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PHONE & DRIVE

March 2017

Handsfree in Iowa

THE NEW CAT® 12M3 MAKES THE GRADE



The new Cat® 12M3 motor grader and its all-wheel-drive (AWD) counterpart not only meet EPA Tier 4 Final emission standards, but also provide improved fuel efficiency and operator comfort.

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The Iowa County

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ISAC's Mission:

To promote effective and responsible county government for the people of Iowa.

ISAC's Vision:

To be the principal, authoritative source of representation, information and services for and about county government in Iowa.

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** The views and opinions expressed in articles authored by anyone other than ISAC staff are those of the authors and do not necessarily reflect the official policy or position of ISAC.

Hands Free in Iowa

The Iowa State Sheriffs' and Deputies' Association has formed a coalition with other groups who are equally concerned about phone use while driving. Our coalition is made up of public safety, wireless communications and insurance groups, united together to inform lawmakers of the need for a "Hands Free Communications While Driving" bill. This bill would make it a primary offense to use a hand-held electronic communication device while operating a motor vehicle unless used in hands-free or voice activated mode. This would include but is not limited to text, email, social media, and talking. The penalty would be a scheduled fine and moving violation. Exemptions for existing public safety and emergency use would be maintained.

The current law is aimed at texting and emailing only. I don't think anyone would disagree that there are many other uses for a phone, and they are all equally distracting to the driver. Some of those other uses include selecting songs from your music library, checking Facebook, typing addresses, and even playing video games. There have been lawsuits filed due to fatality accidents allegedly caused by drivers distracted while using Snapchat to record how fast they were driving and from using Apple's FaceTime videophone feature. ABC news published a video of a driver smashing into the back of a police car, while officers were standing next to the car. This collision was captured on the officer's body worn camera and shows the driver exiting his vehicle after the collision with the phone still in his hands. Surprisingly the driver admits to playing Pokémon Go, which led to the collision. This acknowledgement is rare as most incidents of distracted driving due to phone use are highly underreported because of the difficulty in proving such. (See 2013 report published from the National Safety Council).



Major John Godar
ISSDA Immediate Past President
Linn County Sheriff's Office

text
search
post
view
email

No is worth a life.



Eyes on the road,
not on your phone

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Hands Free in Iowa

Using a phone requires the driver to hold onto the phone (physical distraction), look at the phone (visual distraction) and think about what they are doing (mental distraction). This bill removes two of the three distractions by getting the driver's hand back on the wheel and their eyes back on the road. There will always be mental distractions, but we can at least remove the physical and visual distractions caused by phone use.

Under our current "texting" law, all of these other activities with a phone are legal while driving a vehicle on a roadway. We think that is a big problem and needs to be resolved by implementing a "Hands Free Communications" law while driving. A problem we've seen the last couple of years is an inclination by some lawmakers to make the current texting law a primary offense. We need to inform lawmakers that merely making the current law a primary offense will not help us! Law Enforcement must have proper "Probable Cause" to pull a vehicle over. That means the officer needs to be certain (more than a reasonable suspicion) that a crime has occurred (traffic offense) and that the person being pulled over has committed said offense. If I see a driver holding a cellphone and manipulating the screen, how could I know if they are texting or playing a video game or some other legal activity? There is no way for law enforcement to have adequate probable cause to know that the driver is actually texting or emailing so there is insufficient grounds to pull the driver over, making the law unenforceable.

Having a law that encompasses all of the distractions caused by a phone, keeping it simple for drivers to understand and for law enforcement to administer are all steps that will encourage and improve compliance with this law...and that should be our real goal! Crashes involving distracted driving have gone up dramatically in the last few years. In 2016 we saw 403 fatality collisions and many other serious injury accidents.

ISSDA believes that the bill we are introducing is a positive step towards improving public safety while at the same time providing a compromise by allowing phones to be used in "hands free" mode. We appreciate lawmakers being receptive to this issue and hope that we will be able to get this law passed this year. I encourage anyone that is concerned about this issue to reach out to your lawmakers and let them know. Many of them tell us that they don't hear from constituents that this is a concern so please let them know if you support this proposal. Thank you to ISAC for highlighting the importance of this issue, and I wish you all safe travels.

Please let us know if you have any questions about this proposed bill.

Nearly 4 in 10 social network while driving.¹

27% Facebook

14% Instagram

14% Twitter

11% Snapchat

49%
Nearly half
of commuters admitted
to texting while driving.²

¹ Research commissioned by AT&T and conducted by Braun Research. Polled 2,067 people in the U.S. aged 16-65 who use their smartphone and drive at least once a day.

² Commuter survey conducted by ResearchNow on behalf of AT&T.

