



Hole Talk

Summer 2020
Published Quarterly

www.nywelldriller.org

Summer 2020

As we are all aware, we are in the midst of a pandemic such as nothing anyone of us has ever seen.

Our governments, local and national are suffering. Our businesses, big and small are suffering. Our families are suffering. Our children and grandchildren are suffering. We are all doing our best to get through this, make a living and maintain what little bit of normalcy we can.

We'd like to openly thank those who were making this all happen for each of the 3 cancelled meetings. Thank you **Henry (Julie) Boyd** and **Jim Wild** who had stepped up to host the spring meeting; to **Flomatic** for sponsoring the summer meeting at their factory in **Glens Falls** and to the **Roots** for their assistance in the fall meeting preparations.

Let's keep our spirits up and pray for things to turn around!! Hope we can all see each other again in January 2021.

In the meantime, be sure to watch our **Facebook** page: **Empire State Water Well Drillers** and our website www.nywelldriller.org for news and updates. 🗨️



At the result of this, we were forced to cancel our spring meeting in **Schoharie** at **Howe Caverns**. We also have cancelled the summer meeting scheduled to be held in **Glens Falls** at the **Flomatic Factory**. During a Zoom board meeting held on Saturday morning the board made the decision to also cancel the fall meeting that was to be held in Wellsville, NY.

For those of you who have hosted a meeting, you can vouch for the time and work that goes into putting it all together. Lodging, meals, the cocktail hours sponsored by the Supplier Division, obtaining speakers or doing demonstrations, it's all a process that has to be pieced together.



Mission

The ESWWDA is committed to taking a leadership role in protecting our natural resources through the promotion of the ground water industry. It strives to support a spirit of cooperation, communication, and education within the industry and with the consumers and regulatory agencies. 🗨️

Visit www.nywelldriller.org

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HEAT-RELATED ILLNESSES

WHAT TO LOOK FOR	WHAT TO DO
HEAT STROKE	
<ul style="list-style-type: none"> • High body temperature (103°F or higher) • Hot, red, dry, or damp skin • Fast, strong pulse • Headache • Dizziness • Nausea • Confusion • Losing consciousness (passing out) 	<ul style="list-style-type: none"> • Call 911 right away—heat stroke is a medical emergency • Move the person to a cooler place • Help lower the person's temperature with cool cloths or a cool bath • Do not give the person anything to drink
HEAT EXHAUSTION	
<ul style="list-style-type: none"> • Heavy sweating • Cold, pale, and clammy skin • Fast, weak pulse • Nausea or vomiting • Muscle cramps • Tiredness or weakness • Dizziness • Headache • Fainting (passing out) 	<ul style="list-style-type: none"> • Move to a cool place • Loosen your clothes • Put cool, wet cloths on your body or take a cool bath • Sip water <p>Get medical help right away if:</p> <ul style="list-style-type: none"> • You are throwing up • Your symptoms get worse • Your symptoms last longer than 1 hour
HEAT CRAMPS	
<ul style="list-style-type: none"> • Heavy sweating during intense exercise • Muscle pain or spasms 	<ul style="list-style-type: none"> • Stop physical activity and move to a cool place • Drink water or a sports drink • Wait for cramps to go away before you do any more physical activity <p>Get medical help right away if:</p> <ul style="list-style-type: none"> • Cramps last longer than 1 hour • You're on a low-sodium diet • You have heart problems
SUNBURN	
<ul style="list-style-type: none"> • Painful, red, and warm skin • Blisters on the skin 	<ul style="list-style-type: none"> • Stay out of the sun until your sunburn heals • Put cool cloths on sunburned areas or take a cool bath • Put moisturizing lotion on sunburned areas • Do not break blisters
HEAT RASH	
<ul style="list-style-type: none"> • Red clusters of small blisters that look like pimples on the skin (usually on the neck, chest, groin, or in elbow creases) 	<ul style="list-style-type: none"> • Stay in a cool, dry place • Keep the rash dry • Use powder (like baby powder) to soothe the rash



2020

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Values

The Board of Directors and membership of E.S.W.W.D.A. believe in the promotion of the ground water industry through:

**Professional Standards • Communication
Education • Integrity • Affordability**

The President's Thoughts

**Be President they said!
It'll be easy they said!**



I don't know where to begin. I guess I'll start by saying, I hope everyone who is reading this is healthy and has been able to adapt to the whirlwind of changes that have happened to us, not only in our businesses, but also personally and financially. Unfortunately, the widespread effects that have swept the nation as a result of this will likely be felt for years to come. Last quarter, I mentioned that I see challenges coming up in the industry. I hate it when I'm right!

