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SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2014 – JUNE 30, 2014

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2014 through June 30, 2014.

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, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	2	2	3	2	3	3	4
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: Four lawsuits involving requests for judicial review of final agency action were pending during this reporting period. In the first case (Brewbaker-ISU), the Iowa Court of Appeals affirmed the District Court's decision dismissing the petition for judicial review. Petitioner filed an application for further review with the Iowa Supreme Court, which was denied. This matter is now considered closed, and will be removed from the next report. The second case (Juweid-SUI) is currently pending on appeal to the Iowa Supreme Court. The District Court dismissed the petition for judicial review. The third case (Palo-ISU), is currently pending in District Court. Oral argument was held on July 16, 2014. One new petition for judicial review of final agency action (Tidriri-ISU) was filed during 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 January 1, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	16	25	25	24	29	25	22
2. Contract & Tort Claims	2	7	10	12	6	10	6
3. Administrative Agencies	15	12	15	21	23	24	25
4. Workers' Compensation	667	687	712	795	749	736	730
5. Internal EOD Office Complaints	9	16	13	9	8	6	9
6. Faculty and P&S Grievances & Discipline	4	8	6	11	12	27	10
7. Merit Grievances	1	6	56	39	48	65	60
8. UIHC Tort Claims	33	21	15	23	24	17	12
9. UIHC Lawsuits	28	29	26	32	27	27	30

1. Litigation

Developments, Trends and Reasons for Occurrence: This report contains a listing of all lawsuits pending at any one time during the January through June 2014 reporting period. Five lawsuits were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Two new lawsuits were filed. As of June 30, 2014, there were twenty-two pending lawsuits. No significant trends have been identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this reporting period, thirteen tort claims were denied, withdrawn or settled and will be deleted from the next report. Three new tort claims were filed. As of June 30, 2014, there were six pending tort claims. No significant trends have been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Six administrative agency claims were settled or withdrawn, and six new claims were filed during this reporting period. As of June 30, 2014, there were twenty-five pending claims. No significant trends have been identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims is slightly lower as compared to the preceding reporting period. No significant trends have been identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: There were nine cases pending during this reporting period. No significant trends have been identified.

6. Faculty, P&S and SEIU Grievances

Developments, Trends and Reasons for Occurrence: There were no active Faculty Grievances during this reporting period. Two Professional and Scientific Grievances were settled. There were eight active SEIU Grievances.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: As of June 30, 2014, there were sixty active files. The number of grievances filed during this reporting period is slightly lower than the normal range of variability.

8. UIHC Tort Claims¹

Developments, Trends and Reasons for Occurrence: This report includes a listing of all tort claims that were pending at any one time during the period of January through June 2014. During this period, thirty tort claims were denied, withdrawn or settled and will be deleted from the next report. Eleven of these tort claims have been filed as lawsuits, and are also reflected in section 9 of this report. Ten new tort claims were filed during this reporting period. As of June 30, 2014, there were twelve pending tort claims.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: This report also includes a listing of all lawsuits pending at any one time during the period of January through June 2014. Nine lawsuits were dismissed, settled or otherwise adjudicated during this reporting period and will be deleted from the next report. Eleven new lawsuits were filed during this reporting period. As of June 30, 2014, there were thirty pending lawsuits.

¹ Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, eight (8) 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, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	11	8	9	10	9	9	9
2. Contract and Tort Claims	13	20	21	29	30	31	34
3. Administrative Agencies	6	5	4	2	4	3	9
4. Workers' Compensation	249	253	188	184	185	161	178
5. Internal Discrimination Complaints	3	4	1	4	13	16	21
6. Faculty and P&S Grievances & Discipline	6	4	10	15	8	8	11
7. Merit Grievances	13	20	18	8	6	4	5

1. Litigation

Developments, Trends and Reasons for Occurrence: The trial for the Tidriri case resulted in a verdict in favor of the University on all counts. The case remains pending in District Court on post-trial motions. Two new suits were filed during this reporting period. A small claims action (Todd Foss) and a request for judicial review of final agency action (Tidriri – also reported under the Board of Regents section of this report). Two cases remain pending on appeal (Clark and Smith).

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: There were fifteen tort claims pending during this reporting period, although no significant developments or trends were identified. There were nineteen contract claims pending during this reporting period. All of the contract claims involve Iowa Code Chapter 573 claims against retainage on public improvement projects.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Seven new cases were filed during this reporting period. Three of these cases arise from a single incident and were filed by the same complainant with two different agencies.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of claims, missed days and dollar values for workers' compensation claims decreased as compared to prior reporting periods. This decrease is within the normal range of variability.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: Twelve internal discrimination complaints pending during this reporting period involved student-on-student harassment or violence. Most of these cases involved sexual assault, harassment or domestic violence. Two cases involved claims by students against employees. The remaining seven cases involved claims between employees or against the University. There was no apparent trend among the claims involving

employees. Nine cases were investigated and closed. Six cases are currently under investigation. The remaining cases are at various stages of resolution.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Five faculty matters pending during this reporting period relate to grievances of promotion denials. Two pending matters involve a faculty member who also has pending civil suits against the University.

One disciplinary action alleging sexual harassment and misuse of technology resources was resolved with the imposition of minor sanctions. The three remaining faculty conduct cases involve related events.

There were no Professional and Scientific cases pending during this reporting period.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: One new grievance was filed during this reporting period. Three previously pending grievances were denied and one pending grievance was 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, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	8	6	5	4	5	4	6
2. Tort and Contract Claims	8	2	3	6	10	7	16
3. Administrative Agencies	4	5	4	5	2	3	3
4. Workers' Compensation	90	68	80	70	111	65	79
5. Internal Discrimination Complaints	4	4	5	6	7	7	6
6. Faculty & P&S Grievances & Discipline	6	13	23	16	16	7	4
7. Merit Grievances	8	5	10	5	8	14	14

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits has remained consistent when compared to prior reporting periods. There was a slight increase during this reporting period, but no trends are apparent.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of claims increased during this reporting period. This increase is attributable to Iowa Code Chapter 573 claims filed by a number of subcontractors against a single prime contractor on a construction project.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of complaints filed with administrative agencies remains consistent with prior reporting periods. There are no apparent trends.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: There was an increase in the number of workers' compensation claims filed during this reporting period. The June report numbers are typically higher than the December report numbers. No trends have been identified, although the University will continue to monitor and review the data.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints pending in this category is consistent with prior reporting periods. Four new cases were filed and five pending cases were resolved. There are no apparent trends.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of cases in this category decreased when compared to the prior reporting period. The University continues to work to maintain and improve employee relations.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of Merit employee grievances is the same as the prior reporting period. The grievances do not reflect any apparent trends or overall issues. The University will continue to monitor and review the information.

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, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	1	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	3	8	6	2	6	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	4	0	0	1	0

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: Six workers' compensation claims were filed during this reporting period. There was no lost time for these claims. Workers' compensation claims continue to remain low at the Iowa Braille and Sight Saving School.

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, 2014 through June 30, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/11	12/11	06/12	12/12	06/13	12/13	06/14
1. Litigation	1	1	1	1	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	1	0	0	0	0	0	0
4. Workers' Compensation	6	4	3	3	5	3	4
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: Four workers' compensation claims were pending during this reporting period. Workers' compensation claims continue to remain low at the Iowa School for the Deaf.