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Hands Free in Iowa

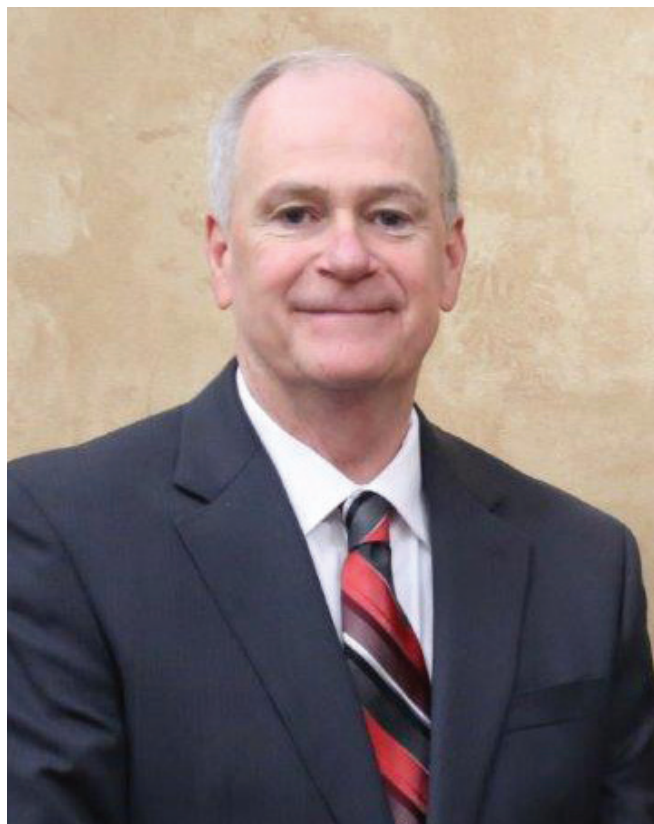
As a lifetime Iowan who has spent his entire adult working career in public safety, I've seen some pretty amazing things! In 1983, the year I joined the Iowa State Patrol, Iowa recorded 510 traffic related fatalities. In the 1980's, nearly half of our state's traffic fatalities were alcohol related, and in 1986, the year that Iowa required its citizen's to buckle up, Iowa had an 18% seat belt compliance rate.

Thankfully, things have improved considerably in our state since then. In 2015, less than 25% of fatalities in Iowa are alcohol impaired, and Iowa boasts one of the highest seat belt compliance rates in the nation at 94%. In 2015, Iowa's traffic fatalities had been reduced to 320. The fatality trends have been moving in the right direction but by any measure are still unacceptable.

Tragically, in 2016, Iowa saw a staggering 26% jump in traffic fatalities from the previous year, and this follows the national trend of increased fatalities. As safety advocates analyze and critique crash data, it's clear that distracted driving is playing a major role in the increase in traffic fatalities.

So what can be done to address this issue? Safety advocates like us at the Governor's Traffic Safety Bureau (GTSB) and many others believe strengthening Iowa's texting law is a great place to start. Currently, Iowa is one of five states that have a secondary texting law, meaning that drivers can't be stopped for texting and driving alone, there must be another traffic offense to allow law enforcement to make a stop. In its current form law enforcement find it difficult to enforce this law.

During the 2017 legislative session, the Department of Public Safety will introduce a hands-free texting law that would expand Iowa's current law. Our current law prohibits the use of hand-held electronic communication devices to write, send or read text messages while driving a motor vehicle. The hands-free bill would expand the provision to prohibit any use of an electronic communication device while driving unless in hands free mode. Current exemptions such as calling 911 would remain in place.



Patrick J. Hoyer
Bureau Chief
Governor's Traffic Safety Bureau

75%

of teen drivers say texting while driving is "common among their friends".³

3. AT&T Teen Driver Survey.

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Hands Free in Iowa

Additionally, this bill would change Iowa's law from a secondary offense to a primary offense, removing the need for another violation to occur before law enforcement can address the issue. One lesson we have learned from past experience is that laws that are stringently enforced do have higher compliance rates.

I am hoping by now that most of you have heard the alarming statistics that are associated with texting and driving that include; driving a vehicle while texting can be more dangerous than driving while intoxicated and texting and driving is now the leading cause of death among U.S. teenagers. Even without piles of data to review, we all have witnessed firsthand the car that drops off onto the shoulder or doesn't move when the light turns green because they are absorbed in their phone. Unfortunately, this isn't just annoying, it can be deadly.

I often times receive email or phone calls wanting to know why the focus of Iowa's law is on texting and not on just a distracted driving law in general. While experts certainly agree that any form of distraction to a driver is potentially dangerous and should be avoided, texting and driving receives the most attention because it requires the driver to take their eyes off the road, their hands off the wheel and their mind off of driving as they prepare a response to send on their phone.

