



**Malama O Pa!**  
**Take care, lest you be hurt!**

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**NEWSLETTER ARTICLES**

Have you considered writing an article for the Hawaii Chapter's newsletter? If your answer is yes, please read on.

Articles should be approximately 1,000 words. Don't worry if you need to make your article longer—longer articles are acceptable, even if we must serialize them. Microsoft Word is the required document format. Visuals should be saved in JPG format. We may be able to use other formats also. Graphs/charts must be in Word or Excel.

Don't forget to include a brief biography of yourself so we can give proper credit. Include current designation(s), job title, employer, and if you'd like, responsibilities & degrees held.

Once completed, please send to Newsletter Editor: Fred Nakamura at [frederick.nakamura@ficoh.com](mailto:frederick.nakamura@ficoh.com)

All submissions will be reviewed by the newsletter editor and committee to determine appropriateness of article content and publication date. The newsletter editor will have final decision on each article.



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### **ONE MORE GREAT REASON TO ATTEND OUR MONTHLY MEETINGS**

Between September 2008 and March 2009, attend all seven monthly membership meetings (including the Holiday Gathering) and be entered to win a reimbursement of your early conference registration fee to ASSE's annual Professional Development Conference (PDC), *Safety 2009*. The PDC will be held in San Antonio, TX from June 28 – July 1, 2009. If you miss a meeting, keep coming because you may still have a chance to win! See rules below.

#### Rules:

- To qualify, entrants must be a member of the Hawaii Chapter of ASSE (ASSE) between the November 2008 and March 2009 membership meetings.
- A drawing to determine the winner will be held at the March 2009 membership meeting.
- Winner must be a member in good standing with ASSE. Reimbursement will be issued during July 2009.
- Verification of attendance to the PDC will be required.
- Reimbursement will be for the amount equal to the published rate for early registration to the conference only. Pre/Post conference seminars, tours, hotel, travel fees, etc. are not included.
- Prize is non-transferable and cannot be exchanged for cash or any other offer.
- If the selected winner notifies a member of the Chapter's Executive Committee before April 1, 2009 that he/she will be unable to attend the conference, a second name from the group of original qualifiers will be randomly selected.
- If there are no members who attend all seven meetings during this time period, all members who meet the same eligibility criteria and attend six of the seven meetings will be placed in the drawing.
- Minor changes may be made to these criteria until 24 hours prior to the September 2008 meeting. Members will be notified of any changes via the email address they have on file at the time of the change.
- The Chapter President will have final determination in any dispute.
- Attendance at an ASSE Hawaii hosted webinar can substitute for attendance at the Chapter membership meeting held in the same month as the webinar.

### **MEMBERSHIP**

The ASSE Hawaii Chapter now has 176 official members.

### **NEW MEMBER**

Congratulations to Elvira B. Pineda, CHST, from Allied Pacific Builders, Inc. Welcome aboard as the first new member of our Chapter's FY 2008/09.





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## TRAINING OPPORTUNITIES

**The Loss Control Experience Symposium**  
 Emerging Challenges • Emerging Opportunities October 7-8, 2008 Chicago, IL

<a href="#">Home</a>	<a href="#">Schedule</a>	<a href="#">Sessions</a>	<a href="#">Hotel Info</a>	<a href="#">Sponsorship Opportunities</a>	<a href="#">Registration Fees</a>	<a href="#">Register Online</a>
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*What are the challenges for a Loss Control/Risk Control Professional?*

Loss control/risk control professionals have a lot that rests on their shoulders – reduce ultimate loss exposure, develop positive business relationships and impact account retention, just to name a few. But the business of managing risk is changing. The global marketplace, new technologies and a shifting workforce are just some of the changes we'll need to adapt to.

Prepare for the changes ahead by joining us in Chicago on October 7th and 8th for this day and a half ASSE symposium, hosted at the headquarters of CNA insurance. Through keynotes from leaders in the field, in-depth breakout sessions and interactive panel discussions, we'll focus on the loss control/risk control profession, our practice and the emerging trends and opportunities that lie ahead.

### **Are your small business customers prepared for a natural disaster?**

By Jim Newberry

Successful businesses have invested time and resources into making their business successful. Having built a dedicated customer base, a good reputation for paying suppliers, provide goods and services efficiently and quickly, and being a member in good standing of the local business community.

Now, imagine that all that is destroyed or damaged. All businesses are susceptible to a variety of natural disasters such as hurricanes, landslides, wild fires, tornados, volcanoes, tsunamis and earthquakes.

Of all businesses that close following a disaster, more than 43 percent never reopen. An additional 29% close permanently within two weeks. This was very evident following the unprecedented Florida hurricanes of 2004 and of course hurricane Katrina. This past month we watched what seemed to be Southern California burning, the economic and business impact still yet to be tolled.

