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THE Minnesota News

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CONTENTS

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13 Cybercrime Awareness for Agencies

21 Commissioner's Message: The Biggest Cost Factor for Insurance = Climate Change

22 Carpe Diem – Seizing the Day Through Opportunities That Come Your Way

30 Swiss Re: So You're Thinking about Selling (or Buying) an Agency?

36 Don't Be The "Hot Mess" Boss 5 Communication Habits of the Emotionally Intelligent Leader

41 Technically Speaking... Water Damage Losses

Inside

- 5 President's Message
- 7 Director of Operation's Message
- 10 Lunch+Learn Webinars
- 11 Grinnell Mutual Profile
- 19 The Builder's Group Profile
- 27 Main Street America Profile
- 35 E&O Q&A
- 50 Power in Partners

On the Cover



New Branding Initiative Page 9 and EXPO Highlight Video Page 7

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MIIA EXPO WAS A GREAT SUCCESS!

I would first like to thank the entire staff of the MIIA for putting on a tremendous one-day expo at Mystic Lake Casino. I was so excited to see friends, colleagues, insurance company personnel and the MIIA staff again. The expo did not disappoint. One of the most important parts of our membership is the comradery we all share with each other. After going through the last 18 months plus of the pandemic, it is easy to be thankful for any opportunity we get to be together, especially at such a first-class event. Thanks to all the people that participated in the 'Pirate' theme this year. It was a festive way to celebrate being back together and allowed for some great prizes to be distributed in unique ways!

At the Expo, we were extremely fortunate to have a Cyber Liability Summit that included CE. Cybercrimes continue to grow and have become a greater risk to our agencies and our clients. We had several tremendous speakers at the event. John Immordino from Arlington Roe was able to give industry perspective on the state of cyber liability coverage. Matt Vatter, assistant commissioner of enforcement for the Minnesota Department of Commerce, was able to give some insight into the new legislation that will affect many of our agencies. In addition, Cyberfin presented ways to reduce the risk and exposure of cyber-attacks. For most of us and our clients, our computers and technology are essential. Now we must make the effort to protect our customers and information from hackers and criminals. If you were not able to participate in the Cyber Liability Summit at the Expo, I encourage you to reach out to someone that was able to be there or the staff to get more information. There will also be a summary video put together and distributed by the MIIA staff.

I would also like to thank all the company partners that were able to be at the Expo. Based on the amount of play boards stamped, it appeared that the companies had many visitors! The partnership that the MIIA has with these companies is tremendous. We are very grateful to have some of the best insurance companies in the world to work with here in Minnesota. We look forward to our continued relationship with them.

Your President,
Chad W. Ostermann
M&M Insurance Agency, LLC - Mapleton





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EXPO - Huge Success!

If you were able to make it to Mystic Lake on August 10th for our EXPO, you may have experienced one of our best EXPO's EVER! In spite of the summer date and pandemic resurgence, we had a FULL exhibit hall loaded with vendors and our insurance company partners! We also held a timely "Cyber Liability Summit" with over 200 in attendance listening to experts discussing the new cyber law that went into effect on August 1st and how it is going to affect our agencies in Minnesota.

All of our independent agent members, carriers and vendors were overjoyed to be able to get back together, catch up from the past two years, and reconnect with the people who make the independent insurance industry thrive. If you were unable to be in attendance, we will have the "Cyber Summit" recording posted on our website soon. There will be an option to view the full 3 hours or a condensed version of the main points. Either way, this information is critical to running your agency business in a manner that meets state regulations and guidelines. **EXPO Highlights** [click image below.](#)



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New Branding Logo - Big I Minnesota

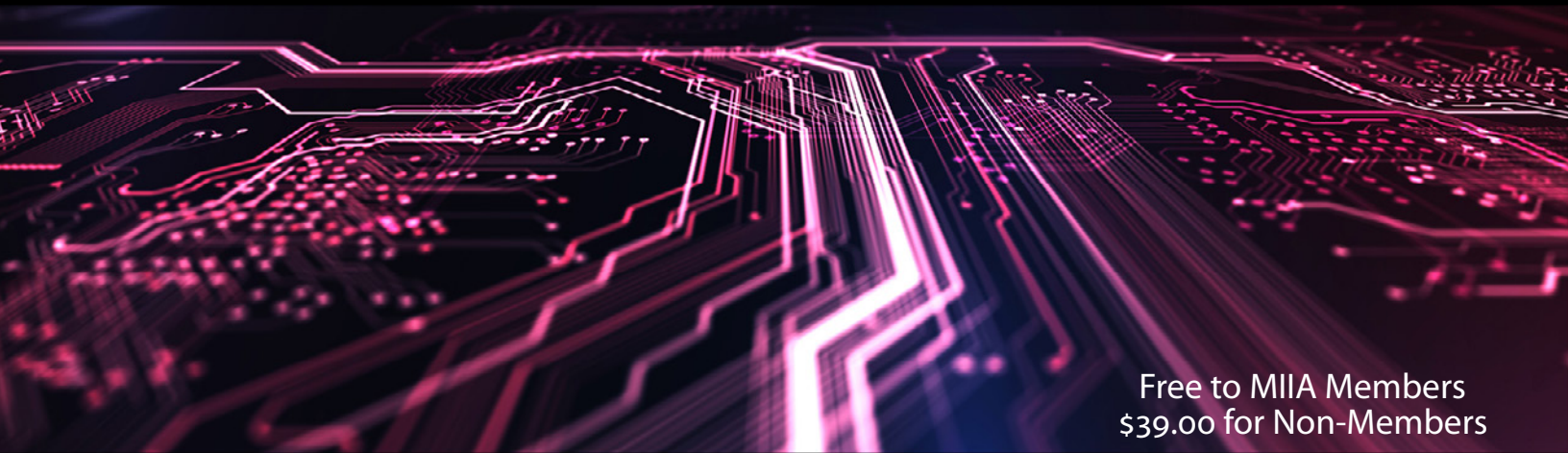
We've done something BIG here in Minnesota...we've gone back to our, very well known, name "Big I Minnesota". In the early days of the Independent Insurance Agents Association, the name "Big I" was used by members all across the country. Over time, states started to differentiate with their own logos. And in more recent years, the Trusted Choice consumer brand was confused with the association brand. Through discussions with members in MN, the board made the decision to go back to our roots and officially brand the MN Independent Insurance Agents, "Big I Minnesota". This brand is also used by our national association, the Independent Insurance Agents & Brokers of America. Our member agents will still continue to use the Trusted Choice logo as their consumer facing brand if they wish but your association will be known as the Big I Minnesota, representing the independent agency system here in our great state. Thank you for your continued support!

