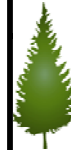


KMIP Komments

April 2011



KMIP

Kettle Moraine Insurance Professionals

Board Member Spotlight: Frances Clawson, API, CISR, CPIW 2011 Region V Conf, Rockford, IL

The IL Council did an incredible job hosting this year's regional conference. Eighteen KMIP members attended, two of them First Timers. A great time was had by all networking, meeting old and new friends, taking educational classes, committee meetings, and having lots of fun!

Thursday evening started with the WI Council dinner at the Machine Shed. Friday morning began with workshop classes and the business meeting in the afternoon. The Friday evening Welcome Party with the Favorite Storybook Characters brought out a lot of dogs (101 Dalmatians), Blind Mice, Mice that could see, and KMIP's Prince Charming Aaron Rodgers theme was a lot of fun! Saturday the business meeting continued followed by a Recognition Luncheon. Maggie O'Toole was remembered fondly for her love of NAIW and her MAP scholarship program. Saturday evening concluded with dinner, award presentation, and a terrific band from the Rockford area and impersonator performing.

Jane Densch, NAIW (International) Secretary, provided an update on membership and webinar offerings from National. Mary Ann St. Marie, CPIW, Region V Vice President kept the meetings moving with her own personal brand of insight and humor. Twenty-four delegates were present and voted unanimously to add the dba to the corporate name of National Association of Insurance Women (International): Association of Insurance Professionals International. If the amendment is passed at national conference, the dba is the name which will be used.

Congratulations to Linda Luka, our 2012 Region V VP and Sue Van Camp for Delegate to the International Nomination Committee. Jen Weiteman did KMIP proud representing WI as a CWC contestant.

Juggling Elephants presented by Nora Stransky was based on a book authored by Jones Loflin and Todd Musig. Life was compared to a three ring circus and how the ring master keeps things running in a smooth balance, between work/professional ring, relationship ring, and maintenance of your personal self ring.

Generational Differences in the Workplace condensed a three hour course into 45 minutes. Terry Feinberg shared briefly the differences between the generations and how to engage with each. Radio Generation (1926-1945) - doesn't like rapid change, law and order, productive, and respond to mail marketing. Baby Boomers (1946-1965) - Me Generation, idealistic, defined by their job, need a title, respect needs to be earned. Gen X (1966-1985) - Realistic, latch key kids, work to live, loyal to professions, but aren't willing to pay dues, college educated, instant gratification. Gen Y (1986-2005) - reality TV, personal space, "Throw it away", immediate gratification. If you have an understanding of their life influences, who they are, and their values, the better you will know how to market to each age group appropriately.

E & O Hotspots -Don't Get Burned an NAIW course highlighted risks being created by new technology, dangers of non-standard markets if not explained correctly. Gloria Thompson hit upon the areas to watch and stressed documentation in the event you need to have a trail to show coverage was offered and customer chooses not to accept.

Susan Cassidy, an agent with R.W.Troxell & Company, gave a summary of the current Health Care Reform law passed in 2010. The provisions can be found at HealthCare.gov/law, which lays out the provisions of the Affordable Care Act by Year.

Keynote Speaker Larry Scott was dynamic, revving us up on "The Power of Relevance". Companies are all getting more done with less. Technology is moving forward. He mentioned the IBM computer Watson who played on Jeopardy in February of this year as an example of changing technology. "The Power of Relevance" consists of five powers: Energy - disengaged employees cost companies major bucks. An energized employee is an engaged employee; Innovation - Simplicity is the ultimate sophistication (Steve Jobs). Make it easy for customers to do business with you; Do not be afraid, be courageous. Submit ideas. You may be rejected, but put the ideas out there. Don't give up; Reinvention - You become no longer relevant if you don't continue to change. Example: Blockbuster didn't change and Netflix came up with a better idea. Apple IPOD, IPADs-continually changing; Personal Brand - Be the person people go to. Develop ability to manage multiple tasks, inspire others, sensitive and aware of advantage of diversity. Be a planning guru; Self Awareness - Feedback is positive and designed to help you improve. Accept it positively and utilize it to grow. Be prepared. Educate yourself in multiple areas. You will become a valuable employee through education and diversifying.

Looking forward to next year in Independence Missouri March 29 to April 1, 2012. Hope to see you there!!

