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Managing marketplace unpredictability

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The predominant global business risks will always vary from country to country. But on a macro level, the list of current concerns is oddly similar, including rising inflation, ongoing supply chain disruptions, cyber events, political discord and the fight for talent, which continues to have a ripple effect on workforces around the world.

In February 2022 alone, Storm Dudley and Storm Eunice caused havoc across Europe, historic flooding hit eastern Australia, 83 breaches and cyberattacks were recorded globally, and crushing sanctions were imposed on Russia following its assault on Ukraine. Managing marketplace unpredictability has never been more challenging.

So, what does the future look like and how can we be prepared to respond? What changes can we expect to see in insurance claims management over the next few years?

TIME FOR CHANGE

The whole world is going through a period of uncertainty. From geopolitics to climate change to fears around another pandemic outbreak... instability seems prevalent everywhere. But with disruption comes the opportunity to step back and take a wider view of what’s working — and what isn’t — within claims management programs, and then reimagine the process.

Change innovation requires proactive interaction, with service providers, brokers and internal teams collaborating to understand accurate exposures. If there’s one thing the COVID-19 crisis has taught us, it’s that risk awareness and readiness have never been more important.

As you consider your business, ask yourself: Are we prepared to deal with the next big catastrophic event, and are we satisfied with the level of data and insurance cover? If the worst happens, do we know where to go to manage the situation? Do we have strong service partner relationships? Are we getting good service?

Whether clients are considering insourcing or outsourcing, they’re looking at service providers for a reason. Either we can do something they can’t, or we can do it more effectively.

REIMAGINING CLAIMS PROGRAMS

Historically, claims management contracts have been price-driven, with strict service level agreements and KPIs; this is changing. Now, the focus is more on developing holistic, partnership-based relationships, where service providers listen and work with clients to identify pain points and design a whole new approach with the objective to improve the customer experience and drive efficiencies. And through the introduction of intelligent systems and streamlined processes, the customer experience is improved and claims management costs are reduced over time. Of course, the price pressure is still there, but cheapest doesn’t always win.

A more collaborative approach and the availability of new technology is changing the way risk managers look at big complex claims management programs — it’s more about leveraging the best in people, data and insights. Clients want a program structure they can be confident in, one that supports their customers in a crisis while protecting their reputational risk and brand.

CULTURAL FIT

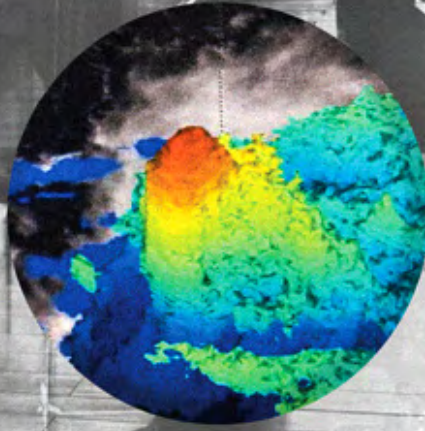
In handling customer claims on behalf of insurers, service providers play an important role in retaining and growing their clients’ business. They have to align themselves with, and become an extension of, their clients’ operations and embed themselves into the company. It’s the best way to understand and appreciate their claims philosophy.

Unsurprisingly, clients want to work with partners with similar core values, brand and market reputation — they have to be the right cultural fit. Today, there is an increasing emphasis on a robust environmental, social and governance (ESG) strategy, with most clients expecting service partners to evidence a carbon-neutral footprint. Managing the knowledge gap is increasingly essential, and a cohesive values-led culture should include a learning and development program that encourages next-generation talent.

TECHNOLOGY-ENABLED

While, ultimately, claims handling is all about understanding customers, solving their problems and providing an excellent claims experience, it’s no longer enough to have teams of skilled technical people who are very good at what they do. Digital solutions are great business enablers, and technology-enabled claims management service providers are entirely different to service providers that simply use technology.

