakers received their March forecast in mid-February, projections showed that they had an additional \$800 million available to spend. That is after the state sends taxpayers a \$1.9 billion in kicker refunds for the 2021 tax year.

As in previous short sessions, policy makers were intent on addressing more than budget adjustments and technical fixes. Policy measures were filed to address several issues including Ethics Commission oversight of public meetings, press access to emergency areas, illegal cannabis grows, a private forestry accord, adoption of building reach codes, a petroleum diesel phase-out, making school districts whole after devastating wildfires impacted student enrollment, affordable housing, and homelessness. Leadership limited each member's ability to introduce legislation to a maximum of two bills in the House and, for the first time, Senate members were allowed to introduce two bills (unlike previous short sessions when each Senate member was



allowed to introduce only one bill). Committees were prohibited from introducing more than three pieces of legislation, with a few exceptions. In the end, 275 pieces of legislation were introduced for consideration.

A few high-profile measures made it to the Governor's desk including farm worker overtime and the private forestry accord, but many others died due to the short timelines. The bigger impacts across the state will be felt from the record amount spending during this short session. Aside from individual earmarks, approximately \$300 million was spent on an education package to address the staffing crisis in Oregon's schools, create summer learning opportunities, support wildfire impacted school districts, and address education disparities; \$400 million was allocated for affordable housing and homelessness; \$200 million investment in workforce development to help workers gain access to the skills and training; \$300 million cost of living relief package, including direct, one-time relief payments of \$600 that will help more than 240,000 low-wage workers; \$120 million to move an elementary school in Portland; over \$300 million for healthcare needs; \$100 million

climate resilience budget; and \$100 million to help rebuild critical infrastructure in rural Oregon. In all, lawmakers spent about \$1.4 billion with one bill alone, HB 5202.

The Legislative Assembly adjourned sine die shortly before noon on March 4th – three days short of the constitutionally required adjournment. Of the 275 bills and resolutions introduced, SDAO monitored 89 of the measures introduced because of their potential to impact our member districts in one way or another.

This fall, elections will be held for all 60 seats in the state House, along with 16 state Senate seats, all six of Oregon's U.S. House seats, U.S. Senator Ron Wyden's seat will be up, the Governorship, and the Commissioner for Bureau of Labor.

Later this spring, we will mail the 2022 SDAO Legislative Summary to every district's key contact, as well as post on our website and share with all members via email. This report will include details about individual bills and their impacts on special districts.

## **SDAO ADMINISTRATIVE HANDBOOK – UPDATED!**

The SDAO Administrative Handbook (formerly known as the Management and Policy Resource Guide) is undergoing updates and will be available this spring! We will post the new handbook on our website at [www.sdao.com](http://www.sdao.com) and send an alert to all members via email when it is available. If you would like a printed copy, please email [memberservices@sdao.com](mailto:memberservices@sdao.com) to request one.



## HOT TOPICS & NETWORKING SESSIONS

Join the SDAO Risk Management Team to discuss current risk management hot topics and get to know other SDAO members in your area. These interactive sessions are designed to help our team target these issues and develop resources for you, specific to your area. We invite you to come prepared to discuss struggles that your district is facing and collaborate with others in your area.



**All sessions will be held from 9 - 11am**

**Apr. 20 | Hermiston | Umatilla County Fire District #1**

**Jun. 21 | White City | Jackson County Fire District 3**

**Oct. 12 | Coos Bay | Oregon International Port of Coos Bay**

There is **NO cost** for these sessions.

To register, please visit  
<https://cvent.me/m7rlq9>

## RISK MANAGEMENT BACK TO BASICS & CURRENT HOT TOPICS

Join us in Salem or virtually from your location for an introductory session highlighting the importance of integrating basic risk management concepts into the normal operations of your district. We will briefly review how risk management is associated with district property, general liability, and workers' compensation exposures and some of the considerations you should make related to these topics.

<p><b>May 17</b> <b>July 13</b> <b>September 20</b> <b>November 16</b></p>	<p><b>All hybrid trainings will be held from</b> <b>10am - noon</b> <b>at the Salem SDAO office</b> (727 Center St. NE Salem, OR 97301)</p>
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**IN-PERSON REGISTRATION - \$15** (includes a box lunch)    **VIRTUAL REGISTRATION - FREE**

Each district is eligible to use the code **RMREG** at time of registration to receive their first registration at no cost. Due to limited scholarships, we cannot guarantee this discount and are offering it on a first-come, first-served basis. In accordance with guidance from the Oregon Health Authority, masks will be optional at our in-person training events.

