



Safety Shorts

General Safety, Highway, & Law Enforcement

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September Is National Preparedness Month

Disasters don't plan ahead, but you can. The entire month of September observes National Preparedness Month.

No matter where you live, you are subject to disasters. Natural disasters and man-made disasters affect everyone and cause severe damage and endanger lives. Hurricanes, tornadoes, earthquakes, landslides, wildfires, hot spells, or cold spells are all natural disasters that can be deadly to people and property. Man-made disasters such as terrorism, crime, power outages, famines, or war are just as terrifying as natural disasters. Therefore, preparation is essential for the safety of you and your family. - <https://nationaltoday.com/national-preparedness-month/>

HIGHWAY DEPARTMENT

By K C Pawling, Road Safety and Loss Prevention Specialist

Is the convenience going to cost you?

I believe we can all agree that convenience comes with a cost. It might be microwave food that may or may not be good for us. Maybe it's the fast-food restaurants seemingly on every corner in town, or even the "convenience stores" and their elevated prices. I've learned there is another convenience that puts us all at risk for a potential loss, and the cost could be our house, garage, or shop.

All our **rechargeable devices** put us at risk, whether it is our computers, phones, portable jump starter or other mobile devices. Our rechargeable radios and rechargeable tools also put us at risk. The risk they pose is the risk of fire. Claims experience tells us that the batteries in these devices can start on fire, which generally happens while charging. I have seen a few stories in the newspaper about this. And I've seen it in the town where I live, where the charging of batteries started a garage fire that spread to the house and a vehicle parked in front of the garage.

My wife recently shared her co-worker's personal story with me. The co-worker and her family were watching a movie that kept them up later than their usual bedtime. While they were watching the movie, they smelled something burning. After a little investigation, they found that the charging cord on one of the family members' phones had started on fire. Thank goodness they were awake to catch it before the house started on fire.

When it comes to road departments, there is not a shop that I go into that doesn't have rechargeable batteries for the many cordless tools that are available, whether it's impact wrenches, drills, drivers, grinders or even chainsaws. It is undeniable that all these devices are

super convenient, and the benefits can outweigh the risk if they are managed in a way that lowers the risk of fire. I also find that the risk of fire is much higher when using lithium batteries. Lithium batteries have such a high energy density in such a small area that the risk is greater, but all batteries do put us at risk. The following are some steps we can take to lower our risk of fire.

- Make sure that your batteries, chargers, and equipment used with them are tested by a nationally recognized testing laboratory.
- Follow the manufacturer's storage, use, charging and maintenance instructions.
- Verify that any replacement batteries and chargers are designed and approved for use with your devices.
- Remove all batteries from chargers once they are fully charged. Do not store the batteries on the charger.
- Store the batteries and devices in cool dry places. Preferably in a fire safe cabinet designed for battery storage.
- Inspect your batteries, tools, and devices for damage. If you find damage remove the tools or devices from use. You may need to place them in a fireproof container until you can dispose of them properly.
- Finally, make sure your employees are trained regarding the use and handling procedures that you have or will put in place to mitigate any losses that may occur.

We cannot argue that convenience sometimes comes with a price. You may lose something to gain something else, but hopefully the loss is not your shop, garage, or home. Take a little time today and think about how you are handling all your mobile convenience devices. Figure out a way to store or charge them just a little more safely. Please consider unplugging your devices and charging cords over night while you're sleeping. If the cord is damaged in any way, discard it, and purchase a new one. Let's make sure you get home and have a home/workplace to go to everyday.

NIRMA does have the ASSIST grant program available. Members may consider applying for financial assistance through this program to reimburse part of the purchase price of eligible safety equipment. The application deadline for grant applications is November 1. Members may also seek scholarships through this program to attend eligible safety training at any time during the year.

Remember, if you have any safety training needs, do not hesitate to reach out to any one of us here at NIRMA. I would also say that if you just need someone to brainstorm some safety ideas with, we are here to help or listen. I can be reached at kcpawling@nirma.info or 402-310-4417. My office number is 402-742-9236.

LAW ENFORCEMENT AND CORRECTIONS

By Todd Duncan, Law Enforcement and Safety Specialist

Caught in the Act

This month's Safety Short will highlight two NIRMA sheriffs in recognition of their proactive and collaborative approach to risk management and loss prevention. Buffalo County Sheriff Neil Miller and Custer County Sheriff Dan Osmond both recently investigated unexpected deaths, one in a county facility, the other on a county roadway. While there was no indication of negligence or wrongdoing on the part of the county in either case, both sheriffs recognized the *potential* liability exposure to their respective counties, notified NIRMA immediately, and shared preliminary details of the events as required by the county's coverage agreement with NIRMA. The sheriffs also agreed to create a file for NIRMA containing copies of all agency reports and recordings related to the incidents. The importance of counties notifying NIRMA as soon as possible when a person is seriously injured or dies while in custody, on county property, or as the result of a crash on a county roadway regardless of the circumstances cannot be overstated.