As I am writing this, New York has just begun re-opening various areas depending on health of the local communities and their abilities to hit certain benchmarks. Hopefully this will be a relatively quick process and we will all be busy again soon. Speaking with drillers around the state, there have been varying levels of enforcement and ability to perform work. The definition of "essential" varies town by town, and much depends on your local building department and their interpretation of the rules. If you are unsure of whether a project could/should be performed, I would reach out to the local code enforcement agency and get their take on the project. Don't be afraid to tell customers that their project will have to wait if the local authorities are not receptive of the project, or if the proper protocols cannot be maintained. Use it to your advantage, it's not our call, so if we have to say no, it's not our fault. I also understand the urge to get out and work. Daily expenses are still piling up. Everyone is feeling it. Thankfully we are an "essential" service so we all have been able to work through this but business has still been greatly impacted.

We are all aware of the financial assistance that has become available from the government. I've also heard much of the grief and frustration of applying and setting up the accounts. I cannot stress enough, there has never been a better time to have a good accountant and a good relationship with your bank. Keep in close contact and discuss not only things now, but the future. Rules and regulations are changing daily. Taxes are liable to be very different this year and who knows what the implications may be related to the programs you may, or may not, have

taken advantage of. As we all adapt, I think it is also important that we prepare for something like this to happen again. None of us want to hear it, but unfortunately, I feel this may be true. Planning your financial future to include major downturns in the economy at the flick of a switch is something that is an absolute necessity. The financial crisis has affected

us all, but this has also created a further potential for a workforce crisis. What happens if your key employees are quarantined for two weeks? What happens if an entire crew or your entire shop has to stay home for an extended period of time? These are things that could very well be the new normal. Much like after 9/11, there will be new guidelines and procedures that will change our everyday way of thinking.

The Association has already had to cancel 3 meetings, and we recently had our board meeting via Zoom. (Jim Wild was able to attend the meeting, and actually used a computer! You know things are extreme when Jimmy attends a Zoom meeting!) As of right now the Annual Show is still on for January. Keep an eye on the Association website (nywelldriller.org), as well as our Facebook page for changes to meetings and COVID-19 related info.

Another area affected is continuing education. Many of us use meetings and trade shows as an opportunity to obtain our CEU's. The massive elimination of events will make it difficult to obtain required CEU's. We realize this and will make changes as necessary to our own Accredited Driller/Installer program. There are many options online for training, as many of the manufacturers have online training courses available. Feel free to reach out to the association should you have any questions or concerns regarding continuing education during this time.

I sincerely hope that everyone recovers from this, and that things return to "normal" soon. In the meantime, stay safe, healthy, and I look forward to seeing everyone as soon as possible.

President, Tyler Wills

ESWWDA Values

The Board of Directors and membership of E.S.W.W.D.A. believe in the promotion of the ground water industry through:

Professional Standards • **Communication**
Education • **Integrity** • **Affordability**

MEMBERSHIP REPORT

May 2, 2020

2 new members to date in this quarter

CATEGORY	TOTAL	PAID	UNPAID
Contractors	196	163	33
Suppliers/Manufacturers	52	39	13
Associates	91	68	23
	===	===	==
Total Members	339	270	69

All members more than 2 years in arrears are being dropped from the membership listing

Payments may be made by mailing checks to:

ESWWDA, 1054 Route 52, Carmel, NY 10512

PayPal at www.nywelldriller.org

2020, TO DATE 2 NEW MEMBERS!

Welcome New Members

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Conover Electric

Schuylerville, NY 12871

Sponsor: *Website*

SUPPLIER

Donald Nickle3

Pentair

Lebanon, CT 06249

Sponsor: *Website*

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Education

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Jeremy Baldwin 518-885-7952
Sandra Baldwin 518-396-9499
Brian Frey 716-937-7977

Membership

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William Frey 716-937-7977
Chris Root 585-593-4309
Dave Chugg 585-746-8055

Insurance & Safety

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Jeff Smith 518-758-6142
Chuck Crover 845-783-9355

Government Affairs

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Rus Turnbull 845-406-0225

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Dave Keough 845-258-7867

WSC

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Rich Moravec 315-536-3911

ESWWDA & You ... A Smart Alliance

The industry is in an era of change. To understand the changes taking place and to lead the industry through its transitions, drillers need to access the best minds available - each other.

