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## **Putting a Price on Safety**

by: Emily Kephart, ARM, CPSI, Prevention Services Manager

It was late in the day on June 3<sup>rd</sup> when a middle school teacher decided she didn't need to look for a step-ladder to reach the boxes that were stored on top of the cabinet in her classroom – her chair would give her just enough of a boost to reach. She didn't plan on losing her balance, but she did. She didn't think about the risk of falling and fracturing her elbow and losing 2 teeth in the process, but it happened. And she didn't plan on surgery and physician visits interfering with her summer vacation, but that's exactly what happened.

Her treatment cost the school district over \$19,000.

Don't let this happen at your site this year.



Unfortunately, safety concerns often take a back seat to the hustle and bustle that year-end brings. However, it is important to be aware that the activities associated with closing up shop, including lifting, bending, stooping, and reaching, can make a person susceptible to the most common types of injury –sprains or strains.

Every year close to 300 sprains and strains are reported in NBSIA member districts, costing an average of approximately \$1300 per claim. Another 20-30 injuries are caused when an employee stands on a chair or desk to reach something and falls – an act that can cause serious injury. These falls, depending on the severity of the injury, can be almost limitless in their exposure for medical costs, and temporary and permanent disability.

Any injury can result in unplanned time off work and a temporarily decreased quality of life for employees, and incurred indemnity and medical costs for the school districts. Fortunately, with a little forethought and preparation, a number of these injuries can be prevented

Here are some tips that can help to reduce the frequency and severity of sprains and strains:

- Pre-lift tips:
  - Ask (and wait) for help if the load appears to be too heavy or awkward in size.
  - Check the route you will have to walk while carrying to ensure it is free of obstructions.
- When lifting from ground level:
  - Get as close as possible to the load.
  - Bend your knees, not your back.
  - Get a good grip on the object and test its weight.
  - Keep it close to your body and lift with your legs. (TIP: Keeping your head up and eyes forward will help keep your back straight.)
- When lifting from overhead:
  - Ensure that you are standing on a stable surface – No chairs or desks!
  - Bring the object off the shelf carefully, maintaining your balance. Bring it down to waist level.
- When lifting from a desk:
  - Pull the load close to your body.
  - Avoid reaching and lifting at the same time.



- Setting loads down:
  - Again – bend your knees, not your waist.
  - Set down the edge of the object that is closest to you first, keeping your fingers out from under the load.
- Tips for carrying:
  - Keep eyes ahead to ensure the pathway is clear.
  - Set the load down if it becomes heavy or unstable.
  - Avoid stairs whenever possible.
  - Keep shoulders, hips and feet all pointed in the same direction. Never twist at the waist.

## Prevention Services

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### ***The Activity Supervisor Clearance Certificate Application Process: A Firsthand Look***

*by: Emily Kephart, ARM, CPSI, Prevention Services Manager*

As some of you may know, in my life outside NBSIA I am the head girls' varsity basketball coach at Benicia High School. And so, with the passing of Assembly Bill 1025, which requires non-certificated individuals who supervise student programs or coach a student athletic program to submit fingerprints and apply for a newly-created credential, I thought I would share my experience with the application process.

AB 1025 hopes to promote uniformity in the hiring of all school employees. It aims to increase district awareness of past misconduct or criminal history in those volunteers and non-certificated employees who supervise student programs. It requires applicants to meet the same character and fitness requirements as certificated employees.

Prior to the application process being rolled out, there was a great deal of speculation regarding this certificate. There are a number of people, like me, who are volunteer or walk-on coaches and program supervisors. Who needs to do this? When? How do I apply? And perhaps most importantly in today's economic climate – how much will it cost me?

Well, answers took a while, but we now have some information and specifics. First, the who...

This legislation affects directors, supervisors, leaders and coaches of scholastic, interscholastic programs and extracurricular activities. This includes all athletic teams, band programs, dance teams, leadership groups, school clubs, and many other programs. It does NOT apply to those employed by charter schools, volunteer supervisors for meals or nutritional periods, or non-teaching volunteer aides under the immediate supervision of certificated personnel. Assistant coaches do not need to apply, but junior varsity and freshman coaches do.

Still not sure? Before determining if you need to hold the Activity Supervisor Clearance Certificate (ASCC), ask yourself two questions:

1. Is the activity that you work with sponsored by or affiliated with a school district or county office of education?
2. Do you supervise, direct, or coach the program?

If either of these questions is a “no” the ASCC is not required. But, if like me, you answered yes to both, AND you do not already hold a valid California credential or permit, it’s time to apply.

