

# RENO GAZETTE-JOURNAL

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### PROOF OF PUBLICATION

STATE OF NEVADA  
COUNTY OF WASHOE

ss. Tana Ciccotti

being duly sworn, deposes and says:  
That as legal clerk of the RENO GAZETTE-  
JOURNAL, a daily newspaper published in Reno,  
Washoe County, State of Nevada, that the notice:  
Ordinance No 987

NOTICE OF ADOPTION  
WASHOE COUNTY  
ORDINANCE NO. 987  
NOTICE IS HEREBY GIVEN THAT BILL  
No 1162, Ordinance No. 987, entitled  
AN ORDINANCE AMENDING THE  
WASHOE COUNTY CODE BY REVIS-  
ING PROVISIONS OF CHAPTER 65  
RELATING TO SAFETY AND HEALTH  
OF COUNTY OFFICERS AND EMPLOY-  
EES TO RISK MANAGEMENT, AND  
OTHER MATTERS PROPERLY RELAT-  
ING THERETO.  
was adopted on JULY 22, 1997, by  
Commissioners Joanne Bond, Jim Gallo-  
way, Mike Moulouf, Jim Shaw, and Grant  
Sims, and will become effective on  
AUGUST 8, 1997.  
Typewritten copies of the ordinance are  
available for inspection by all interested  
persons at the office of the County Clerk,  
75 Court Street, Reno, Nevada.  
JUDI BAILEY  
Washoe County Clerk  
No. 2988 July 30, Aug 6, 1997

of which a copy is hereto attached, has been  
published in each regular and entire issue of  
said newspaper on the following dates to wit:

July 30, Aug 6 1997

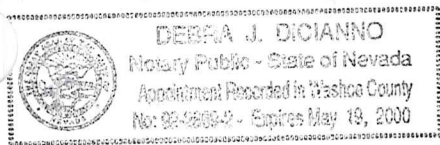
Signed

*Tana Ciccotti*

Subscribed and sworn to before me on 08/06/97

Notary Public

*Debra J. Dicianno*



P.O. BOX 22000, RENO, NEVADA 89520  
(702) 788-6200



SUMMARY: Amends Washoe County Code by revising provisions of Chapter 65 relating to safety and health of county officers and employees and to risk management.

BILL NO. 1162  
ORDINANCE NO. 487

AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY REVISING PROVISIONS OF CHAPTER 65 RELATING TO SAFETY AND HEALTH OF COUNTY OFFICERS AND EMPLOYEES, TO RISK MANAGEMENT, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Sections 65.010 to 65.65.270, inclusive, of the Washoe County Code are hereby repealed.

SECTION 2. Chapter 65 of the Washoe County Code is hereby amended by adding thereto the provisions set forth as section 3 to 26, inclusive, of this ordinance.

SECTION 3.

65.010 Definitions. As used in sections 65.010 to 65.260, inclusive, the words and terms defined herein shall have the following meaning:

1. "Division" means the division of risk management of the office of county manager.

2. "Health benefits program" means a program to provide health benefits to eligible county officers and employees, including the maintenance of the appropriate funds, insurance, or combination thereof, to provide such benefits.

3. "Property/casualty program" means a program to cover risks involving county property and county operations, to adjust claims made against the county by third parties, and includes the maintenance of the appropriate funds, insurance, or combination thereof, to provide such coverage.

4. "Safety program" means a program to provide a safe work environment for county officers and employees, to monitor accidents and incidents in the workplace, and to administer a program of industrial insurance for workplace injuries.

SECTION 4.

65.020 Creation of risk management division.

1. There is hereby created the Washoe County division of risk management, which is a division of the office of county manager.

2. The purpose of the division is to administer the health benefits program, the property/casualty program and the safety program of the county.

#### SECTION 5.

##### 65.030 County risk manager: Creation; powers; duties.

1. The position of county risk manager is hereby created. The risk manager shall be appointed by, and serve at the pleasure of, the assistant county manager for finance. The county risk manager is in the unclassified service of the county, and is entitled to receive a salary to be set by the board of county commissioners.

2. The risk manager shall:

(a) Administer the risk management division, including administration of the health benefits program, the property/casualty program and the safety program of the county.

(b) Administer the self-insurance funds;

(c) Review and approve or disapprove all expenditures from the funds;

(d) Pursue subrogation where feasible;

(e) Administer all contracts related to the health benefits program, the property/casualty program, and the safety program;

(f) Develop, initiate and carry out systems of premium charges and deductibles where feasible;

(g) Recommend levels of self-funding and purchased insurance which will protect the operating revenues of Washoe County from the effects of claims and litigation;

(h) Analyze and assess the risks of county activities and business transactions and make recommendations to minimize the risks presented by such activities; and

(i) Review all claims and suits against Washoe County, initiate investigations, coordinate the defense of Washoe County and maintain all necessary records to insure that adequate data are available for use when reviewing self-insurance funding levels. In the absence of the risk manager, the assistant county manager for finance shall perform the duties specified in this subsection.