If you'd like to download the logo, click on the images below.



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11/17/21 You're Doing it Wrong - Utilizing HSA's Investment Opportunity

Paul Scholz, Sr. VP Group Benefits, OCI Insurance Services

The attendee will walk away with knowledge on how to maximize their HSA for retirement and building wealth. They will also have a deeper understanding of how to be a better consumer of healthcare.

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*President & CEO
Jeff Menary*



We know that happy employees do great work, so we did everything we could to help our employees and communities when they needed it most. As a result of that commitment, we've been named an Iowa Top Workplace for 11 years running, one of only four companies that's earned the designation every year it's been available.

And in 2021 Gallup named us one of its Exceptional Workplaces, a global award, finding that Grinnell Mutual demonstrated extraordinary commitment to its employees and its corporate culture during the most challenging of times.

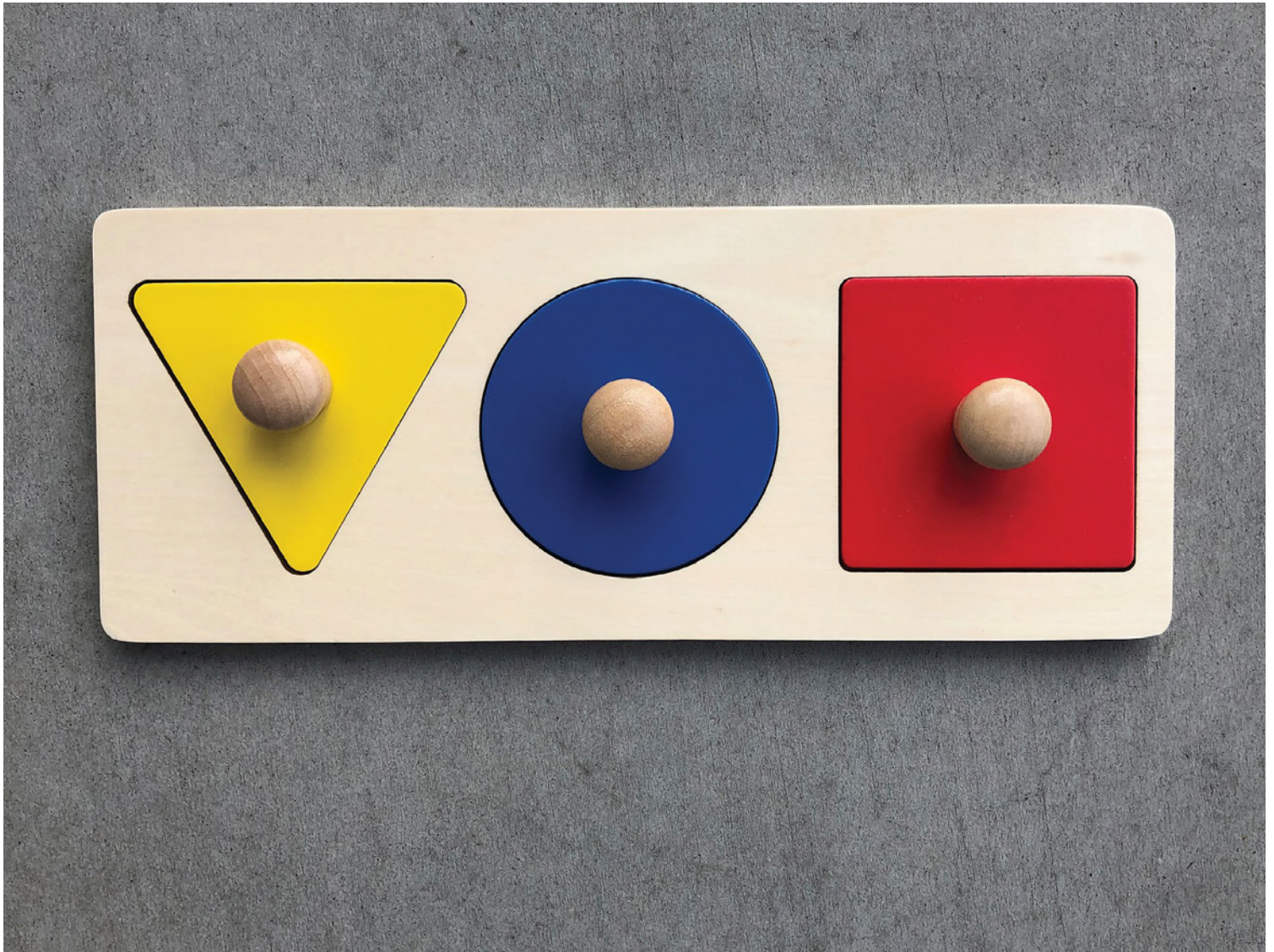
Because uncertainty seems to be the one constant these days, being ready for anything is more important