That's why your affiliation with the ESWWDA is a smart investment. It's an alliance of individual drillers that work for you and with you.

Your membership gives you access to programs and services specifically formulated for the professional growth and success of water well drillers and pump installers.

The association provides:

- **Educational programs in:** water well drilling, pump installation, general management.
- **Informative newsletter:** *Hole Talk* covers local, state and national issues and news.
- **Annual Tuition Scholarships**
- **A united voice:** ESWWDA speaks for drillers on issues of far-reaching impact.
- **A voice:** A vote on the direction ESWWDA takes.

Join or renew your membership and keep this powerful alliance alive!

ESWWDA

Affiliate State Membership Application Empire State Water Well Drillers Association • Organized 1941

Name: _____ Date: _____
Street: _____ Work Phone: _____
City: _____ State: _____ Zip: _____ Cell Phone: _____
County: _____ FAX: _____
Business Name: _____ E-mail: _____
Contractor/Driller\$125 National Member Yes _____ No _____
Pump Installer\$125 CWD # _____
Supplier/Manufacturer\$125 CPI# _____
Associate Company Member \$25 NYS DEC Reg. #: _____
Sponsor: _____

Dues are NOT Tax Deductible

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Clip-n-Copy for your Company's Safety Meeting PERSONAL PROTECTIVE EQUIPMENT

From NGWA's Safety Talks and The Hartford

It's Sunday afternoon, the kids are finally out of your hair, so you turn the TV to a pro football game and settle back in your easy chair to watch. Probably the last thing that comes to mind when you watch a pro football game is safety. The only time the word comes up is when someone invades the enemy end zone to tackle an opponent and score a two-point "safety" for his side.

But pro football safety goes deeper than that. It starts in the locker room before the game, when the players put on their uniforms. To play the game, they must wear protective equipment including a shock-absorbing helmet with face guard, shoulder pads, kneepads, and cleated shoes. These things can get pretty bulky and uncomfortable, especially when it's 95° on the field and the only shade you can get is from someone's shadow.

Football is a rough game, and if a player wants to be with the family after the game instead of in a hospital, protective equipment must be worn. Next week's game is something to think about. After all, a player is not much good to the team when sidelined with injuries.

A real pro knows these things. When protective equipment is worn, chances of getting through the game without a disabling injury are much greater; therefore, chances of continuing as a successful football player and family member are greater. Next to that, a little discomfort and inconvenience doesn't mean a thing. Like a pro football player, you may work on a job that requires personal protective equipment; say ear muffs, hard hat, or safety shoes. This equipment can't prevent some accidents from happening. It can't prevent a drill from breaking, or stop a fellow worker from dropping a box on your foot, but it can prevent a serious injury. Take one example – in an automobile plant, an employee's feet were run over by a forklift truck. The worker was wearing safety shoes at the time, and the only injuries were a fractured left toe and bruises. I don't have to tell you how severe the injuries could have been wearing regular shoes.

I know such things as safety glasses, hardhats, and safety shoes may be a nuisance to put on and may seem bulky and uncomfortable at first. In fact, it's tempting not to put them on at all, unless the safety supervisor is looking.

Complaints are as varied as the kinds of equipment. For instance:

- "It's too heavy."
- "It gives me a headache."
- "They hurt my eyes."
- "They're too hot" or "too cold," and so on.

Often these are real complaints. A poorly fitted piece of protective equipment can cause headache or pain, and if it does, see your supervisor immediately to have it adjusted or refitted. Most of the time, it's just a matter of getting used to wearing particular equipment. This is a lot easier when you remember that like the football player, you stand a better chance of continuing successfully with your job and your home life if you are protected from possible serious injury by protective equipment.

Instead of lying in a hospital bed wondering how they are getting along without you at work, you'll be on the job, gaining valuable experience and receiving an uninterrupted paycheck. As you become accustomed to the feeling of protection you get from wearing safety equipment, you'll discover your confidence in your ability to handle the job will grow, and with it, your chances of a raise or promotion.

Instead of being hospitalized and wondering how the fish are biting, or what's happening down at the bowling alley, you'll be able to be where the action is yourself, and to use your leisure time to the fullest.

Personal protective equipment has its place in sports, construction, manufacturing, and many other fields. It is up to us to be real professionals and to recognize the role of protective equipment and take advantage of the benefits. 🗨️

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Empire State Water Well Drillers Association

Accredited Well Driller/Pump Installer Program

In keeping with our statement to educate and promote the protection and use of groundwater, the following voluntary program was implemented in 2017.