#### SECTION 6.

65.040 Safety and health inspections. The risk management division shall conduct inspections of county facilities and operations in order to note and make recommendations to correct safety, fire and health

deficiencies. Such inspections shall be coordinated with the department under inspection.

SECTION 7.

65.050 Preparation of statistical information for development of accident-prevention measures. The county risk manager shall have each accident or incident report received in compliance with section 65.010 to 65.220, inclusive, tabulated and analyzed and shall maintain adequate records of insurance losses, injuries, fatalities, and other statistical information useful in the development and maintenance of accident prevention and loss control measures.

SECTION 8.

65.060 Safety program: Legislative findings, declaration. The board of county commissioners finds and declares:

1. The Nevada Occupational Safety and Health Act (NOSHA) (chapter 618 of NRS) was enacted to provide safe and healthful working conditions for every employee and to establish the division of industrial relations of the department of business and industry of the state to supervise and regulate all matters relating to the protection of the safety and health of employees in conformity with the provisions of chapter 618 of NRS.
2. Pursuant to chapter 618 of NRS, all employers in Nevada have duties with respect to places of employment, to furnish safety devices and safeguards, to post information informing employees, and other matters as set forth in chapter 618 of NRS.
3. Pursuant to chapter 618 of NRS, all employers in Nevada must establish a written safety program containing such matters as are covered in NRS 618.383.
4. The Washoe County safety program provides Washoe County officers and employees with conditions of employment consistent with the objective of NOSHA.

SECTION 9.

- 65.070 Policy of the board.
1. The board of county commissioners declares that this section constitutes the safety policy of the board. The policy shall be published as part of the safety program as a separate document and posted in appropriate areas readily accessible to county officers and employees.
  2. The personal safety and health of each employee of Washoe County is of primary importance. To the greatest degree possible, the board of county commissioners shall provide all mechanical and physical facilities required for

personal safety and health in keeping with the highest standards.

3. It is the board of county commissioners policy that Washoe County maintain a safety program conforming with the best practices of local government programs. To be successful, such a program must embody the proper attitudes toward injury and illness prevention on the part of department heads, supervisor and employees and requires cooperation in all safety and health matters, not only among department heads, supervisors and employees, but also between each employee and his fellow workers. Only through such a cooperative effort can a safety record in the best interests of all be established and preserved.

4. The objective of the board of county commissioners is a safety program which will reduce the number of injuries and illnesses to a minimum, not merely in keeping with but surpassing the best experience of other governmental units.

#### SECTION 10.

65.080 Safety program. The county risk manager shall prepare and keep updated a safety program for adoption by the board of county commissioners which program shall comply with NRS 618.383 and NAC 618.540 and 618.542. The safety program shall contain goals to achieve a safe and healthy work environment for county officers and employees. The safety program shall specify the obligations of county and officers and employees with respect to carrying out the provisions of the safety program. The safety program shall also contain procedures for identifying and controlling hazards, requirements for safety training, procedures for accident investigation and corrective action, methods of communicating the safety program and enforcement provisions.

#### SECTION 11.

65.090 County safety officer: Duties. The county safety officer, who shall administer the county safety program, shall perform his duties under the direction of the county risk manager.

#### SECTION 12.

65.100 Posting of safety notices. Department heads shall select a heavily traveled, conspicuous area for a bulletin board where safety notices, bulletins, regulations and posters can be posted. One copy of each of the following publications shall be posted in each designated area:

1. Washoe County safety policy.

2. Departmental safety programs.
3. "Safety and Health Protection on the Job," published by the state division of industrial relations and explaining chapter 618 of NRS.
4. OSHA Form 200, "Summary of Occupational Injuries and Illnesses" (this Summary must remain posted for 30 Days).
5. Emergency telephone numbers.

#### SECTION 13.

65.110 Written reports required for occupationally related injury, illness. The following reports: C1 Notice of Injury or Occupational Disease (to be completed by the employee), Supervisor's Report of Injury (to be completed by the supervisor), and C3 Employer's Report of Industrial Injury or Occupational Disease (to be completed by the department head or designee), shall be submitted to the county safety officer when any occupationally related injury or illness results in:

1. Death, regardless of the time between the injury and death or the length of the illness.
2. Absence from work.
3. Necessity for transfer to another job or termination of employment.
4. Loss of consciousness.
5. Restriction of work or movement.
6. Medical treatment of any kind, including first aid.

