

West Plainfield Fire Protection District

24901 County Road 95, Davis, California 95616 (530)756-0212

BOARD OF COMMISSIONERS – SPECIAL MEETING

June 9, 2021 at 7:00 PM

To be held via Video and Teleconference

Video Meeting Information

<https://zoom.us/j/98831083439?pwd=QjdISXQ3L0xpaThSSGRra3dCbGhZz09>

Meeting ID: 988 3108 3439

Passcode: 242565

Phone Meeting Information

Dial by phone +1 669 900 6833

Remote Meeting Locations: 25258 County Road 95, Davis, CA 95616
34791 Creeksedge Road, Davis, CA 95616
26213 County Rd 96, Davis, CA 95616
37007 Russell Boulevard, Davis, CA 95616
34905 Creeksedge Road, Davis, CA 95616

- 1) Call the Meeting to Order and Establish Quorum
- 2) Public Comment
- 3) New Business
 - a) Discussion/Action – YCPARMIA
 - i) Adopt - Resolution to Join ERMA (BC Wilson)
 - ii) Authorize Signature - Letter of Intent to Join ERMA (BC Wilson)
- 4) Open Forum
- 5) Next regular Board meeting on June 15, 2021, unless another date is agreed upon.
- 6) Meeting Adjourned (President McMullen)

YCPARMIA

April 29, 2021



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What is ERMA?

- Public entity risk pool reducing member agencies' employment practices exposures:
 - ✓ Proactive claims & litigation management
 - ✓ Training & education
- 200+ public agencies
- CAJPA Accreditation with Excellence



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Membership

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Coverage Structure

Recommended SIRs	Payroll Range
\$25K	<\$10M
\$50K	<\$25M
\$75K	<\$30M
\$100K, \$250K, \$350K or \$500K	<\$50M

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Program Advantages

- Share cost of risk
- Determine scope of coverage
- Develop programs
- Target performance standards
- Proactive litigation management



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Litigation Management: Investigation and Defense of Claims

- Litigation Management
- Investigations
- Defense of the Claim



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Reporting Claims

- Claim: oral or written notice to the Covered Party (member) that an Employee alleges a Wrongful Employment Practice.
- Reporting: Late reported claims are strongly disfavored. Relief from denial of coverage for a claim reported more than 30 days late shall not be granted, absent extraordinary circumstances as determined by the Board.



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Defense Panel

- Jackson Lewis P.C.
- Liebert Cassidy Whitmore
- Bertrand Fox, Elliott, Osman & Wenzel
- Best, Best & Krieger LLP
- Carpenter, Rothans & Dumont
- Casey Law Group
- Lozano Smith
- Porter Scott
- Richards, Watson & Gershon
- Skane Wilcox LLP



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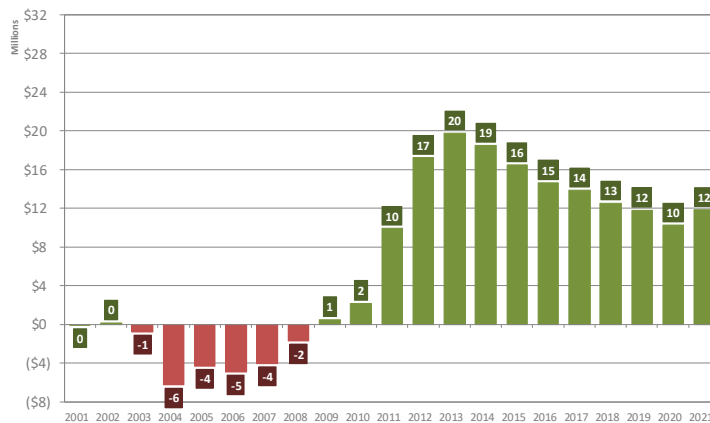
Financial Advantages

- Conservatively funded – 80% confidence level
- Rates based upon JPA and individual member experience
- Capped individual member experience modifier
- Flexibility of SIRs
- Dividend plans and incentives – \$23.8M over the last eight program years