For more information and to register, please visit

<https://bit.ly/3IFAvxK>



2022

# Human Resources Regional Trainings

## Dates & Locations



- May 4** | Pendleton – *Red Lion Hotel*
- May 10** | Cottage Grove – *Cottage Grove Events Venue*
- May 11** | Medford – *Ashland Hills Hotel*
- May 19** | Redmond – *Eagle Crest Resort*
- May 24** | Newport – *Embarcadero Resort*
- May 25** | Salem – *Chemeketa Eola* (Virtual Option Available)

**9am-3pm**  
(All Dates and Locations)

**Cost: \$75 – In Person**  
*Includes lunch, coffee and course materials*

**\$15 – Virtual Option**  
*(May 25<sup>th</sup> only)*

You are invited to join our team for an exciting day of training on various human resources topics important to Oregon's special districts. We will be traveling to different areas of the state presenting on the following five topics:

### HR Considerations for the Hybrid or Remote Workplace

*Laurie Grenya, HR Answers*

There is all kinds of information about what considerations need to be made for the remote or hybrid workforce. We will walk through the steps and a list of considerations, with practical implications on the work environment. At the beginning of the pandemic, many organizations jumped in the deep end of the pool. We will visit each step and you will walk away with a checklist for consideration and implementation, or refinement, as needed.

### Americans With Disabilities Act (ADA) Basics

*Ron Downs, SDAO General Counsel*

If you have ever been faced with an employee request for a reasonable accommodation, you will appreciate that the process is time-consuming and complicated. During this presentation, we will discuss the elements of an ADA request, common steps involved in the interactive process, and request for a reasonable accommodation.

## Documentation and Employee Management: A Refresher for the New Workplace

*Spencer Rockwell, SDAO Assistant General Counsel*

Successful documentation of employees has always been a challenging adventure, but with the adoption for some of a hybrid workplace model, setting expectations and standards have presented some new challenges. This presentation will focus on sharpening existing practices and offering tips and tools to manage a different workforce in a different environment.



## Overview of Public Meetings and Board Considerations Post-Pandemic

*Tonya Grass, SDAO Legal and Technical Support Administrator*

The pandemic has changed the way public entities meet, and we will feel the impact well beyond the pandemic years. Meeting accessibility has always been a consideration, but this discussion will focus on the requirements that came out of the recent public health concerns (including House Bill 2560), the challenges to boards and the benefits of remote and hybrid meeting models.

## Recruitment 101 – The Nuts and Bolts of a Solid Recruitment Process

*Monica Harrison, SDAO HR Manager*

Whether you conduct a recruitment for staff on a regular basis or once every few years, there are some things to know and rules you need to follow to ensure you have a fair and compliant recruitment process. In this session, we will go over the development of a solid recruitment plan that will help you navigate through your process. There is no 'one size fits all' recruitment plan so you will be able to take this information and personalize it to your district's needs, while ensuring you are meeting all the legal requirements of such a process.

## Credit Information

This training is credit-eligible for the programs listed below. For detailed credit information, please visit [www.sdao.com/sdao-human-resources-training-series](http://www.sdao.com/sdao-human-resources-training-series).

- *SDAO Academy*
- *SDAO Board Leadership Academy*
- *SDAO/OFDDA Fire District Directors Academy*
- *SHRM*

Each district is eligible to use the code **HRREG** at the time of registration to receive their first registration at **no cost**. Due to limited scholarships, we cannot guarantee this discount and are offering it on a first come, first served basis.

## Cancellation Policy

*To receive a full refund, you must cancel your registration at least five (5) business days in advance of your scheduled training date. No-shows will be charged.*

Register today at:

**<https://cvent.me/432000>**

*In accordance with guidance from the Oregon Health Authority, masks will be optional at our in-person training events.*



# NEW HANDBOOKS FOR EMPLOYERS

Looking for an approachable, easy-to-understand roadmap of Oregon's ever-changing employment laws? BOLI has you covered!

Our 2022 handbooks for employers cover all the essentials – from legal hiring to defensible discipline and discharge.

We've updated each for new legislation through 2021. What's more, our move to an electronic-only format means these handbooks are fully searchable and include hyperlinked section headings, statutes and rules for ease of access. We've also been able to lower the cost by 10% on most titles!

Check out the handbook descriptions and place your order at our online storefront.

- *Civil Rights Laws*
- *Documentation, Discipline & Discharge*
- *Employee Classification & Wage & Hour Exemptions*
- *Employee Handbooks*
- *Leave Laws*
- *Legal Hiring Practices*
- *Wage and Hour Laws*

## Technical Assistance for Employers

As always, our staff are available to answer your employment law questions. Drop us a line by phone at 971-361-8400 or email us at [ta.email@boli.oregon.gov](mailto:ta.email@boli.oregon.gov).