One of the best things about living in Iowa, and there are many, is that at the end of the day more often than not we do things the right way. The dramatic decreases in fatalities I mentioned earlier didn't just happen, they were in part the result of city, county and state personnel working together to make Iowa a better, SAFER place to live. ISAC can certainly be proud of its contributions!

I will close with this thought, while passing a hands-free texting bill will certainly enhance safety on the roads for all of us, we as individuals must also take responsibility for our actions and put our cell phones away as we drive. It won't be easy, but it's necessary.

Stay safe!

82%

of drivers

who have taken action to stop texting while driving feel good about themselves.⁴

78%

of teen drivers

say they are likely not to text and drive if friends tell them it's wrong or stupid.⁵



⁴ AT&T Compulsion Research.

⁵ ConnectSafely.org survey sponsored by AT&T.

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Legal Briefs

Legal Theories for Sanctuary Cities

On the campaign trail President Trump promised to cancel all federal funding to sanctuary cities who do not cooperate with the federal government in enforcing federal immigration law. True to his word, President Trump has signed an executive order stating that sanctuary cities are “not eligible to receive Federal grants,” with some unclear exceptions.

Whether and when this executive order will lead to cities losing federal funding, and how much, is unknown. New York City mayor Bill de Blasio has vowed to sue the federal government “the minute action to withhold funding” occurs.

Much has been written about what legal theories could be relied on to challenge the cancelling of federal funds. It is difficult to gauge the strength of these theories because all are rooted in Supreme Court precedent applying broad constitutional provisions in fact contexts different than this executive order.

Below are a few possible legal theories cities may rely on if they sue the federal government. The first three are based on limitation the Supreme Court has found in the Constitution’s Spending Clause. In short, the Spending Clause allows the federal government to place conditions on money states and local government receive—to a point. The final theory rests on the Tenth Amendment.

If sanctuary cities sue the federal government they are likely to allege that cancelling all federal funding is “coercive” under the Spending Clause. In *NFIB v. Sibelius* (2012), Chief Justice Roberts famously described the federal government’s plan to withhold all Medicaid funding if states refused to agree to the Obamacare Medicaid expansion as a coercive “gun to the head.” In that case states stood to lose over 10% of their overall budget by not agreeing to the Medicaid expansion. Many sanctuary cities would stand to lose that percent of their budget—and more—if they lost all federal dollars.

As George Mason University School of Law professor Illya Somin points out in a Washington Post article, the fact that the statutory language of most, if not all, federal grant programs to cities doesn’t require cities to assist the federal government with immigration enforcement is another possible ground for sanctuary cities to challenge this executive order. In decisions, including *Pennhurst State School and Hospital v. Halderman* (1981), the Supreme Court has stated that when Congress, using its spending power, imposes conditions on the receipt of federal funds it must do so “unambiguously.”

The Supreme Court also has held that per the Spending Clause conditions Congress place on grants must be “germane” or “related to” the federal interest in the grant program. In *South Dakota v. Dole* (1987), the Court noted approvingly that South Dakota didn’t challenge the “germaneness” of the Secretary of Transportation withholding a percent of highway funds to states that did not raise the drinking age to 21.

Now imagine if Congress “unambiguously” conditioned a number of federal grant programs for roads, health care, education, etc. on cities assisting with federal immigration enforcement. Cities could argue these conditions are not “germane” or “related to” the federal interests in funding roads, health care, or education.



Lisa Soronen

Executive Director, State & Local Legal Center
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Executive Orders 101

President Obama, like most of the Presidents that recently preceded him, issued about 300 executive orders. On the campaign trail President Trump promised to cancel President Obama's "unconstitutional" executive orders. Meanwhile, in his first days in office President Trump has signed a number of executive orders of his own.

Through executive orders Presidents are able to direct the work of administrative agencies and implement authority granted to the President by a federal statute or the U.S. Constitution.

Executive orders are controversial because no provision of the Constitution explicitly authorizes them. Regardless, they have been used by every President (except one) since George Washington.

Executive orders, while considered to have the force of law, can't be used to overturn laws but can be overturned by Congress.

The U.S. Supreme Court has declared some executive orders unconstitutional. Perhaps the most famous example is the 1952 case of *Youngstown Sheet & Tube Co. v. Sawyer*. The Supreme Court struck down President Truman's executive order directing the Secretary of Commerce to seize and control all the United States steel mills. The Supreme Court ruled that neither the Constitution nor the laws of the United States authorized this action.

More recently the Supreme Court agreed to decide if President Obama's executive order allowing certain undocumented immigrants to stay and work in the United States indefinitely was unconstitutional. The Supreme Court issued a 4-4 decision last summer which effectively affirmed a lower court ruling striking down the executive order on grounds other than it is constitutional.

