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SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JULY 1, 2010 – DECEMBER 31, 2010

Action Requested: Receive the semi-annual claims activity reports for the period of July 1, 2010 through December 31, 2010.

Executive Summary: The semi-annual claims activity reports are designed to address eight categories of pending claims:

- (1) Lawsuits;
- (2) Tort and contract claims not yet lawsuits;
- (3) Complaints filed with administrative agencies other than workers' compensation claims;
- (4) Workers' compensation claims;
- (5) Internal discrimination complaints/investigations;
- (6) Faculty and Professional and Scientific (P&S) grievances and disciplinary measures;
- (7) Internal grievances/claims/investigations of contract-covered staff; and
- (8) Other matters which may be unique to the institution.

The institutions and the Board Office have submitted reports for each category and have prepared executive summaries highlighting significant issues, trends, areas for improvement, and initiatives to address the identified problem areas. The executive summaries submitted by the institutions are attached to this memorandum.

Office of the Board of Regents, State of Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Board Office for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	1	1	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	0	0	0	0	0	0	0
5. Internal Discrimination	0	0	0	0	0	0	0
6. Faculty and P&S	0	0	0	0	0	0	0
7. Merit Grievances	0	0	0	0	0	0	0

No claims of any type were active this reporting period.

University of Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the University of Iowa for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	25	21	22	11	12	16	20
2. Contract & Tort Claims	11	9	5	14	6	9	17
3. Administrative Agencies	13	12	8	16	20	11	15
4. Workers' Compensation	806	818	832	721	687	632	690
5. Internal EOD Office Complaints	9	18	11	15	17	12	15
6. Faculty and P&S Grievances & Discipline	2	2	3	2	4	4	7
7. Merit Grievances and GRIP/Arbitration	2	2	3	1	4	1	2
8. UIHC Tort Claims	15	20	21	33	33	39	38
9. UIHC Lawsuits	26	23	28	28	24	22	25

1. Litigation

Developments, Trends and Reasons for Occurrence: Three lawsuits were settled, dismissed or adjudicated and two new suits were filed during this reporting period. There are 15 active lawsuits, three of which are appeals. No trends were identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: There were four active claims during this reporting period. Nine claims involving four incidents were forwarded to the General Counsel's Office during this reporting period, and an additional six claims were settled. No trends were identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of administrative agency complaints increased during this reporting period, although the number remains consistent with prior reporting periods. No trends were identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims increased when compared to the immediately preceding reporting period, but remains consistent with prior periods. No trends were identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: There was an increase in the number of internal complaints filed, but the number remains consistent with prior reporting periods. No trends were identified.

6. Faculty and P&S Grievances

Developments, Trends and Reasons for Occurrence: Three faculty grievances remain from prior reporting periods; including one grievance filed by the Provost's Office against a faculty member. No trends were identified.

7. Merit Grievances and GRIP/Arbitration

Developments, Trends and Reasons for Occurrence: Two arbitration cases were pending during this reporting period. No trends were identified.

8. UIHC Tort Claims¹

Developments, Trends and Reasons for Occurrence: This report includes a list of all tort claims pending at any time during the period of July – December 2010. During this period, 20 tort claims were denied or withdrawn. Seven of these claims were filed as lawsuits and are also listed in that section of the report. Nine new tort claims were filed during this reporting period. As of December 31, 2010, there are 38 tort claims pending.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: Four lawsuits were dismissed, settled or otherwise adjudicated during this reporting period. In addition, one lawsuit has been settled, but final documentation has yet to be received. Seven new lawsuits were filed during this reporting period. As of December 31, 2010, there 25 lawsuits pending.

¹ Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, three (3) 28E Agreement tort claims were settled directly by UIHC.

Iowa State University

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to Iowa State University for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	10	10	9	11	10	10	8
2. Contract and Tort Claims	16	22	16	18	16	19	13
3. Administrative Agencies	11	13	9	9	1	2	5
4. Workers' Compensation	247	286	262	266	238	292	222
5. Internal Discrimination Complaints	6	3	2	1	1	0	0
6. Faculty and P&S Grievances & Discipline	15	13	11	13	11	10	10
7. Merit Grievances	11	12	10	10	5	5	9

1. Litigation

Developments, Trends and Reasons for Occurrence: In this reporting period one suit was filed. This case involves allegations of retaliation and infliction of emotional distress, and will likely be merged with an existing suit by the same party. No cases were resolved during this reporting period.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: No significant developments or trends were reported.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Three administrative cases were filed during this reporting period. One new claim is for age discrimination and retaliation. The second claim involves alleged sex discrimination and retaliation, and has been administratively closed. The third new claim involves race and age discrimination. Of the five claims reported during this period, three are pending.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: Workers' compensation claims, days missed and payments for claims have generally decreased from the prior period.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: No new cases were filed during this reporting period.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: There were five faculty grievances pending during this reporting period. Four of the cases were substantially denied. One of those cases involved allegations that the Sociology Department was unfairly singled out for budget reductions. One case involving a faculty salary dispute was generally resolved in favor of the faculty member.