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Fiscal Year Net Position History Balances at June 30, 2020



*2021 as of Dec. 31, 2020



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Program Services

- Live & Online Training
- Employee Protection Line
 - 24/7 access – telephone or online
- Attorney Hotline
- Training & Risk Management Program



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Authorizing Participation in ERMA

WEST PLAINFIELD FIRE PROTECTION DISTRICT

RESOLUTION OF THE WEST PLAINFIELD FIRE PROTECTION DISTRICT AUTHORIZING PARTICIPATION IN THE EMPLOYMENT RISK MANAGEMENT AUTHORITY

WHEREAS, the WEST PLAINFIELD FIRE PROTECTION DISTRICT wishes to obtain Employment Practices Liability coverage for the period MAY 18, 2021; and

WHEREAS, the Employment Risk Management Authority (ERMA) is a self-insured joint powers authority created for the sole purpose of Employment Practices Liability Coverage. ERMA is comprised of various public entities who risk share up to \$1 million against potentially unlawful employment practices and discrimination claims; and

WHEREAS, ERMA formed primarily due to the fact that government entities have not historically been able to secure Employment Practices Liability (EPL) coverage at a competitive cost through the commercial insurance marketplace; and

WHEREAS, ERMA has met all of the high professional standards established by the California Association of Joint Powers Authorities (CAJPA) in the areas of governance, finance, claims control, safety and loss control and ERMA is fully accredited by CAJPA. CAJPA's accreditation process requires reviews by independent consultants in the areas of accounting, claims adjusting, and actuarial analysis; and

WHEREAS, ERMA provides services to both Joint Powers Insurance Authorities and individual public entities; and

WHEREAS, the WEST PLAINFIELD FIRE PROTECTION DISTRICT has determined that it is in the best interest to become a member of ERMA for the purpose of obtaining Employment Practices Liability coverage; and

WHEREAS, ERMA requires the WEST PLAINFIELD FIRE PROTECTION DISTRICT to pass a resolution expressing the desire and commitment of the WEST PLAINFIELD FIRE PROTECTION DISTRICT's participation in ERMA, which requires a three year minimum participation period. WEST PLAINFIELD FIRE PROTECTION DISTRICT also understands our entity will be bound by the provisions in the ERMA Joint Powers

Agreement just as though it were fully set forth and incorporated herein whether our entity had signed it individually or through an underlying Joint Powers Insurance Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE WEST PLAINFIELD FIRE PROTECTION DISTRICT:

THAT, the WEST PLAINFIELD FIRE PROTECTION DISTRICT approves participation in ERMA MAY 18, 2021; and

THAT, the JAMES F. MCMULLEN, PRESIDENT on behalf of the WEST PLAINFIELD FIRE PROTECTION DISTRICT is hereby authorized to take any and all actions necessary to implement the foregoing resolution.

I hereby certify that the foregoing resolution is a full, true and correct copy of a resolution passed by WEST PLAINFIELD FIRE PROTECTION DISTRICT on MAY 18, 2021.

JAMES F. MCMULLEN, PRESIDENT

ADOPTED: MAY 18, 2021

RESOLUTION NO. 21-01

Employment Risk Management Authority (ERMA) *Intent to Participate*

Entity or JPA Name: _____

Contact Person: _____

Mailing Address: _____

Telephone: (____) _____ FAX: (____) _____ E-mail: _____

Please check the appropriate box(s):

Having received an indication for membership participation in the ERMA program, we agree to participate effective July 1, 2021, at the following retention level.

\$25K \$50K \$75K \$100K \$250K \$500K

We are presently unable to commit to program participation but would appreciate receiving additional information concerning ERMA. Please provide us with: _____

Signature of representative authorized to bind the entity or JPA: _____

Please return this form to:

Sedgwick
1750 Creekside Oaks Drive, #200, Sacramento, CA 95833
Attention: Jennifer Jobe, Executive Director
Jennifer.jobe@sedgwick.com
FAX: (916) 244-1199