Data analytics, data science, machine learning and artificial intelligence are all essential tools that add value, insight and reassurance. We process huge volumes of claims data every year, and through smart use of data analytics, we can track claims trends and see things as they happen. This helps mitigate risk and manage claims more effectively — it also highlights why long-term partnerships really work. And by investing talent and technology into the relationship, we can help measurably reduce risk exposure and future claims costs.



GLOBAL PROGRAMS

While you can have great success developing long-term relationships with a client in one country, extending that to operations in other parts of the world isn't always that straightforward.

Global companies rely on local teams and the ability to scale up when needed — and all within a compliant framework. The ability to look across the entire claims portfolio gives the insight you need to identify where the risks really are. It can also reveal what kind of issues the business could be exposed to. Armed with this information, you really can reimagine the claims management program globally and look at proactive measures, using data as an enabler to enrich insights and be much more effective.

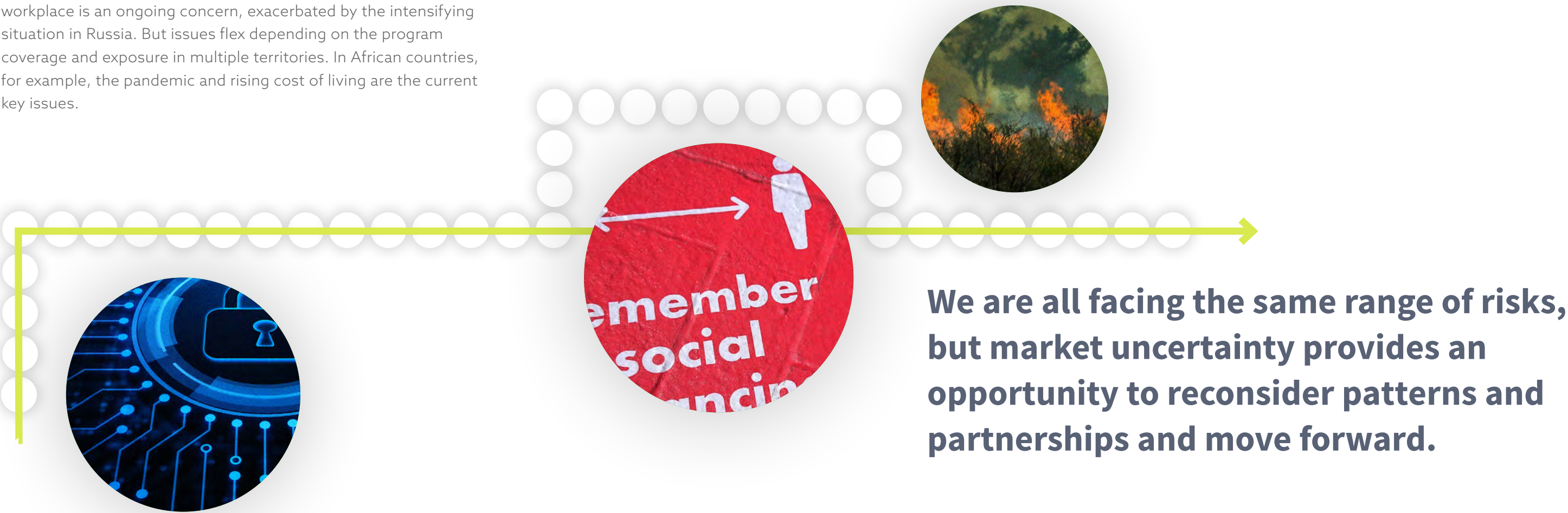
ISSUES FLEX

Working with many different carriers, corporates and reinsurers, and across both mature and emerging markets, it's crucial to have a holistic view of the claims landscape and adapt to meet local regulations and nuances. Cyber security in the post-pandemic workplace is an ongoing concern, exacerbated by the intensifying situation in Russia. But issues flex depending on the program coverage and exposure in multiple territories. In African countries, for example, the pandemic and rising cost of living are the current key issues.

GROWING TOGETHER

Whatever the program, it's advantageous to be involved in any partnership at the very beginning. For example, new Lloyd's syndicates and MGAs are currently positioned as disrupters, supporting the transformation of the London market as they aspire to grow into multi-territory, multi-product line businesses.