OK, so we’ve established the WHO – now WHEN is this effective? AB 1025 became effective on January 1, 2010. It becomes mandatory on July 1, 2010. So, before the 2010-2011 school year, all employees and volunteers need to go through this process. For coaches, the process needs to be completed prior to any coaching activities begin.

The application process is two-fold. There is a fingerprinting piece, as well as an application. The steps required are noted on the CTC website ([www.ctc.ca.gov](http://www.ctc.ca.gov)) but here’s what I did:

1. I filled out the online application through the CTC website, making sure that I applied under the Activity Supervisor Clearance Certificate program. It asked for basic identifying information, as well as asked me to answer yes or no to a number of “personal and professional fitness” questions. These include questions regarding past employment issues, disciplinary actions, and criminal inquiries or arrests. If any of your answers to these questions are “yes”, you must attach supporting documentation to the application and mail it in to the CTC. If all answers are “no” then no paper trail is necessary – it’s all online.

Time for completion: 30 minutes of researching and reading the directions to ensure I was doing everything correctly; 10 minutes to complete the actual application and pay via credit card.

2. I went and got fingerprinted at a live scan center. Most coaches and volunteers have already been fingerprinted as part of their initial hiring process. *This does not count toward the ASCC.* Each applicant needs to be fingerprinted. Clearance received for employment purposes or completed for other agencies does not transfer to the ASCC process.



Time for completion: 10 minutes to get a money order (some centers will take other forms of payment – be sure to check prior to going); 10 minutes commute time; 15 minutes for the fingerprinting process.

3. I waited. There is an option on the CTC website to check the status of your application, but it recommends waiting 10 days for processing.

And finally, the costs associated with the process. Here is how it broke down for me:

Online application:	\$57
Fingerprinting:	\$76
DOJ:	\$32
FBI:	\$19
Live Scan center fee:	\$25 (ranges from \$10 to \$30 depending on site)
<b>Total cost:</b>	<b>\$133</b>

The cost is definitely not insignificant. And taking time out to be fingerprinted (again) was not exactly welcome or easy. However, from a risk management standpoint, if this proves to protect students and school districts from coach or program supervisor misconduct, then it will be worth it.

Much more information is available online at [www.ctc.ca.gov](http://www.ctc.ca.gov).

A list of live scan sites can be found at <http://ag.ca.gov/fingerprints/publications/contact.php>  
NBSIA Prevention Services Department can also help you at 707-428-1830, extension 102.



# Property & Liability

## Summer Break School Closing Reminders

by: Gordon Templeton, Property & Liability Claims Manager

As the school year draws to a close for students and staff it is an opportune time for site administrators to consider and perform a few steps to minimize potential property losses such as vandalism or arson, injury accidents and other site security concerns. The following are a few suggestions:

- ✓ Make sure your fire and intrusion alarms are working properly. Repair all elements that are malfunctioning.
- ✓ If there are surveillance cameras, make sure they are working properly.
- ✓ Make sure We-Tip signs are posted where they can easily be seen from the site perimeter.
- ✓ Check all lighting on campus. Replace all burned out bulbs. Consider installing lighting in all dark areas and installing motion sensor lights.
- ✓ Address landscaping around the campus. Identify fire risk and eliminate camouflage for vandals.
- ✓ Remove exterior garbage cans when school is out of session. Garbage cans have been used as an ignition source for arson fires.



- ✓ Insure all sprinkler heads are protected from breakage to prevent flooding.
- ✓ Shut down the gas supply to science rooms when school is out of session.
- ✓ Keep classroom and office window coverings closed to hide contents.
- ✓ Store high value equipment such as computers, TVs, etc. in secure rooms, preferably without windows.
- ✓ Playground equipment and play fields should receive attention for maintenance and repairs. Remember, it is the District's responsibility to provide safe premises even when schools are closed for the summer.
- ✓ All keys should be accounted for. All teachers, aides, staff and other personnel should turn in their keys prior to leaving for the break. If there are legitimate reasons for keeping their key(s), this should be documented.

Summer is on its way and this means crimes against schools can go up. Therefore, please ask your students, families and neighbors to help protect schools during the summer holiday. Community tax dollars should go into the classroom, not to repair vandalism or pay for preventable accidents.