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Cybercrime Awareness for Agencies

August 2021
By Aaron Simon¹



When agents and agencies think about cybercrime they tend to focus on the various Cybercrime products they may offer to sell to their insurance customers. However, agents and agencies should also be concerned about cybercrime attacks against them. Agents and agencies have access to a significant amount of personal and financial information concerning their insurance customers' clients. Cybercriminals know this and thus may target agents and agencies.

Agents and Agencies should be vigilant in this regard and make sure to protect against Cyberattacks. Some ways Agents and Agencies can protect against Cyberattacks are:

1. Require use of strong passwords and that passwords be changed regularly;
2. Keep up to date on major security breaches;
3. Cybersecurity Hardware using a VPN-capable firewall;
4. Consider using Security keys with Passwords;
5. Using Multi-Factor Authentication;
6. Use a Password Vault;
7. Auto-Updates – Keep your software updated;
8. Malware scanners;

¹**Aaron Simon** is a litigation attorney with the law firm of **Meagher + Geer, PLLP**. He is admitted to practice law in State and Federal Court in Minnesota, Wisconsin, and North Dakota. A large focus of Mr. Simon's practice involves representing insurance agents and agencies and handling insurance coverage matters. Mr. Simon is also an approved insurance agent CE instructor and approved insurance agency risk management auditor. Mr. Simon is a member of the Minnesota State Bar Association, the Hennepin County Bar Association, the Wisconsin State Bar Association, the Minnesota Defense Lawyers Association, the Defense Research Institute, the Professional Liability Defense Federation, and the Professional Liability Underwriting Society. To learn more about Aaron, go to: <https://www.meagher.com/our-people/aaron-m-simon/>



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9. Full-disk encryption;
10. Cybersecurity training and awareness for your staff;
11. Locking computers when not at desk;
12. Lock down your IP addresses, secure DNS and protect against DDOS;
13. Back up your systems;
14. Software and Hardware Asset Control including restricting Administrator access for users on local machines;
15. Audit Log Management using a SIEM or CyberSOC;
16. SPAM protection for E-Mail;
17. Web content filtering; and
18. A Formal Information Security Program using Center for Internet Security Controls – see <https://www.cisecurity.org/>.

Of course Agents and Agencies should also practice what they preach to their customers and make sure they have good Cybercrime insurance coverage.

In addition to representing Insurance Agents and Agencies and other professionals in litigation and regulatory matters, Mr. Simon also represents Agents and Agencies (and other professionals and business owners) in transactional matters such as policies and procedures review, contract review, business structure, business sale and/or transfer, and related matters. If you have a legal question or need some legal transactional or business development consulting advice please feel free to reach out to Mr. Simon at 612-386-4617 or asimon@meagher.com. Initial consultations are always no charge.

The information in this article is intended only for general informational purposes. No attorney-client relationship is created by presenting this information. You should always consult with your own attorney regarding your own specific circumstances.

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Safety Training Services



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Diamond Profile



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The Builders Group

CHIEF EXECUTIVE OFFICER

Stu Thompson

DIRECTOR OF INSURANCE

Mitch Loewen

COMPANY HEADQUARTERS

Eagan, MN

WEBSITE

tbgmn.com

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TBG is a self-insured work comp fund that provides work comp insurance “at cost” to its members in the trades and related industry.

For nearly 25 years TBG has enjoyed a mutually rewarding relationship with independent insurance agents. As a self-insured work comp fund we count on the independent agent who is willing to present the best options to their clients and let those options stand on their own merit. The merits of a self-insured fund are many and for 25 years TBG has built an incredible fund with over 700 members who’ve chosen the power of a self-insured fund — in spite of the fact that members could be assessed in the event of a bad claims year. However that’s never happened. That’s because TBG has kept their eyes on the things that are essential to building a financially stable self-insured fund:

Independent Agents: TBG works closely with a group of independent Insurance brokers who have experience working with construction related clients and understand the benefits of being an owner in a self-insured work comp fund.

Member Owned : Every decision that is made at TBG has the best interest of their members in mind — because every member of TBG’s board is a business owner, as well as a fund member.

Mitigate Risk: TBG utilizes a reinsurance mechanism called LPT (loss portfolio transfer) to eliminate long-term work comp liabilities. TBG has never assessed members and is currently as “assessment proof” as possible.

Safety Services: TBG members have access to an industry leading safety services team and training center to help them learn to work safer, more profitably and retain employees.