Can President Trump cancel President Obama's "unconstitutional" executive orders? Yes, and he can reverse President Obama's "constitutional" executive orders as well. For example, President Trump has already reinstated the "Mexico City Policy" policy by executive order, which prohibits non-governmental organizations that receive federal funds from providing or promoting abortions overseas. Since President Reagan, Democrat and Republican presidents have alternatively cancelled or reinstated this policy by executive order.

More relevant to state and local government President Trump may reverse Obama executive orders on climate change, energy, and immigration.

The Tenth Amendment reserves powers not delegated to the federal government to the states. The Supreme Court has interpreted the Tenth Amendment to contain an anti-commandeering requirement where states and local governments cannot be required "to enact or administer a federal regulatory program." For example, in *Printz v. United States* (1997), the Court struck down a federal law requiring local police departments to perform handgun background checks until the federal government could manage the task. Sanctuary cities could argue that they cannot be commandeered into enforcing federal immigration law.

Editor's Note: Join Lisa during the ISAC Legislative Conference from 9:00 am - 10:15 am on March 9 as she gives a Supreme Court Update for Counties. This ISAC Educational Seminar will discuss many cases of interest to counties that are currently on the Supreme Court docket that involve issues from police shootings to property rights disputes. The near future may also include challenges to the Waters of the United States definition, the Clean Power Plan, and the Fair Labor Standards Act overtime regulations. And what are we to expect from the newest Supreme Court Justice? Don't miss it!

Technology Center

Passwords and You: How to Ensure Yours is Strong Enough

Strong Passwords Are Important

A strong password can help protect your accounts from intrusion. Many hackers gain access to computers through the use of brute force attacks against users' passwords. This means that they simply guess at common passwords until they find the one in use on a computer. This becomes much more difficult with strong passwords; therefore, no one should ignore the importance of password strength.

Password Length

The length of a password is, perhaps, the number one factor in its security against brute force attacks. As an example, a password that is only lowercase characters of even as many as nine letters can be cracked in less than two hours by even a moderate attack. By comparison, one of just 15 lowercase letters would take the same attacker thousands of years to break using the same attack method.



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For this reason alone, you should always use longer passwords where possible. But many people purposefully use passwords of a minimum length so they are easy to remember. There are other, better ways to remember a password, though, which I will discuss.

Characters

In addition to length, character variety is very important. A password that uses only lowercase characters is weak; one with both uppercase and lowercase is stronger; one with uppercase, lowercase, numbers and symbols is the best option.

As an example, the password 'squirrel' is relatively weak. 'Squirrel' is better, and '13Squirrels!' would be even better.

Replacing Letters

Many people believe that replacing letters in a common password will make it stronger. However, this is a very common practice and one hackers are familiar with. As an example, people believe that while using 'password' is weak, 'p4ssw0rd' is not. Since hackers are familiar with this tactic, though, this should not be relied on.

Creating a Strong, Memorable Password

You might be asking, then, how you can create a strong, easily remembered password. The easiest answer is to come up with a phrase you can remember. If you don't have a maximum password limitation, use the whole phrase for your password. Otherwise, use just the first letter of each word.

For instance, you could use the sentence, 'Readers of the ISAC magazine now have 4 good tips for creating strong passwords!' This contains capitals and lowercase, numbers, and even an exclamation point. But, if you are limited to 15 characters for a password, you can change that to 'RotImnh4gtfcp!' When you need to type this password, remember your phrase and you should have no trouble recalling the letters.

Hopefully these points will help you in creating good, strong passwords you can remember every day.



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ISAC Meetings

2017 Smart Connections Conference

ISAC and the County Strategic Technology Advisory Resource (CoSTAR) in cooperation with the Iowa Communities Assurance Pool (ICAP) are excited to announce the 2017 Smart Connections Conference: Learn | Innovate | Solve which is being held April 27 at the Holiday Inn Airport in Des Moines.

The conference is meant for all local government officials and employees who want to learn more about: being innovative while being inundated; managing technology; digital strategy and social media; building a technology foundation; and finding solutions for local governments. Registration for this jam packed, one-day conference is only \$100 and includes all handouts and meals. A full agenda is included on the next page.

Learn together, innovate together, and solve together.

2017 ISAC Leadership Institute

The 2017 ISAC Leadership Institute will be held in each of ISAC's six districts in May and June. The topic of these one-day trainings will be Performance Management and Effective Performance Reviews. Registration is now open and will include morning refreshments, lunch and all materials. CEU credits will be offered by select affiliates. Dates and locations are as follows:

- May 11 - Des Moines Area Community College, Des Moines
- May 24 - Iowa Central Community College, Storm Lake
- May 25 - Indian Hills Community College, Ottumwa
- May 31 - Kirkwood Community College, Cedar Rapids
- June 7 - North Iowa Area Community College, Mason City
- June 8 - Iowa Western Community College, Atlantic



Kelsey Sebern

Meeting/Event Administrator

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2017 ISAC Excellence in Action Awards - Call for Nominations

The Excellence in Action Award program is a competitive awards program that seeks to identify and recognize innovative county government employees, programs, and ISAC affiliates. Please encourage all county departments to apply. Awards will be presented at the 2017 ISAC Annual Conference which is being held August 23-25 in Des Moines.