- The program will be managed and record keeping done by the correspondence manager.
- The program will run concurrent with our membership dues (calendar year).
- Participants must be members of ESWWDA in good standing.
- Participants must be registered with NYSDEC or work for a registered company.
- Approved participants will be issued an Accredited number on their membership card.
- Sign an affidavit established for this voluntary program.
- Must submit five (5) continuing education points as established for this voluntary program, obtained during the year prior to renewal.
- Two (2) of the five (5) points must be from an ESWWDA sponsored event.

Points can be accrued by the following methods:

1. Groundwater related conventions/expositions/meetings – **one point per day.**
2. ESWWDA meeting – **one point per day.**
3. Workshops/training schools – **one point per hour of instruction.**
4. High school career day presentation – **one point per hour of presentation.**
5. Writing an article for a groundwater related publication – **two points max per year.**
6. Presentation for a community service – **one point each presentation.**
7. Participation in groundwater related webinar – **one point per hour instruction.**
8. Presenting an education class or webinar – **one point per hour instruction.**
9. Other acceptance of points will be at the discretion of Accredited Program committee.

Members can download the voluntary accreditation affidavit and continuing education forms at www.nywelldriller.org or contact Julie@nywelldriller.org.

Empire State Water Well Drillers Association, Inc. 900 N. James Street, Rome, NY 13440

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New York Forward – Plan for Re-Opening

New York Forward – Plan for Re-Opening

The “New York on PAUSE” Executive Order will expire on May 15, 2020. At that time, the Governor has determined that the State may begin the process of re-opening regionally, taking into account the following criteria. If the rate of transmission (Rt) increases above 1 at any time in a particular region, the PAUSE Order will go back into effect. The process will be conducted in consultation with local government representatives, and the NY Forward Advisory Board.

The details on the role of the regional representatives and the advisory board are currently forthcoming.

Criteria for Regional Re-opening:

New Infections:

- At least 14 days of decline in total net hospitalizations and deaths on a 3-day rolling average. In regions with few

COVID cases, it cannot exceed 15 net new total hospitalizations or 5 new deaths on a 3-day rolling average.

- Fewer than two new COVID patients admitted per 100,000 residents per day.

Health Care Capacity:

- Regions must have at least 30 percent total hospital and ICU beds available.
- Hospitals must have at least 90 days of personal

protective equipment stockpiled.

Diagnostic Testing Capacity:

- Capacity to conduct 30 diagnostic tests for every 1,000 residents per month.

Contact Tracing Capacity: Regions must have a

- Baseline of 30 contact tracers for every 100,000 residents, and additional tracers based on the projected number of cases in the region.

Phases of Re-Opening:

Once a region meets the above criteria for reopening, it will do so in a phased manner which is based on an assessment of risk and economic impact (those businesses determined to have the lowest

risk and the highest economic impact will open first, vs. those with the highest risk and lowest economic impact will open last, during Phase 4)

Phase 1:

Construction
Manufacturing
Wholesale supply chain
Select Retail (curbside pickup)

Phase 2:

Professional Services
Finance and Insurance
Retail
Administrative Support
Real Estate/Rental Leasing

Phase 3:

Restaurants/Food Services
Hotel/Accommodations

Phase 4:

