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Safety Shorts

General Safety, Highway, & Law Enforcement

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May is Global Employee Health & Fitness Month

May is Global Employee Health & Fitness Month! Health and fitness are essential for every human being on the planet since it has numerous benefits that can lead to enhancing one's quality of life. However, as we grow older, people tend to lose themselves in their work routines and a consistent exercise regime takes a backseat. The role of employers is more crucial than ever during this month since they are the ones who create different initiatives that not only spread awareness regarding how essential good health is but also urge their employees to participate in projects and activities that have physical- and mental health benefits. For more information: <https://nationaltoday.com/global-employee-health-month/>

GENERAL SAFETY

By Chad Engle, Loss Prevention and Safety Manager

Property Maintenance and Loss Prevention

A loss prevention program is a strategy that includes steps, practices, and procedures that a county uses to reduce the risk of accidents and claims. Property maintenance is a critical part of a loss prevention program. NIRMA provides coverage for property and buildings along all points in the age spectrum, most buildings are older with many considered historic. Unfortunately, property conditions do not improve with age.

To help our members maintain their properties NIRMA has developed a **Property/Building Inspection Checklist**. Regular documented inspections will identify maintenance issues that if rectified will prevent costly property, liability, or workers' compensation claims. For example, a drain plugged with debris could result in a flooded basement or a slip-and-fall injury to an employee or customer.

At a minimum, semi-annual documented property inspections should be conducted. Roof inspections are an excellent place to start. The roof is a building's first line of defense against rain and water damage. Pay particular attention to the perimeter areas of the roof and flashings, where the roof and the walls meet. A spring inspection will allow you to find and repair damage before the rainy season. A fall inspection will allow you to do the same, in preparation for winter snow that will accumulate and melt. NIRMA also recommends conducting roof inspections after any severe weather that may have caused damage. Check all items that are anchored to the roof to ensure they will stay fastened during windy weather. Consider starting the inspection with the interior. Checking the ceilings and walls for signs of water damage will give you a preliminary idea of where you may have issues with the roof.

An exterior building walk-around inspection will identify maintenance issues and possible premises liability issues. I normally start by walking the sidewalks and looking for uneven concrete and places where the ground is not flush with the walking surface. Grind down heaving

concrete and backfill low spots along walking surfaces to reduce the risk of trip and falls. Inspect the grounds for holes and other trip hazards and repair as necessary.

Now shift your focus to the building. Start at the main entrance and work all the way around ending where you started. Look first at the ground level, then work your way up the side of the building looking for loose or missing siding, broken windows, cracking masonry, or anything that would create an entry point for moisture or pests. Stop at each entrance and ensure stairs and railings are in working order, ADA automatic doors are functioning correctly, and any other hazards are repaired.

Property claims are handled on an "occurrence" basis, which means that each separate occurrence is subject to its own deductible. When properties are not maintained and a claim is filed it becomes very difficult to determine what is "sudden and accidental" damage that is covered, and what has occurred over time and may not be covered or possibly subject to multiple deductibles. For example, if you lose one shingle from the roof each storm and wait until there are multiple shingles missing to submit a claim, each shingle is a separate occurrence and subject to its own deductible.

The inspection process not only reduces the chance of costly property claims, but it creates the documentation we need to defend our members against premises liability claims. Retaining the completed inspection checklists, and documenting work in progress as well as completed repairs puts our members in a much more defensible position. NIRMA's **Property/Building Inspection Checklist** can be found on our website at <https://nirma.info>. Select *Inspection Forms and Checklists* under the *Resources* tab.

As always, I can be reached at 1.800.642.6671 or chad@nirma.info.