Therefore, it is important to take steps to assist the customers to protect their business before a natural disaster strikes. By integrating protection from natural disasters into their company's risk-reduction measures, they can safeguard both customers and the community at large. Small businesses need guidance since they have limited

resources to bring to contingency planning. This guide is designed to address the specific needs of your small business customers.

When reviewing the impact of natural disasters, businesses should consider:

- Human resources. If they are a sole proprietor, they obviously need to protect themselves and their customers from possible injury in the event of a natural disaster. Small and mid-sized businesses also must protect employees from injury on their premises or while doing work for them (e.g., during deliveries or on job sites, etc.) Consider the possible impact that a disaster will have on their employees' ability to return to work, and how their customers can get to their facility or receive their goods and/or services.
- Physical resources. Inspect the physical areas of the business and assess the impact that a natural disaster would have on the facilities. For example, if the business operates in an older building, consider having it evaluated by a professional engineer. An engineer's recommendations could help safeguard the building from potential hazards. Keep in mind that an ideal time to make improvements is during a major addition or renovation. Additionally, when remodeling or building an entirely new facility, consider engineering standards that meet or exceed local building code requirements.
- Business continuity. Even if the business escapes a disaster unharmed and employees are unhurt, there is still a risk that the enterprise will suffer significant losses. When some local businesses fail, there is a chain reaction that occurs because of negative economic impact. A small investment of time will go a long way towards averting serious damage to the business, and minimize the disruption that a natural disaster can cause to life and business livelihood. Conduct a business-impact analysis to identify what the operation must do to protect itself in the face of a natural disaster, and determine what parts of the business need to be up and running as soon as possible.
- Disaster Recovery Plan. Organize such a plan ahead of time with the names and contact numbers of key members, and the functions that each team and individual will perform in the event of a disaster. These should include:
  - 1) Recovery management team -- responsible for overseeing the entire disaster-recovery operation.
  - 2) Facilities team -- surveys the disaster area as quickly as possible. Handles security and alternate site requirements. This team also should address telephone service as well as general office supplies and equipment.
  - 3) Administration team -- provides emergency funds, transportation, and administrative support.
  - 4) Information technology team -- responsible for the back up and recovery of computer and communication hardware and software. Coordinates all information technology and communication systems related disaster-recovery effort including working with related vendors.
  - 5) Public relations communication team -- responsible for all communications to the public on behalf of the company.
  - 6) Client communications team -- responsible for communications with company suppliers and customers (with regard to retailers, refer to item No. 5 above).
  - 7) Catch-up team -- responsible for maintaining business operations in a contingency setting, until all systems, processes and operations are restored.

Finally, the business should consider the following pertinent questions when formulating a business analysis and recovery plan:

- What can management do to protect their building?

- What should management do if their suppliers are temporarily forced to shut down?
- What records do they need?
- Do all employees know about the emergency plan?
- Who must be contacted in the event of an emergency?
- What emergency supplies should be on hand?
- How can the business help their customers?

## **SMALL BUSINESS GUIDELINE - BEFORE, DURING AND AFTER**

### **Before Disaster Strikes**

The following checklist offers suggestions on how to protect the businesses rights if a fire, earthquake or other natural disaster causes a loss. Here's what to do to be properly prepared in case of disaster:

- Organize important insurance documents. Place copies of all insurance policies in a readily-accessible file that should be kept up to date year after year. Whenever discussions are held with an insurance company official, agent or broker about upgrading or changing policies, make sure to take careful notes (see below) and keep those notes in this file.
- Organize copies of property ownership records. In the same file, place a copy of all critical financial documents: property deeds, mortgages, or any other records of property ownership. (For small businesses that do not have off site back up of critical documents: mail a copy of all these documents to a friend or relative that is trusted, in another state, or store them in a safety deposit box).
- Document property and belongings. Use a still or video camera to take pictures of the interior and exterior of the business, the yard, as well as vehicles and any other special possessions. Make sure to photograph the contents of the business including storage areas, this includes outside storage facilities the business rents. Make sure to take pictures of every major purchase thereafter -- and update recordings/photos at least once a year.

### **When Disaster Strikes**

If public safety officials suggest or require you to evacuate the building here is what you should do.

- Take your insurance file, your property ownership file and other records. If a disaster strikes and you must leave. This will help you fill out a complete claim and make it easier to document what you own and the condition of your property.
- If the safety of life is in jeopardy the business should not worry about possessions or the rest of this checklist. The protection of life is always a first consideration. No insurance policy can replace it.

### **After Disaster Strikes**

Here is what can be done to assure a business can claim what they are entitled to:

- The business manager or owner should read all insurance policies and know their rights. Insurance policies are very complicated, but should be understood as much as possible about what it covers, what is excluded, and to what the business is entitled to. Being a good consumer is good advice.