There were three claims of faculty misconduct pending. Two cases were found to be without bias. The third, involving allegations of improper guidance of a graduate student's research, resulted in a reprimand and mandatory training of the faculty member involved.

There were two Professional and Scientific grievances filed this reporting period relating to lay-off and nonrenewal. One was denied as untimely, and the other was denied on the merits.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Nine merit grievances were pending during this reporting period. Four cases were settled and one was withdrawn. The remaining four are awaiting hearings or decisions. Several of these cases involve layoffs or reductions as a result of budget reductions. This likely explains the higher number of merit grievances as compared to the prior reporting period.

University of Northern Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the University of Northern Iowa for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	10	10	9	11	10	9	9
2. Tort and Contract Claims	11	8	5	7	8	13	9
3. Administrative Agencies	6	7	5	3	3	5	3
4. Workers' Compensation	64	74	83	68	71	102	87
5. Internal Discrimination Complaints	6	7	8	4	6	6	4
6. Faculty & P&S Grievances & Discipline	2	2	1	2	1	5	3
7. Merit Grievances	9	7	10	8	10	6	9
8. Other	1	0	0	0	0	0	0

1. Litigation

Developments, Trends and Reasons for Occurrence: One lawsuit was dismissed during this reporting period, and one was settled. Two lawsuits were filed during this reporting period. There are no apparent trends evident in these cases.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: Five tort claims were filed during this reporting period. During this period, two claims were paid by the University and two were denied by the State. Two of the remaining claims are being considered by the Attorney General for disposition, one of which was originally filed as a lawsuit. The number of tort claims during this reporting period is lower than the immediately preceding period, but is consistent with prior reporting periods. No trend was immediately identifiable.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Two new complaints were filed during this reporting period, and one complaint was closed. No issues or trends are evident by the number or types of complaints.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: There was a decrease in the number of workers' compensation claims filed as compared to the prior reporting period. There was also a significant reduction in the amount paid for approved claims during this reporting period. There are no readily apparent trends in this category.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: During this reporting period, two new complaints were filed and three cases were closed. One case was under investigation at the close of the reporting period. The number of cases reflected in this category is slightly lower than the prior reporting period, although no trend is immediately identifiable.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: One new faculty grievance was received during this reporting period and one grievance was closed. The number of cases in this category decreased as compared to the prior reporting period, but remains consistent with previous periods. There is no apparent trend in this category.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of grievances decreased as compared to the prior reporting period, but remains consistent with previous reporting periods. No trend is immediately apparent.

Iowa Braille and Sight Saving School

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Iowa Braille and Sight Saving School for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	9	15	10	2	7	1	2
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	0	0	0	0	0	0
7. Merit Grievances	2	1	0	0	0	0	0

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: Two workers' compensation claims were filed during this reporting period and neither claim incurred lost time. Workers' compensation claims at Iowa Braille and Sight Saving School continue to remain low.

Iowa School for the Deaf

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Iowa School for the Deaf for the July 1, 2010 through December 31, 2010 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/07	06/08	12/08	06/09	12/09	06/10	12/10
1. Litigation	0	0	0	0	1	2	2
2. Contract and Tort Claims	1	1	1	1	0	0	0
3. Administrative Agencies	0	0	0	1	1	2	1
4. Workers' Compensation	2	6	5	3	2	7	5
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	0	0	0	0	0	0
7. Merit Grievances	0	0	0	0	0	0	0

1. Litigation

Developments, Trends and Reasons for Occurrence: Two lawsuits were pending during this reporting period. One suit went to trial in May, with the final hearing occurring June 11, 2010. Judgment was issued against the State in this matter. The second suit is expected to go to trial in May, 2011.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: One claim was pending before the Equal Employment Opportunity Commission (EEOC) during this reporting period. This claim involves allegations of disability discrimination. ISD responded to the claim on March 12, 2009 and is awaiting a final determination from the EEOC.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: Five workers' compensation claims were filed during this reporting period. One of these claims resulted in time missed from work. Workers' compensation claims continue to be low at ISD.