These reports shall be prepared and submitted as soon as possible, but not later than 5 days after the injury or illness is reported.

#### SECTION 14.

65.120 Emergency reports. An immediate report shall be made by telephone to the risk management division after any accident which results in serious injury, fatality, possible fatality or which requires hospitalization of three or more employees.

#### SECTION 15.

65.140 Requirements for investigation, evaluation of accidents, incidents. The county safety officer or the county risk manager shall review each accident or incident report prepared by county officers, employees or volunteers, and conduct such investigation as deemed necessary to determine the circumstances related to the accident or incident.

SECTION 16.65.150 County safety committee: Creation; purposes.

1. The county safety committee is hereby created.
2. The purposes of the county safety committee are to:
  - (a) Serve in an advisory capacity to the board of county commissioners, the county manager, the county safety officer and the county risk manager in all matters relating to safety and health of county officers, employees and volunteers.
  - (b) Communicate safety policies to all employees and volunteers.
  - (c) Review all auto accidents or incidents pursuant to the driver's selection training policy, all on-the-job accidents or injuries which result in time-off for an employee, and all accidents or incidents referred by the county safety officer or county risk manager. Where deemed necessary by the committee, the county safety committee may conduct additional evaluations. The county safety committee must make findings of fact and recommend corrective measures, disciplinary measures and future accident-prevention or loss-control measures.
  - (d) Review and recommend action on all safety suggestions.

SECTION 17.65.160 County safety committee: Composition; terms of office of members; chairman.

1. The county safety committee consists of nine members and a majority of the committee constitutes a quorum. The committee members are to be selected as follows:
  - (a) Two department heads, appointed by the board of county commissioners;
  - (b) One representative of the Washoe County Sheriff's Deputies Association, appointed by the association;
  - (c) One representative of the Washoe County Employees' Association, appointed by the association;
  - (d) Two representatives chosen annually by and from the remaining employee organizations which represent county employees which selection shall be made on a rotating basis among those organizations;
  - (e) The county safety officer;
  - (f) The county risk manager; and
  - (g) A director of a division of a county department, appointed by the county manager.
2. The term of office of each member of the county safety committee is as follows:

- (a) The county safety officer and the county risk manager are permanent members;
- (b) The two department heads, the representative from the sheriff's deputies association and the representative from the county employees' association are 2-year appointments;
- (c) The two representatives from the remaining employee organizations which represent county employees are one-year appointments; and
- (d) The director of a division of a county department is a 1-year appointment.

3. At the first meeting of the county safety committee held each year, the committee shall elect a chairman from among its members who shall not be the county safety officer or the county risk manager.

#### SECTION 18.

65.170 Meetings of county safety committee. The county safety committee shall meet every other month and upon the call of the chairman.

#### SECTION 19.

65.180 When member of county safety committee prohibited from participating; effect on quorum and action.

1. A member of the county safety committee shall not participate in the evaluation of an accident involving an officer, employee or a volunteer working in that member's department. The member shall excuse himself from participating in the officer's, employee's or volunteer's review and shall not make findings or recommendations regarding that officer, employee or volunteer.

2. When a member of the county safety committee abstains from participating in a matter by virtue of the provisions of subsection 1, the number of members necessary to constitute a quorum, and the number necessary to take action is deemed reduced by the number of persons abstaining.

#### SECTION 20.

65.190 Responsibilities of the county safety committee with respect to accidents and incidents.

1. Upon notification of an accident or incident as provided in section 65.150, the county safety committee may require additional written information from the officer, employee or volunteer and may interview that person if it deems necessary. The county safety committee may request from the sheriff, the district



attorney or other appropriate personnel technical assistance for the conduct of additional investigation if deemed necessary.

2. After investigation and evaluation, the county safety committee shall submit to the head of the department in which the accident occurred, a recommendation as to whether or not corrective measures should be taken and what future accident prevention or loss control measures might be taken. The county safety committee may also recommend that the person be required to participate in a defensive driving course. The county safety committee shall make such other recommendations as it deems warranted by the circumstances of each case.

3. The recommendation and a record of any corrective measures taken by the head of the department shall be placed in the employee's personnel file for purposes of performance evaluation.

#### SECTION 21.

65.200 Property/Casualty: Reporting requirements following accident, incident or injury. Any person who, while performing services for Washoe County as an officer, employee or volunteer, is involved in an accident or incident involving damage to any property or injury to any other person shall:

1. When required by law, report the accident or incident to the proper authority.

2. Notify the head of his department as soon as practicable after the accident or incident.

3. Forward a written report of the accident or incident to the head of his department within 24 hours or the next working day after its occurrence.