Should you have any questions concerning this subject, or if you would like more information regarding risk management procedures, please contact Gordon Templeton at the North Bay Schools Insurance Authority office at 707/428-1830 or [GordonT@nbsia.org](mailto:GordonT@nbsia.org)

# Organized Documentation Saves Legal Action, Time, and Money

by: Gordon Templeton, Property & Liability Claims Manager

The documentation rule of thumb is simple:  
*If it isn't written down, it didn't happen.*  
This rule of thumb can save school districts much time and money

One of the most important procedures in operating schools is documentation. We urge you in the coming months and school year to improve your site/department documentation habits.

While litigation is not always likely, having proactive record retention policies can be a valuable tool in helping to defend litigation.

Here are a few basic ways to help protect districts, schools and employees:



- **Keep student records up to date** and orderly – clutter and disorganized files lead to missing information.
- **If an incident occurs involving an injury, have someone with knowledge of the event fill out a Student Accident or Incident Report as soon as possible.** These reports are for district and NBSIA records and should not be given out to the public. Check first with NBSIA or your district legal counsel if you question whether a report should be given to an injured party or someone else.
- **Keep incident reports, student school administration “referral” slips, witness statements (i.e. staff, student, others), student suspension papers, etc. for at least a year after the school year in which event occurred.** Keep in mind claims involving injuries to minors can be filed up to a year after the incident.

## ***A CASE IN POINT...***

*Student A and Student B got into an escalating altercation at the end of a class period. When asked and commanded to stop by the teacher, they did not. The teacher felt compelled to intercede. The students were “referred” to the school office for discipline. The students wrote brief statements of the incident. Later the teacher did also. Both students were suspended from school for a few days. Subsequently Student A claimed injury as a consequence of the incident, then filed suit against the school district.*

*In the course of handling the claim and defending the lawsuit the most relevant documents concerning the incident and disciplinary action could not be found.*

*In the end, the case became more costly to defend with a settlement that far exceeded normal expectations, because there was no evidence the school followed its own record keeping and retention policy.*



### ***What do jurors conclude about documentation?***

I found the following unwritten assumptions jurors make about documentation presented to them during trials:

- “The written word trumps the spoken word.”
- “If it was documented, it’s true.”
- “An entity that documents is usually fair.”

Documentation is not a complicated process; it simply takes commitment, the benefits of having good documentation far outweigh the costs.



[WWW.WETIP.COM](http://WWW.WETIP.COM)

To report an incident or request posters for your site please call WeTip at 1-800-78-CRIME

# Workers' Compensation

## ***CAJPA Legislative Update***

### ***Capitol Caucus Day a Huge Success***

*by: Kami Liñan, Workers' Compensation Claims Manager*

Spring is here and with that comes longer days, more sunshine and lots of new legislation growing in Sacramento. Each year, California Association of Joint Powers Authority (CAJPA) Legislative Committee convenes to evaluate and respond to hundreds of bills introduced that may impact public agencies. Positions taken on behalf of CAJPA by the Legislative Committee are guided by the Board-approved platforms for each issue-area relevant to CAJPA member Joint Powers Authorities. The Committee covers Health Care, Safety/Loss Control, Tort Liability and Workers' Compensation. We also hold our annual Capitol Caucus Day, an opportunity to meet directly with legislators and give CAJPA a voice in public policymaking. In years past, the majority of bills introduced involved workers' compensation. This year we have seen an even distribution of bills across the board. I predict that this is because we are in an election year and not much is expected to change until a new governor is in office.



On April 14<sup>th</sup> CAJPA Members gathered in Sacramento and met with over 50 legislators to discuss CAJPA's position and the impact the respective bills may have on public agencies. I was impressed by the level of engagement that our legislators showed us.

A number of workers' compensation bills have been introduced this year, including a cancer presumption (AB 2253 Coto) for public agencies through an unreasonable expansion of liability for all cancer claims made by police and firefighters for up to 15 years post employment. This is a bill that CAJPA is opposing. Another bill proposed is AB 2423 (Niello) which is placeholder legislation aimed at providing better information to employers on special assessments by the Department of Industrial Relations. CAJPA is supporting this one. SB 145 (DeSaulnier) continues to reintroduce the apportionment bill which among other provisions, weakens the apportionment statute and allows judges to overrule apportionment even when based upon the findings of actual previous disability. CAJPA also opposes this bill.

As for other bills, AB 193 (Evans) introduced a bill relating to withholding taxes on payments to independent contractors. This budget bill contains an onerous new mandate that requires all employers to remit 3% of all payments made to independent contractors to the FTB on an ongoing basis. CAJPA is taking an opposition on this. A new special education bill (AB 1841) was introduced by Senator Buchannan that would align state law with new federal regulations governing Part B of the Individuals with Disability Education Act (IDEA). CAJPA supports this bill and believes AB 1841 will help relieve local school districts of being forced to provide services against the parents consent. Importantly, AB 1841 will protect local school districts from being forced to engage in a costly administrative hearing or other legal actions against those parents who refuse service.