Details regarding criteria, guidelines and judging are available on the nomination form that is available at www.iowacounties.org. Please contact Robin Harlow, ISAC's Innovation and Research Manager, at 515.369.7006 or rharlow@iowacounties.org with any questions.





April 27, 2017
Holiday Inn Airport Conference Center, Des Moines

Agenda

9:00 am - 9:30 am	Registration (Iowa Foyer)
9:30 am - 9:45 am	Welcome – Bill Peterson, ISAC Executive Director (Iowa A)
9:45 am - 11:30 am	Keynote Presentation – Jeff Tobe (Iowa A) How to be Innovative when Inundated
11:30 am - 12:15 pm	Lunch (Courtyard)
<u>Breakout Sessions</u>	
12:15 pm - 1:15 pm	Jeff Tobe (Iowa A) The Keynote Speaker will expand on his discussion with a more detailed approach to technology issues facing local governments in Iowa.
12:15 pm - 1:15 pm	How Local Government Can Use Social Media to Spread a Message and Build Trust – Drew Harden, President and Co-Founder, Blue Compass (Iowa BC) Organizations that effectively communicate via social media have the ability to greatly influence and build trust with their audiences. This session will share how you can more effectively reach your audience through proven social media practices that don't require a big budget. Attendees will leave with clear, actionable ways to provide better content for their audience, boost engagement on platforms like Facebook, Twitter and Instagram, and drive more traffic to their website.
12:15 pm - 1:15 pm	Broadband: What Rural Local Government Officials Need to Know – Broadband USA (Iowa DE) Learn the importance of broadband programs designed to help counties accelerate broadband deployment, deepen broadband adoption, strengthen local policies, and advance local priorities.
1:15 pm - 1:30 pm	Break
1:30 pm - 3:00 pm	Managing IT – Panel Discussion (Iowa A) This moderated panel discussion will allow for individuals from varied backgrounds to discuss managing information technology. Topics include personnel, hardware, outsourcing vs. insourcing, websites, software, building a technology foundation and much more. This casual discussion will allow time for comments and questions from attendees.
3:00 pm – 3:15 pm	Break
3:15 pm - 4:00 pm	Solutions for Local Governments (Iowa A) Led by the County Strategic Technology Advisory Resource (CoSTAR), this session will allow for the group to use what they've learned to create action plans to take home.

Editor's Perspective

Tribute to a Trustee

The focus of the July 2010 issue of this magazine was townships and township trustees, and it featured one Clayton County Township Trustee in particular – Mr. Owen Kann. We recently received word from Mr. Kann's family that after 26 consecutive two-year terms as Jefferson Township Trustee their father had decided to retire and did not run for reelection in 2016.

We felt that some of our readers would be interested to know this, and that some new readers would be interested in reading the story. Either way, it's worth once again paying tribute to an elected public servant of 52 years. All past magazines are available on our website under the Member Resources tab.

During a recent phone conversation of congratulations, Mr. Kann jokingly stated that it had been a pretty good ride but that he thought 52 years was enough. He expressed gratitude to his fellow trustees and all of the great people he has met during his service. Our conversation closed similarly to the way it did in 2010 with the sentiment from Mr. Kann that "Iowa is the best state in the nation." And I end in agreement, the same way I did in 2010, "the people make Iowa the best place to live; people like you who perform as public servants, year after year, because it's the right thing to do. Thanks to you and everyone like you."

Share Your Story

ISAC is looking for webinar and magazine article ideas that feature exceptional work that's being done by counties. This can be an innovative project, collaborations, or an event that you are holding. Help us to tell the story of who you are, what you are about and what you do as counties. Please contact Rachel Bennett at rbennett@iowacounties.org to share your story.



Rachel Bennett

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The Iowa County
March 2017

Renewable Energy

Renewable Sources of Energy and Iowa Counties:

Wind. Solar. Hydro. And More.

These, among others, are renewable sources of energy – sources that are eco-friendly and reliable.

They are widely available and, because they do not use fossil fuel, cause little in the way of pollution.

These factors, coupled with the significant cost saving benefits such energy sources can have (over traditional fossil fuels), make them highly desirable for individuals and organizations alike.

So why is it many municipalities do not use renewable sources of energy? How can they go about doing so? And what does it mean if they do?

Let's start with the basics.