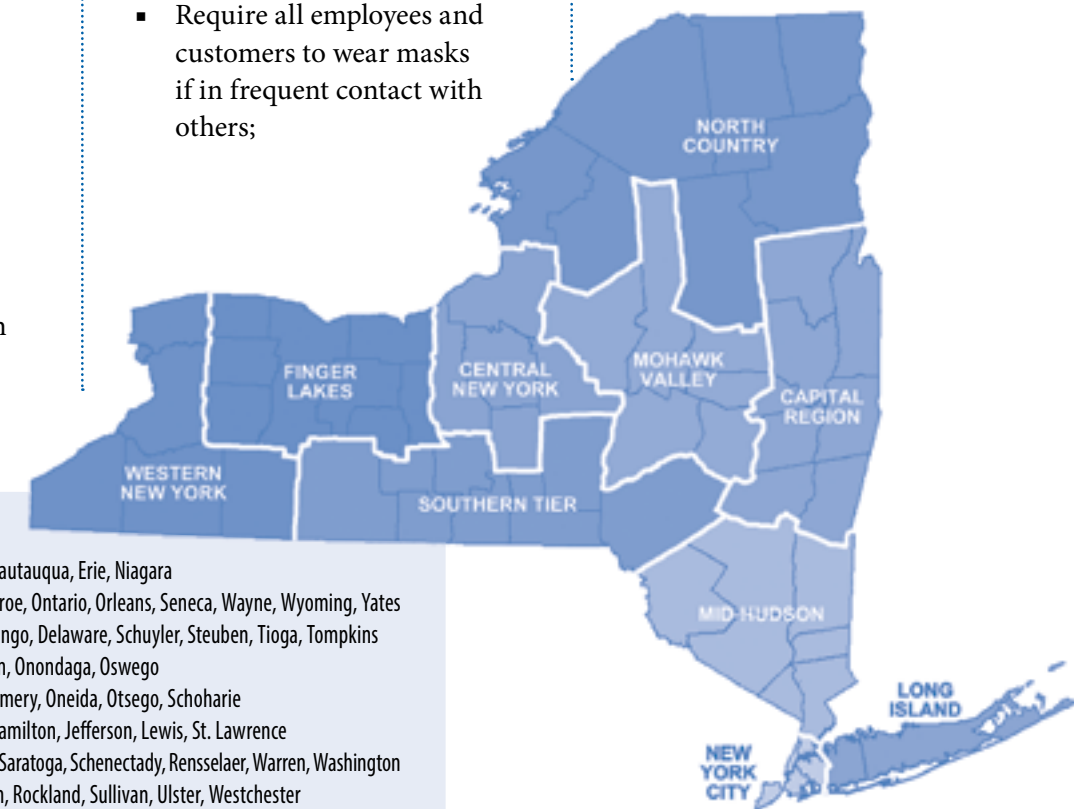
Arts/Entertainment/Recreation
Education

Requirements of Businesses:

In order for a business to be considered part of a phased re-opening, it must submit a plan to the state that outlines how it will achieve the following:

- Adjust workplace hours and shift design as necessary to reduce density in the workplace;
- Enact social distancing protocols;
- Restrict non-essential travel for employees;
- Require all employees and customers to wear masks if in frequent contact with others;

- Implement strict cleaning and sanitation standards;
- Enact a continuous health screening process for individuals to enter the workplace;
- Continue tracing, tracking and reporting of cases; and
- Develop liability processes.



10 Regional Councils

- Western New York:** Allegany, Cattaraugus, Chautauqua, Erie, Niagara
Finger Lakes: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates
Southern Tier: Broome, Chemung, Chenango, Delaware, Schuyler, Steuben, Tioga, Tompkins
Central New York: Cayuga, Cortland, Madison, Onondaga, Oswego
Mohawk Valley: Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie
North Country: Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence
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Beware of Cyber Scams & Phishing!

If you receive a snail mail letter, you look to the return address in the top left corner as an indicator of where it originated. However, the sender could write any name and address there; you have no assurance that the letter really is from that person and address. E-mail messages contain return addresses, too - but they can likewise be deliberately misleading, or “spoofed.”

Senders do this for various reasons, including:

- The e-mail is spam and the sender doesn’t want to be subjected to anti-spam laws
- The e-mail constitutes a violation of some other law (for example, it is threatening or harassing)
- The e-mail contains a virus or Trojan and the sender believes you are more likely to open it if it appears to be from someone you know
- The e-mail requests information that you might be willing to give to the person the sender is pretending to be (for example, a sender might pose as your company’s system administrator and ask for your network password), as part of a “social engineering” attack
- The sender is attempting to cause trouble for someone by pretending to be that person (for example, to make it look as though a political rival or personal enemy said something he/she didn’t in an e-mail message)

“Phishing” - the practice of attempting to obtain users’ credit card or online banking information, often incorporates e-mail spoofing. For example, a “phisher” may send e-mail that looks as if it comes from the bank’s or credit card’s administrative department, asking the user to log onto a Web page (which purports to be the bank’s or credit card company’s site but really is set up by the “phisher”) and enter passwords, account numbers, and other personal information.

Whatever the motivation, the objective of spoofed mail is to hide the real identity of the sender. A sender can use a fictitious return address or a valid address that belongs to someone else. Receiving mail from spoofed addresses ranges from annoying to dangerous (if you’re taken in by a “phisher”). Having your own address spoofed can be even worse. If a spammer uses your address as the return address, you may suddenly find yourself inundated with angry complaints from recipients or even have your address added to “spammer” lists that results in your mail being banned from many servers.