# NSDC

NATIONAL SPECIAL DISTRICTS COALITION

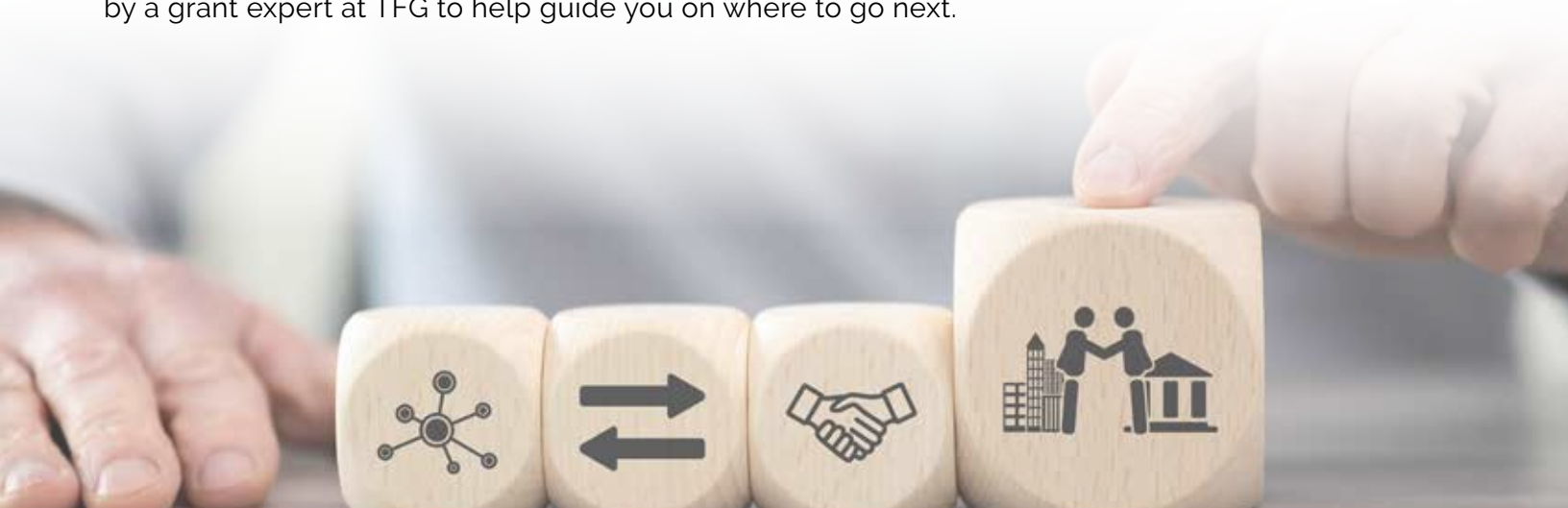


## NATIONAL ADVOCACY & GRANT ASSISTANCE

In 2018, SDAO worked with California, Colorado, Florida and Utah to form the National Special Districts Coalition (NSDC). The NSDC works to share resources, network to identify solutions to common problems for special districts across state lines, and advocate for special districts at the federal level.

As part of SDAO's membership with the NSDC, we are able to provide SDAO members access to grant writing and management services through The Ferguson Group (TFG), NSDC's national legislative advocacy partner who also specializes in government grants. This is a great opportunity and especially timely considering the large amount of federal grant money that is, or soon will be available, to districts under the federal infrastructure package and other COVID relief measures.

SDAO members get a base level of grant assistance (visit <https://bit.ly/3M1YA4g>) for free and then can choose to pay TFG for further assistance for advanced services, such as actually writing your grant. To get started on discovering if your project qualifies for current federal grants, login into the portal at <https://bit.ly/tfgPortal> and submit some basic details about your project. You will then be contacted by a grant expert at TFG to help guide you on where to go next.



# SDAO Members *in the* news

Find additional news clippings online at [www.sdao.com](http://www.sdao.com) > Newsroom

## **Blue Mountain named to top hospitals list**

Blue Mountain Eagle | 2/19/2022

Blue Mountain Hospital has been recognized as one of the best small rural hospitals in the country. The John Day facility was named to the Top 100 Critical Access Hospitals list for 2022, the Blue Mountain Hospital District announced on Friday, Feb. 18. The list was compiled by the Chartis Center for Rural Health, an independent health care advisory firm. Hospitals are evaluated based on the Chartis Rural Hospital Performance Index, which uses publicly available data to rate eight metrics including quality, market share and patient perspectives.

Please visit <https://bit.ly/3DabbOW> to read more.

