



# Risk Management Solutions



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## School Active Shooter Occurrences Meeting the Threat with Proper Policy and Training

By Terry Sanders • Police Safety Consultant • AMIC/MWCF

The earliest known school shooting occurred July 26, 1764, near present-day Greencastle, Pennsylvania. Nine or 10 children (reports vary) were shot and killed. In the 1800s, America experienced 13 school shootings. The shootings continued into the 20th Century; however, from 1990 until present these type shootings have accelerated across the country. As a direct result of the mass shooting in Columbine, law enforcement changed its response procedures adopting the “Diamond” formation entry during active shooter events. Departments no longer established a perimeter and waited on SWAT. As we sadly learned from further occurrences, the “One is Better Than None” policy and training was implemented. This policy is currently used by most police departments in their response procedures and it simply mandates that if an officer is alone during an active shooting at a school the officer makes



entry, engages the shooter and stops the threat. As these shootings have escalated, law enforcement has had to adapt.

The Virginia Tech massacre, which happened on 16 April 2007, was America’s worst university shooting. In this mass shooting, the shooter chained and locked several main doors in the building and went from room to room executing students. For the first time, responding officers faced having to breach doors to make entry. During the recent Parkland Florida school shooting, Coral Springs officers also had to breach a door to make entry. In response, written policies should include having breaching tools available to patrol officers. Parkland, Florida also highlighted the serious issue of getting timely medical assistance into the building to treat the injured. As a result, written policy and training must address this issue.

Robert Mueck in his September 20, 2017, DomesticPredaredness.com article “Active Shooter Incidents” identifies the following three zones that should be addressed in policy:

**Hot Zone** – the area where there is a known hazard or threat to life that is direct and immediate. An uncontrolled area where the active shooter could directly engage people.

**Warm Zone** – areas where law enforcement has either cleared or isolated the threat, and the risk is minimal or has been mitigated. This area may be considered clear but not secure.

**Cold Zone** – the area where there is little or no threat. It may include the outside of the building or an area law enforcement has secured. It is safe to operate in this zone.



Tool images courtesy of Granger.com

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# Workplace Safety in the Heat

By Stephanie Southerland • CMC, CPM • Loss Control Representative • AMIC/MWCF

Every year, thousands of workers become sick from occupational heat exposure. Some even die. When working in sweltering summer conditions, the body must get rid of excess heat to maintain an acceptable internal body temperature. The body cools off by sweating. If the humidity is too high to allow for evaporation, the body stores that heat, resulting in an increased heart rate. As the retained body heat increases, the person begins to lose concentration and has difficulty focusing on a task, may become irritable or sick and often loses the desire to hydrate themselves which often causes the person to faint or lose consciousness due to a heat stroke.

**These illnesses and deaths are preventable.** Employers have a duty to protect workers from recognized serious hazards in the workplace, including heat-related hazards. Workers exposed to hot indoor environments or hot and humid conditions outdoors are at risk of heat-related illness, especially those doing heavy work tasks or using bulky or non-breathable protective clothing and equipment. New employees or those who are returning from time away from work are especially vulnerable. It is imperative to prepare for the heat: educate workers about the dangers of heat and acclimatize workers by gradually increasing the workload and providing more frequent breaks to help new workers and those returning to a job after time away build up a tolerance for hot conditions. In addition, plan for an emergency and know what to do. **Acting quickly can save lives!**

## Heat-Related Illnesses

Excessive exposure to heat can cause a range of heat-related illnesses, from heat rash and heat cramps to heat exhaustion and heat stroke.

**Heat rash**, also known as prickly heat, is skin irritation caused by sweat that does not evaporate from the skin. Heat rash is the most common problem in hot work environments and appears as clusters of red bumps on the skin, often appearing on the neck, upper chest and in folds of skin. To avoid this, try to work in a cooler, less humid environment when possible and keep the area dry.

**Heat cramps** are caused by the loss of body salts and fluid during sweating. Low salt levels in muscles cause painful cramps. Tired muscles – those used for performing the work – are usually the ones most affected by cramps. Cramps may occur during or after working hours. If an employee is showing these symptoms while at work, have them rest in a shady, cool area and drink water. Wait a few hours before allowing them to return to strenuous work. Have them seek medical attention if the cramps do not go away or if their symptoms worsen.

**Heat exhaustion** is the body's response to loss of water and salt from heavy sweating. Signs include cool, moist skin, headache, nausea or vomiting, dizziness, light headedness, weakness, irritability, thirst, rapid heart rate and heavy sweating. If these symptoms are present, have the employee sit or lie down in a cool, shady area and give them plenty of water or another cool beverage. Try to cool their body with cold compresses or ice packs. If their symptoms do not improve within an hour, seek *immediate* medical attention. If conditions do improve, do not allow that employee to return to work the same day.