Watch out for —

- Emails claiming to be from the Centers for Disease Control and Prevention (CDC) or other organizations claiming to offer information on the virus. Do not click links or open attachments you do not recognize.

Fraudsters can use links in emails to deliver malware to your computer to steal personal information or to lock your computer and demand payment. Be wary of websites and apps claiming to track COVID-19 cases worldwide. Criminals are using malicious websites to infect and lock devices until payment is received.

- Phishing emails asking you to verify your personal information in order to receive an economic stimulus check from the government. Government agencies are not sending unsolicited emails seeking your private information in order to send you money. Phishing emails may also claim to be related to charitable contributions, general financial relief, airline carrier refunds, fake cures and vaccines, fake testing kits, or counterfeit treatments or equipment.
- Anyone selling products that claim to prevent, treat, diagnose, or cure COVID-19.
- Counterfeit products such as sanitizing products and personal protective equipment (PPE), including N95 respirator masks, goggles, full-face shields, protective gowns, and gloves. For more information, visit the CDC’s National Institute for Occupational Safety and Health web page, the U.S. Food & Drug Administration, and the U.S. Environmental Protection Agency.
- Scammers promoting phony continuing education offerings

What you can do to protect yourself from scammers

- Do not open attachments or click links within emails from senders you don’t recognize.
- Do not provide your user name, password, date of birth, Social Security number, financial data, or other personal information in response to an email or robocall.
- Always verify the web address of legitimate websites and manually type them into your browser.
- Check for misspellings or wrong domains within a link (for example, an address that should end in “.gov” ends in “.com” instead).

If you believe you are the victim of an Internet scam or cyber crime, or if you want to report suspicious activity, please visit the **Federal Bureau of Investigation’s Internet Crime Complaint Center (IC3)**.

Note: No one from the ESWWDA Board is asking for money or gift cards!

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Gallagher Coronavirus (COVID-19) U.S. Client FAQs Small Business

Latest Information About Coronavirus

Where can I go to find official information on COVID-19?

- The World Health Organization (WHO)
- U.S. Centers for Disease Control and Prevention (CDC)

What steps can I take to protect myself and others?

The WHO's primary recommendation for the general public includes hand and respiratory hygiene and safe food practices as follows:

- Frequently clean hands by using alcohol-based hand rub or soap and water.
- When coughing and sneezing, cover mouth and nose with flexed elbow or tissue — throw tissue away immediately and wash hands.
- Avoid close contact with anyone who has a fever or a cough.

- The consumption of raw or undercooked animal products should be avoided. Raw meat, milk or animal organs should be handled with care to avoid crosscontamination with uncooked foods, as per good food safety practices.
- If you feel ill or have even one cold-like symptom, avoid contact with other people.
- If you suspect or know you have been exposed to a person with a fever or dry cough, isolate yourself from others and monitor your symptoms. Check the local healthcare websites listed above for direction on next steps.

How does COVID-19 and the Families First Coronavirus Response Act (FFCRA) impact my employee benefits program?

Gallagher's Compliance Consulting team has compiled responses to 150+ questions from employers regarding employee benefits, applicable leave laws, issues related to staffing reductions, and more.

Are there exceptions for small business employers under the FFCRA?

Yes, there are two types of exceptions for small business employers under the FFCRA. Gallagher's Compliance Consulting team shares guidelines for these exceptions.

Is there a grace period for paying my insurance premiums?

As communities across the U.S. continue to respond to COVID-19, cities, counties and states take up the mantle to address issues facing their communities on a local level. Gallagher's Compliance Consulting team highlights insurance department actions related to premium grace periods for all 50 states in this article.

Key Coverages and Policies

What coverages or insurance policies will cover my business?

While there may be limitations in available coverages, you should review the following policies with your insurance broker:

- Workers' compensation
- General liability
- D&O
- Management liability
- Property
- Business interruption
- Travel accident
- Pollution

Is there a business interruption policy that will cover loss due to COVID-19?

For business interruption coverage to trigger, physical loss or damage must generally occur on the insured's premises. Business interruption extensions like contingent business income, ingress/egress, loss of attraction and even civil authority claims all require physical loss or damage by a covered peril. Further property policies may address denial of access, yet are subject to policy exclusions for pathogenic organisms, viruses, and disease- or illnesscausing agents.

Most traditional property insurance policies will not respond to claims resulting from slowdowns or shutdowns due to the spread of a pandemic.