#### SECTION 22.

65.210 Transmittal of written reports by department heads to county risk manager; additional reports.

1. The head of a department who receives a written report pursuant to section 65.200 shall forward the report and any other material relating to the accident or incident to the county risk manager within 24 hours or the next working day of receipt of the written report.

2. The county risk manager may require additional reports to be filed if, in his opinion, the written report is insufficient. In addition, the department head will provide any documents and information requested by the county risk manager to assist the county risk manager in his investigation of claims.

SECTION 23.

65.220 Use, form, contents of written documentation of accidents, incidents. Departmental reports and any other materials relating to an accident or incident which are submitted to the county risk manager pursuant to section 65.210:

1. Remain the property of the department or office which submitted the report or other material.
2. Are confidential and shall not be released to any person other than the district attorney, the county safety officer, the county manager, the assistant county manager for finance and the county risk manager unless the approval of the district attorney is first obtained, except that the county risk manager may release the following reports and materials to a claimant or his legal representative:
  - (a) Accident, incident or injury reports specifically made on forms provided by the county risk manager and prepared for the county risk manager; and
  - (b) Booking and Property Reports, sheriff's office form S-15, pertaining to any claim that the sheriff's office lost the property of an inmate.
 The county risk manager or county safety officer shall provide access to records as provided in NAC 618.577.
3. Are for use in accident prevention, loss control and such disciplinary action as may be warranted against the employee involved.
4. Shall be submitted in such form as may be prescribed by the county risk manager.
5. May include estimates of vehicle, property and liability losses as well as information sufficiently detailed to disclose, with reference to the accident or incident, its cause, the conditions then existing and the persons and property involved.

SECTION 24.

65.240 Authority of county risk manager to administer claims on behalf of Washoe County.

1. The county risk manager shall review all claims submitted to or by Washoe County and shall either approve or disapprove such claims pursuant to the provisions of this section.
2. The county risk manager may settle a claim up to \$1,000. Once a week, the risk manager shall prepare a list of all claims which have been settled pursuant to this subsection and forward it to the assistant county manager for finance.
3. The county risk manager, after consultation with the assistant county manager for finance and the district attorney, has sole authority to negotiate and

settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is less than \$10,000.

4. The county manager, after consultation with the county risk manager, the assistant county manager for finance and the district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$10,000 or more but less than \$25,000.

5. The board of county commissioners, after consultation with the county risk manager and district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$25,000 or more.

#### SECTION 25.

##### 65.250 Health benefits program.

1. The health benefits program shall provide quality insurance plans covering eligible county officers and employees and their dependents, and to qualified retirees and their dependents.

2. The health benefits program shall assist enrollees and dependents in accessing the health care system and provide education to insure appropriate and prompt delivery of service.

3. The health benefits program shall establish and maintain eligibility, written plan documents and provider listings, and provide communications relating to health benefits and wellness to enrollees and family members.

#### SECTION 26.

##### 65.260 Administration of health benefits program.

1. The county risk manager shall preside over and make recommendations for the health benefits program in negotiations with employee organizations.

2. The county risk manager shall oversee the preparation of the health benefits program and present it to the board of county commissioners for adoption. Once adopted, the county risk manager will administer the health benefits program.

3. The county risk manager shall prepare statistical information on claims associated with the county's self-funded plans to substantiate expenses and use in evaluation, plan development and claims forecasting.

4. The county risk manager shall review and approve all expenditures for claims and vendor contracts.

5. The county risk manager shall preside over the Insurance Appeals Committee established to review

denied claims and benefits associated with the self-funded insurance plans.

6. The county risk manager shall administer the prefunded retiree health fund.

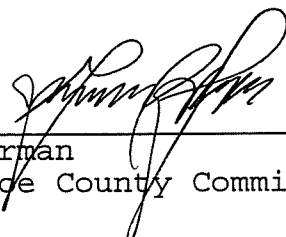
Proposed on the 8TH day of JULY 1997.  
Proposed by Commissioner JOANNE BOND.  
Passed on the 22ND day of JULY 1997.

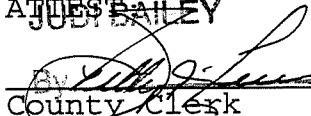
Vote:

Ayes: JOANNE BOND, JIM GALLOWAY, MIKE MOULIOT,  
JIM SHAW, and GRANT SIMS

Nays:

Absent:

  
\_\_\_\_\_  
Chairman  
Washoe County Commission

~~JUST BAILEY~~  
  
\_\_\_\_\_  
Chief Deputy  
County Clerk

This ordinance shall be in force and effect from and after the 8TH day of AUGUST, 1997.