Compassionate Claims: The TBG Claims Department has earned a reputation for keeping the best interests of the employer and employee front and center while striving for “back to work” resolutions.

Innovation: TBG continues to develop products and services exclusive to the trades such as; Pay As You Go Premiums, Cross Border Coverage, NurseCare

Hotline, Mobile Training Center and much more.

TBG Education Foundation: the Foundation exists to support young men and women in their journey to discover careers in the trades through scholarships and grants. Last year alone, the Foundation put over 60k in the hands of trade bound students.

Dividends: As a member owned fund, profits are returned to members by way of dividends. The TBG board recently approved a 5.6 million dollar dividend payable in 2022. That brings TBG’s all time divi-dend paid to nearly 22 million dollars.

As TBG closes in on its 25 year anniversary, the fund has become the bellwether for self-insured groups nationwide as they continue to minimize the threat of assessment, build a financially secure fund and provide members with work comp coverage at cost.

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The Biggest Cost Factor for Insurance = Climate Change

Thanks to Big I MN for the invitation to share my perspective as Commissioner of the Minnesota Department of Commerce. At Big I MN and Commerce, we serve the same clients: The people of Minnesota. I am grateful for the opportunity to talk about issues that affect our state and our neighbors in this and future columns.

Across Minnesota, we are living with the impacts of our changing climate. Those of us working in the insurance realm know that extreme weather events have long been a significant factor that contributes to rising insurance costs – with Minnesota frequently appearing on the annual national top ten list of states with the most expensive weather-related events. As agents and brokers, you are on the front lines helping your clients ensure that their homes and businesses can weather – pun intended – the increasingly dangerous perils they face.

Commerce has a unique role in this space. While Commerce is Minnesota's insurance regulator, we also regulate financial services and the energy sectors. Because the Department works with consumers and businesses operating in these three areas of the economy, Commerce, like agents and brokers, hears from Minnesotans every day. Now more than ever, this gives us a vital opportunity to help Minnesotans build resiliency, reduce risk and mitigate the effects of extreme weather. As you know, a policyholder's cost of properly insuring against a disaster is far less than the cost of recovering from a disaster.

Commerce is leading state efforts through work on energy conservation and building code updates. These efforts will save Minnesotans' money and reduce climate impacts. If done right and in collaboration with the insurance industry, they can also reduce losses if a catastrophe does occur. We're also working on a national level with fellow insurance regulators on the National Association of Insurance Commissioner's Climate and Resiliency Task Force. The work of the Task Force recognizes that the insurance industry has a unique role to play because the effects of extreme weather affect insurers on both sides of the balance sheet. At that Task Force's most recent meeting, regulators heard about an [interesting set of recommendations](#) to finance investment in community and personal resilience. Regulators also heard about the Federal Emergency Management Agency's ongoing work to [map natural hazard risks](#).

These national efforts have been primarily focused on insurance companies, but I am eager to hear from Minnesota agents and brokers about where you see opportunities for the Minnesotans you work with. What types of new products or coverages are your clients asking for? How can we close protection gaps for consumers and businesses to reduce, manage or mitigate risks from extreme weather? What innovations are you seeing in other states that we should be studying in Minnesota? I look forward to hearing from you and working together on this monumental issue.





Carpe Diem – Seizing the Day Through Opportunities That Come Your Way

By Dr. Rhea Seddon

Common laments often heard are “I wish I had...”, “I should have...”, “If only I had...”. They stem from an individual’s inability to recognize opportunities when they appear or to act on them. Throughout our lifetimes, opportunities appear along our path. It’s knowing how to see them and when to act on them that determines our future.

If you look back on your past you may remember times when there was a fork in the road when you had to decide which path to take. Choosing one road or the other can make a world of difference in the destination you reach. Here are some very important things you can consider.

The Power of Planning, Preparation and Being Ready

It’s been said that if you don’t know where you’re going, you won’t end up where you want to be. It is imperative that you have a clear objective and plan your journey with this end in mind. The plan must have a blueprint, a specific set of actions to complete.

Perhaps you think that you will be lucky and can achieve your goal without hard work, but luck is what happens when preparation meets opportunity. Be sure you have prepared well and have the requisite skills when you learn about a great opportunity. This will give you the confidence to move bravely to your final goal.

The Wisdom of Having a Goal....and a Back-up Plan

Narrowing down your hopes and dreams to something concrete through planning and preparation is an important step. However, it is also important to be realistic as you move forward. It is fine to aim big but it is also important to be realistic as you assess your chances of success. At some point it may become obvious or unlikely that your destination is not reachable. Don’t give up! There are alternative routes to get to the goal or somewhere near it. This requires you to always be looking for a Plan B (or perhaps several alternative plans) that will allow you to achieve the goal by another path, lead you to another goal or at a different time.

The Appearance of an Open Door

It will behoove you to lead a life full of interesting people and activities. Almost everyone who has achieved his or her dreams has learned from intelligent, ambitious people who are able to describe how they got to where they are. If you surround yourself with these people, they will often show you how to open the door to a future like theirs. You may be surprised that someone you barely know or a long-lost relative will have information important for your success. Throughout your life, you must listen for opportunities, assess whether they are something you should pursue or study further. But remember, time will march on with or without you. Don’t let a chance to succeed pass you by.