Buffalo County Sheriff Neil Miller



Custer County Sheriff Dan Osmond

It is also essential that agencies create a file for NIRMA that contains copies of all reports and recordings as soon as practicable in these situations. First, it can be very difficult to gather important details about these events months or years later when documents have been misplaced, recordings have been deleted, and memories have faded. Another challenge is created when an outside agency such as the State Patrol has been asked to conduct the investigation and takes possession of the county agency's reports and recordings. In these cases, the outside agency is often unwilling to share reports and recordings with NIRMA that are critical to defending the county should a claim arise later.

With respect to serious injury or fatal crashes on county roadways, it is important that sheriffs notify their county roads department as soon as possible so roads personnel with expertise in roadway engineering and design can conduct a secondary investigation of the crash scene to document roadway factors that may or may not have contributed to the crash.

Even though there is no indication that either of the abovementioned incidents will result in a claim or lawsuit, any event where someone is seriously injured or dies in county custody, on county property, or on a county roadway creates a significant liability exposure to the county. One of the first lines of defense in these cases is to thoroughly document the incident from all angles, preserve all documentation and recordings, and notify NIRMA as soon as possible.

Thank you, Sheriff Miller and Sheriff Osmond, for your continued leadership and taking a proactive approach to loss control and risk management.

Please contact Todd at 531-510-7446 or tduncan@nirma.info if you have any questions or to request training.

GENERAL SAFETY

By Chad Engle, Loss Prevention and Safety Manager

Nebraska Safety Council - Membership Mondays Monthly Zoom Call

Our partners at the Nebraska Safety Council have launched a new resource aimed at helping their members take full advantage of the benefits they provide. During these monthly zoom calls the Nebraska Safety Council managers will review membership benefits, answer questions and take suggestions for new benefits. They are intended to be interactive, so please show up with your questions and a desire to learn how the Nebraska Safety Council can help you help your employees stay safe at work.

The next Membership Mondays Monthly Zoom call is scheduled for September 18, 2023, at 1:00 pm Central time. You can register for the meeting by going to the [Nebraska Safety Council's website](#).

NIRMA provides all member counties and public agencies with an annual membership to the Nebraska Safety Council. It is yet another benefit aimed at protecting employees and saving tax dollars. We strongly encourage our members to take advantage of these benefits and attend the next monthly membership meeting.

Additionally, the Nebraska Safety Council is promoting its new Agriculture Community Outreach Health & Safety Initiative, specifically its [Cultivating Community Program](#), focusing on services especially helpful to rural residents. Through this initiative, NSC connects you to various health and wellness training programs, free of charge or for a minimal fee. Follow the link above for more details on the many available programs, ranging from help with smoking cessation, suicide prevention, roadway safety, respiratory protection, and Lyme disease prevention.

Animals in the Courthouse

Members often contact NIRMA to ask about the legalities and risks of allowing animals in the courthouse and other workplace buildings. It is not uncommon for a visitor to try to enter the building with a pet and hope that no one notices, or they may claim that it is an emotional support animal or a service animal. What should we do when this occurs?

If the person's need for a service animal is visibly obvious, there is no need to ask anything. If the need for the service animal is not clear, you may only ask the following two questions:

- (1) Is the animal required because of a disability?; and
- (2) What work or task has the animal been trained to perform?

That is the legal limit of exploring the need for a service animal. There is no requirement that the person provide any proof of their disability or the service animal's method of training. There is no training certification or license.

Emotional support animals, comfort animals, and therapy dogs are not considered service animals under Title II or Title III of the ADA. There is no requirement to allow them into your building under the ADA.

The service animal handler is responsible for the supervision and control of their service animal. If the animal behaves in an unacceptable manner and the handler cannot control the

animal, the business does not have to allow the animal onto its premises. A business has the right to deny access to a dog that disrupts the workplace. Uncontrolled barking, jumping on people, or running away from the handler are all examples of unacceptable service animal behavior. Here are some other handler responsibilities according to the ADA:

- The ADA requires that the animal is under the control of the handler. This can be done using a leash, harness or tether. The animal can also be controlled by the handler's voice, it is not required to be leashed.
- The service animal must be housebroken.
- The ADA does not require covered entities to provide for the care or supervision of a service animal, including cleaning up after the animal.
- The animal should be vaccinated in accordance with state and local laws.

To address the animals in the workplace issue I would recommend that the county or agency develops and adopts a policy stating that only service animals are allowed in the building per the ADA. A sign should be placed at each entrance advising that pets are not allowed but service animals are welcome. For more information on service animals and emotional support animals you may refer to [Service Animals and Emotional Support Animals, Where are they allowed and under what conditions?, by Jacquie Brennan, Vin Nguyen \(Ed.\) of the Southwest ADA Center.](#)

As always, I can be reached at 800.642.6671 or chad@nirma.info.