

BULLETIN

Risk Control

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by John Haaf

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Risk Transfer Contracts - Essential for Risk Transfer

One of the most common liability problems found during ACWA/JPIA Risk Management visits is a lack of adequate risk transfer for the work and services provided by outside vendors/contractors. While JPIA member districts are very proactive in their efforts to reduce liability losses, one of the most significant liability risks occurs when an outside company performs work for their agencies. Simply having proof of insurance for the service provider provides no assurance of risk transfer. Unless a contract exists with specific risk transfer language, districts may be held responsible for the damages caused by someone else's negligence. The contract requirements listed below must be in place **before** allowing contract work to begin. These requirements include an agreement on the part of the contractor to:



- ✓ Indemnify and hold harmless the district for any damages they do.
- ✓ Provide the district proof of insurance indicating the contractor is insured to the limits specified in the contract.
- ✓ Include the district as an additional insured party on the contractor's insurance policy, and provide the district an "Additional Insured Endorsement" as proof of this action.

Additional information on risk transfer practices, including model risk transfer contracts, can be found in the ACWA/JPIA Risk Transfer Manual on the JPIA's website (www.acwajpia.com).

PDP OPERATIONS SPECIALTY QUIZ

The **Operations Specialty** of the JPIA's Professional Development Program (PDP) focuses on helping our members' operations personnel; understand and avoid the hazards associated with field, shop, and office work. The Specialty consists of thirteen (13) courses, many of which provide continuing educational unit contact hours needed to maintain professional certifications. The following quiz has questions selected from a number of these courses. If you have difficulty answering questions on the quiz, you should consider enrolling in the JPIA's Operations Specialty.

1. **Which of the following trenching protection is not appropriate for Type-C soil?**
 - a. Shoring
 - b. Benching
 - c. Sloping
 - d. Trench Box
2. **What class of high-visibility vest is required for work alongside roadways at night?**
 - a. ANSI 2004 Class-2
 - b. ANSI 2004 Class-1
 - c. ANSI 2004 Class-3
 - d. None of the above
3. **When working with electric-powered tools connected to an extension cord, the following shock-preventive device is the only one that protects workers from fatal shock:**
 - a. Circuit breakers
 - b. Fuses
 - c. Voltage regulators
 - d. GFCIs
4. **While it may not be possible at all times, what spacing should you *TRY TO* keep between your vehicle and the one in front of you (according to California DMV regulations)?**



- a. One car length per each 10 miles per hour of speed you are traveling.
- b. 2-seconds
- c. Enough to see the wheels and pavement beneath the rear bumper of the car in front.
- d. 3-seconds

5. Which of the following is responsible for the most deaths in Confined Space Entries?

- a. Engulfment
- b. Hazardous atmospheres
- c. Heat stress
- d. Electrocution

6. If a fall is experienced and you are using a fall arrest device with a shock absorber included in the lanyard, the following additional fall distance must be considered for expansion of the shock absorber:

- a. 32-inches
- b. 2-feet
- c. 4-feet
- d. 3.5-feet

7. What is the definition of ergonomics?

- a. Improving the physical condition of the worker.
- b. Fitting the task to the worker.
- c. Identifying musculoskeletal deficiencies.
- d. None of the above.
- e. All of the above.

8. Which statement about the NFPA 704 hazard diamond is incorrect?

- a. The red quadrant of the diamond represents a flammability hazard.
- b. The blue quadrant represents health hazards.
- c. The highest hazard level is identified by the number five (5).
- d. The yellow quadrant of the diamond represents the reactivity hazard.

9. When applying Lockout/Tagout (LOTO), which of the following is not true according to Cal/OSHA?

- a. Locks and tags are to be used to isolate energy sources.
- b. Every "Authorized" employee should have their own lock and key.
- c. LOTO training must be given to all "Authorized" and "Affected" employees.
- d. Tags alone can be used as long as they have ties that have a 50-pound or better breaking strength.

10. Which of the following is true concerning respiratory protection?

- a. An Air Purifying Respirator (APR) can be used in an Immediately Dangerous to Life and Health (IDLH) atmospheric environment.
- b. A SCUBA system provides the best method of respiratory protection.
- c. In order for an APR to be used, the specific atmospheric hazard must be known.
- d. Fit testing for protective masks is only needed once, during initial respiratory training.

The answers to the preceding questions can be found by attending the JPIA's Operations Specialty classes (*or below*). Should you want more information regarding the PDP Operations Specialty, please reference the **PDP Participant Guide** found in the "Training" directory of the JPIA's website www.acwajpia.com.

(Answers: 1.b; 2.c; 3.d; 4.d; 5.b; 6.d; 7.b; 8.c; 9.d; 10.c)

Claims Reporting – Do Not Hesitate to Call the JPIA Claims Staff

In order to help our members reduce the cost of liability and property losses, and help employees who are injured or become ill on the job obtain prompt and adequate medical care, loss reports must reach the JPIA Claims staff as soon as possible. Often claims reports are delayed because a district is uncertain about the type of form to use or how to complete it. Please, do not hesitate to call the JPIA at (800) 231-5742, for any and all reporting assistance. The sooner the claims information reaches the JPIA, the sooner and better the JPIA can help you reduce the cost of your loss. Remember, all claims can be sent to the JPIA via mail, email, and fax. Property and liability claims reports can be completed online, and can be found in the "Claims" directory of the JPIA's website www.acwajpia.com.



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