

Working Through COVID-19

How is the agency doing? Whether your office has returned to “normal” or you continue to utilize a remote workforce, good operations require constant re-assessment.

What a staggering, head-spinning couple of months we have experienced because of COVID-19. Agencies have had to make some quick decisions to address social distancing and stay-at-home mandates. As an “essential service” some jurisdictions have allowed agency offices to stay full staffed, even though contact with the public may be restricted. Other agencies have limited the number of employees allowed in the office at any given time, allowing only those employees needed to support administrative tasks which could not be performed off site.

While some agencies had already created a detailed strategy for handling pandemics in their Catastrophe Plan, others may not have thought beyond having employees simply work from home. A lot of decisions had to be made in a short time frame, and since agencies had no other choice, they made it work. Regardless of their level of preparedness, agency principals and managers agree that they have learned a lot from this recent experience.

For many of you reading this article, the stay-at-home order has not yet been lifted, and you continue to manage a remote workforce. You may have been amazed to discover the adaptability of your employees, demonstrating initiative and professionalism as they embraced the changes in their work environment. You may also have been impressed by the resilience of your customers, who rely on your counsel and expertise while communicating with you in new and surprising ways.

You deserve a pat on the back for pulling everything together. Now it is time to stop, take a breath and make sure nothing has been overlooked. Set aside some time to evaluate what has been done and in hindsight, what might still be improved on.

Because of technology, employees are not only able to work from home, but can be as productive as when working in the office environment. The key is providing a workspace that mirrors the office workstation as much as possible. Encourage employees to create an area, with a desk/table and chair that provides ergonomic support and reduces fatigue. Furnishing the employee with an additional monitor and full-sized keyboard is important. It is more likely that employees will follow agency procedures and remember the steps in completing each task if their environment mirrors the one to which they are accustomed.

Although it may be tempting to allow employees to use their own laptops or computers, it is much easier to control security with agency-owned equipment. Consider providing each employee with a laptop to be used only for agency business. If you currently do not have a Security and Privacy policy, now is the time to implement one which can clarify expectations when working remotely. Include requirements to sign off computers when leaving a workstation,

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instructions in handling suspicious email, and refraining from downloading programs or installing apps.

Digital phone systems and VoIP capabilities allow calls to be easily transferred to an employee at home. Even so, some employees have given clients their own personal cell phone numbers to avoid going through a main switchboard. Consider the long-term effects of using personal numbers and weigh that against the cost of providing a direct number for each employee. Providing headsets or ear buds will allow employees to be hands-free when on the phone.

In servicing customers, some documents may need to be mailed rather than sent digitally. Even if an employee has a printer in their home, it is best to have the documents sent to a printer in the office, allowing an administrative person to print the queues and mail the documents. If your agency does not have this capability, then a PDF of the document can be sent to the administrative assistant for printing and mailing. When it comes to scanning, some creative employees have been known to capture the image with their cell phones and then email that image to their work email. This practice should be discouraged unless the email used on the cell phone is actually their work email. Personal email does not provide the security needed to transmit protected documents, such as applications.

In addition to printing and handling outgoing mail, someone needs to be assigned functions that can only be performed in the office. This could be an administrative assistant or other employee or manager. Handling and distributing incoming mail, applying or forwarding premium payments, and making bank deposits. Some agencies have placed drop boxes or use mail slots to allow customers to easily make payments. However, a disclaimer should be posted stating that the agency cannot guarantee continuation of any policy until the payment is accepted by the carrier. Also, create a system to handle customer original copies of policies and endorsements. Consider whether they should be sent immediately or held until released by the account manager or CSR, perhaps together with invoices, letters or other documents.

The most critical piece of handling remote workers is communication. If handled correctly, you will find that your teams have become more cohesive than ever, eventually returning to the office with a renewed sense of commitment to their job and support of your agency mission. While some do their best work independently, others need a sense of connection and reassurance. Managers should try to speak to each employee one-on-one at least weekly, while being responsive to email or instant messaging. Continually provide positive reinforcement and help employees feel valued. Use video conferencing to hold daily team or department meetings. This gives employees the opportunity to share concerns and trouble shoot problems while feeling an active and respected member of the agency. You can use team meetings or email to update staff on what carriers are doing related to coverage issues or premium payment options.