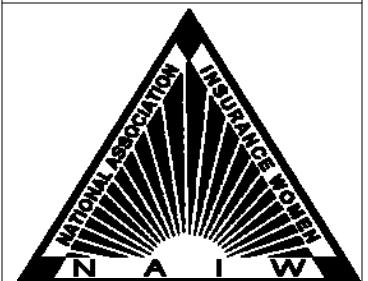
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designations earned for publication
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awulf@wbmi.com



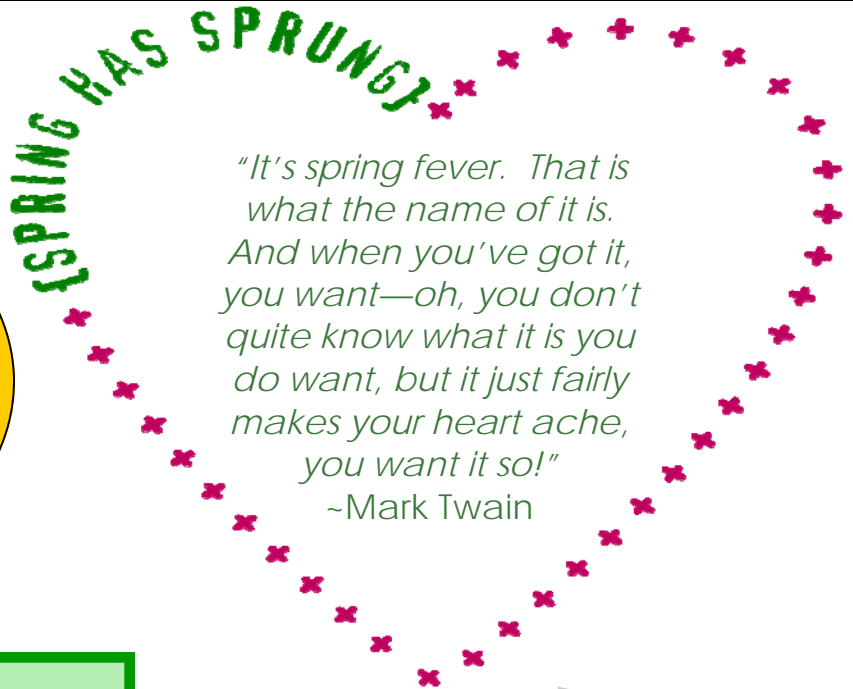
*"To provide all members
with a comfortable &
encouraging environment,
with opportunities to
learn, share, and grow
through education and
networking"*



Calendar of Events

| | | |
|--------|---------------------------------------|-----------------|
| Apr 20 | Monthly Mtg-Wills/Estate/Pre-Planning | West Bend |
| May 2 | KMIP Board Meeting (5 pm) | Brisco County |
| May 18 | Year-End Banquet | WB Country Club |

**CONGRATULATIONS
LINDA LUKA**
for being elected RVP of
Region 5!!!
We are so proud of you!



"It's spring fever. That is what the name of it is. And when you've got it, you want—oh, you don't quite know what it is you do want, but it just fairly makes your heart ache, you want it so!"
~Mark Twain

Officers 2010-2011

- President: Amy Baier
ABaier@wbmi.com
- Vice President: Joan Kuhn
JKuhn@wbmi.com
- Treasurer: Meri Lou Chambers
MChambers@wbmi.com
- Secretary: Karrie Isken
KIsken@wbmi.com
- Board Members: Jen Weiterman
Fran Clawson
Mary Wittmann
- WEBSITE: www.kmipwi.org

Thanks to all those running for the 2011-2012 board and to the nominating committee for all their hard work in getting the April election organized.