## **Tillamook PUD offers community support grant program in 2022**

Tillamook Headlight Herald | 1/17/2022

The Tillamook PUD Community Support Grant Program is now open to local not-for-profit organizations seeking funding for their community projects in 2022. Applications are evaluated and selected by the Tillamook PUD Board of Directors in mid-March. In their evaluation, the Board considers each project's potential for economic development

and community outreach, as well as financial need. Projects must be completed by the end of the 2022 calendar year. Additionally, individual grant awards are limited to \$10,000 each year and entities are eligible to receive no more than \$20,000 within a five-year period.

Please visit <https://bit.ly/3NmvEER> to read more.

## **Port of Morrow, BMCC partner on free computer, forklift training**

Hermiston Herald | 1/12/2022

The Port of Morrow on Jan. 10 announced a new partnership with Blue Mountain Community College that includes free forklift training in Boardman and free noncredit computer classes. "We have heard from employers and job seekers that there is a need for short term bilingual training," Port of Morrow Director of Workforce Development Kalie Davis said in a statement. "We are excited to partner with Blue Mountain Community College to make these opportunities easily accessible and free."

Please visit <https://bit.ly/3ITcm6J> to read more.

*Providing reasonable, stable rates, and  
broad coverage to Oregon's public entities*

## SDIS Board of Trustees

- Chair:** Andrea Klaas, Port of The Dalles
- Vice Chair:** Mike Jacobs, Tualatin Valley Water District
- Secretary:** Mark Hokkanen, Tualatin Hills Park & Recreation District
- Treasurer:** Stacy Maxwell, Jackson County Fire District 3
- Trustees:** David Lindelien, Lane Transit District  
Darren Bucich, McKenzie Fire & Rescue
- Emeritus:** Ted Kunze, Canby Fire District No. 62

## Services

- Background Checks
- Claims Administration
- Drug-Free Workplace
- Management Consulting Services
- On-site Loss Control Consultations
- Pre-Loss Legal Services
- Public Safety EAP
- Safety and Security Grant Program
- SDIS Insurance Programs

## Next SDIS Board of Trustees Meetings

**April 6 - 7** | *Oregon Garden Resort, Silverton*  
(Joint Work Session Meeting with SDAO Board of Directors)

**June 8** | *SDAO Office, Tigard*



HR Records Management:

# FOUNDATIONS

*By: Anna Lee, SHRM-SCP, IPMA-SCP, HR Answers*





Using best business practices to ensure your human resources records are organized and properly retained is part of the foundation for a well-managed organization. Employee records are a vital part of tracking the life cycle of an employee, when were they hired, what position/ positions they have held, what is their compensation and additional benefits they received. Documentation and correct records management will provide you, the employer, a basis for your employee/employer relationship. Here are key factors to establish an effective records management system, compliant with all of the state and federal guidelines.

Below are a few considerations to get you started.

### **What should be documented? Create Templates or Forms.**

- Anything that needs to be consistently managed.
- Anything that will be needed for future processes.
- Anything required by state or federal law, including those things that can be challenged in the future.

### **User experience**

- Who will initiate the use of a document?
- Who will review/approve?
- Where will it be stored?
- How long will it be stored?

Don't forget all of this information does not get stored in the same file and, in most cases, the access will be different depending on the contents.

### **Each employee should have at least three separate files. These are:**

## **Employee Personnel File**

This is the main personnel file an employer maintains for each employee. The personnel file stores the employment history of each employee and does not store medical (including benefits) or payroll information. The contents of this file are typically available to employees through supervised review, electronic security access, or a full copy reproduction.

## **Medical File**

This is the file where you will store all information and processes related to medical conditions (mental or physical) such as Family and Medical Leave, Americans with Disabilities Act, and additional leaves or benefits provided based on medical status. This file will contain all documentation about process gone through to arrive at benefit eligibility and tracking. This file is typically only accessible by the employer's designated administrator(s) and is not accessible to the employee or supervisor. It is important to understand this is the employer's record of medical related events and may be compelled during a claim against the employer.

## **Payroll File**

Employee access to the employee payroll file is less restrictive than access to either the medical or the personnel file. The payroll file holds information about salary, benefits selection, pay rate changes, garnishments, and other legal documentation that affects an employee's paycheck. Various accounting and Human Resources staff access the information in the payroll file. Employees may have access to this through an electronic portal(s).

In addition, each organization will want to maintain an I-9 Forms File for all employees. This is because of the access rights of various government agencies to review these forms. It would be difficult to maintain the organization's confidentiality/security requirements of the other employee information if these forms are stored elsewhere.

For more information on HR Records Management, please visit our website at: [www.hranswers.com](http://www.hranswers.com)

We offer online workshops that are interactive and provide a great way to bring all of these steps in creating an HR Records Management System that will enhance your organization. We look forward to seeing you soon!