View the current [CAJPA Key Bill Status List as of June 1, 2010](#)



*Click the image above to take the Delta Dental quiz.*

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# 2009/2010 NBSIA Supervisors Academy Congratulations Graduates!



On April 6, 2010 16 students representing 6 member organizations graduated from the NBSIA Supervisors Academy series "Developing Supervisory Excellence":

*(names listed alphabetically)*

Annie Arthur, SCOE; Keith Bechere, TUSD; Joe Caldwell, FSUSD; Teresa Daniels, SCOE; Paul Deal, SCOE; Damon Fraticelli, TUSD; Kerri Gardner, SCOE; Cindy Heeney, DUSD; Bobbi Johnson, SCOE; Tammie Knott, SCOE; Linda Kroes, VUSD; Pauline Levig, SCOE; Lisa Martin, TUSD; Linda Samara, FSUSD; Joy Tomlinson, FSUSD; Roger Turk, FSUSD



## Member Matters

Helping Members Balance Their Health, Work and Life

### In This Issue



- » [Focus on Your Health](#)
- » [What Is Domestic Violence?](#)
- » [Making Success Out of a Relapse](#)
- » [Tips for Managing Your Time](#)
- » [Coping With Change in the Workplace](#)



# IS YOUR COPIER PUTTING YOU AT RISK?

by: Suzanne Dillman, SPHR, Program Services Manager



## SECURING THE DATA ON YOUR COPIERS HARD DRIVE

***Did you know the hard drive on your digital copier may contain a copy of every print, scan, fax or copy job ever sent to it?***

Ensure that the information processed by your copier stays safely within your organization and not in the hands of identity thieves.

## WHAT YOU NEED TO KNOW

- ◆ Nearly every digital copier contains one or more hard drives, capable of storing all types of data.
- ◆ Leased return and used copiers are customarily redistributed to buyers, wholesalers, and overseas distributors, **without** having the necessary steps taken to eliminate sensitive data.
- ◆ Although the data stored may be encrypted, it is still possible to gain access to your personal information.
- ◆ Many of these copiers contain the IP address of the company's primary and secondary email server and, in some cases, a secure log-on password.

## **There is a solution to help protect your company's sensitive data complete with third party HIPAA certification**

When purchasing a new copier or upgrading to a newer version remember to always request that the technician installing your new model remove and purge all data from the copier hard drive utilizing a process that conforms to Department of Defense standards. There is a chain of custody record ensuring secure tracking of the device throughout all stages of destruction.

Once the hard drive has been purged and destroyed, you will receive a Certificate of Destruction for your files.

If you want further information or have any questions please email me at

[SuzanneD@nbsia.org](mailto:SuzanneD@nbsia.org)

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## NBSIA SUPERVISORS ACADEMY

Developing Supervisory Excellence is a professional development series brought to you by **North Bay Schools Insurance Authority (NBSIA)**

Instructor-led courses meet every 3-4 weeks, October through April in Fairfield.  
Online coursework is completed at your convenience.

***Make a significant difference in the SUCCESS of your staff, your school and your district***

### Skills you can use

Developing Supervisory Excellence is a professional development series for aspiring, new, and experienced supervisors is built upon the latest theory and research along with hands-on practice of the skills supervisors need. Combining lecture, discussion, self-exploration, and skill-building, class instructors will provide learning opportunities to help you explore the rewards and challenges of supervision.

Online courses provide you with a broad introduction to employment practices, liability, knowledge and prevention. Topics include the Americans with Disabilities Act, Sexual Harassment, Discrimination, and Workers' Compensation. **This professional development opportunity is brought to our members at NO COST by the North Bay Schools Insurance Authority.**

### ● **WHEN**

Classes meet every three to four weeks – 9:00 to 4:00

### Beginning October 2010 and ending April 2011

#### Courses:

- Developing Supervisory Excellence
- Practical Leadership Skills for the School Environment
- Supervisor Roles-Trainer and Coach
- Managing Conflict
- Tackling Problems and Making Decisions with Confidence
- Feedback and Performance Appraisals
- Ethics in the Workplace
- Practical Legal Issues for Supervisors-Elizabeth Ison, Employment Law Attorney
- Creating a Positive Work Environment

### ● **WHO**

Employees of NBSIA member districts who are interested in becoming supervisors or who are already supervising staff. Our members include school districts in Napa, Solano and Yolo County

### ● **HOW TO REGISTER** - (must be approved by H.R. or Department Director)

Contact Suzanne Dillman at (707) 399-4206 or by e-mail at [suzanned@nbsia.org](mailto:suzanned@nbsia.org)

North Bay Schools Insurance Authority  
Prevention Services Department

*Presents*

## **New Employee Safety Orientation**

NBSIA is pleased to offer new district employees the chance to learn what safety is all about, what roles they play in site safety, and how they can incorporate safe work practices into their daily routines in order to achieve their goals.