Why aren't renewable sources of energy more commonly used by municipalities?

From many perspectives, use of a renewable energy source makes economic sense for municipalities. With tighter budgets, cost-saving in any form has become more than desirable – it's become essential – for many counties.

Yet, despite the energy cost savings, renewable sources of energy can sometimes be cost prohibitive to counties. Why?

Because local governments cannot receive renewable energy tax credits – credits that can offset the cost to install and maintain the equipment necessary to harness renewable sources of energy.

Without these tax credits, counties are often left to burden the installation and maintenance costs of such equipment. This can be cost prohibitive and may offset the potential for any financial savings from the alternative source of energy.

In addition to the potential for a large financial burden, which may result from owning such equipment, municipalities may also face technical and regulatory challenges related to renewable energy sources, making them seem even less feasible for counties that are tight on time and money.

But Iowa counties must know they have options.

What options? Power Purchase Agreements (PPAs), to start.

In fact, in October 2015, Johnson County, a long-time member of the Iowa Communities Assurance Pool (ICAP), became the first county in Iowa to use a PPA to fund solar photovoltaic (PV) projects when, in partnership with North Liberty-based Moxie Solar, it took its first two solar energy systems live.

"For our county, using renewables was one of five energy-related goals our Board of Supervisors set in 2014," Becky Soglin, Johnson County Sustainability Coordinator, said. "An opportunity presented itself sooner than anticipated, so they designated staff to take (it) on and we went for it."

They "went for it" through a PPA that benefitted both Johnson County and Moxie Solar, making it a win-win situation for both parties.

Kasi Koehler

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Renewable Energy



With PPAs, such is often the case. They enable counties and other municipalities to partner with private sector companies to secure renewable sources of energy. The private sector benefits from tax credits, while the municipality/local government benefits indirectly, through a reduced environmental impact and savings passed on in the way of a lower energy cost, typically at a long-term fixed price.

In addition to PPAs, there are also numerous grant and municipal bond programs that may benefit Iowa counties in the way of purchasing or harnessing a renewable source of energy, whatever that source may be.

While a PPA was the best fit for Johnson County's solar energy project, Soglin says it isn't the only option out there.

"There were many reasons our county wanted to do solar, and a PPA made it more accessible and affordable for us, but we recognize solar energy, and PPAs aren't the only options," Soglin said. "There's no one way to achieve energy efficiencies or renewables."

If a county does not wish to generate energy on site, it can also purchase green power or renewable energy.

To an extent, local governments have an obligation to lead by example; however, each county should identify its own needs and evaluate the best option for securing an alternative source of energy going forward.

And then what?

Before moving forward with a project or solution, the county should discuss property and casualty coverage options with its ICAP underwriter or local insurance agent.

Both alternative energy production and facility changes can create new exposures, and may alter existing coverages. An ICAP representative can work with your entity to identify what coverages are appropriate.

In addition, all alternative energy sources will require reinsurance evaluation and review. When applicable, coverage will be developed and offered on a case-by-case basis.

As such, these projects and alternative energy sources should be evaluated both during conceptualization and upon project completion.

ICAP's Loss Control and Underwriting teams are available to assist during this process. Contact me to discuss or learn more!

Seasonal Employees

Seasonal Employees

Even though it may not seem like it, summer is just around the corner. Have you started to think about seasonal help?

The ability to recruit seasonal staff varies depending on employer size, location and availability of employable candidates. Consider last year's seasonal employees and quality recommendations of current employees. Focus on attitude over aptitude, and train for success.

Lisa Mart

Human Resources Specialist
Iowa Municipalities Workers' Compensation
Association (IMWCA)
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It is a misconception that seasonal employees do not need the same information as regular employees. Hire seasonal employees similarly, be sure that they have a job description and fill out an application, W-4 and I-9 forms. Some basic employment laws that cover seasonal employees include the Fair Labor Standards Act (FLSA), which relates to minimum wage, overtime and child labor. Employers with 15 or more employees should consider Title VII Civil Rights Act and the Americans with Disability Act as well as the Equal Employment Opportunity Commission which oversees discrimination and equal pay. Employers with more than 50 employees should also pay attention to Affordable Care Act (ACA). You must be able to determine if your employee is a 'seasonal worker' or 'seasonal employee' as defined by ACA, for additional information see www.irs.gov/affordable-care-act/employers/aca-and-employers-how-seasonal-workers-affect-your-ale-status.

Looking at hiring teens? Pay extra attention to Iowa Child Labor Law and Occupational Safety and Health Administration (OSHA) young worker rights. These laws protect minors by regulating the type of jobs, number of hours and how late they can work. Restrictions are based on the minor's age. The Iowa Child Labor Law also requires that any minor 14 or 15 years old need a work permit (for most jobs). See www.iowadivisionoflabor.gov/child-labor and www.osha.gov/youngworkers/employers.html for more detailed information.