Running for 2011-2012 Board:

- President: Joan Kuhn
- Vice President: Jen Weiterman
- Treasurer: Jess Greisch
- Secretary: Karrie Isken
- Board: (pick 2)
-Deb Frydach
-Cindie Pitz
-Cherie Vita-Lenk
-Laura Brown
-Barb Bauer

April 2011 KMIP Meeting

Join us for fun, fellowship, and insurance knowledge

Place: West Bend Mutual Insurance Co
1900 S 18th Ave
West Bend, WI 53095

When: Wednesday, April 20, 2011

Time: Networking ~ 5:00 PM
Cash Bar Available

Dinner: 5:45 PM

Mandarin Orange Salad ~

Greens tossed with mandarin oranges, peppers, shredded carrots, diced celery and sesame ginger vinaigrette

Pork and Vegetable Egg Rolls ~

Teriyaki dipping sauce

Beef and Broccoli Stir Fry

Chicken Chop Suey ~

Chicken, peppers, baby corn, pea pods, bean sprouts, and water chestnuts in a thickened chicken Soy Sauce

Steamed White Rice

Fortune Cookies

Coffee

Cost: \$18 ~ Payment by check or exact cash when checking in. Checks are to be made payable to KMIP.

Program: *Elaine Shanebrook – Shanebrook & Falkowski Law Office*

Wills and Estate Planning

Amy Schmidt – Schmidt Funeral Home

Pre-planning

Joan Kuhn – West Bend

New OSHA construction directives

Board Member Elections

RSVP: Not later than noon Thursday, April 14, 2011 to Mary Wittmann at MWittmann@wbmi.com

Reminder ~ if you respond that you are attending the meeting and do not attend, you will still be charged for the cost of the meal.

Save the Date-Formal Invite Coming Soon!!

May 18th – KMIP Year End Banquet at West Bend Country Club

- Jack Riesch of R&R Insurance
- Amy's Presidential Farewell
- Awards and Installation of new Officers

MORE CONGRATULATIONS

To **Janine Prusow** as candidate for Insurance Professional of the Year.

To **Jen Weiterman** who did a phenomenal job in the CWC competition.

West Bend's 20th Annual



Cleanup Greenup

Saturday, April 30th

Clean Up OUR Parks

Clean Up Your Neighborhood

- Check-in, 9am-Noon at the new Regner Park Pavillion
- Garbage bags & area assignments available at Check-in
- **Go for the Gold** - Find 20 special golden soda cans in district parks and redeem for prizes when you bring litter back to Regner Park check-in
- Clean up your neighborhood any time during May



Sign-up ahead of time:

Phone: 262-335-5083

Email: wbbc@ci.west-bend.wi.us

Online: www.westbendbeautificationcommittee.org

Or just show up on April 30th!

Sponsored by:

West Bend Beautification Committee



Please contact Joan Kuhn at JKuhn@wbmi.com if you plan on attending. KMIP will be in charge of cleaning 18th Avenue between Paradise Drive and Decorah Road.

Please remember to bring sturdy gloves. Joan will bring trash bags from the city. We will accumulate our bags and drop them in a few spots along the road so the city truck can pick them up.

Please meet in the R&R Agency parking lot. Connie will have keys to get us in the building if anyone needs to use the restroom.

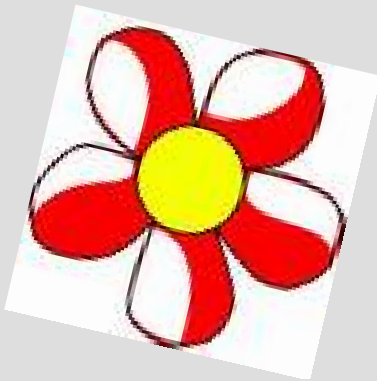


"It's an easy job son, you'll 'pick it up' as you 'go along'!"



*"If we had no winter,
the spring would not be
so pleasant; if we did
not sometimes taste of
adversity, prosperity
would not be so
welcome."*

~Anne Bradstreet



Company fined \$116,000 for fatality; employee crushed

By Fred Hosier safetynewsalert.com

Here's a story you can share with employees and supervisors about why lockout/tagout is so important:: It's too often a matter of life or death.

OSHA has fined Buckhorn, Inc. \$116,000 in connection with a Oct. 7, 2009 fatality at its Springfield, MO, plant.

Toby Hall, a 31-year-old father of four, was inside a plastic injection molding machine. However, a co-worker thought Hall had gone to get a tool. The co-worker started the machine, and Hall was crushed to death.

OSHA says the workers shouldn't have been allowed to work on the machine without it being locked and tagged out. Buckhorn has been cited for one willful and 15 serious violations.

The willful violation is for failure to ensure the plastic injection molding machine was locked out when employees were performing maintenance inside the machine.

OSHA also found a variety of serious violations involving obstructed emergency exits, confined spaces and a lack of training.