The Search for a New Path and Why It is Never Too Late

Rare is the life that follows one straight path. Whether by choice or by chance, most people will need to change careers, work locations, job positions or work environments. It can be particularly difficult if you are let go from a job or that job no longer exists. It can be especially difficult if



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you are older and find change difficult. Have you ever considered that you may find something better? Use this lull to pause, plan and pivot. Assess what skills you have, what you have a passion for and want to do. It can seem daunting but remember, it is never too late to learn new things and start afresh.

The Value of the Network of People You Know

Don't forget that there are probably many people you have known for a while who would be happy to guide you along your career or life path. If you think about it, this network of people is the most likely to understand who you are and what you are good at. Almost all successful people are happy to offer a hand up to others in their profession or refer you to someone in their network. There will be people you don't know but will meet. Never hesitate to speak to people in your field or in the field you'd like to enter. Ask your friends or colleagues for introductions to people who may be able to help you.

The Challenge of Overcoming the Fear of Moving On

We often get comfortable in our lives and in our jobs and quake at the idea of having to change directions or life styles. Fear can sabotage our ability to see what the future might hold. It can be frightening to jump into the unknown. Looking back at times when you made it through past upheavals can give you good ideas to get you through this one. In times of uncertainty, it is good to have supportive friends and family members who can encourage you along this new path. Sometimes the only thing that one can do is put one foot in front of the other until a new world opens up. Have the confidence that you can move on!

When you live a full and well-planned life, it may be surprising to see how many opportunities will bubble up all along your way. Some will seem right for you, others not. Some will take hard work and complete focus. Remember that it is never too late to start something new. You will always need to have a goal, a plan and be fearless. Ask for help from others and have a backup plan (or two!). You must always be listening for and assessing those opportunities with curiosity and courage. In the end you will be able to rest assured that you will did not pass up the "chance of a lifetime". Always remember that you live in "The Land of Opportunity"!



ABOUT THE AUTHOR:

Dr. Rhea Seddon is an astronaut and the author of "Go For Orbit," a memoir about her adventures spending 30 days in space aboard the space shuttle. She is also a former surgeon, health-care executive and entrepreneur. Dr. Seddon speaks to audiences of all kinds on the topics of teamwork, leadership and taking advantage of opportunities. To learn more, visit www.astronautrheaseddon.com



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SO YOU'RE THINKING ABOUT SELLING (OR BUYING) AN AGENCY?

By Richard F. Lund, J.D., Vice President,
Senior Underwriter, Swiss Re*

At some point in your insurance career you may have to decide, is it time to sell my agency? Or, if you're making a transition in your insurance career, the opportunity arises to consider whether you should purchase an agency. In both situations, one of the most overlooked and under-considered aspects is what to do about the E&O policy.

A while back we presented a webinar with industry professionals about the entire aspect of selling or buying an agency. *"Agency Risk Management Essentials: Navigating the Hazards of Buying, Selling and Merging an Agency"* is available on the E&O Happens website (independentagent.com/eohappens) under the "News & Publications" tab in the "Risk Management Webinars" section. If you are thinking of selling or buying an agency, start there so you can learn about those things that you should consider BEFORE you take that big step.

What you do about the E&O policy is very important for you as the seller or the buyer to decide. Do you transfer the policy from the seller to the buyer, or does the seller purchase an extended reporting period (ERP)? Does the buyer purchase a new E&O policy? What makes the most sense? What are the

ramifications? As an E&O carrier, we want both the seller and buyer to be aware of their options in order to make an informed decision.

Often the cleanest and best option for both the seller and the buyer is for the seller to purchase ERP, and for the buyer to purchase a new policy. This allows the seller to be assured of coverage for a specified period without relying on the buyer to keep coverage in place, and prevents the buyer from assuming the liabilities for errors or omissions that occurred prior to the sale.

If you decide to transfer the policy from the seller to the buyer, understand that the carrier will need to approve this option, and may not allow it, depending on the circumstances. If the policy is transferred, we will want the seller to acknowledge the following:

- I have been offered to purchase an extended reporting period for my insurance agents errors and omissions policy, and after full consideration I am declining to purchase the extended reporting period.
- I agree to transfer of the policy to the buyer.
- Upon transfer of the policy I understand that I will no longer have control of the policy effective on the date of transfer.
- The buyer may terminate the policy at any time and I may no longer have coverage for any E&O claims that may be made against me or my agency after that time.

For the buyer, we will want them to acknowledge the following:

- I am aware of the claims history of seller.
- I agree that I will assume the liability for all prior acts, errors or omissions that might lead to future claims being made against the seller.
- I agree that I will make any future deductible payments as required under the policy for existing or future claims made under the policy.
- I agree that coverage for any and all claims prior to the date of transfer of the policy will be covered under the policy and subject to the terms and conditions of the policy.
- I have been advised that the seller has been given the opportunity to purchase an extended reporting period for the policy, but has declined that offer.
- Moreover, I have been advised that I could apply for a new errors and omissions policy that would exclude coverage for any and all prior errors or omissions, and after due consideration, I am declining to make such application.

Before you decide to either sell your agency or buy an agency, be sure to take the time to consider all possible outcomes regarding the E&O policy. The old saying “an ounce of prevention is worth a pound of cure” still applies.