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- Contact the insurance company to make a claim. Don't delay. Even if the business can not figure out exactly what the damage or property loss is, let the insurer (or authorized agent/broker) know right away that there has been a loss. This should be done in writing.
- If the insurance documents have been lost, request a replacement copy. The business should work with the insurance agent or company to get a copy of the policies and Declaration Pages. If backups were made and put in safe keeping, these issues are minimized.
- Videos or pictures of all damaged property should be taken, if there is access to the property.
- Take detailed notes. Every time a call is made to anybody affiliated with the insurance company, get their name and phone number. Write down the date and time of the communication, what was said, and what they said.
- Keep a copy of all paperwork. General rule: get everything in writing. Put everything in writing. Everything. Then make a copy of everything signed and/or send (e-mail, regular mail, etc.)
- Keep a receipt of every penny spent as a result of the disaster, and if possible ask for permission before repairs are made. For example, if the business workforce is forced to evacuate, keep records of purchases of food, lodging, clothing, etc.
- Do what can be done without jeopardizing anyone's safety to prevent further damage. For example; contact utilities to shut off water and gas mains. Insurance policies might not cover post-disaster damage that could have reasonably been prevented.
- Make a detailed list of every item damaged. Don't leave anything out. File a claim for every item. There won't be compensation for anything for which a claim is not submitted. Contact credit card companies and vendors to help reconstruct purchases and identify costs for replacing lost items. Workers, related businesses, customers and suppliers can help create an accurate description of sustained losses.
- Estimate the value of damaged or destroyed property. Estimate what it would cost to replace, and also what it was worth before it was damaged. Why the two different numbers? Insurance policies offer different kinds of coverage. Contractors can provide you with some of the required estimates.
- Insurance companies will appoint an adjuster to handle the claim. They do their job the best that they are able but will be quite busy with a multitude of claims during a disaster. If the business thinks the adjuster is wrong, it is possible to reject the adjuster's estimates and request reconsideration. The business's agent can also act as an advocate if asked.



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- Have valuables appraised independently. For antiques, art and other valuable items, get independent appraisals to compare with the insurance company assessments.
- Get insurance company approval for repairs. Don't start repairing or replacing property, or throw away damaged property, without the insurance company adjuster's approval.
- Take the appropriate time. Don't be pressured into agreeing to low-ball estimates, repairs or rebuilding. Allow for time to review the proposed claims settlement and determine whether it is acceptable.
- Do not sign releases or waivers until the business understands its rights. If a claim is undisputed, there should be no reason to sign a release to settle. If there is a request to sign a release, find out why and be cautious about signing away any of the businesses rights.
- Always be firm but polite. Insist that the insurance company meet its legal obligations to the business.

#### **Working With The Insurance Company To Resolve Disputes**

If the business feels they are not being offered a fair settlement they should try to resolve the dispute by working up the chain of command of the insurance company. Involve the insurance agent and broker. If necessary, call the office of the president of the insurance company.

When the business is unable to resolve a dispute to their satisfaction, there may come a time when it is advisable to contact a lawyer. Many lawyers will work on a contingency basis where the business does not pay the lawyer unless and until he or she succeeds in obtaining what you are owed (then the lawyer takes a cut).

- If the business needs a lawyer, public adjuster or contractor, it is advisable to shop around. Make sure they are properly licensed. Check references, interview several candidates before making a selection. Choose someone who has been personally recommended by someone trusted. State laws provide protections when these types of professionals are hired.
- Lastly, insurance fraud is a serious crime. A business should never attempt to make a claim for property that it did not own, or falsify the value of property and possession.

#### **RESOURCES:**

California Insurance Commissioner John Garamendi  
(800) 927-4357  
[www.insurance.ca.gov](http://www.insurance.ca.gov)

Federal Emergency Management Agency (FEMA)  
(800)621-FEMA (3362)  
[www.fema.gov](http://www.fema.gov)



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United Policyholders  
[www.unitedpolicyholders.org](http://www.unitedpolicyholders.org)



*Newberry is the Risk Control Manager for the Underwriting Services Division of Island Insurance Company, has a degree in Environmental Safety and Safety Management and has been in commercial insurance loss control for the past 30 years.. He is also the RM/I Newsletter Editor for 2007-2008*

**FUTURE LUCHEON SPEAKERS**

<b>Date</b>	<b>Speaker</b>	<b>Company</b>	<b>Subject</b>
September 18, 2008	Joaquin M. Diaz, CSP & Meri Peter	Dick Pacific Construction  Chevron Hawaii Refinery	VPP & how it benefits a company

Unless otherwise noted, the meetings will be held at Hale Ikena in Fort Shafter from 11:00am to 1:00pm. The cost of attending including lunch is \$15.00.

**If you have any suggestions for speakers, please call Danielle Harrison, our President-Elect & Program Chair @ 527.7497.**