They are looking for new ways of optimizing processes and need partnerships that add real value to what they aim to achieve. In this evolving environment, we cannot automatically assume we know what's required and provide an overwhelming menu of options. We have to disaggregate the issues and offer a specifically designed solution. Data, tech and innovation are important, but not everyone has the same risk appetite and budget.



We are all facing the same range of risks, but market uncertainty provides an opportunity to reconsider patterns and partnerships and move forward.

CATASTROPHE RESPONSE

Climate change has made the world more volatile and unpredictable. Bigger and more frequent storms, as well as typhoons, hurricanes and bushfires, mean a transactional response is no longer enough. Getting boots on the ground is critical, and we're more proactive in integrating technology and changing mindsets — technology isn't just for small attritional claims. For example, when a massive hotel in the Caribbean was decimated, it could be verified and inspected using satellite and video technology.

The focus must also be on where human intervention is essential. People with customer-centric soft skills and trained to interact sympathetically with customers are part of the new generation of loss adjusters. Technical expertise remains paramount, but in an event of any size, customers need to trust in your ability and genuine desire to make things right. This is all part of a holistic strategic approach to claims management.

KNOWLEDGE GAP

Attracting new talent into the loss adjusting industry has always been a challenge, but once people join, they rarely leave. There's infinite variety, and every claim is different. You get to help people in all sorts of situations, work with large organizations, travel around the world — the scope is endless.

Our people are our best advocates. But as an industry, we need to put more effort into promoting the profession at a grassroots level; universities and career fairs are a good example of underutilized opportunity. Offer a great place to work, excellent career development pathways, comprehensive training programs and mentor support, and people will stay.



CHANGE IS NEEDED

We are all facing the same range of risks, but market uncertainty provides an opportunity to reconsider patterns and partnerships and move forward. Transformation requires ongoing investment. It's about playing the long game, where service providers constantly listen and provide solutions, and we grow together.

But is this a good time to step back and evaluate claims programs? In the current post-COVID market, more than ever, clients need reliable partners with global reach, local knowledge, technical skills, scalability, balance sheet strength and connectivity. And the best way to manage unpredictability is to have long-term relationships in place, so you're ready to respond.

While many clients might be taking stock of their current position, there's a definite reticence to make any dramatic changes until the market stabilizes. However, change is sometimes needed. And a period of instability creates the perfect opportunity to look at things differently and move with the times — take control, press the reset button and accelerate the process. Fast forward five years and the market will look different again.

RESOURCES

Sedgwick's CAT resource center

<https://www.sedgwick.com/catresourcecenter>

Africa and insurance claims management: Building momentum.

Sedgwick Connection blog. December 16, 2021

<https://www.sedgwick.com/blog/2021/12/16/africa-and-insurance-claims-management-building-momentum>

Corporate governance and claims management in Africa.

Sedgwick Connection blog. January 13, 2022.

<https://www.sedgwick.com/blog/2022/01/13/corporate-governance-and-claims-management-in-africa>

Claims programme management in Africa: What's next?

Sedgwick Connection blog. February 24, 2022.

<https://www.sedgwick.com/blog/2022/02/24/claims-programme-management-in-africa-whats-next>



Supporting the workforce in today's challenging landscape

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The COVID-19 pandemic has forever changed the face of the workforce. The threat and spread of a novel, once-in-a-century virus prompted a transformational period of collective introspection. Much like an individual who survived a near-death experience, members of the global workforce have *en masse* taken stock of their lives during the past two years, reconsidering their priorities, longevity and what they want out of their jobs.

The volatility and unpredictability caused by COVID have led millions of workers around the world to explore new career opportunities — a phenomenon known as the Great Resignation. This disruption has made employers' war for talent more competitive than ever. Organizations are struggling to keep pace and will need to implement a variety of strategies to ensure they can successfully attract and retain the right people. In our view, the challenge facing employers is not to radically redesign workflows or business processes; rather, it's to get back to the basics of the employee experience and adopt a people-first mentality.