This program communicates the importance of safe work practices and meets district requirements for Cal/OSHA compliance. Through this training partnership, we can reduce the number of injuries to staff and students, limit lost time from work, and improve employee morale.

This PowerPoint presentation and open discussion will cover many safety topics, including general office safety, fire safety, bloodborne pathogens, and ergonomics. Topics of a more technical nature may be addressed depending upon the registered audience.

Contact us now to schedule a customized safety orientation at your site.

Please contact Prevention Services Coordinator Lateisha Plascencia at (707) 428-1830, extension 123 or [lateishap@nbsia.org](mailto:lateishap@nbsia.org) to enroll your new hires (and any other employees that would benefit from the training) in the course.

NBSIA is conveniently located at:  
380A Chadbourne Road  
Fairfield, CA 94534  
(707) 428-1830  
[www.nbsia.org](http://www.nbsia.org)

**North Bay Schools**  
Insurance Authority



# CALENDAR OF EVENTS

<u>Date</u>	<u>Event</u>	<u>Location</u>
<b>June</b>		
9	NBSIA Board of Directors Meeting	NBSIA Conference Room
30	BASIC Board of Directors Meeting	NBSIA Conference Room
<b>July</b>		
5	<b>Independence Day Observed</b>	<b>NBSIA Office Closed</b>
<b>August</b>		
16-18	AGRiP Conference	Semiahmoo, WA
<b>September</b>		
6	<b>Labor Day</b>	<b>NBSIA Office Closed</b>
7-10	CAJPA Conference	South Lake Tahoe, CA

## CONTACT US

Address: 380A Chadbourne Road  
Fairfield, CA 94534-9636

Web Site: [www.nbsia.org](http://www.nbsia.org)

E-mail: (first name, last initial)@NBSIA.org

After Hours Emergency Pager: 428-0824, option 5  
Automated Voice Mail: 428-0824 or 428-1830  
WeTip Hotline: 1-800-78-CRIME (27463)  
General Administration: 707/428-1830  
707/428-1848 (fax)

Janet DeGracia	Executive Director	Ext. 105
Suzanne Dillman	Program Services Manager	Ext. 106
Gordon Templeton	P/L Claims Manager	Ext. 103
Emily Kephart	Prevention Services Mgr.	Ext. 102
Peggy Kech	Accounting Manager	Ext. 113
Lyn Fortaleza	Accounting Technician	Ext. 115
Maria Cantera	Data/Fiscal Analyst	Ext. 116
Carl Montgomery	P/L Claims Adjuster	Ext. 126
Lateisha Plascencia	Prevention Services Coord.	Ext. 123
Heather Eichen	Administrative Assistant	Ext. 104
Veronica Hudley	Office Assistant	Ext. 101

Workers' Compensation: 707/428-0824 707/428-1848 (fax)

Kami Liñan	W/C Claims Manager	Ext. 110
Felecia Lawson	W/C Claims Supervisor	Ext. 124
Doris Manuzon	Claims Examiner	Ext. 111
Lisa McCauley	Claims Examiner	Ext. 108
Anna Socarras	Claims Examiner	Ext. 122
Lily Chin	Claims Examiner	Ext. 109
Jennifer Hearne	Claims Assistant	Ext. 119
Gwen Samuels	Claims Assistant	Ext. 107
Christine Trockey	Return to Work Coordinator	Ext. 121