Can workers' compensation be triggered in the event of employee illness?

Compensability for workers' compensation will likely come down to whether or not the disease/illness is considered occupational. In order for it to be compensable, the disease

would have to be contracted during the course of employment and due to conditions specific to the employee's work (e.g., occupations in healthcare treating infected coronavirus patients, or first responders who transport sick individuals to hospitals or healthcare sites). Otherwise, a communicable disease that affects the public will not usually be considered a workers' compensation claim.

Will general liability insurance be triggered if a non-employee gets ill?

Commercial general liability policies provide coverage for injury to persons (other than your employees) and damage to property of a third party for which you are legally liable. Liability for such injury or damage involving the coronavirus or a similar health emergency will arise chiefly out of a failure to protect others and their property against exposure to infection. Other claim scenarios can emerge based on the type of business or fear of contamination that could become problematic if no actual injury or damage occurs.

Many liability policies have some form of pollution exclusion that relates to the escape, release or dispersal of contaminants or irritants of any kind. Careful review of the policy's coverage terms and conditions will be necessary to determine whether the exclusion applies. Additionally, umbrella and/or excess liability policies will contain a separate pollution exclusion, and may also contain a communicable disease exclusion. How the insurance industry responds to the first claims will create a precedent that other carriers will likely follow.

Pollution policies (or coverage endorsements) may reveal opportunities for payment of cleanup costs for contamination by virus.

Will my property policy cover contamination at my job site caused by coronavirus?

Standard property policies require the occurrence of physical loss or damage to covered property by an insured peril to trigger coverage. Contamination of property at an insured's location may constitute physical loss or damage, yet policy exclusions for pathogenic organisms, viruses and disease- or illnesscausing agents may restrict or exclude coverage. Many traditional property policies may exclude contamination altogether, especially those written for an insured who has no apparent exposure to contamination loss in the ordinary course of their business.

(Client FAQs...continued on page 18)



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(Client FAQ's...continued from page 17)

Limited available coverage for communicable or infectious disease may be offered on some property forms. This coverage is likely sublimited and narrow in its coverage scope. Covered costs may include cleanup, removal and disposal of contaminated property. Any business interruption extension is not likely to apply to locations that are not owned or operated by the insured.

Will my management liability coverage be activated?

Management liability insurance must be evaluated on a case-by-case basis as the coronavirus threat is monitored. Many companies have made disclosures that coronavirus has caused disruptions in production, staffing and sales. As the economic effects of the pandemic become more apparent, stakeholder suits may emerge alleging lack of preparedness or negligent response to the emergency, impairing financial performance or equity.

Employment practices liability policies may be impacted by employees quarantined or unable to work and seeking accommodations or leaves of absence. It is unclear whether quarantine gives rise to obligations under FMLA or ADA. You should seek assistance of employment counsel for development

and communication of policies that accommodate work locations for remote employees.

Can my D&O policy be triggered in the event of lawsuits?

We may begin seeing coronavirus-related D&O claims, specifically securities class actions by shareholders to the extent that these disclosures cause a stock drop or derivative actions brought alleging mismanagement. Commonly, D&O policies can include limitations on coverage for illnesses and bodily injury, and these limitations may be more general in their exclusions.

As a nonprofit, how can I manage risk for employees and for the public we serve?

What is our third-party risk associated with this virus?

Institutions with physical contact with their constituents should follow rigorously enforced protocols relating to hygiene from healthcare professionals. Training of personnel regarding known pragmatic guidance from health experts can be helpful in managing risks. Following a solid business continuity plan is your best action. Third-party risks associated with the virus will likely relate to failure to exercise the appropriate degree of care, inadvertent or deliberate exposure to infection by a sick

employee, failure to report or quarantine sick employees or constituents, and failure to follow civil authority instruction, which could all create liability.

How does my insurance policy address government travel advisories?

Will my coverage be waived if our employees travel against these advisories?

The U.S. Department of State has increased the level of risk for travel to certain countries and continues to update its advisories as they monitor the threat.

Some countries have instituted preventive measures for travelers and require medical clearance before the traveler is permitted to enter the country. Some countries are implementing other measures, including a health quarantine.

As of early February, carriers and underwriters are no longer including the threat of coronavirus as a covered trigger for evacuation, cancellation and interruption benefits. Even the cancel-for-any-reason policies available in the market have excluded the coronavirus from their covered triggers. These policies will only cover a traveler who actually contracts the

(Client FAQ's...continued on page 20)

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(Client FAQ's...continued from page 19)

virus. Therefore, it is critical that you discuss this with your risk management team to determine the potential threat before you or your employees decide to travel.