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**Richard F. Lund, JD, is a Vice President and Senior Underwriter of Swiss Re Corporate Solutions, underwriting insurance agents errors and omissions coverage. He has also been an insurance agents E&O claims counsel and has written and presented numerous E&O risk management/ loss control seminars, mock trials and articles nationwide since 1992.*



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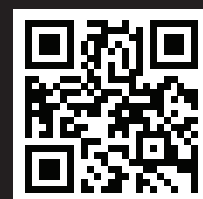
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E&O Q&A

By Mary LaPorte, CPCU, CIC, LIC, CPIA

Agent's questions about Errors and Omissions, and how E&O losses can be prevented.

Q: Our office is finally eliminating paper customer files and going paperless. The question came up on how long we should keep customer records. We used to keep everything for five years. Is that still the rule of thumb for digital records too?

Callie, Illinois

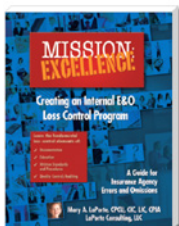
A: Callie, the first thing you need to do is check to see if your state has requirements for maintaining records. Your state agent's association should be able to provide that information.

Generally, I have always recommended keeping personal lines records for 5-7 years, and commercial records for 7-10 years. In the past, an agency's desire to keep paper records longer was tempered by space limitations. Thanks to technology, space is no longer an issue.

One argument, therefore, is to keep records indefinitely since it is so easy to do. That can be a double-edged sword. On the plus side, you can provide historical perspective on an account and perhaps even help a customer with a long-tailed claim when the carrier no longer has a record of the policy. Conversely, poor documentation from the past can hurt you in an E&O situation. I think most of us would agree that, thanks to technology, we do a much better job at documenting today than we did ten, twenty or more years ago. I have witnessed situations where incomplete documentation or gaps in documentation from the past have affected agencies negatively in E&O litigation.

There is one more area to consider, and that is the limitations of your agency management system. In many management systems, customer records can be archived, but not deleted completely. You should speak to your vendor to see if it is even possible to totally delete records. From an E&O perspective, archived records are still subject to subpoena. In other words, archiving is the same as "keeping" them indefinitely.

At the time of an E&O claim, you will be judged against your peers. What would a similar agency do in the same situation? What are your peers doing? If the old "normal" was 7 years, what is the new "normal?" The truth is - no one knows. That takes time to establish and our changes in technology are relatively new. What I can tell you what I see other agencies doing right now and that is either keeping files indefinitely or archiving. Check your state requirements, speak to your vendor, review my comments above and create a retention policy that fits your agency's needs.



For resources to help reduce your agency's E&O exposure, see Mary's book: ***Mission: Excellence - Creating an Internal E&O Loss Control Program.***

Visit her website at www.lpinsuranceconsult.com for more information.

Mary LaPorte is a consultant and educator with a strong background in Errors & Omissions loss prevention. Forward your E&O questions to marylp@lpinsuranceconsult.com



Don't Be The "Hot Mess" Boss

**5 Communication Habits of the
Emotionally Intelligent Leader**

By Liz Uram

We've all seen it. The leader who receives bad news in a meeting and with a loud outburst of disgust, slams their fist on the table. Or, the leader who becomes overcome by their emotions and breaks down in tears. From one emotional extreme to the other, neither of these leaders instill confidence or trust in their team. Working for an emotionally unstable boss results in a group think culture or an eggshell culture.

A Group Think culture is formed when the group realizes that the only acceptable response to the boss's latest and greatest idea is agreement. Have you ever sat in a meeting where the whole group just did the 'smile and nod'? If so, you have experienced group think. Leaders who are prone to impulsive outbursts when they feel like they are being questioned create a culture where people are afraid to do anything but go along.

An Eggshell Culture is when everyone is 'walking on eggshells' and that is no fun either. This is created when you have a leader who goes from one extreme to the other. You never know what you're going to get. It all depends on their mood that day. One minute everything is fine. The next minute they are in a rage because traffic was a nightmare and they are running late. They are an emotional hot mess.

You clearly do not want to do create either of those cultures, and in almost all cases they are created unintentionally. That's the scary part. The leaders don't realize the impact they have. They lack emotional intelligence.

Simply put, emotional intelligence is your ability to cope with adversity. When people are doing what you want them to do and your plans are working out the way you hoped, life is easy. But, how do you react when people aren't doing what you want them to do and your plans aren't unfolding the way you had hoped? That's the true test.

The good news is that emotional intelligence is a skill that can be developed over time. Just follow these five communication habits of emotionally intelligent leaders:

- 1. Self-awareness.** Most leaders are not intentionally creating negative workplace cultures. They just aren't aware of how their reactions can impact other people and create a sense of uneasiness. The emotionally intelligent leader is not only aware of the impact of their words they are also aware of what message they are communicating through their facial expressions and body language. They understand that the perceptions others have of them, real or imagined, impact how their message is received. They strive to develop a heightened level of self-awareness through feedback, self-reflections, and assessments that can help them understand their natural personality style.
- 2. Positivity.** The emotionally intelligent leader pays close attention to their thoughts and takes swift action to shift to a positive outlook when they catch themselves getting sucked into negativity. You can train yourself to have more positivity simply by paying more attention. What do you think of first thing in the morning? Do you think about your day ahead and say things to yourself like, "This is going to be a hard day"? If so, guess what kind of day you're going to get? A hard day. It's simple, just changing your thought to "Today is going to be a great day" can make all the difference.