# 2022 Workers' Compensation Renewal

By: Chris Hill, Assistant Underwriting Manager

It's springtime! The birds are chirping, the bees are buzzing, and the flowers are blooming. This can only mean that it's time to break out the antihistamines and start thinking about payroll projections for the upcoming SDIS workers' compensation renewal!

The renewal is in full swing and workers' compensation renewal update packets are available on the Insurance Portal for all members of the workers' compensation program. Please work with your agent of record to complete your payroll updates on the portal.

As you develop your estimated payrolls for the 2022-2023 policy year, it is important to consider any staffing changes you anticipate occurring during that time period. Please remember the payroll you report for the renewal are estimates only. If you don't end up making those anticipated staffing changes, you'll get the chance to report actual payrolls at the end of the policy year, and you will receive a bill or a credit check accordingly.

Please be sure to carefully review all the memos and brochures contained in the workers' compensation update packet. These contain important instructions for renewal such as what is and isn't 'payroll'. It also contains information about programs, resources, and opportunities to help mitigate your workers' compensation risk and get your injured workers back on the job more quickly!

As always, your agent of record is an excellent resource to help you navigate the workers' compensation renewal process. If you have any questions, please contact your agent or our Underwriting Department at [underwriting@sdao.com](mailto:underwriting@sdao.com).

# In the Know – Key Numbers in Workers' Compensation

By: Gina Wescott, Workers' Compensation Claims Manager

The world of workers' compensation and injury management is directed by Oregon's Revised Statutes and Administrative Rules. Legislators have outlined very specific timetables for most aspects of claim management and those timetables drive the claims process. It is this structure which ensures timely benefits and claims processing.

When your district files a workers' compensation claim, here are a few numbers that may come into play.

**3** - If an injured employee is off work for less than 3 calendar days, time loss benefits are not paid. This is waived if an injured employee is authorized to be completely off work by the attending physician for over 14 days.

**5** - This is the number of days the district has to report a workers' compensation claim to SDAO. Claims can be reported to us by fax at 503-620-6217 or by email at [wc@sdao.com](mailto:wc@sdao.com).

**14** - The first time loss payment is required to be issued within 14 days from the date the district knew of the claim. Time loss benefits are paid to the injured employee every 14 days when authorized by the employee's attending physician.

**60** - The claims examiner has 60 days to determine whether to accept or deny an employee's claim for workers' compensation benefits. The 60-day clock begins when the district has notice or knowledge of an injury requiring medical treatment.

**66 2/3** - Time loss benefits are paid when an employee is unable to work due to a workplace injury. Benefits are calculated at 66 2/3% of the employee's average earnings at the time of the injury. These benefits are tax free, non-reportable income.

**90** - This is the length of time an injured employee has to report a workplace injury to the district. Failure to report timely can bar the claim from benefits.

**801** - This is the state form to file a workers' compensation claim. When signed by the injured employee, this becomes a legal claim and must be processed.

**827** - This is the medical version of Form 801 and is normally completed at the medical provider's office. When signed by the injured employee, this becomes a legal claim and must be processed.

**411** - While SDAO's claims department deals with these numbers every day, most injured employees and districts do not. Whenever the district is unsure with any aspect of workers' compensation, just give your claims examiner a call! Our workers' compensation team is happy to explain the ins and outs of the workers' compensation system. We'll get you the correct answer so you are in the know!



# Bidding Public Contracts in Oregon

*By: Eileen G. Eakins, Northwest Local Government Legal Advisors, LLC*

In springtime, your special district's thoughts may turn to construction. In summer, new budgets may mean new purchases. Whatever the season, and whether your district is building or buying, spending public money requires you to understand and follow public contracting requirements.

Public contracting laws are complex. Requirements vary according to the type and amount of the contract, and a variety of exceptions and exemptions may apply. This article summarizes Oregon's laws as they apply to public bidding requirements. It should be used to help guide your decision-making, not as a substitute for advice from an attorney or other experienced advisors, particularly if the contemplated contract is large or unusually complex. Also, if your purchase will use funds from the federal government -- entirely or in part -- federal laws may apply which are not addressed here.

## **1. "Local Rules."**

Every contracting agency in Oregon is required to have Local Public Contracting Rules adopted by the board. At minimum the Local Rules should establish procedures for:

- Entering into personal services contracts (see paragraph 2);
- Disposing of surplus property;
- Delegation of purchasing authority, such as to a manager, if the board chooses;
- Awarding contracts in an emergency;
- Whether to follow all, some, or none of the Oregon Attorney General's Model Public Contracting Rules.



