

Contact: Aimee Claeys

SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2018 – JUNE 30, 2018

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2018 through June 30, 2018.

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 January 1, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
1. Litigation	7	7	1	5	4	4	2
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	1	1	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: One (1) lawsuit involving an Iowa Code Chapter 17A petition for judicial review was filed during this reporting period. One (1) lawsuit alleging violations of the Iowa Open Meetings Act remains pending on appeal of an order granting the Board's motion for summary judgment.

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, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
1. Litigation	24	24	22	21	27	24	31
2. Contract and Tort Claims	13	33	24	29	33	25/31	6/21
3. Administrative Agencies	22	24	29	22	21	24	28
4. Workers' Compensation	756	704	759	730	827	738	810
5. Internal Discrimination Complaints	8	5	1	3	8	4	10
6. Faculty and P&S Grievances & Discipline	10	3	5	10	5	6	3
7. Merit Grievances	61	39	51	45	22	20	20
8. UIHC Tort Claims	14	13	11	7	18	30	29
9. UIHC Lawsuits	33	34	28	24	26	30	31

1. Litigation

Developments, Trends and Reasons for Occurrence: Between January 1 and June 30, 2018, zero (0) were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Eight (8) new lawsuits were filed during this period. As of June 30, 2018, there are thirty-one (31) pending lawsuits. No discernable trend can be identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this reporting period, fourteen (14) tort claims were denied, withdrawn, or settled and will be deleted from the next report. Four (4) new tort claims were filed. As of June 30, 2018, there were six (6) pending tort claims. No discernable trend has been identified.

This report includes a listing of thirty-one (31) contract claims. Nine (9) claims were paid, zero (0) new claims were filed, and one (1) was amended. Zero (0) claims pending on the prior report were paid and will be deleted from the next report. As of June 30, 2018, there were twenty-one (21) pending contract claims. No discernable trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Nine (9) administrative agency claims were settled or administratively closed during this reporting period, and five (5) new claims were filed. As of June 30, 2018, twenty-eight (28) claims were pending. No discernable trend has been 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 ten (10). No discernable trend has been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: There was one (1) Faculty, one (1) Professional and Scientific, three (3) COGS, and three (3) SEIU grievances filed during this reporting period. As of June 30, 2018, three (3) cases remain pending. No discernable trend has been identified.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: There were twenty (20) grievances filed during this reporting period. The number of active cases is ten (10).

8. UIHC TORT CLAIMS²

Developments, Trends and Reasons for Occurrence: During this reporting period eight (8) tort claims were denied, withdrawn or settled and will be deleted from the next report. Seven (7) of these claims have been filed as lawsuits, and are also listed in that section of the report. Six (6) new tort claims were filed during this reporting period. As of June 30, 2018, there were twenty-nine (29) pending tort claims.

9. UIHC LAWSUITS

Developments, Trends and Reasons for Occurrence: Eight (8) lawsuits were dismissed, settled, or otherwise adjudicated during this period and will be deleted from the next report. One of these eight lawsuits was dismissed by the court but the possibility of appeal still exists. Eight (8) new lawsuits were filed during this reporting period. As of June 30, 2018, there were thirty-one (31) 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, one (1) 28E Agreement tort claim was 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, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
1. Litigation	13	13	19	20	19	17	20
2. Contract and Tort Claims	16	18	23	25	33	21	27
3. Administrative Agencies	11	9	11	10	10	10	9
4. Workers' Compensation	167	171	169	177	144	151	156
5. Internal Discrimination Complaints	23	26	36	10	18	16	8
6. Faculty and P&S Grievances & Discipline	8	8	11	16	17	8	11
7. Merit Grievances	3	3	6	25	24	19	16

1. Litigation

Developments, Trends and Reasons for Occurrence: In this reporting period, four (4) new lawsuits were filed. Seven (7) cases have been settled or dismissed. Of the thirteen (13) currently pending cases, eleven (11) are in the pre-trial discovery phase. There are two (2) cases currently on appeal. No discernable trend has been identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: Of the eight (8) tort claims pending at the close of this reporting period, six (Palo, Schussler(3), Tidiri and Wilhite) claim significant damages over \$100,000. There were five (5) contract claims pending at the end of this reporting period. No discernable trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Three (3) new complaints were filed this period, one (1) with the US Department of Education, Office of Civil Rights Office and two (2) claims were filed with the Iowa Civil Rights Commission. No discernable trend has been identified.

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: Eight (8) investigations against faculty and/or staff were active during this term, however only one (1) remains pending at the close of the reporting period. No discernable trend has been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Of the seven (7) faculty/staff matters, four (4) faculty conduct matters are pending at the close of the reporting period. Three (3) P&S disciplinary cases and one (1) P&S grievance were filed during this reporting period.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Fifteen (15) grievances were withdrawn by AFSCME, while one remains pending at the end of 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, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
1. Litigation	7	9	10	7	6	3	3
2. Tort and Contract Claims	12	8	5	2	0	1	7
3. Administrative Agencies	1	2	3	2	3	3	2
4. Workers' Compensation	68	72	62	84	61	64	78
5. Internal Discrimination Complaints	8	3	11	14	12	10	13
6. Faculty & P&S Grievances & Discipline	7	3	2	0	1	0	0
7. Merit Grievances	4	2	3	7	5	2	2

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits and the cases are the same as the prior period. There are no apparent trends evidenced by the issues presented in the cases. One (1) of the three (3) cases involves all of the Regents' universities.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of claims during the period increased in comparison with the prior period but is consistent with the experience of the University during prior periods. 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 slightly lower than prior periods. No trends are 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 increased in comparison with the prior period. The number is more consistent with prior periods. There are no readily apparent trends in the workers' compensation claims data but the numbers will be watched to help determine if additional University action is appropriate in this area.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category increased slightly from the prior two periods. Most of the complaints relate to Title IX. The University continues to strive to handle these complaints in a timely and appropriate manner.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of grievances/cases in this category is the same as the prior period (0) and decreased slightly from prior periods. The

number of grievances/cases over the last several reporting periods is fairly consistent. No trends are evident in this category.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of Merit employee grievances is the same as the immediately prior period and has decreased in comparison to prior periods. This is positive information. The grievances do not seem to 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, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
/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	1	0	0	0
4. Workers' Compensation	1	0	4	2	4	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	0	0	0	0	0	0	0

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: IBSSS experienced two (2) workers' compensation claim filings, which included one (1) day of lost time. The rest of the "claims" categories have "no claims" for IBSSS.

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, 2018 through June 30, 2018 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/15	12/15	06/16	12/16	06/17	12/17	06/18
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	4	3	0	2	1
4. Workers' Compensation	3	4	5	6	3	3	5
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	2	2	2	0	0	0
7. Merit Grievances	1	1	3	0	0	0	0

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: ISD had one (1) Civil Rights complaint closed during this reporting period.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: ISD had five (5) workers compensation claims during this period. There was one (1) missed time claims during this period. There is one (1) open contested claim. Workers compensation claims continue to be low at Iowa School for the Deaf.