ENGAGEMENT AND CONNECTEDNESS

More than two years after the outbreak of COVID-19, a significant percentage of the workforce is still working remotely at least part of the time. Employers continue to (re)define what "hybrid" means for their organizations as the public health situation evolves. These shifts make building and maintaining meaningful employee connections that much more difficult.

Many remote/hybrid employees are eager for social interaction as an antidote to the isolation brought on by COVID. Without the casual workplace conversations that naturally occurred by the office water fountain or coffee maker pre-pandemic, people managers/leaders now bear responsibility for facilitating those connections virtually. Personal manager outreach, leadership town halls, regular employee communication and informal group meetings (even if virtual) are a few ways to foster a culture of caring and belonging. More formally, having employees set performance goals helps them connect their daily efforts to the organizational mission and objectives.

Another way to promote engagement and connection is through employee resource groups (ERGs). ERGs are voluntary, employee-led groups centered on a shared characteristic of the participants, such as gender, race, ethnicity, lifestyle or interest. While ERGs are traditionally a cornerstone of diversity and inclusion programs, they've taken on renewed relevance during the pandemic as employees seek safe opportunities to connect and be their authentic selves. (ERGs are also an effective recruiting tool, as many candidates today look for employers who have them.) Some organizations have started new ERGs focused on COVID-era concerns like homeschooling and fitness outside the gym so employees can learn from and share experiences with each other.

It's important to keep in mind that engagement levels can vary significantly over the course of the employee lifecycle. Providing an effective onboarding experience that secures new employees' buy-in to the organizational culture can help to reduce attrition and pave the way for high engagement throughout their tenure. Particularly during the first year of employment, it's critical to provide education on the organization's mission, values and practices, along with guidance on what new employees can expect regarding career paths and skills development. With so many people changing jobs and employers amid the upheaval of COVID, successful onboarding and acclimation must be a key focus area to ensure workforce continuity and sustainability.

MENTAL HEALTH SUPPORT

The conditions of the COVID era have had a devastating impact on mental health. Anxiety, depression, stress, guilt, trauma, fatigue and isolation are only some of the concerns that have spiked in the past two years.

Employers' traditional approach to addressing mental health is through employee assistance programs (EAPs). However, no matter how robust the service offerings or how many reassurances of confidentiality are provided, many employees have inherent distrust for EAPs. Concerns about their personal information being shared with management and human resources or EAP use negatively affecting their careers have led to widespread avoidance; research shows that EAPs are among the most underutilized of all employee benefits, with fewer than 8% of those eligible taking advantage of their services.



To truly support a workforce struggling with mental health challenges, employers need to think beyond the EAP and consider alternative models of care. Community-based mental health practitioners, as well as telehealth options, should be accessible through employee health plans. Additionally, there are a variety of wellness mobile apps and well-being programs that employers can subscribe to and promote in order to demonstrate support for employees; these programs — which represent one way to meet employees where they are, rather than pushing them to conform to a single model of care — offer guidance on stress management, positivity, coping skills, mindfulness and focused breathing, among other habits that contribute to mental health.

Another step organizations can take is to train managers on how to recognize the signs of psychological distress in their team members and provide an appropriate level of support based on empathy and respect. High-quality training programs that employers can leverage include:

- [Mental Health First Aid at Work](#), from the National Council for Mental Well-Being.
- [Notice. Talk. Act. At Work](#), from the Center for Workplace Mental Health, a division of the American Psychiatric Association.

Giving people managers the tools to know when and how to get involved shows both personal and organizational support for employee mental health, reduces potential productivity losses, and increases the likelihood of employees seeking help when they need it.

THE RIGHT ENVIRONMENT

Perhaps the greatest lesson in management to emerge from the era of COVID is the importance of the intangibles. When the physical workspace is stripped away and employees are no longer co-located, what remains is a social compact that must have at its core the kinds of values that motivate employees to stay connected and engaged. Many important concepts fall into this framework, and we'll highlight just two of them here.