## 2. Personal Services (or Professional Services)

These contracts (e.g., attorney, engineer, consultant, accountant), are awarded as provided in your Local Rules. If you don't have Local Rules for this, these contracts must be put out for competitive proposals. If the contract is for construction-related services – e.g., architect, engineer, surveyor – of \$100,000 or more, qualification-based selection (QBS) will apply.

## 3. Procurements (goods and non-professional services)

- Small Procurement (under \$10,000): No bidding required. Award the contract in “any manner deemed practical and convenient.”
- Intermediate Procurement (\$10,000 - \$150,000). Provide written specs to at least three qualified vendors and solicit quotes or bids. Award the contract in the way that “best serves the interests of the [district],” taking into account price as well as other considerations.
- Formal Procurement (over \$150,000): Solicitation document (RFP/ITB) and advertisement required. Award contract to “lowest responsive, responsible bidder.”

## 4. Public Improvements (construction)

- Small Procurement (under \$10,000), no bidding required.
- Intermediate Procurement (\$10,000 to \$100,000).
- Formal Procurement (more than \$100,000).
- Prevailing wages are required for any contract of \$50,000 or more.
- Bid bond, performance bond, and payment bond required for contracts of \$100,000 or more.

## 5. Not “public contracts”

Some expenditures of public funds are not included in the definition of “public contract” and so are not subject to bidding requirements, though other laws may apply.

Common examples include:

- Purchases and sales of real estate;
- Giving and receiving of grants;
- Employee compensation;
- Intergovernmental agreements;
- Projects for which no district funds are used (such as those funded by donations).

Oregon's Public Contracting Code can be found in ORS chapters 279A, 279B, and 279C. The Oregon Attorney General's Model Public Contracting Rules are found in OAR Division 137, chapters 46, 47, 48, and 49.



# Risk Management's Guide to Oregon



By: Jason Jantzi,  
SDAO Risk Management Consultant – Public Safety

Recently, two SDAO members have had compliance visits with Oregon OSHA due to serious accidents. Accidents are unplanned events that are significant to your district no matter the severity of injuries. A variety of outcomes can result from those visits, from no citations to citations with no monetary penalties to citations with penalties. If OSHA arrived at your location today, how would you handle it? Do you have a plan for this unexpected visit?

**1. Don't panic** – This is always a red flag that something is amiss. Find a quiet conference room or office and offer them a glass of water or coffee. Use this time to gather your thoughts. It is appropriate to come to a stopping point on your current projects. OSHA officially allows up to 45

minutes before beginning an inspection. Use this time wisely, you can't fix everything.

**2. Know who to call** – Have a list of district personnel, SDAO Risk Management, and other outside experts to call. Make those phone calls up front and let people know you may need their assistance.

**3. Prepare your employees** – Oregon OSHA has the right and ability to interview your employees. Employees have the right to have a representative in the room, as moral support, or to refuse to participate in the interview. The latter could force the compliance officer to issue subpoenas. I would not advise this approach, unless necessary.



The general rule of thumb has been to interview around 10% of the workforce. Employees who are likely to be interviewed are ones who are involved in what appears to be a hazardous task, supervisors, and often new employees. Areas of concern for the compliance officers are sufficiency of training for an employee, potential gaps between your policies and your practices, and a lack of appropriate supervision. It's important to educate your employees on point number five below.

**4. Move at your own pace** – You cannot stop the process of an OSHA inspection, but you can keep it at a slow enough pace for you to think. Ask a lot of questions, take breaks when you need them and go to your experts for advice. Many individuals feel that they need to hurry and get OSHA out the door. While this is understandable, I would encourage you to fight that urge as this may cause you to answer questions or provide information in a way that is not positive for the district.

**5. Give only what is requested** – If they don't ask for it, don't volunteer information. Keep your answers honest, but short. Share this information with your employees so they will know how to answer questions from compliance officers.

In terms of written records, there are **NO** records, other than the OSHA 300 log (within 4 business hours), that must be produced immediately. Ask for a list that you can review to ensure you give them all that is being requested and that they are entitled to. If you hastily hand over all your records at once, you may open the door to additional questions or concerns from the compliance officer.

**6. Don't argue** – If you don't agree with something, you can say that, but don't get into an argument. You won't win that battle and you may end up giving them more information. Go back to number four and remember to ask questions and get advice from your experts about how to proceed.



**7. It's not over until the paperwork is done** – Make certain that you request a copy of the full OSHA report. This is true even if you didn't receive a citation. These reports can be a good insight into what OSHA thinks of your district and may give you thoughts on how to prepare for the future. If you do receive a citation, this report is invaluable in your defense, as OSHA must prove their citation is correct **IF** you appeal. Your district is entitled to one free copy of this report with any photos or video, and it can be requested by calling OSHA at 503-378-3272 or 800-922-2689.