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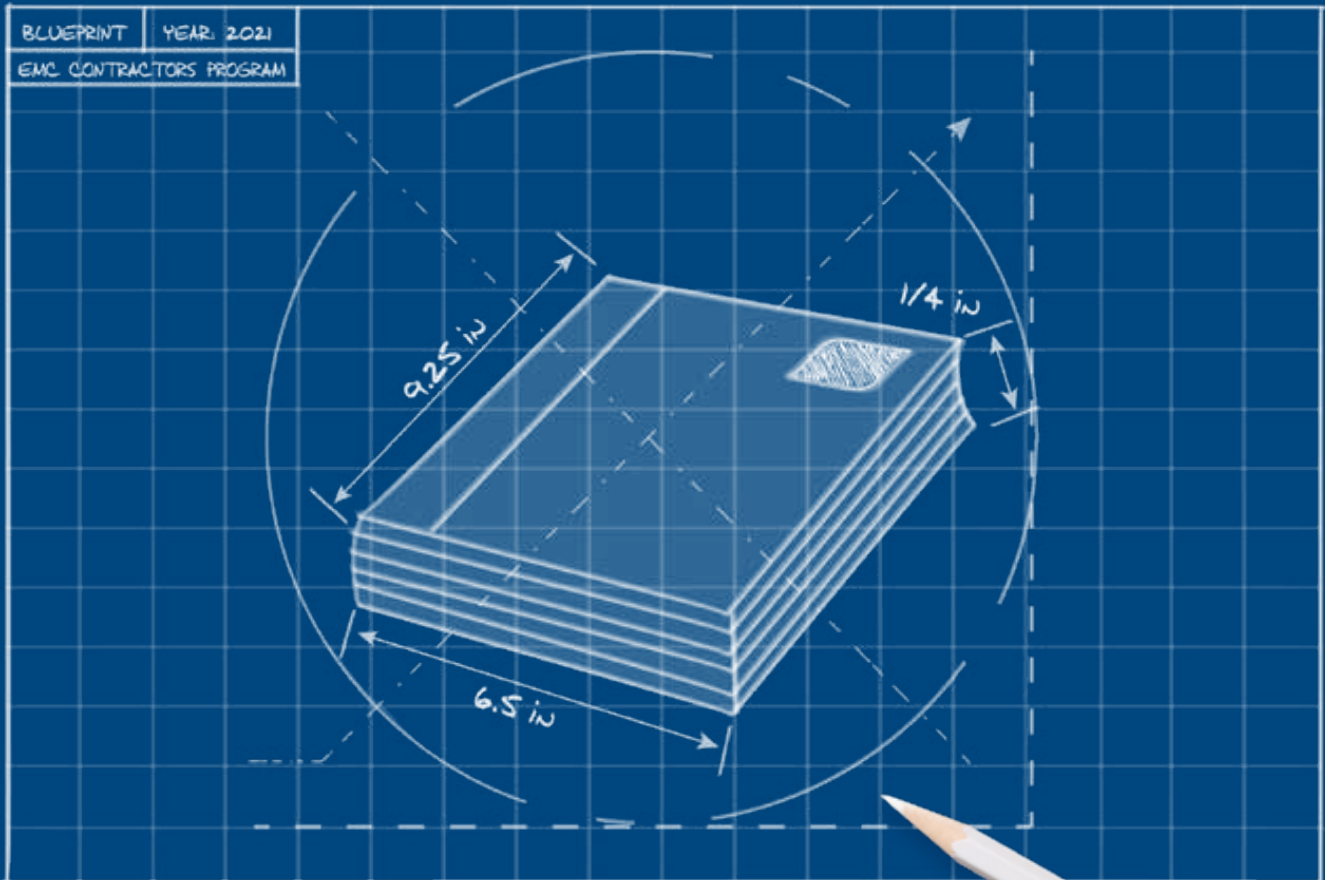
- 3. Mission-minded.** The emotionally intelligent leader looks ahead to where they're going. They know that their reactions can either help them or hurt them as they work to achieve their professional and personal goals. They talk about the mission of the company with their team. They know that having a shared sense of purpose will motivate and energize a team in ways that an angry outburst never can. They share the success stories that show the mission in action and help their team see they "why" behind the "what" in everything they do.
- 4. Resilience.** Stress and setbacks are a part of life. How you bounce back from a setback sets the tone for the rest of team. The emotionally intelligent leader is aware of their stressors and their natural reaction. Do they go into fight mode or flight mode? They take steps to proactively counter-act the negative impacts of stress on their life. They understand the serious health effects of long-term stress. One study revealed that 60% of all basic health issues are caused by chronic stress. By controlling their own stress levels, they are better able to help their team walk through stressful situations.
- 5. Conflict management.** The emotionally intelligent leader doesn't accept every invitation to engage in conflict that they get invited to. They understand that conflict is a natural outcome of a group of people working together. Every individual on a team is bringing their own set of beliefs, values, perceptions, and personality to the workplace. These leaders understand that when a particular person seems "difficult" it's usually just that they are "different." They can see, and appreciate, the strengths that different personalities and backgrounds contribute to the greater whole. They accept individual differences rather than insisting that everyone see things their way.

There you have it. Five communication habits that can increase your ability to handle any situation in stride. Not only will you feel better, you will enjoy the results that come from a team of people who respect and trust you as a leader.