**CAJPA KEY BILL STATUS LIST  
AS OF  
JUNE 1, 2010**

<b>BILL/ AUTHOR</b>	<b>SUBJECT</b>	<b>CAJPA POSITION</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<b>AB 155 (Mendoza)</b>	Local Government: Bankruptcy Proceedings	<b>OPPOSE</b>	AB 155 places unnecessary conditions on how and when a municipality may seek relief under federal bankruptcy law by granting a state office the authority to allow or disallow a municipality the right to file a Chapter 9 bankruptcy petition.	<i>Senate Floor</i>  <b>THIRD READING</b>
<b>AB 193 (Evans)</b>	Independent Contractor Withholding	<b>OPPOSE</b>	Budget bill containing onerous new mandate that requires all employers to remit 3% of all payments made to independent contractors to the FTB on an on-going basis.	<i>Senate Floor</i>  <b>THIRD READING</b>
<b>AB 482 (Mendoza)</b>	Credit Reports: Use: Strict Limitations	<b>OPPOSE Unless AMENDED</b>	AB 482 will subject all employers to unnecessary litigation by prohibiting an employer from using credit report information, for employment purposes, unless substantially job-related. CAJPA is seeking amendments to exempt public sector employers from coverage of this measure.	<i>Senate Labor &amp; Industrial Relations</i>  <b>HEARING SET: 6/09/2010</b>
<b>AB 591 (De La Torre)</b>	Health Care: Costs	<b>OPPOSE</b>	AB 591 would prohibit a health care service plan or health insurer from increasing the premium rate it charges a subscriber or policyholder by more than the average percentage increase in the medical care component of the consumer price index for the immediately preceding calendar year, among other provisions.	<i>Assembly Rules</i>  <b>NO HEARING SET</b>
<b>AB 846 (Torrico)</b>	Civil and Administrative Penalties	<b>OPPOSE</b>	AB 846 increases the financial liability of public agencies by establishing a new automatic mechanism to increase fines levied by a variety of state agencies, including the Department of Industrial Relations.	<i>Senate Government Organization</i>  <b>NO HEARING SET</b>
<b>AB 874 (Saldana)</b>	Skateboard Parks	<b>OPPOSE</b>	AB 874 increases public entity liability by removing the requirement that skateboard park users wear elbow and kneepads.	<i>Senate Judiciary</i>  <b>NO HEARING SET</b>
<b>AB 1600 (Beall)</b>	Mental Health: Coverage Expansion	<b>OPPOSE</b>	Imposes an unreimbursed mandate for costs associated with the expansion and utilization of coverage benefits.	<i>Assembly Floor</i>  <b>THIRD READING</b>
<b>AB 1603 (Solorio)</b>	Workers' Compensation: Temporary Disability Benefits	<b>OPPOSE</b>	AB 1603 proposes to provide TD benefits after an injured worker is deemed "permanent and stationary. CAJPA members believe that the proper benefit at this point is permanent disability. As a result, AB 1603 would increase costs for all employers by calling for TD benefits after P/S designation.	<i>Assembly Insurance</i>  <b>DROPPED BY AUTHOR</b>

<b>BILL/ AUTHOR</b>	<b>SUBJECT</b>	<b>CAJPA POSITION</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<b>AB 1675 (Hagman)</b>	Trespassing: Zoo and Aquarium Enclosures	<b>SUPPORT</b>	AB 1675 provides an important new tool for public entities to use to discourage unlawful trespass into animal and aquatic enclosures in order to protect the wildlife entrusted to their care.	<i>Senate Public Safety</i> <b>NO HEARING SET</b>
<b>AB 1680 (Saldana)</b>	Unruh Civil Rights Act: Waiver of Rights	<b>OPPOSE</b>	AB 1680 proposes to unnecessarily limit the use of arbitration agreements.	<i>Senate Judiciary</i> <b>NO HEARING SET</b>
<b>AB 1802 (Hall)</b>	Insulin Injections: Liability	<b>OPPOSE UNLESS AMENDED</b>	As currently written, AB 1802 proposes to provide a limited immunity for school employees who aid diabetic students with insulin injections. CAJPA is concerned that AB 1802 does not provide immunity to the school, as well. CAJPA is concerned, that unless AB 1802 is amended, the liability will be transferred from the employee to the school district.	<i>Assembly Business &amp; Professions</i> <b>FAILED PASSAGE 4/20/2010</b>
<b>AB 1826 (Huffman)</b>	Health Care Coverage: Prescriptions	<b>OPPOSE</b>	AB 1826 unreasonably eliminates an employer's ability to help control the cost of health insurance through formularies, step therapy, mandatory generic substitution or prior authorization programs.	<i>Assembly Floor</i> <b>THIRD READING</b>
<b>AB 1841 (Buchanan)</b>	Special Education	<b>SUPPORT</b>	AB 1841 aligns state law with new federal regulations governing Part B of the Individuals with Disabilities Education Act (IDEA). CAJPA believes AB 1841 will help relieve local school districts of being forced to provide services against the parents consent. Importantly, AB 1841 will protect local school districts from being forced to engage in a costly administrative hearing or other legal actions against those parents who refuse service.	<i>Senate Education</i> <b>NO HEARING SET</b> <i>Senate Judiciary</i> <b>NO HEARING SET</b>
<b>AB 1994 (Skinner)</b>	Hospital Employees: New Presumptions	<b>OPPOSE</b>	AB 1994 creates an expensive, unreasonable, and unnecessary mandate on public hospitals by establishing a new presumption of work causation of blood-borne infectious disease, neck or back impairment, methicillin-resistant Staphylococcus aureus (MRSA), or H1N1 influenza virus for all workers who provide patient care.	<i>Assembly Appropriations</i> <b>5/28/2010 HELD IN COMMITTEE</b>
<b>AB 2170 (Lowenthal)</b>	Health Care Prescriptions	<b>OPPOSE</b>	AB 2170 places a costly and unnecessary new prohibition on public entities from make mid-year changes to prescription co-pays.	<i>Assembly Appropriations</i> <b>5/28/2010 HELD IN COMMITTEE</b>
<b>AB 2247 (Niello)</b>	Workers' Compensation: Inmates	<b>SUPPORT</b>	CSAC-EIA-sponsored legislation to place reasonable limits on temporary disability payments for inmates in city or county jails.	<i>Assembly Insurance</i> <b>DROPPED BY AUTHOR</b>