**Heat stroke**, the most serious form of heat-related illness, happens when the body becomes unable to regulate its core temperature. Sweating stops and the body can no longer rid itself of excess heat. Signs include confusion, fainting, loss of consciousness, excessive sweating or red, hot, dry skin, very high body temperature and seizures. **Heat stroke is a medical emergency that may result in death! Call 911 immediately.** While waiting for medical help to arrive, place the employee in a cool, shady area. Loosen their clothing and remove any outer clothing. Try to circulate some air around them and apply cold packs to their armpits. Cool them down with cool water, ice packs, cool compresses or ice if available. Have them drink cool water and stay with them until help arrives.

## Heat Index

The “**heat index**” is a single value that takes both temperature and humidity into account. The higher the heat index, the hotter the weather feels, since sweat does not readily evaporate and cool the skin. The heat index is a better measure than air temperature alone for estimating the risk to workers from environmental heat sources.

This guide helps employers and worksite supervisors prepare and implement hot weather plans. It explains how to use the heat index to determine when extra precautions are needed at a worksite to protect workers from environmental contributions to heat-related illness. Additional risk factors include:

- Working in direct sunlight – adds up to 15 degrees to the heat index
- Performing prolonged or strenuous work
- Wearing heavy protective clothing or impermeable suits

These must be taken into consideration even when the heat index is lower.

Heat Index	Risk Level	Protective Measures
Less than 91°F	Lower (Caution)	Basic heat safety and planning
91°F to 103°F	Moderate	Implement precautions and heighten awareness
103°F to 115°F	High	Additional precautions to protect workers
Greater than 115°F	Very High to Extreme	Triggers even more aggressive protective measures

## Reducing Heat Exposure

Heat-related illnesses can be prevented. Important ways to reduce heat exposure and the risk of heat-related illness include engineering controls, such as air conditioning and ventilation, that make the work environment cooler, and work practices such as work/rest cycles, drinking water often and providing an opportunity for workers to build up a level of tolerance to working in the heat. Employers should include these prevention steps in worksite training and plans. Also, it's important to know and look out for the symptoms of heat-related illness in yourself and others during hot weather. It is important to know the symptoms of excessive heat exposure and the appropriate responses. ■ (Sources: osha.gov and weather.gov.)



# Alabama Data Breach Notification Law

By Teneé Frazier • Assistant General Counsel • ALM

On Wednesday, March 28, 2018, Governor Kay Ivey signed the Alabama Data Breach Notification Act of 2018 (SB318) into law. The new law became effective June 1, 2018, and requires covered entities to implement and maintain reasonable security measures to protect sensitive personally identifying information (“Sensitive PII”) information. Covered entities must conduct “good faith and prompt investigations” of security breaches and notify consumers if there is a breach of security that results in the unauthorized acquisition of Sensitive PII. The law also requires entities to take reasonable measures to dispose of or arrange for the disposal of records containing Sensitive PII when they are no longer to be retained.

A covered entity is defined as a person, sole proprietorship, partnership, government entity (e.g., state, county, municipality or any instrumentality thereof) corporation, nonprofit, trust, estate, cooperative association or other business entity that acquires or uses sensitive personally identifying information.

“Sensitive PII” includes an Alabama resident’s first name or first initial and last name in combination with one or more of the following regarding the same resident:

1. A complete SSN number or tax identification number.
2. A complete driver’s license number, state ID number, passport, military ID, or other unique identification number issued on a government document.
3. A financial account number, including bank account number, credit card or debit card, in combination with any security code, access code, password, expiration date, or PIN, that is necessary to access the financial account or to conduct a transaction that will credit or debit the financial account.
4. Any information regarding an individual’s medical history, mental or physical conditions, or medical treatment or diagnosis by a health care professional.
5. An individual’s health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individuals.
6. A user name or email address, in combination with a password or security question and answer that would permit access to an online account affiliated with the covered entity that is reasonably likely to contain or is used to obtain Sensitive PII.

## Notification Requirements

**Affected Individuals.** Affected individuals must be notified in writing by mail or email within 45 days of the breach or likelihood of substantial harm. The notice must include:

1. The estimated date or date range of the breach.
2. A description of the Sensitive PII acquired.
3. A general description of actions taken to restore the security and confidentiality of the personal information.
4. The steps an affected individual can take to protect himself or herself from identity theft.
5. Contact information for the covered entity in case of inquiries.

**Substitute Notice.** Substitute notice is allowed if the cost of direct notice is excessive, the affected individuals exceed 100,000 persons or if there is a lack of sufficient contact information for the required individual to be notified. Substitute notice may include both posting on the website for 30 days and using print or broadcast media in the major urban and rural areas where the individuals reside. An alternative form of substitute notice may be approved by the Attorney General. If notice is not required, the entity must document the determination and maintain the documentation for at least five years.

**Attorney General.** The Attorney General must be notified within 45 days of the breach or likelihood of substantial harm if the affected individuals exceed 1,000. The notice must include:

1. An event synopsis.
2. The approximate number of affected individuals in Alabama.
3. Any free services being offered by the covered entity to individuals and instructions on how to use them
4. Contact information for additional inquiries.