- **Autonomy.** During the pandemic, when so many have experienced a loss of control over many areas of their lives, autonomy is critical to job satisfaction. Especially for knowledge workers, whose work product is often intertwined with their identity and sense of self-worth, employer confidence in their ability to self-manage goes a long way. The pressures of family life in the COVID era — such as sporadic periods of remote schooling, unexpected quarantines and loss of reliable caregiving support — have made flexibility in how and when to work indispensable for many in the workforce. And with most organizations finding that the “work-at-home experiment” prompted by COVID has not resulted in significant losses of quality or productivity, the workforce has demonstrated that they are deserving of grace and can and should be trusted to perform well without micromanagement.
- **Purpose.** At a time when people are taking stock of their lives and career trajectories, they want to feel they’re performing purposeful work and aligning their passions with their professions. Employers will benefit from investing in technologies that automate rote work processes, so employees can focus on higher-level tasks and areas where they bring unique value. Additionally, organizations should develop brand stories that highlight for employees and the public the meaning behind the work they do and how they improve people’s lives and the world at-large.

PEOPLE FIRST

As organizations vie to attract new talent, they must not forget about one of their most valuable resources: current employees. Retaining talent is significantly more cost-effective than hiring new talent, but it does require investing in the things that matter most to employees. Promoting retention and reducing attrition can be achieved by supporting employees’ multifaceted needs during an already stressful time. These include providing avenues for connection, addressing mental health concerns, and offering people a renewed sense of autonomy and purpose in their work.

If we’ve learned anything from the COVID-19 pandemic, it’s hopefully about the value of each individual person. Adopting a people-first philosophy is key to employers weathering this tumultuous storm and making it through to “new normal” on the other side.



RESOURCES

- Mental Health First Aid at Work**
<https://www.mentalhealthfirstaid.org/population-focused-modules/workplace/>
- Notice. Talk. Act. At Work**
<https://workplacementalhealth.org/employer-resources/notice-talk-act-at-work>

APPS THAT SUPPORT MENTAL HEALTH HABITS

[Mood Tools](#)

uses evidence-based techniques to address depression and negative thoughts

[What's Up](#)

helps with thought patterns, grounding and catastrophizing

[MindShift](#)

cognitive-based tools especially well-suited to teens and young adults

[Happify](#)

tools to help people take control of their feelings and thoughts

[Think Up](#)

provides positive affirmations and motivation

[Panic Relief](#)

guides users through panic attacks and helps them overcome their fears

Breathe2Relax ([Apple](#) | [Android](#))

teaches breathing techniques for stress management

EMPLOYEE WELL-BEING PROGRAMS

[Grokker](#)

personalized experiences to help employees feel happier, healthier and connected

[WellBalance](#)

focuses on healthy habits and improving overall mental well-being

[HBD International](#)

innovative workplace health, well-being and injury prevention programs

[wayForward](#)

combines identification, navigation and delivery to ensure employees have access to clinically relevant care

[Overcoming U](#)

courses that create accountability, education and mindset shifts

[Navigate](#)

promotes eight pillars of well-being to improve health and happiness

[Wellworks for You](#)

programs to keep employees actively engaged in own wellness

[Bravo](#)

wellness incentive programs, health screenings/assessment and more

The virtual avalanche of risks: protecting your business and brand through a crisis

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The business world appears to be cautiously, yet optimistically, looking toward the light at the end of a very long pandemic tunnel. We've spent the past two years adjusting our definition of what everyday business looks like, staying flexible and adaptable with every twist and turn. Ideally, we'll come out the other side with a rush to progress business opportunities.

Along with opportunity, though, that rush can come with its own vulnerability. As Sedgwick outlines in our [View 22](#) thought leadership list, we're living through a virtual avalanche of business risks that, collectively, can threaten a company's reputation — even its financial viability.

Taking a bird's-eye view of the broader risk environment, let's start by asking the tough, but imperative, question: Is your company appropriately investing the time and resources necessary to prepare — proactively — for the next product crisis?

Here's a look at several factors impacting the risk environment now and into the foreseeable future.

