

Contact: Aimee Clayton

SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2011 – JUNE 30, 2011

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2011 through June 30, 2011.

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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
1. Litigation	1	0	0	0	0	0	2
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

1. Litigation

Developments, Trends and Reasons for Occurrence: Two lawsuits were filed during this reporting period. One involves a petition for judicial review of final agency action filed pursuant to Iowa Code Chapter 17A. No trends were 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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
1. Litigation	21	22	11	12	16	20	16
2. Contract & Tort Claims	9	5	14	6	9	17	2
3. Administrative Agencies	12	8	16	20	11	15	15
4. Workers' Compensation	818	832	721	687	632	690	661
5. Internal EOD Office Complaints	18	11	15	17	12	15	9
6. Faculty and P&S Grievances & Discipline	2	3	2	4	4	7	4
7. Merit Grievances and GRIP/Arbitration	2	3	1	4	1	2	1
8. UIHC Tort Claims	20	21	33	33	39	38	33
9. UIHC Lawsuits	23	28	28	24	22	25	28

1. Litigation

Developments, Trends and Reasons for Occurrence: Three lawsuits were settled, dismissed or adjudicated during this reporting period. There are 16 active lawsuits, 3 of which are appeals. Two new lawsuits were filed during this reporting period. No trends have been identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: Active tort claims decreased slightly during this reporting period. There are two active claims. Eight claims were settled, and 2 were forwarded to outside entities for action. No trends have been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of administrative agency claims remained steady at 15. No trends have been identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims decreased slightly during this reporting period. No trends have been identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: There was a considerable decrease in the number of pending internal discrimination complaints. No trends have been identified.

6. Faculty and P&S Grievances

Developments, Trends and Reasons for Occurrence: There are four active faculty grievances during this reporting period. This includes two ethics grievances filed by the Provost's Office against faculty members. No trends have been identified.

7. Merit Grievances and GRIP/Arbitration

Developments, Trends and Reasons for Occurrence: There is currently one arbitration case pending during this reporting period. No trends have been identified.

8. UIHC Tort Claims¹

Developments, Trends and Reasons for Occurrence: This report includes a listing of all tort claims pending at any time during the period of January 1 through June 31, 2011. Nineteen tort claims were denied or withdrawn. Eight tort claims have been filed as lawsuits and are also listed in that section of the report. Thirteen new tort claims were filed during this reporting period. One tort claim has been settled and the institution is awaiting final documentation. As of June 30, 2011, there were 33 pending tort claims.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: Six lawsuits were dismissed, settled or otherwise adjudicated. One additional lawsuit has been settled and the institution is awaiting final documentation. Ten lawsuits were filed during this reporting period. As of June 30, 2011, 28 lawsuits were 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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
1. Litigation	10	9	11	10	10	8	11
2. Contract and Tort Claims	22	16	18	16	19	13	13
3. Administrative Agencies	13	9	9	1	2	5	6
4. Workers' Compensation	286	262	266	238	292	222	249
5. Internal Discrimination Complaints	3	2	1	1	0	0	3
6. Faculty and P&S Grievances & Discipline	13	11	13	11	10	10	6
7. Merit Grievances	12	10	10	5	5	9	13

1. Litigation

Developments, Trends and Reasons for Occurrence: During this reporting period four lawsuits were filed and three were resolved. No trends were identified.

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 this reporting period, and three were resolved. Two of the new claims involved complaints by students. One claim involves an employee retaliation complaint. No trends have been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: Workers' compensation claims, days missed and payments for claims remain consistent with prior reporting periods.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: Three new cases were filed during this reporting period. Two cases were resolved and one remains pending.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Four new faculty misconduct cases were filed. One was dismissed and one resulted in a request for minor discipline. Two cases remain pending. Three of the cases involve allegations of sexual harassment. One P&S grievance appeal was dismissed, and one P&S disciplinary appeal was denied.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Twelve merit grievances were pending during this reporting period. Six cases involved disciplinary action, and the remainder related to scheduling and leave issues. Four cases were resolved.

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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
1. Litigation	10	9	11	10	9	9	8
2. Tort and Contract Claims	8	5	7	8	13	9	8
3. Administrative Agencies	7	5	3	3	5	3	4
4. Workers' Compensation	74	83	68	71	102	87	90
5. Internal Discrimination Complaints	7	8	4	6	6	4	4
6. Faculty & P&S Grievances & Discipline	2	1	2	1	5	3	6
7. Merit Grievances	7	10	8	10	6	9	8
8. Other	0	0	0	0	0	0	0

1. Litigation

Developments, Trends and Reasons for Occurrence: One lawsuit was filed during this reporting period. The pending cases are in various stages of litigation. No trends have been identified.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of tort claims decreased slightly as compared to the prior reporting period. No trends have been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Two complaints were filed during this reporting period, and two complaints were closed. No trends have been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: There was a slight increase in the number of workers' compensation complaints filed during this reporting period as compared to the immediately prior period. There was an increase in the amount paid for approved claims during this period. There are no readily apparent trends, although the University will continue to review the data.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category is the same as the prior reporting period. Three new claims were received, and three cases were closed. One case remained open and under investigation at the end of the reporting period. No trends have been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Four new faculty grievances were received during this reporting period, and three grievances were closed. Three of the grievances involved a similar issue; otherwise no trends have been identified.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of merit grievances decreased slightly, although the number remains consistent with prior reporting periods. No trends have been identified.

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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
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	15	10	2	7	1	2	3
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	1	0	0	0	0	0	0

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: Three workers' compensation claims were filed during this reporting period, although none resulted in lost time. Workers' compensation claims at IBSSS 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 January 1, 2011 through June 30, 2011 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/08	12/08	06/09	12/09	06/10	12/10	06/11
1. Litigation	0	0	0	1	2	2	1
2. Contract and Tort Claims	1	1	1	0	0	0	0
3. Administrative Agencies	0	0	1	1	2	1	1
4. Workers' Compensation	6	5	3	2	7	5	6
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: One lawsuit was pending during this reporting period. No trends have been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: One claim was filed with the Equal Employment Opportunity Commission alleging discrimination based on disability. On April 1, 2011, the EEOC and the Iowa Civil Rights Commission closed this claim. No trends were identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: Six 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 the Iowa School for the Deaf.