ABOUT THE AUTHOR:

Liz Uram is a nationally-recognized speaker, trainer, consultant, and author. She equips leaders with the tools they need to communicate like a boss so they can make a bigger impact, get better results, and motivate others to do their best. With 20 years of experience, she's developed systems that work. Uram's written four books packed full of strategies leaders can implement to get real results, real fast. For more information, please visit www.lizuram.com.



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Water Damage Losses

Last week, the first water damage call I received was from an old friend in Florida. Once again, he and his family are suffering from water damage caused by the storm that made landfall there yesterday (August 16th). Because of his exposure to the coast, he has to buy a special policy that will cover some water damage, but there are usually very large deductibles involved – like 5% or higher of the value of his home. Valued at \$500,000, he has a \$25,000 deductible. His losses are less than that. But, like thousands of others, he loves living near the ocean.

The second call about water problems was from, of all places, the Flagstaff, Arizona area. Maybe you saw the picture in the news a few weeks ago of an automobile floating down a Flagstaff street. Water was roaring down the street, flooding everything in sight. My friend's home was one of the flooded areas.

Here is the typical Homeowners language from the policy he has:

Section I – Exclusions: 3. Water, This means:

1. *Flood, surface water, waves, including tidal waves and tsunami, tides, tidal water, overflow of any body of water, or spray from any of these, all whether or not driven by wind, including storm surge;*
2. Backup of sewers and drains, sump pump overflow (paraphrased);
3. See page claims of all kinds (paraphrased);
4. *Waterborne material carried or otherwise moved by any of the water...*

As you can see in number 1 and 4 above, he has no coverage for his flooded home, garage and personal property. And being in Flagstaff, Arizona, he was not concerned about water losses. So, no flood insurance, about which he admitted he never discussed with his agent. But he loves living in Flagstaff.

Here are some recent scenarios about water damage claims in commercial lines:

Scenario #1: the storm sends a wall of water into your insured's town and floods all the structures to a depth of five feet. Damage is done to the business building and the contents, plus your insured has to move out for several weeks. When the water recedes, the damage and cleanup costs will exceed \$125,000. Also, it costs your insured several thousands of dollars to take his/her business elsewhere until the building is fit to work in again. Since your insured was over 10 blocks from the river, they saw no need to buy flood insurance. The Business Owners policy they have (or Commercial Lines Package) does not cover the peril of flood and rising waters, and so they have no coverage for these losses. Both contain the same language as the Homeowners policy listed above.

Scenario #2: as the waters rise in the building, an electrical short occurs and the building is damaged by fire. This would trigger the fire peril, and now your insured would have coverage to the extent of the fire damage. Since the BOP automatically contains coverage for Business Income and Extra Expense, your insured would have coverage when forced to move to another location, both for expenses over and above normal and also for loss of income due to the fire loss. Some losses that can be attributed to the flood peril, like cleaning up the premises of flood debris, would not be covered. (This fire loss has happened many times in my insurance experience).

Scenario #3: many of the roads and bridges are washed out and damaged. Also, the

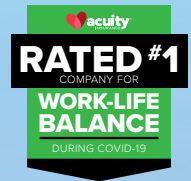


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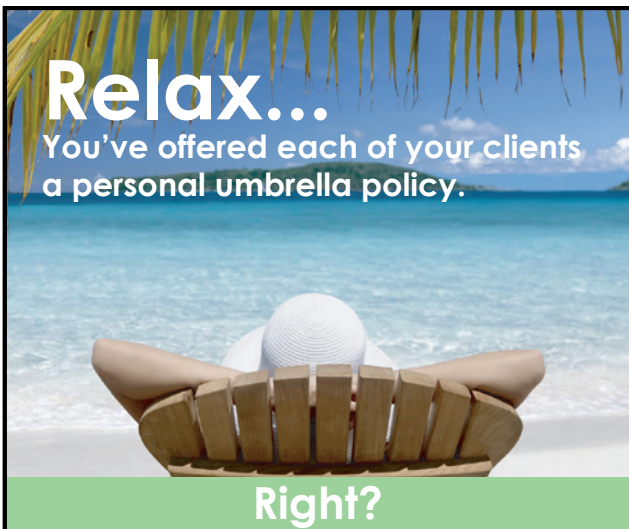


electrical outages, common after many storms, prevent many of your insured's clients from getting to and from the insured location. Income drops dramatically for 60 days. If scenario #1 above is responsible for the insured's loss, there again would be no coverage, as the flood was the proximate cause of the loss.

Scenario #4: The insured's building was heavily damaged by the wind from the hurricane. This would trigger coverage under the BOP. The adjuster would have to calculate how much damage (and consequently, how much of a payment) was caused by the wind, and how much was done by the five feet of water (and not covered; remember, water is excluded even when wind driven).

It would seem that we should be talking about water damage coverage to our insureds. When a neighborhood gets 10 inches of rain in a short time, our clients will probably suffer some kind of water losses. Whether they are close to an ocean, lake or river, does not seem to matter anymore. And, even though you know they will probably say no to you, at least you have done your job as an insurance professional.

The middle of September is the mid-point of the hurricane season (June through November). But perhaps you have been noticing recently that our weather seems to be getting worse for all kinds of losses besides water losses. What impact this will have on our industry is starting to look very dark.



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