**Consumer Reporting Agencies.** Consumer reporting agencies must be notified if more than 1,000 individuals are required to be notified at a single time.

**Third Party Notification.** Third party agents experiencing a breach of a system maintained on behalf of a covered entity must notify the covered entity within 10 days of the breach.

## Enforcement Authority

Violating the notification provisions is an unlawful trade practice under the Alabama Deceptive Trade Practices Act (ADTPA), and the Attorney General has exclusive authority to bring an action for penalties. There is no private cause of action.

## Penalties

Any entity knowingly violating the notification provisions is subject to ADTPA penalties, which can be up to \$2,000/day, up to \$500,000 per breach. In addition to these penalties, a covered entity violating the notification provisions is liable for a penalty of up to \$5,000/day for each day it fails to take reasonable action to comply with the notice provisions.

Government entities are subject to the notice requirements but exempt from penalties. However, the Attorney General may bring an action to compel performance or enjoin certain acts. ■

## Defining Moment

### Playground Safety Inspection

The importance of implementing a regular playground inspection program becomes increasingly important during the summer months since higher volumes of use can result in increased wear and tear. Regular inspections of the hardware associated with the equipment and the protective surfaces under the equipment, as well as other features of the playground (such as electrical outlets, rest room facilities and concession stands) can help to ensure playground equipment – as well as the citizens who use it – are as safe as possible. The CPSC produces a comprehensive “Public Playground Handbook” guide that identifies the key components of a playground and the safest conditions of those components. This guide can be an excellent resource for developing and implementing a playground safety inspection program.

## School Active Shooter continued from cover

Mueck states in its initial stages, an active shooter incident in a building makes the entire area the hot zone. Law enforcement personnel must immediately move toward the shooter to stop the attack and prevent more injuries or deaths. As law enforcement personnel move inside and begin to secure parts of the building, these areas become warm zones because there is some certainty that the shooter is not in the immediate vicinity. This is where EMS personnel could have an opportunity to join law enforcement and make entry to locate and treat victims, even as other officers search for and neutralize the suspect.

Sadly, as we continue to experience these tragic events, law enforcement will have to update policy and training to match the threat. A sample “Active School Shooter” policy can be downloaded from the AMIC/MWCF Loss Control website at [losscontrol.org](http://losscontrol.org) by clicking on “Services and Resources – Reference Documents”. This policy includes all critical areas addressed in this article. Police administrators must keep in mind that it is not enough to have well written policy for School Active Shooter events. Officers must train regularly on this critical policy. Our children’s lives are in the balance and your communities deserve no less!

Questions or comments on this article can be emailed to Terry Sanders at [terrys@alalm.org](mailto:terrys@alalm.org). ■

# 2018 SkidCar Schedule

Through an advanced, computer-controlled driver training vehicle known as the SkidCar System, trainees learn how to react quickly and safely to a range of hazardous driving conditions. Training is conducted throughout the state at a minimal cost. Visit [www.losscontrol.org](http://www.losscontrol.org) for more information.

<b>Demopolis</b>	<b>July 10 – 18</b>
<b>Decatur</b>	<b>August 14 – 24</b>
<b>Ozark</b>	<b>September 11-21</b>
<b>Fort Payne</b>	<b>October 16-19</b>



Register and pay online at [www.losscontrol.org](http://www.losscontrol.org)!



## Loss Control Division

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- 5.053 Landscaping Equipment: Safety and Maintenance
- 5.077 Distracted Driving: Real Accidents, Real Stories
- 5.078 Distracted Driving: Real Accidents, Real Stories 2
- 7.089 Working Safely in Hot Environments
- 7.097 Heat Stress: Staying Healthy, Working Safely
- 7.105 Groundskeeping Safety: Dealing with Bugs & Critters
- 7.106 Groundskeeping Safety: Be A Pro!
- 7.107 Heat Stress for Public Employees: Seeing Red
- 7.108 Protecting Your Feet: Learning Your ABC's
- 7.110 A Practical Approach to Ladder Safety
- 7.118 Safety Procedures for Lawn Mower Operators
- 7.119 Landscape Power Tool Safety
- 7.120 Hedge Trimmer Safety
- 7.121 Video Guide to Chainsaw Safety

Video/DVD requests to: **Sonya McCarley at: 334-262-2566**  
[sonyam@alaim.org](mailto:sonyam@alaim.org) or FAX at 334-262-2809

## Need Help Filing Work Comp Claims?

For step-by-step instructions, visit:

[www.almwcf.org](http://www.almwcf.org)

## Employment Practices Law Hotline

# 1-800-864-5324

Through a toll-free Employment Practices Law Hotline, members can be in direct contact with an attorney specializing in employment-related issues. When faced with a potential employment situation, the hotline provides a no-cost, 30-minute consultation.

[www.losscontrol.org](http://www.losscontrol.org)