<b>BILL/ AUTHOR</b>	<b>SUBJECT</b>	<b>CAJPA POSITION</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<b>AB 2253 (Coto)</b>	Workers' Compensation: Cancer Presumption	<b>OPPOSE</b>	Increase workers compensation costs and claims frequency for public agencies through an unreasonable expansion of liability for all cancer claims made by police and firefighters for up to 15 years post employment.	<i>Assembly Floor</i>  <b>THIRD READING</b>
<b>AB 2269 (Adams)</b>	Workers' Compensation: New Presumption: Security Guards	<b>OPPOSE</b>	AB 2269 establishes an unreasonable and costly new presumption under workers compensation law for all security officers employed at certain state hospitals, developmental centers, and community centers throughout California. The presumption provides that all heart trouble that develops or manifests shall be presumed to be caused by employment.	<i>Assembly Appropriations</i>  <b>5/28/2010 HELD IN COMMITTEE</b>
<b>AB 2315 (Conway)</b>	Government Tort Claims	<b>CAJPA SPONSOR/SUPPORT</b>	CAJPA sponsored AB 2315 seeks to align public entity reporting requirements to recent federal changes to Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA).	<i>Assembly Judiciary</i>  <b>NO HEARING SET</b>
<b>AB 2340 (Monning)</b>	New Leave Mandate: Bereavement	<b>OPPOSE</b>	AB 2340 mandates that all employers grant all employees up to three days of unpaid bereavement leave per year upon the death of a spouse, child, parent, sibling, grandparent, grandchild, or domestic partner. The bill establishes a new private right of action against employers for any adverse action taken against employees taking bereavement leave.	<i>Assembly Floor</i>  <b>THIRD READING</b>
<b>AB 2397 (Solorio)</b>	Workers' Compensation: Labor Code 4850 Leave	<b>OPPOSE</b>	Would provide that the injured employee and his or her employer may mutually agree to extend the leave of absence under Labor Code 4850 beyond the one year period of disability, but that the extension may only be for a maximum of one additional year.	<i>Senate Labor &amp; Industrial Relations</i>  <b>NO HEARING DATE</b>
<b>AB 2423 (Niello)</b>	Workers' Compensation: Employer Assessments	<b>SUPPORT</b>	Sponsored by CCWC, AB 2423 is placeholder legislation aimed at providing better information to employers on special assessments by the Department of Industrial Relations.	<i>Assembly Insurance</i>  <b>DROPPED BY AUTHOR</b>
<b>AB 2424 (Niello)</b>	Employment: Final Wages	<b>SUPPORT</b>	AB 2424 would provide a short extension of time to provide workers with final paychecks.	<i>Assembly Labor and Employment</i>  <b>4/23/2010 FAILED PASSAGE</b>
<b>AB 2578 (Jones)</b>	Health Care Coverage: Rate Approval	<b>OPPOSE</b>	AB 2578, which establishes unnecessary regulatory barriers for changes to premiums, co-payments, coinsurance, or deductibles in a health insurance policy.	<i>Assembly Floor</i>  <b>THIRD READING</b>

