



### The Arizona Municipal Risk Retention Pool

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### AMRRP Enhances EEOC/ACRD Program

At its January 21, 2011 Board of Trustees meeting, the AMRRP Board voted to accept a proposal from the employment liability defense law firm of Jackson Lewis to represent AMRRP members in all new administrative actions pending before the Equal Employment Opportunity Commission (EEOC) or the Arizona Civil Rights Division (ACRD) for a flat fee of \$5,000.

Prior to the Board's approval of the new fee structure, the AMRRP's EEOC/ACRD Position Statement Program provided Pool Members with up to \$5,000 in legal assistance from employment attorneys for formulating an administrative response to discrimination allegations submitted to the EEOC or ACRD. AMRRP Members were then responsible for any incurred legal fees and costs in excess of \$5,000.

Under the new program, AMRRP Members will not be responsible for any legal fees or costs incurred on any new EEOC/ACRD complaints referred to Jackson Lewis under the EEOC/ACRD Position Statement Program. Previously submitted EEOC/ACRD files that were already being handled by Jackson Lewis attorneys under the program as of January 21, 2011 will continue to be billed under the prior fee structure.

Over the years, the AMRRP's EEOC/ACRD Position Statement Program has proven to be highly successful in reducing the Pool's employment claim liability exposures. The AMRRP has found that when allegations and complaints are appropriately addressed during the EEOC's and ACRD's administrative processes, costly employment lawsuits are oftentimes avoided completely. Additionally, even when lawsuits are filed following administrative review by the EEOC or ACRD, liability and damage exposures to the AMRRP and its Members are frequently much more limited.

With municipalities' tighter legal budgets, many AMRRP Members faced the challenge of allocating ample funds to continue representing their positions before the EEOC or ACRD when the Pool's \$5,000 defense contribution had been exhausted. Under the new flat fee pricing structure, that financial exposure will be eliminated on any new EEOC or ACRD complaints referred to Jackson Lewis for representation after January 21, 2011, thereby, providing AMRRP Members with enhanced budget predictability and stability.

For further information about the AMRRP's EEOC/ACRD Position Statement Program, contact Kevin Buchanan or Jim Gill at Southwest Risk Services at 602-996-8810.