Over the last two years, we have seen an increase in Oregon OSHA rulemakings including several emergency temporary standards (ETS) that have had significant effects on Oregon special districts. OR-OSHA rulemaking is a normal ongoing process with multiple rules being drafted and adopted every year. Now, not all these rules are going to affect you as a district. We wanted to take the time to explain how SDAO participates in these rulemaking activities and how you can assist in the process.

When OR-OSHA takes on a new rule they typically will form a rule advisory committee (RAC) made up of members of industry that will be most affected



by the rule. When these new rules are going to affect special districts, OR-OSHA usually will invite staff from SDAO's Risk Management Department to participate as a member of the RAC. The RAC will meet for months, sometime years, as the rule is drafted to discuss the draft language and make suggestions or share concerns.

When SDAO risk management feels these rules are going to have significant impact on our members, we typically form a subcommittee of our members to help us look at the draft rules and ask them to share their thoughts and suggestions to help us understand the stance we need to take with OR-OSHA on the rulemaking. Typically, when we form these subcommittees, we try to balance the representation from the types of districts that are going to be affected the most and represent different size districts and geographic regions.

Once OR-OSHA gets to the stage that they are going to propose rules affecting special districts, we do our best to educate SDAO members on

what those rules will look like and how they are going to impact you. If we have concerns with the rules, and you share those same concerns, we will also suggest that you provide public comment during the comment period that coincides with the rule proposal. When we make these requests, it is imperative that SDAO members participate in the public comment process. At that point, it is the only thing we can do to help affect change to ensure OR-OSHA is adopting rules that protect our employees, while also making sure they are feasible for you to implement.

One upcoming rule to be aware of is changes affecting the rules around the use of Oregon OSHA consultants. Currently, if a public entity requests a consultation from Oregon OSHA, you are required to agree to correct their recommendations, or the OSHA consultant may refer the case to their enforcement staff. On its face, that appears to be an acceptable thing to agree to correct a recommendation. However, there could be recommendations made that your district may not agree with and could be costly. Our advice to your district staff is to consult with the SDAO Risk Management Department before agreeing to these terms.

In the future, if you hear of a rulemaking that you would like to participate in, please do not hesitate to reach out to [riskmanagement@sdao.com](mailto:riskmanagement@sdao.com).

When questions come up, please let SDAO Risk Management know. We have many resources available to you including checklists, quick reference guides, and trainings. Check the SDAO website for more information. Remember that your OSHA 300 Log of Injuries and Illnesses must be posted February 1.





# 2022 Best Practices Program

**Deadline: November 4, 2022**

Receive up to a 10% discount on your general liability, auto liability, and property insurance contributions.

The SDIS Best Practices Program was designed to assist special districts with implementing best practices to mitigate risk in areas of high exposure. Your district can receive credits on its property/casualty insurance contributions and can take up to 10% off your district's general liability, auto liability, and property insurance contributions for the 2023 policy year. The following information outlines the five credit opportunities for this year's program.

- 1. Affiliate Organization Membership | Credit: 2%**
- 2. Board Duties and Responsibilities Policy | Credit: 2%**
- 3. Board Duties and Responsibilities Checklist | Credit: 2%**
- 4. SDAO/SDIS Training | Credit: 2%**
- 5. Board Member Education Program | Credit: 2%**

## Receiving Credit

Completion of the Best Practices Survey (located online on the SDIS Insurance Site) is required to receive credit. The survey will become available online on April 18, 2022. The survey must be submitted by a district representative who will verify completion of the credit requirements within the survey. *Please note, each district is responsible for completing their own survey online. **The deadline to complete the survey is November 4, 2022***

If you have any questions regarding the Best Practices Program or need help completing it online, please contact Jaime Keeling at [jkeeling@sdao.com](mailto:jkeeling@sdao.com) or 800.285.5461, ext. 122.

# *It is Always Employment Claims Season*

*By: Jens Jensen, SDAO PC Claims Manager*

Employment practices litigation, or EPL, remains of the largest exposures that members of the SDIS Trust face. Whether the suit is brought in state or federal court, the cost to defend these matters is large and the potential for damages is even more. EPL doesn't care if your entity is large or small, the exposure is virtually the same for all.

There are some reductions in exposure if the matter is brought in state court, simply due to tort cap protections, but certainly not that much. If the matter is brought in federal court, a jury can award whatever they want in a verdict at trial.

Hardly anyone is immune from seeing news outlets broadcast stories of large jury verdicts. We frequently see that a jury has awarded a record-breaking amount of money to a plaintiff. This kind of repeated broadcasting can desensitize the populace in the actual value of money. We hear the words "million dollars" thrown around all the time and hardly bat an eye.