HIGHWAY DEPARTMENT

By K C Pawling, Road Safety and Loss Prevention Specialist

Don't Lose Focus, We're Just Getting Started

Most of our road department activity planning is really dictated by the weather and the weather forecast. This time of year, daily and weekly workloads are planned with priority projects. The one-and-six-year plans and department budgets are developed, presented, and approved. Yet, these are all things that can and do change with just one significant weather event. I know that some counties have received 65+ inches of snow for the winter and many are probably still recovering from that. Workers in other counties that have not received even a quarter of that amount of snow have their minds in a completely different place.

Regardless of whether we are just recovering from the winter, or getting the first project for the year started, we should not forget safety. We can't lose our focus on the following safety considerations when entering the new season:

- Everyone working in the county right-of-way needs to be wearing apparel that meets at least class 2 safety standards. If you are outside any vehicle or machine this is required and not an option. Anyone working in the dark will need to be wearing class 3 safety apparel.
- All our equipment should be equipped with and using strobe lights. We do recommend operating with headlights and 4-way flashers on even during the day to increase visibility for the traveling public while working on the county roads.
- All the county crews should be using advance warning signs. From motor graders all the way to maintenance crews, everyone should be placing portable advance warning signs if the project duration is less than 3 days. For any projects longer than 3 days, post-mounted signs should be placed in advance of the work zones.
- Any road closures should utilize *three* type 3 barricades. We strongly recommend using 8 ft. wide barricades, so that they will cover the entirety of the driving lanes. I would also like to remind you that these barricades should be "crashworthy." Barricades mounted on some type of cart or running gear are not tested or determined to be crashworthy.
- Barricades and even signs on our projects or closed roads need to be inspected to make sure they stay in place and the inspections documented. As we all know, "if it wasn't documented, it didn't happen."
- Do walk-around inspections of all your vehicles and construction equipment. You should do this not only for safe operation, but also for loss prevention. Look for signs of vandalism of the equipment that is left out on projects. Also look for any signs of disrepair, like leaks, loose or missing bolts, or missing guards.
- I also need to mention using tarps on your trucks. I know that many gravel trucks are already running and history can tell us that windshield claims will soon be on the rise. So, if you have tarps on your trucks use them, if you don't have tarps, I strongly encourage you to consider them.
- Most of the road department's management have heard me say this many times, submit locates for your projects to Nebraska 811. After you make the one-call notification, document as much as you can. Photos, photos, and more photos! A

picture can capture so many things that may be overlooked during documentation, or even something we are not aware of, reducing loss through utility damage claims.

These reminders are not just about equipment loss but more importantly employee safety. Drink plenty of water and watch for signs of heat-related illnesses. Take breaks as needed and take care of your co-workers. Our employees are the greatest resource we have.

I understand this just scratches the surface of all that we need to be aware of entering the construction season. With construction workers being exposed to so many dangers you should have some situational awareness. Identify any dangerous situations you may have and manage them accordingly. Remember, if you need any safety training needs, do not hesitate to reach out to any one of us here at NIRMA. We will do what we can to help you with your needs.

I can be reached at kcpawling@nirma.info or 402-310-4417. My office number is 402-742-9236. Let's make sure we all make it home every night.

LAW ENFORCEMENT AND CORRECTIONS

By Todd Duncan, Law Enforcement and Safety Specialist

Inmate Checks

Inmate checks, sometimes erroneously referred to as "cell checks," are one of the most critical tasks performed by corrections officers throughout their shifts. These checks serve several important purposes including verifying inmate welfare (suicide prevention, checking for signs of medical distress, etc.), preventing escape attempts, detecting law/rule violations, and providing inmates with opportunities to communicate with staff. Inmate checks also satisfy a core Nebraska Jail Standards requirement.

In addition to ensuring safety, security, and compliance with standards, inmate checks play a critical role in defending potential claims of negligence or deliberate indifference made against the individual employee, administrator, and county. But as with any repetitive, routine task it can be easy to grow complacent or begin taking shortcuts when conducting inmate checks.

