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SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2015 – JUNE 30, 2015

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2015 through June 30, 2015.

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, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
1. Litigation	3	2	3	3	4	3	7
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: Five lawsuits involving Iowa Code Chapter 17A petitions for judicial review of final agency action were pending during this reporting period. Two matters involved student disciplinary decisions and two involved personnel matters. In the fifth case, the Board of Regents sought judicial review of a final decision issued by the Iowa Public Employment Relations Board in a negotiability dispute. Two additional lawsuits were filed under the Iowa Open Records Statute by parties attempting to restrain the release of RFP proposals to the public.

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, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
1. Litigation	25	24	29	25	22	22	24
2. Contract & Tort Claims	10	12	6	10	6	6	13
3. Administrative Agencies	15	21	23	24	25	22	23
4. Workers' Compensation	712	795	749	736	730	854	756
5. Internal EOD Office Complaints	13	9	8	6	9	4	8
6. Faculty and P&S Grievances & Discipline	6	11	12	27	10	9	1
7. Merit Grievances	56	39	48	65	60	41	61
8. UIHC Tort Claims	15	23	24	17	12	6	14
9. UIHC Lawsuits	26	32	27	27	30	35	33

1. Litigation

Developments, Trends and Reasons for Occurrence: This report includes a listing of all lawsuits that were pending at any one time during the period of January through June 2015. Eight lawsuits were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Four new lawsuits were filed. As of June 30, 2015, there were 24 active lawsuits. No significant trends can be identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this period, nine tort claims were denied, withdrawn or settled and will be deleted from the next report. Twelve new tort claims were filed. As of June 30, 2015, there were nine pending tort claims. No significant trends can be identified.

This report includes a listing of pending Iowa Code Chapter 573 claims. One claim was paid and will be deleted from the next report, and one new claim was filed. As of June 30, 2015, there were four pending claims. No trends have been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Five administrative agency claims were settled or administratively closed, and seven new claims were filed. As of June 30, 2015, there were 23 pending claims. No significant trends can be identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: No discernable trends have been identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: There were eight 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 faculty grievances and one Professional and Scientific grievance active during this reporting period. There were nine active SEIU grievances.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of grievances filed during this reporting period is lower than the normal range of variability. No trend has been identified.

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, 2015. During this period, six tort claims were denied, withdrawn or settled and will be deleted from the next report. Four of these tort claims have been filed as lawsuits, and are also reflected in section 9 of this report. Eleven new tort claims were filed during this reporting period. As of June 30, 2015, there were 14 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 2015. Six lawsuits were dismissed, settled or otherwise adjudicated during this reporting period and will be deleted from the next report. Four new lawsuits were filed during this reporting period. As of June 30, 2015, there were 33 pending lawsuits.

¹Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, zero 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, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
1. Litigation	9	10	9	9	9	12	13
2. Contract and Tort Claims	21	29	30	31	34	17	16
3. Administrative Agencies	4	2	4	3	9	11	11
4. Workers' Compensation	188	184	185	161	178	156	167
5. Internal Discrimination Complaints	1	4	13	16	21	23	23
6. Faculty and P&S Grievances & Discipline	10	15	8	8	11	10	8
7. Merit Grievances	18	8	6	4	5	4	3

1. Litigation

Developments, Trends and Reasons for Occurrence: During this reporting period, two new lawsuits were filed (Nielson v. ISU, and McCleary v. Lloyd Veterinary Medical Center, et al). Mr. Nielsen's claims have been dismissed. Mr. McCleary's claims were brought previously, which resulted in a dismissal of ISU from the case. The pending McCleary case is expected to have a similar outcome. Four cases resulted in favorable determinations or voluntary dismissal, and four cases remain pending. Two cases (Palo and Tidiri) are currently on appeal, and a third case (Smith) is awaiting a determination on the issue of attorneys' fees.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: There were no significant developments related to tort claims (14 pending claims). Contract claims continue to average two claims per reporting period.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Of the 11 cases pending during this reporting period, four have been closed. Six new complaints were filed, although three of these were filed by past complainants. The US Department of Education Office of Civil Rights visited the campus in April as part of their investigation of the sexual assault disciplinary proceedings.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims filed continues to drop below average, although the total number of missed days and the total cost for weekly lost time benefits have seen steep increases. The cause is unknown, but is expected to be the result of usual variation.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: Fifteen internal discrimination cases involved student-on-student harassment and violence. Most of these cases involved sexual assault, sexual harassment or domestic violence. The remaining seven cases involved claims against faculty or staff. There is no prevailing theme among claims involving employees.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Two faculty grievances are currently pending. There was one faculty conduct matter which was affirmed by the Board of Regents during the June Board meeting.

Three Professional and Scientific disciplinary cases were filed during this reporting period, and all have been completed as of the date of this report.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Three grievances filed last year have been settled. No new grievances were filed 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 January 1, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
1. Litigation	5	4	5	4	6	7	7
2. Tort and Contract Claims	3	6	10	7	16	12	12
3. Administrative Agencies	4	5	2	3	3	4	1
4. Workers' Compensation	80	70	111	65	79	66	68
5. Internal Discrimination Complaints	5	6	7	7	6	7	8
6. Faculty & P&S Grievances & Discipline	23	16	16	7	4	8	7
7. Merit Grievances	10	5	8	14	14	10	4

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits remains consistent with prior reporting periods. Two pending lawsuits involve the three Regent universities. No apparent trends have been identified.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of pending tort and contract claims remains consistent with prior reporting periods. No apparent trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of administrative agency complaints decreased. The number of cases remains fairly consistent over time. No apparent trends have been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims filed during this reporting period is similar in comparison to the prior period, while the total dollar amount of approved claims was slightly lower. No significant trends have been identified.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category increased slightly. During the period, three new cases were received and two of the listed cases were completed. No significant trends have been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of cases in this category decreased slightly when compared to the prior period. The University continues to monitor and work on faculty and P&S grievances and disciplinary cases.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of merit employee grievances decreased significantly. The type of grievances do not reflect any apparent trends or overall issues.

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, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	1	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	6	2	6	5	6	1	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	4	0	0	1	0	0	0

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: One workers' compensation claim was filed during this reporting period. There was no lost time associated with this claim.

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, 2015 through June 30, 2015 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/12	12/12	06/13	12/13	06/14	12/14	06/15
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	3	3	5	3	4	3	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	0	0	0	0	0	3	1

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: Three workers' compensation claims were filed during this reporting period. One of the claims involved time missed from work. Workers' compensation claims continue to be low at the Iowa School for the Deaf.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: ISD had one grievance pending during this reporting period. This grievance was recently appealed to arbitration.