

Contact: Aimee Claeys

SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JULY 1, 2020 – DECEMBER 31, 2020

Action Requested: Receive the semi-annual claims activity reports for the period of July 1, 2020 through December 31, 2020.

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

- (1) Lawsuits¹;
- (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.

¹ This category may include lawsuits in which multiple Regent institutions and/or the Board of Regents are named parties. These claims are included in the reports for each named party.

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, 2020 through December 31, 2020 time period and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	6/20	12/20
1. Litigation	4	2	2	1	0	1	1
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 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: During the reporting period one (1) lawsuit involving an administrative agency matter remains pending and no new lawsuits were filed. No discernable trend has been identified.

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, 2020 through December 31, 2020 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	06/20	12/20
1. Litigation	24	31	24	25	19	24	26
2. Contract and Tort Claims	25/31	21/6	17/14	25/5	27/4	27/3	23/2
3. Administrative Agencies	24	28	29	28	27	28	30
4. Workers' Compensation	738	810	774	794	838	638	668
5. Internal Discrimination Complaints	4	10	8	8	8	12	2
6. Faculty and P&S Grievances & Discipline	6	3	4	3	3	2	2
7. Merit Grievances	20	20	12	13	19	18	13
8. UIHC Tort Claims	30	29	22	21*	26	28	26
9. UIHC Lawsuits	30	31	25	29	25	24	22

1. Litigation

Developments, Trends and Reasons for Occurrence: Between July 1 and December 31, 2020, four (4) were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Six (6) new lawsuits were filed during this period. As of December 31, 2020, there are twenty-six (26) pending lawsuits. No discernable trend can be identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence:

Tort Claims: During this reporting period, thirteen (13) claims were denied, withdrawn or settled and will be deleted from the next report. Four (4) new tort claims were filed during this period. As of December 31, 2020, there are two (2) pending tort claims. No discernible trend can be identified.

Contract Claims: This report includes a listing of twenty-five (25) claims. During this period, two (2) contract claims were paid. Zero (0) were filed. Zero (0) were amended. There are twenty-three (23) pending claims. No discernible trend can be identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Nine (9) administrative agency claims were settled or administrative closed in this time period and nine (9) new claims were filed. As of December 31, 2020, thirty (30) were pending. No discernible trend can be identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: No discernable trend has been identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: The number of pending cases during this reporting period is two (2). No discernable trend has been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: There is two (2) faculty, zero (0) P&S, two (2) SNAHP and zero (0) COGS grievances filed during this period. The number of active cases is two (2).

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: There were five (5) grievances filed during this reporting period. The number of active cases is thirteen (13).

8. UIHC Tort Claims²

Developments, Trends and Reasons for Occurrence: During this period, four (4) tort claims were denied, withdrawn or settled and will be deleted from the next report. Two (2) of these tort claims have now been filed as lawsuits (and are also listed in that section of the report). Ten (10) new tort claims were filed during this period. As of December 31, 2020, there are thirty-six (36) pending tort claims.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: Three (3) lawsuits were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Two (2) new lawsuits were filed during this period. As of December 31, 2020, there are twenty-two (22) pending lawsuits.

² Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, no 28E Agreement tort claim 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, 2020 through December 31, 2020 time period and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	06/20	12/20
1. Litigation	17	20	16	15	10	10	8
2. Contract and Tort Claims	21	27	19	16	11	9	12
3. Administrative Agencies	10	9	10	9	8	8	8
4. Workers' Compensation	151	156	141	165	156	118	123
5. Internal Discrimination Complaints	16	8	15	15	7	2	0
6. Faculty and P&S Grievances & Discipline	8	11	14	8	9	14	9
7. Merit Grievances	19	16	1	1	0	0	2

1. Litigation

Developments, Trends and Reasons for Occurrence: In this reporting period, one (1) new lawsuits were filed. Of the four (4) currently pending cases, one (1) matter is scheduled for trial in 2021.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: There are seven (7) tort claims pending at the close of this reporting period claim significant damages over \$100,000. There were no (0) contract claims pending at the end of this reporting period.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Four (4) new complaints were filed this period.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of claims for workers' compensation remains near the average.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: No internal discrimination complaints were filed against faculty or staff during this period.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Of the four (4) faculty matters, three (3) matters remain pending at the close of the reporting period. Five (5) P&S disciplinary cases/grievances were received during this reporting period.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Two (2) grievances were pending during this 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, 2020 through December 31, 2020 reporting period, and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	06/20	12/20
1. Litigation	3	3	5	5	6	6	7
2. Tort and Contract Claims	1	7	5	6	2	7	2
3. Administrative Agencies	3	2	2	1	2	1	2
4. Workers' Compensation	64	78	61	72	55	46	38
5. Internal Discrimination Complaints	10	13	15	18	22	11	5
6. Faculty & P&S Grievances & Discipline	0	0	0	2	1	1	1
7. Merit Grievances	2	2	0	1	44	42	0

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits has remained fairly consistent in comparison with the prior periods. Two (2) of the cases were brought by subcontractors against a contractor and include the University because of retainage held. There are no apparent trends evidenced by the issues presented in the cases. One (1) of the seven (7) cases involves all of the Regents' universities.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of claims for this period decreased in comparison to the immediately prior period. The number of claims is not inconsistent with periods prior to that time. The number in this category includes no tort claims but only reflects the two (2) subcontractor claims noted immediately above. No trends are identified or apparent by the number or types of these claims.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of complaints filed outside of the University, with administrative agencies, is consistent with prior periods. There are no trends evident in this category.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims filed during the reporting period decreased in comparison with the prior period(s). The number of claims is somewhat consistent with prior periods; perhaps slightly lower. There are no readily apparent trends relating to the workers' compensation claims data at this time.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category decreased from the prior periods. Some of that decrease may be related to social distancing, the increase of on-line classes, and similar recent circumstances. A few of the complaints relate to Title IX. The University strives to handle these complaints in a timely and appropriate manner, and will continue to review this area and these types of cases for any indication of trends and/or need for changes or improvements.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of grievances or cases in this category remained the same in comparison to the prior period. The number of grievances is not large and is fairly consistent with prior periods. No trend or consistent issue is reflected by the grievances in this category.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of Merit employee grievances decreased substantially from the immediately prior period. All of the prior grievances related to the same issue and were resolved/closed. The University will continue to review grievances in this area for trends or other issues.

Iowa Educational Services for the Blind and Visually Impaired

Executive Summary: The following table summarizes the number of cases, claims, complaints and grievances applicable to the Iowa Educational Services for the Blind and Visually Impaired for the July 1, 2020 through December 31, 2020 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	06/20	12/20
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	1	2	5	2	0	1	2
5. Internal Discrimination Complaints	0	0	0	0	0	0	2
6. Faculty and P&S Grievances & Discipline	0	0	0	0	0	0	0
7. Merit Grievances	0	0	0	0	0	0	0

During the current reporting period, IESBVI had four (4) claims.

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, 2020 through December 31, 2020 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/17	06/18	12/18	06/19	12/19	06/20	12/20
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	2	1	0	0	0	0	0
4. Workers' Compensation	3	5	3	3	6	5	1
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

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: ISD had one (1) workers compensation claims during this period. There were no missed time claims during this period. Workers compensation claims continue to be low at ISD.