With so much going on, it is understandable there is an increase in an agency's E&O exposure. If an employee's home environment causes more distractions, it is easier to forget to complete a step in a process, or to finish documenting the last phone call.

Employees are experiencing an increase in questions from customers related to COVID-19 and if not handled properly, can lead to E&O activity. Some inquire as to whether coverage applies to virus contamination, action of civil authority or business income. Care should be taken to avoid

confirming or denying coverage, but rather submit all claims to the appropriate carrier. Commercial customers with remote workers in other states may need to obtain Workers Compensation coverage for those states. Some businesses may have re-tooled manufacturing processes to create medical-related products. Restaurants, pharmacies and others are offering delivery service which had not been included in their coverage in the past. Many businesses have had to shut down or reduce the number of employees, which has caused the need to adjust premium basis such as sales or payroll. Customers are requesting coverage be removed or suspended for vehicles or equipment not currently in use. Many customers are making claims for coverage that may not exist under their policy. All of this adds up to a lot more E&O exposure than in the past.

The fallout from COVID-19 will continue well into the future, long after the remote workers have returned to the office. Regardless of the issues, continue to educate your employees and offer guidance for handling emerging concerns. Create a strong agency standard that all claims be reported to the carrier, even if the employee feels there is no coverage. Never deny or acknowledge coverage related to a claim rather submit the claim and let the carrier handle it.

The checklist provided here can be used to confirm all areas are currently being addressed. If your employees have already returned to the office and resumed working the “new normal”, you can use this checklist to help develop your own action plan for better preparation in the unknown future.

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COVID-19 Workplace and E&O Loss Control Checklist

Connectivity and Security

- VPN (Virtual Private Network)** - This creates an encrypted tunnel between the remote computer and your network allowing data to transmit securely.
- Multi-factor Authentication** - to protect against remote attacks, even if credentials become compromised.
- Email Encryption** – Email should be encrypted any time outgoing email contains information protected under privacy laws (i.e.: Gramm-Leach-Bliley, HIPAA).
- Security and Privacy Policy** - If your agency does not already have a Security and Privacy policy, that should be addressed now. Review existing policies with employees.
- Instant Messaging** – Instant messaging allows employees to communicate with each other and management as simply as speaking with them in the office.
- Telephones** - With digital and VoIP phone systems, it is easier than ever to transfer calls to employees. Will you allow employees to take their desk phone home with them?
- Scanning and Printing** - Will remote employees be able to queue documents to print in the agency for mailing?

Hardware

- Computers** - Will the agency furnish computers/laptops or will employees use their own computers? Consider providing them agency-owned computers for this purpose.
- Additional Needs** – Consider dual monitors and full-sized keyboards for efficiency, head-sets or ear buds to take calls hands-free.

Administrative Tasks

- Incoming and Outgoing Mail** - Daily retrieval of incoming mail. This includes “overnight” mail such as Fed Ex and UPS. Scanning and distributing to employees.
- Premiums Received** – Use caution using a drop box or mail slot. Post a disclaimer or require customers to make payments on-line.
- Deposits** – Responsibility should be assigned for processing payments, forwarding or sweeping them to the carrier, or applying agency bill payments and related bank deposits.
- Miscellaneous Tasks** – Clearly outline duties of those remaining in the office for administrative assistance, whether printing, scanning, accounting functions or others.

Communication

- One-on-one** – Managers or supervisors should strive to speak one-on-one with each employee at least weekly. Use email and/or messaging to continually keep connected.
- Group Conferencing** – Departments, teams or single office locations should try to meet regularly. Video conferences are preferable, but teleconferences will work as well.
- Email Updates** – Management should send email updates frequently to all employees to share carrier information and updates as to how the pandemic is affecting the agency.

E&O Loss Control

- Agency Standards & Procedures** – Remind everyone the importance of upholding agency standards and following procedures while working remotely.
- Documentation** – Remind employees to exercise diligence to assure that all documentation is complete, especially when distractions interrupt a task.
- Coverage Issues** –The COVID-19 pandemic has increased customer inquiries Continue to educate your employees and offer guidance for handling emerging concerns.
- Claims** – Create a strong agency standard that all claims be reported to the carrier, even if you feel there is no coverage. Never deny or acknowledge coverage related to a claim.