Once you find your seasonal staff and are in line with employment laws you may want to sigh with relief, but don't think your role is done. Train, Train, Train. According to Safety and Health Magazine, employees who are in the first month of their job are three times more likely to have a lost-time injury than employees who have worked a year or longer. Ensure the seasonal employees know what is expected of them. Go over the employee handbook and safety manual. Provide hands-on training for the equipment they will be using.

IMWCA's Online University provides many training courses that may be applicable to seasonal employees from basic general courses to more departmental and job-specific training.

General training topics applicable for all seasonal employee includes: Active Shooter Response for the Workplace, Back Safety, Bloodborne Pathogens, Defensive Driving, Employee Safety Awareness, Eye and Face Protection, Fall Prevention, Personal Protective Equipment, Hazard Communication, Lockout/Tagout, Safety Awareness for Seasonal Employees, Safety Data Sheets (SDS) Training, Tailgate topics 1-3(covers high risk areas drivers' face), Workplace Violence, and Working Outdoors in Warm Weather Climates.

Job specific training topics applicable for seasonal employees includes: Avoiding Collisions with Animals, Avoiding the Crush Zone, Flagger Safety, Hand and Finger Safety, Hand and Power Tool Safety, Ladder and Scaffolding Safety, Landscaping Safety, Machine Guarding, Spill Prevention and Control and Workzone Safety.

The above lists are not all encompassing nor are they an attempt to overwhelm. Many seasonal employees start day-one with no prior experience or training, nor do they know or understand the importance of these safety topics. Training is a commitment of time, but it is also a commitment to employees that safety is the top priority and you want these employees to return to their lives in the same condition after their work is over.

As you establish what training you are going to provide, remember one of the most important expectations you can provide to the seasonal employee is: when in doubt ask. Then make sure you and your staff uphold the responsibility to listen, answer and mentor. Only then will a true culture of safety prevail.

Lisa Mart SPHR, SHRM-SCP is the human resources specialist with IMWCA. As a certified HR specialist, Lisa provides members assistance with human resources to help them manage their workers' compensation exposures. IMWCA is endorsed and administered by the Iowa League of Cities and is an endorsed program of ISAC. Learn more at www.imwca.org.

Investment Report

U.S. Economy Continues to Strengthen as Investors Await Fiscal Policy Decisions

Economic data continued to trend positively during the fourth quarter of 2016 while markets focused on the U.S. presidential elections. In the weeks leading up to the election, volatility crept close to post-Brexit levels but subsequently fell to the lowest levels of the year after the results were in. After the initial reaction, investors began to position portfolios for fiscal policy that the consensus anticipated being growth-oriented and inflationary. These expectations, in conjunction with strong third quarter corporate earnings, drove equity markets to record highs and have led to higher interest rates.

The Fed met twice during the quarter and voted to raise the Federal Funds rate by 0.25% at the December meeting. The Summary of Economic Projections released with the December Fed minutes revealed that expectations for intermediate term GDP growth and inflation remained steady quarter-over-quarter, while unemployment is expected to fall modestly. As outlined in the “dot plot”, which depicts the Fed’s expectations of future Fed Funds rates, the anticipated pace of additional rate hikes has increased with the board now anticipating three hikes in 2017, up from two in the September projection.

The U.S. consumer continues to have an optimistic outlook on the economy with confidence reaching the highest level since 2001 on lower unemployment and robust equity gains. The jobs market continued to tighten. The unemployment rate dropped to 4.6 percent putting upward pressure on incomes and leading to continued growth in personal consumption. Measures of strength within manufacturing and services sectors have also followed suit and are at levels that reflect an economy that is expanding. The Case-Shiller National Housing Index reached an all-time high in October, a 5.6% increase over the prior year; however, higher interest rates have begun to modestly affect the housing market with building permits, new starts, and mortgage applications down month-over-month.

U.S. GDP growth rate for the third quarter finished at 3.5%, a modest increase from the second quarter. As the consumer remains strong and corporate results indicate that the earnings recession has begun to turn, expectations for future GDP growth are positive. Consistent with this data and our longer-term view, we continue to believe we will see a fairly stable GDP growth rate of 2 to 2.5% in the coming quarters. While not robust, U.S. growth continues to be favorable compared to most developed countries.