Product warnings: Are these 6 really necessary?

By Jared Bilski CFO Daily News

In today's corporate world, businesses often have to provide painfully detailed warnings about their products and services to ensure that they don't end up on the wrong end of a lawsuit.

While it's clearly better to err on the side of being cautious, some of these warnings seem silly, stupid or redundant.

Here are six of our favorite examples — courtesy of bored.com:

1. **Mattress:** Do not attempt to swallow.
2. **Hotel-provided shower cap:** Fits one head.
3. **Cardboard windshield sun shade:** Do not drive vehicle with sun shade in place.
4. **Portable stroller:** Remove infant before folding stroller for storage.
5. **Railroad station sign:** Beware! To touch these wires is instant death. Anyone found doing so will be prosecuted.
6. **Electric thermometer:** Do not use orally after using rectally.

Failure To Document Can Be Costly Error

National Underwriter P&C 2/1/10

By Mark E Ruquet, PropertyCasualty360.com

If any agents or brokers doubt how expensive the simple act of not documenting a client's requests can be, all they need do is review a recent case in California where one brokerage is facing a \$5.8 million judgment. In that case--*Williams v. Hilb, Rogal & Hobbs Insurance Services of California*--the Court of Appeal of California in Los Angeles upheld a lower court's decision that the broker failed to secure workers' compensation insurance for its client.

According to court papers, the court had to decide if the broker was negligent "in advising on, procuring and maintaining an insurance package for a new business venture" that did not include workers' comp. In the court's decision, John Daniel Williams and Steven Stuart Simon opened a business--Rhino Linings of Santa Fe Springs, Calif. (Rhino SFS)--that sprayed protective lining onto the beds of pick-up trucks.

In 1999, Mr. Williams, who was responsible for securing insurance for the company, was put in touch with Robyn Thaw of the insurance agency Robert F. Driver Company. She represented herself as knowledgeable about the product and had a "custom designed insurance package" for their operation. When the policy was secured, Mr. Williams reviewed it and believed everything was in order. Not being experienced with insurance, he was not aware the policy lacked workers' comp coverage.

After switching employers, Ms. Thaw eventually found herself at HRH. During that time, Rhino SFS remained a client, securing coverage through her, but never purchasing workers' comp. In 2001, an employee of Rhino SFS was severely burned in a spraying accident. Subsequently, the company discovered it did not have workers' comp coverage.

The employee sued and won a judgment for more than \$11 million, of which Rhino SFS was responsible for half. After the jury award, Williams and Simon sued HRH for negligence. The suit was tried before Judge William J. Birney Jr. without a jury.

Ms. Thaw testified that she thought the client understood there was no workers' comp coverage and would secure it elsewhere. However, there was no documentation or memorandums stating that the plaintiffs were aware of the absence of the coverage, which is required by California law. There were procedures in place at the agencies to ensure proper documentation, but Ms. Thaw apparently did not follow the procedure, the court papers indicated.

The court found that Ms. Thaw "acted as more than an ordinary agent" regarding the Rhino product, and created new insurance packages for the clients, never including workers' comp coverage. Mr. Williams and Mr. Simon, Judge Birney said, made a reasonable assumption that they had the proper coverage and relied on Ms. Thaw to secure all necessary coverage. He found their statements on the issue more credible than the broker's.

The appeals court upheld Judge Birney's finding that HRH is responsible to pay \$5.83 million, plus interest and court costs. Ed Garson, an attorney who specializes in defending complex litigation involving professional liability cases, and a partner in the San Francisco office of the law firm Wilson Elser, noted by e-mail, "*Williams* does not really set a new precedent, but stands for the basic proposition that, 'If it's not in writing, it doesn't exist.'"

He added that "the file should speak for itself. People's recollection is fallible, and in the face of a \$5 million claim, may be viewed by a jury as untrustworthy. A written confirmation can be persuasive evidence of what actually occurred."

As far as what producers should do to avoid such issues, "document your file," Mr. Garson suggested. "Confirm in writing what services you have agreed to perform. If you get in the habit of sending a confirming e-mail as a matter of practice, you can avoid some of these claims, and better defend others."

He added that the *Williams* case "teaches that documenting a decision by your client not to obtain certain coverage may be as important as documenting the terms and conditions of any offer."