Put eyes on every inmate every time

It is essential to verify signs of life such as breathing, talking, snoring, or movement with every inmate every time. And while video surveillance cameras can be helpful, they cannot be used as a substitute for in-person inmate checks. Per Jail Standards, "Electronic surveillance shall not substitute for periodic personal observations by facility employees." (NAC, Title 81, Chapt. 2, Sect. 004.02C).

Take the time to do proper checks

With staffing challenges and increases in jail populations, there is no shortage of work during a typical corrections officer's shift. It is usually not laziness, but workloads or fear of being late with checks that cause corrections officers to rush or take shortcuts. Take the time to do them right.

When it comes to frequency, Jail Standards require staff to personally view inmates, "often enough to maintain their safekeeping, but in no event less than one time per hour and document it." (NAC, Title 81, Chapt. 2, Sect. 004.02B). However, it may be necessary to do checks more frequently for high-risk individuals.

How long does it take to properly assess one inmate? At least ten seconds or longer when you consider that a typical person only takes about 12 to 16 breaths per minute. Any less time and it is pretty difficult to verify signs of life and check for any indications of medical distress. It is also essential that staff members see the inmate's skin during every check. Far too many inmates have used blankets or other objects to create the appearance of someone sleeping in a bunk to hide escape or suicide attempts.

Stay focused

Corrections officers usually serve multiple roles within the jail which requires them to multitask. But when it comes to inmate checks, it is important to remain focused on the task at hand, accounting for each inmate and verifying signs of life. If someone

approaches you during your checks to chat or request something, politely let them know that you will get back to them as soon as possible once your rounds are completed.

Jails are an unpredictable environment, and we all get busy from time to time. If you get behind on your rounds or are pulled away for an emergency, avoid rushing the remaining checks. Instead, complete the inmate checks properly as soon as possible and document the reason for the delay. Falsifying or pencil whipping logs is not the solution.

Avoid banging on cell to confirm life

Verifying signs of life when inmates are sleeping can create challenges, but as a matter of routine waking inmates up every hour (or more often) is usually not a good solution. While I would rather have a grumpy inmate over a suicide or escape, there are other ways to accomplish the goal without waking inmates up every hour. Moreover, multiple lawsuits have been filed by inmates against correctional facilities claiming civil rights violations based on sleep deprivation related to inmate checks. Research has also shown that "sleep deprivation might itself contribute to psychotic symptoms, suicidal behaviors, and other adverse outcomes."¹ Simply take a few extra seconds to watch for the rise and fall of the chest or other movement or sound. Another challenge in this area is that it is not uncommon for inmates to cover their heads with their blankets to sleep. However, correctional officers should never allow inmates to fully cover up in this fashion as it makes conducting proper checks difficult or impossible.

Maintain accurate and detailed records

Accurate, timely, and detailed documentation of inmate checks is essential. Pencil whipping log entries with, "0800, 0900, 1000..." is a red flag to supervisors and auditors and is usually a good indication that inmate checks are not being done properly. It is also advisable to notate the inmate's state when logging the checks. For instance, instead of simply noting the time of the check (i.e., 0800, 0849, 0940, etc.), consider including observations such as, "0800- lying L side, 0849- lying R side, 0940- watching TV, 1035- eating."

One of the first things a plaintiff's attorney will look at when an inmate dies or suffers a serious injury while in custody is the jail video. The purpose of this video review is not only to determine what happened but also to see if what was written in the log matches the actual checks that were conducted by staff.

Finally, the role of the supervisor is critical in ensuring effective inmate checks through training, setting expectations, monitoring performance, and coaching. It is also highly recommended that supervisors regularly review logs to ensure accuracy and timeliness and to verify that log entries match video.

When it comes to the care, custody, and control of inmates, few tasks are as important as inmate checks. While seemingly tedious, these checks are one of the primary methods of maintaining a safe, secure jail while reducing liability.

Additional Resources:

[Nebraska Jail Standards, Chapter 2](#)

[Nebraska Jail Standards Training Bulletin/Quiz, Inmate Checks](#)

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