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2017 Calendar

March 2017

- 8 County Day at the Capitol
(Iowa State Capitol, Des Moines)
- 9-10 ISAC Legislative Conference
(Des Moines Marriott Downtown)

April 2017

- 7 ISAC Board of Directors Meeting
(ISAC Office)
- 13 ISAC HIPAA Program Training
(Courtyard by Marriott - Ankeny)
- 23-26 ISSDA Civil School
(Holiday Inn Airport, Des Moines)
- 27 Smart Connections Conference
(Holiday Inn Airport, Des Moines)

May 2017

- 11 ISAC Leadership Institute
(Des Moines Area Community College, Des Moines)
- 24 ISAC Leadership Institute
(Iowa Central Community College, Storm Lake)
- 25 ISAC Leadership Institute
(Indian Hills Community College, Ottumwa)
- 31 ISAC Leadership Institute
(Kirkwood Community College, Cedar Rapids)

June 2017

- 7 ISAC Leadership Institute
(North Iowa Area Community College, Mason City)
- 8 ISAC Leadership Institute
(Iowa Western Community College, Atlantic)
- 15 ISAC Board of Directors Meeting
(ISAC Office)
- 21-23 Records Summer Conference
(Okoboji)

July 2017

- 21-24 NACo Annual Conference
(Columbus, Ohio)

August 2017

- 2 ISAC Scholarship Golf Fundraiser
(Toad Valley Golf Course, Pleasant Hill)
- 22 ISAC LPC Retreat
(Veterans Memorial Community Choice Credit Union Convention Center, Des Moines)
- 23-25 ISAC Annual Conference
(Veterans Memorial Community Choice Credit Union Convention Center, Des Moines)

September 2017

- 14 ISAC LPC Meeting
(ISAC Office)
- 17-20 ISSDA Jail School
(Holiday Inn Airport, Des Moines)
- 27-29 ISAC Board of Directors Retreat
(Humboldt County)

November 2017

- 16-17 ISAC Board of Directors Meeting
(ISAC Office)

December 2017

- 3-6 ISSDA Winter School
(Holiday Inn Airport, Des Moines)

If you have any questions about the meetings listed above or would like to add an affiliate meeting to the ISAC calendar, please contact Kelsey Sebern at ksebern@iowacounties.org.

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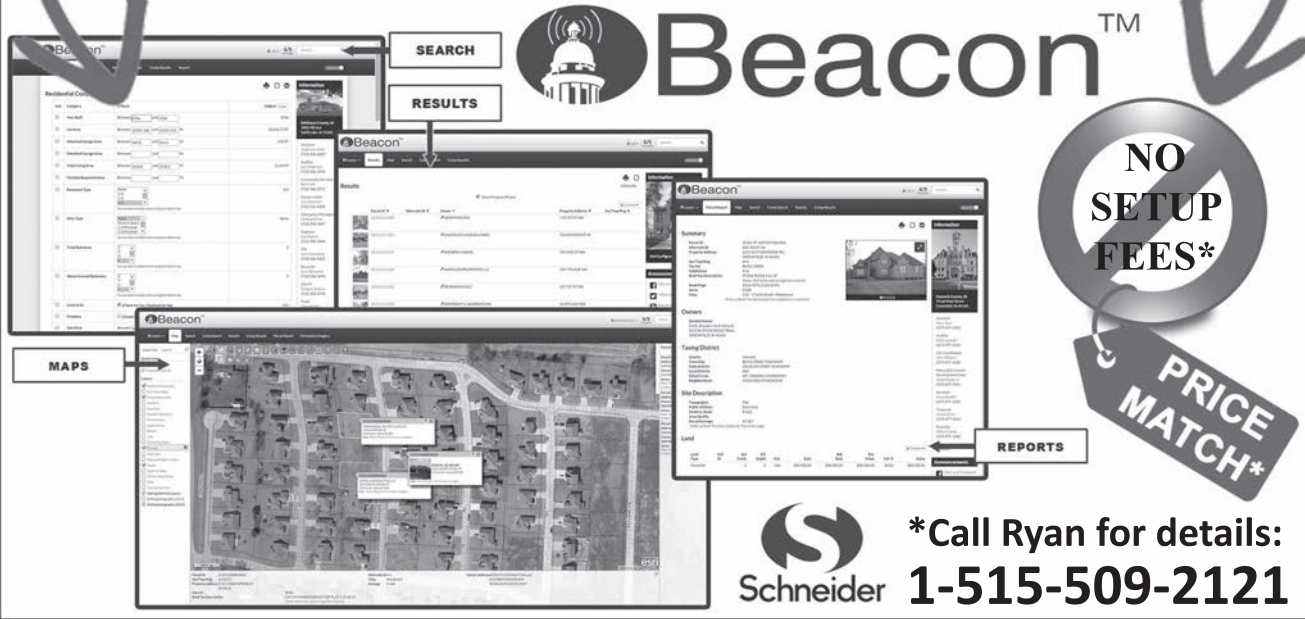
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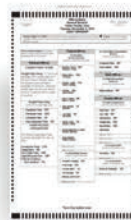
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