Plaintiff attorneys look to ask for an enormous sum of money in the complaint. When jurors see that large amount, it starts a belief that it must be appropriate if it is being requested by the attorney. This kind of prejudice against defendants is something we have to consider when litigation is brought against our members.

Another tactic widely used by attorneys is to try to rile a jury emotionally by not focusing on the injury so much as the causation. These attorneys will try to put more focus on demonizing a district or their employee for their action, or suspected lack of action. The goal here is to get the jury angry with the defendant and to punish them so it never happens again. The only way to accomplish this is by awarding a great amount of money. When it comes to employment claims, this task becomes a bit easier with the inherent vice already built into the jury system against employers. The fact is, it is more likely the person sitting on that jury will be an employee as opposed to a manager or an owner of a business. That plaintiff is going to be sympathetic to the jury immediately as it is likely most of the jurors are employees themselves.

These are just some of the early hurdles we face when assisting with EPL. To offset this large exposure, we like to provide assistance before you find yourself faced with litigation. If you find that a termination has to happen, please contact our Pre-Loss Legal Department for a consultation prior to taking that adverse employment action at [Help@sdao.com](mailto:Help@sdao.com). If you receive a BOLI or EEOC complaint, please contact the claims office at [Claims@sdao.com](mailto:Claims@sdao.com) as soon as possible so we can provide the best assistance possible.

# Mental Health



Your mental health plays a large role in your overall well-being. In the midst of the coronavirus pandemic, many Americans have reported a decline in their mental health. According to the World Health Organization (WHO), 45% of U.S. adults have reported distress during these times.

## What is mental health?

Your mental well-being includes how you think, act and feel. It also helps you cope with stress, relate to others and make decisions. According to the WHO, there's not a specific definition of mental well-being. However, various studies agree that achieving a state of mental well-being includes being able to:

- Realize your full potential.
- Work productively.
- Cope with normal stresses of life.
- Contribute meaningfully to your community.

Mental well-being includes mental health, but goes far beyond treating mental illness. For example, you could go through a period of poor mental health but not necessarily have a diagnosable mental illness. And your mental health can change over time, depending on factors such as your workload, stress and work-life balance.

## What is mental illness?

Mental illness refers to a variety of conditions that affect your mood or behavior, feelings or thinking. Mental illnesses can occur occasionally, while others are chronic and long-lasting. Common mental illnesses include anxiety, depression, schizophrenia and bipolar disorder.

Mental illness is more prevalent than you might think. According to the Centers for Disease Control and Prevention, 1 in 5 U.S. adults will experience a mental illness in any given year, and more than 50% will experience mental illness at some point in their life.

## Why is mental well-being important?

Your mental well-being is tied directly to your physical health. Individuals with poor mental health or untreated mental illness are at risk of developing many chronic conditions like Type 2 diabetes, stroke, heart disease and obesity.

Poor mental health can also cause negative effects in your work life as well as in your social life. If you have poor mental health, you may experience productivity issues at work and may experience withdrawal or feelings of loneliness.

## How can you improve your mental well-being?

Because it's such a crucial component of your health, it's important to focus on maintaining or improving your mental health. Here are three simple ways to do so every day:

1. **Express gratitude.** Taking five minutes a day to write down the things that you are grateful for has been proven to lower stress levels and can help you change your mindset from negative to positive.
2. **Get exercise.** You probably hear all the time how beneficial exercise is to your overall health, but it's true. Exercising can improve brain function, reduce anxiety and improve your self-image.
3. **Get a good night's sleep.** Strive for seven to eight hours of sleep a night to improve your mental health.

## Where can I learn more?

For more information about mental well-being, please contact your doctor.



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## MEMBER CALENDAR

- Apr. 6 SDIS Board of Trustees Meeting – Oregon Garden Resort, Silverton
- Apr. 7 SDAO Board & Trust Joint Work Session - Oregon Garden Resort, Silverton
- Apr. 7 SDAO Board of Directors Meeting – Oregon Garden Resort, Silverton
- Apr. 20 Risk Management Hot Topics Conversation & Networking – Hermiston
- May 4 Human Resources Regional Training – Pendleton
- May 10 Human Resources Regional Training – Cottage Grove
- May 11 Human Resources Regional Training – Medford
- May 17 Risk Management Back to Basics & Current Hot Topics Training – Salem/Virtual
- May 19 Human Resources Regional Training – Redmond
- May 24 Human Resources Regional Training – Newport
- May 25 Human Resources Regional Training – Salem
- June 8 SDIS Board of Trustees Meeting - Tigard
- June 15 SDAO Board of Directors Meeting - Salem
- June 21 Risk Management Hot Topics Conversation & Networking – White City