Travel assistance services are still available 24/7 for travelers around the globe to assist in booking passage home at the traveler's expense.

Business Continuity Planning

What should I do if an employee becomes ill?

If you suspect that an employee has contracted COVID-19, you should immediately ask the employee to leave the premises and direct them to call their doctor. Then, alert the communicable disease division of your state's health department, and get directions on the specific actions you should take to clean office spaces, quarantine potentially impacted employees and implement your crisis response plans.

You should also consult and follow your business continuity plan.

How can I protect myself from a supply chain disruption?

What should I do if there is a breakdown in my supply chain?

Identify critical elements of your supply chain, review agreements with any member of that chain who could be affected by the virus and communicate with them about

their status to minimize any disruption. This could include outsourcing and reciprocal agreements with competitors who may be looking

for similar responses to interruptions. Work with your supply chain partners to ensure a backup plan should there be a breakdown along the line.

What should my business continuity plan include?

Your continuity plan should include the measures you will take if employees become ill or are impacted, and how to accommodate employees who don't feel safe working in a communal space or whose home life may be impacted if schools or child care centers are closed. It should also include a plan to address any employee who is at risk of infection while traveling in quarantined areas. Identify critical people, processes and technologies that have the biggest negative impact on your business, and create recovery strategies to minimize any disruption. This could include outsourcing, allowing more flexible teleworking options or developing commuting alternatives for your employees if public transportation is not available.

Will there be an increase in other threats as the virus continues to spread?

One area you want to monitor carefully are your cyber and technology protections, as hackers may use a pandemic as an opportunistic time to attack. Remind your employees to be aware of clickbait email that comes from an unrecognizable source, to be diligent when downloading information about the virus, and to never give out personal information online on social media or via email and text. Additionally, ensure that your employees have proper protections and security in place if they are telecommuting.

Where can I find information from Gallagher about the Families First Coronavirus Response Act (FFCRA)?

The Families First Coronavirus Response Act (FFCRA) seeks to ensure the safety of Americans and ease the economic toll of the 2019 Novel Coronavirus (COVID-19) by strengthening the social safety net. You can find more information here.

Visit <https://www.ajg.com/us/news-and-insights/2020/mar/small-business-coronavirus-pandemic-faqs> for more information on key coverages; business continuity planning; and HR & Benefits:

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Further information is available by contacting the Scholarship Committee of **Dave Rosick** or **Tyler Wills**.

Albert H. Mack Scholarship Guidelines

Guidelines for the establishment of the scholarship fund and awarding of scholarship monies for ESWWDA:

A. Scholarship Fund

1. Maximum funds available in one calendar year: \$2,500.
2. One thousand dollars per year to be set aside until the fund reaches \$7,500.

B. Awarding of Scholarships

1. Preference to be given to sons or daughters of association members.
2. Preference to be given to students attending 2-year programs.
3. Scholarships available only to persons whose course of study is related to the water well industry.
4. Persons may make application to the scholarship committee only after acceptance at an accredited school, offering a program related to the water well industry.
5. Funds may be distributed to more than one person in any one calendar year.

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Visit us on the Web: www.nywelldriller.org

Second Quarter 2020

Hole Talk

Visit us on the Web: www.nywelldriller.org

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Affiliate Organization
member of NGWA

The membership of the ESWWDA consists of contractors involved in the water supply industry including but not limited to:

- Drilling Contractors
- Water System Installers
- Manufacturers and Suppliers
- Engineers & Hydrogeologists
- Contractor Associates
- Student Associates

Send us *your events!*

To place an item in this calendar, or to submit an article or advertisement, please email julie@nywelldriller.org or sue@nywelldriller.org, no later than **August 1, 2020**, the next **Hole Talk** deadline.

UPCOMING EVENTS

(At the time of this writing the following events are still on our schedule, subject to change)

December 8-10, 2020

NGWA Groundwater Expo

Las Vegas Convention Center

Las Vegas, NV 89109

For registration information go to:

www.ngwa.org

January 19-20, 2021

ESWWDA Annual Meeting

The Lodge at Turning Stone

5218 Patrick Rd., Verona,

NY 13478

(January 18-19, 2022)

ESWWDA Annual Meeting

The Lodge at Turning Stone

5218 Patrick Rd.,

Verona NY 13478

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