<b>BILL/ AUTHOR</b>	<b>SUBJECT</b>	<b>CAJPA POSITION</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<b>AB 2727 (Bradford)</b>	Employment: Applicants: Criminal history	<b>OPPOSE</b>	AB 2727 proposes create a new private right of action against employers, including public sector employers, who deny an application for employment to an individual based on a prior conviction. The bill strictly limits the denial of employment except in cases where an employer can clearly demonstrate that there is a direct relationship between the criminal offense(s) and the employment sought.	<i>Assembly Appropriations</i>  <i>5/28/2010 HELD IN COMMITTEE</i>
<b>AB 2749 (Logue)</b>	Workers' Compensation: Stale Liens	<b>CAJPA SPONSOR/ SUPPORT</b>	CAJPA sponsored AB 2749 contains provisions designed to help address the problem of "stale" liens in the workers' compensation system.	<i>Assembly Insurance</i>  <i>NO HEARING DATE SET</i>
<b>AB 2773 (Swanson)</b>	Civil Actions: Costs	<b>OPPOSE</b>	AB 2773 would unreasonably increase business and government litigation expenses by removing judicial discretion to eliminate or reduce excessive attorney's fees.	<i>Assembly Floor</i>  <i>THIRD READING</i>
<b>AJR 40 (Solorio)</b>	Medicare Secondary Payer Enhancement Act of 2010	<b>SUPPORT</b>	Resolution requesting that Congress and the President of the United States enact the federal Medicare Secondary Payer Enhancement Act of 2010 (H.R. 4796);	<i>INTRODUCED 5/28/2010</i>
<b>SB 108 (Walters)</b>	Charter Schools: Mandatory Admittance: Risk Pools	<b>OPPOSE</b>	CAJPA opposes SB 108, which would mandate that Joint Powers Authorities (JPAs) operating as risk pool accept all charter schools as members.	<i>Assembly Judiciary</i>  <i>2-YEAR BILL</i>
<b>SB 145 (DeSaulnier)</b>	Workers' Compensation: Apportionment	<b>OPPOSE</b>	Among other provisions, weaken the apportionment statute and allow judges to overrule apportionment even when based upon findings of actual previous disability.	<i>Assembly Floor</i>  <i>INACTIVE FILE</i>
<b>SB 810 (Leno)</b>	Universal Health Care: Single Payer	<b>OPPOSE</b>	Creates a new government run, multi-billion dollar socialized health care system built from a yet to be specified 'premium structure.' The bill establishes a premium commission to impose a premium for all employers, which is essentially a tax.	<i>Passed Senate 1/28/2010 to Assembly</i>  <i>HELD AT DESK</i>
<b>SB 972 (Wolk)</b>	Indemnity: Design Professional	<b>OPPOSE</b>	SB 972 would negate current law that provides a process by which the parties know their obligations for defense up front so the party with the obligation is able to control the defense. CAJPA believes that where a party owes a public entity, by contract, indemnification for a lawsuit, that party should not have the ability to decide if they want to defend and on terms that are detrimental to the public entity, as proposed by SB 972.	<i>Senate Floor</i>  <i>THIRD READING</i>

<b>BILL/ AUTHOR</b>	<b>SUBJECT</b>	<b>CAJPA POSITION</b>	<b>DESCRIPTION</b>	<b>STATUS</b>
<b>SB 1051 (Huff)</b>	Emergency Medical Assistance	<b>SUPPORT</b>	SB 1051 authorizes a school district to allow specifically trained volunteers to assist epileptic students in distress without taking on new liability.	<i>Senate Appropriations</i> <i>5/27/2010</i> <i>HELD IN COMMITTEE</i>
<b>SB 1213 (Cedillo)</b>	Workers' Compensation: Expanded Electronic Access to Claims Information	<b>OPPOSE</b>	CAJPA is concerned that SB 1213 will increase the special assessments on all employers to support DWC by mandating that all parties to a claim must have online, real time, no-cost access to that party's own data through expansion of the Electronic Adjudication Management System (EAMS) program.	<i>Senate Appropriations</i> <i>5/27/2010</i> <i>HELD IN COMMITTEE</i>
<b>SB 1281 (Padilla)</b>	Emergency Medical Services: Defibrillators	<b>SUPPORT</b>	SB 1281 will reduce liabilities if an individual who has been trained, reacts to an emergency with an AED that is plainly displayed to the public.	<i>Senate Judiciary</i> <i>FAILED PASSAGE</i> <i>5/4/2010</i>