

“We are back”

Welcome back to our first revised edition of the MOPERM newsletter.

Whistleblower Protection for Missouri Public Entity Employees

by Remington Smith

Ensz & Jester P.C.

As one of his final acts as Governor, Eric Greitens signed into law SB 1007, which expands whistleblower protection for all persons performing work for “political subdivisions” (e.g., cities, counties, sewer districts, school districts, fire districts, etc.). The new law becomes effective August 28, 2018 and requires that public employers “prominently” post a copy of the statute in “locations where it can reasonably be expected to come to the attention of all employees of the public employer.” A copy of the statute for posting can be found in the Risk Management Newsletters section on the MOPERM website at www.moperm.com

Historically, most public entities did not face whistleblower claims under state law. However, this new state law action significantly favors public employees making claims against their employers.

Under the new law, public employees may bring lawsuits against public employers following discipline (including termination) alleged to be in retaliation for the employee’s report of any of the following:

- Prohibited activity under investigation, or
- An alleged violation of any law, rule, or regulation, or
 - Mismanagement,
 - Waste of funds,
 - Abuse of authority,
 - Violation of policy,
 - Waste of public resources,
 - Alteration of technical findings or communication of scientific opinion,
 - Breach of professional ethics, or
 - Danger to public health or safety.

These claims against public employers must be brought within one year after the alleged violation. Public employees will be entitled to a jury trial and will have to “show by clear and convincing evidence that he or she or a person acting on his or her behalf has reported or was about to report, verbally or in writing a protected activity or a suspected protected activity.” If successful, public employees may be awarded actual damages, litigation costs, and reasonable attorney fees.

To avoid liability, government entities should ensure that managers and officials do not consider informational, critical, and/or accusatory reports—whether made or about to be made—in making decisions regarding employee discipline and termination.

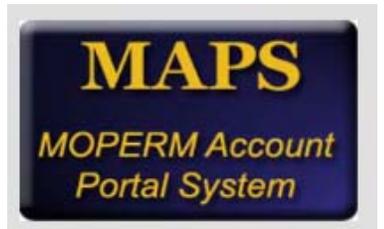
MOPERM Risk Management

Jim Odom
Risk Management Manager
(888) 389-8198 ext. 123
jim-odom@moperm.com

Anna Kabler
Risk Management Specialist
(888) 389-8198 ext. 116
anna-kabler@moperm.com

All MOPERM members may use the MAPS (“MOPERM Account Portal System”) button on the home page of the MOPERM website to gain access to:

- Policy information, such as coverages and premium costs
- Pertinent documents
- Claim analysis and loss run reports
- Accounting, for account balance or monies due
- Service requests, used to add/edit/delete exposures or locations



MAPS is a great asset to MOPERM members. A User ID and Password are required to log into MAPS. If you would like to schedule a visit to learn about the MAPS portal and receive your User ID and Password, please contact Jim Odom or Anna Kabler.



Welcome to MOPERM U



MOPERM University: MOPERM has partnered with LocalGovU to provide an online training resource. MOPERM U provides members with on-demand training courses in a number of areas including Human Resources, Health & Wellness, Management, Productivity, Safety & Environment, Law Enforcement**, and Corrections.

Some available Courses include:

Discipline & Termination
 Ethical Behavior for Local Government
 Crisis Management for Law Enforcement
 Understanding Nutritional Information and Labels
 Walking Your Way to Fitness
 Writing an Effective E-Mail
 Grant Writing Assistance

***For details concerning Missouri POST - approved course bundles, please contact Jim Odom. jim-odom@moperm.com*

MOPERM seeks to provide high quality and applicable training that reduce potential liabilities for its members. Through this service, MOPERM seeks to target member training needs and regularly updates its training curriculum to meet those needs.

Check out MOPERM's online training university at moperm.com

Uninsured Motorist Coverage vs Underinsured Motorist Coverage

What is the difference between Uninsured Motorist (UM) and Underinsured Motorist (UIM)?

UM coverage provides coverage for bodily injury costs associated with an at-fault motorist who does not carry liability insurance. This coverage is included in MOPERM's automobile liability policy with a limit of \$50,000 as required by Missouri state law.

UIM coverage provides coverage for injuries sustained in an accident when the at-fault motorist has liability coverage for injuries, but the limits are too low to cover the innocent driver's medical expenses. However, when a member's employees are in a government-owned vehicle, their medical bills would be covered under the member's Workers Comp policy. As a result, UIM coverage is usually unnecessary for MOPERM members since it duplicates other required coverage.

Neither UM nor UIM cover damages to property including the innocent driver's vehicle.

MOPERM's Renewal Enhancements Reminder Alternate Renewal Dates

MOPERM will implement alternative renewal dates (January 1, April 1, July 1, and October 1) effective with the 2019-2020 coverage year.

MOPERM will offer extended payments to assist members through the transition.

An example of how a renewal date of **April 1** would be implemented, using an annual contribution of \$12,000.

- On **December 1, 2018**, a 3-month policy would be issued effective January 1, 2019 that would expire on April 1, 2019. The invoice sent on December 1 would be for \$3,000 and would be due and payable in full by January 1, 2019.
- On **March 1, 2019**, a 12-month policy would be issued effective April 1, 2019 that would expire on April 1, 2020. The invoice sent on March 1 would be for \$12,000, and **extended payment options will be available**.
- On **December 1, 2019**, the renewal process will start and renewal surveys will be sent out accordingly. Policies issued from that point on will be effective 1 April for a 12-month term. Invoices would be payable in full.

Please note: Extended payment will only be available for the transition—it is not a permanent option.

****Please refer to the letter/e-mail sent on May 24, 2018 for details. If you have any questions or concerns, please contact Brenda Gibson, Underwriting Manager, at 1-888-389-8198 x 127.**

MOPERM would like to welcome two new employees.

Rachel Stewart joined MOPERM in May 2018 as an Underwriter. Rachel comes to MOPERM from the Missouri Department of Labor and Industrial Relations. Rachel worked as a Self-Insurance Claims Auditor for the Division of Workers' Compensation for over 8 years. Rachel has an MBA from William Woods University and a BA from Lincoln University.

Anna Kabler also joined MOPERM in May 2018 as a Risk Management Specialist. Anna comes to MOPERM with over 25 years' experience with a variety of insurance background. Anna has worked as an Agent, as a Consumer Service Specialist at the departments of Insurance in Missouri and Florida and also as a Crime Intelligence Analyst with the Florida Bureau of Insurance Fraud.

Rachel and Anna are both extremely excited to be here at MOPERM.

MOPERM looks forward to providing assistance and information. We welcome any feedback from our valuable members and staff. We are interested to know who is reading MOPERM's newsletters and would like to track the success of getting our information to all of you. Please e-mail Anna-Kabler@moperm.com to let her know that you have read this Newsletter and to register for a prize that will be given at the end of August..