THE ONLINE UPTICK

Months and months of closures, social distancing and a heightened sensitivity to crowds forced consumers to get creative. Businesses had to respond quickly, or risk getting left behind — or forgotten about altogether. The result, not surprisingly, was a [significant expansion of e-commerce](#); some estimate the pandemic not only permanently altered our shopping patterns, it accelerated e-commerce growth by as much as six years.

As companies adapt to more online sales, we’re seeing an escalation of counterfeit products. Concurrently, the development of products liability laws applicable to marketplace sales are rising as well. Product liability laws are based on state, not federal, law; historically, they were developed with brick-and-mortar store sales in mind — not online pass-through transactions where an internet marketplace operator serves more as a facilitator of the sale and may never take “ownership” of the product. While it varies state to state, online marketplace operators can no longer assume they are insulated from liability for defective products sold through their sites, as some courts are finding the operators to be a seller and, therefore, part of the stream of commerce.

Increasingly, public policy will demand consistency, transparency and [accountability](#). We’ll begin to see more control — more caution, and more vetting — over what’s in the market.

Newer technology, connected to newer devices, should encourage companies to get quickly up to speed on the risk standpoint. Just don’t move so quickly that you miss the warning signs; stay abreast of changes in the regulatory landscape and understand what the digital risks to your organization really are.

One significant upside to an ever-increasing online commerce? Companies are more able than ever before to extend their reach, across the country and in many cases internationally. But it’s been a real eye-opener to a lot of U.S. companies who think the way they’re operating here will be the same everywhere. Understanding the regulatory — and cultural — differences is critical.

CONTROLLING THE NARRATIVE

You know what they say: “Bad news travels fast.” Perhaps what they should be saying is “false news travels even faster.” Social media outlets and their impact on brand and reputation cannot be overstated.

We’ve seen several high-profile companies fall victim to thinking a product-related issue would simply blow over. Social media doesn’t let that happen. And in some cases, it can be worse down the line: Even litigation is feeling the effects of social inflation, as a rise in jury verdicts impacts liability claims and the record-setting amounts being demanded of companies. Likewise in professional liability, we’re seeing what used to be securities class action becoming event-driven litigation.

These days, a recall is hardly, or at least rarely, a long-term detriment to a business. But poor customer care in the wake of a crisis can make it infinitely worse. Simply put, it’s okay to be remembered for having a recall — you really don’t want to be remembered for how badly you handled it.

The simplest way to control the narrative on social media? Have a good brand. (We said simple; we didn’t say easy.)





EMBRACING NEW VIEWPOINTS

What defines “a good brand” today has evolved exponentially in the past few years. ESG, DEI — these aren’t just buzzwords. They’re principles a great number of potential customers and employees will use to determine whether your organization is one they want to associate — and be associated — with.

A big difference between, say, twenty years ago and now is that you could really stick your head in the sand (not that it was a good business tactic then, either) without the same, highly visible ramifications. Today, everyone has a voice: your customers, your employees, your leaders.

Down the line prospective partners may very well demand to see a complete picture of your company culture. And your brand is undoubtedly impacted by how you treat employees and suppliers, right along with how you impact sourcing or product distribution.

ESG and DEI aren’t a burden, and they certainly aren’t a passing trend to simply wait out. In fact, it’s good for business — the concepts actively encourage proactive risk management. Beyond data and privacy, how you protect your employees affects how you protect your business. Take off the blinders, embrace the idea. But know this: Inclusion isn’t just about *having* a diverse community, it’s about listening and taking meaningful action in its support.

ACTIONABLE STEPS FOR PROTECTING YOUR BUSINESS — AND BRAND — THROUGH A CRISIS:

Evaluate your true capacity for and experience with the types of infrastructure support you’ll need in such an event. Can your existing team carry a sudden and dramatic influx in website traffic? Customer calls? It may be tempting to save money on the front end with in-house services; the risk comes in how costly that could be down the line. How you handle a spike in outreach can make matters worse, by piling perceived poor or slow customer response on top of a negative product experience.

Revisit the last time your recall plan was updated. Most are five to ten years old. Using outdated means of communications (how many of your customers have ready access to a fax machine?) and not matching your method of outreach to your customer can spell trouble in the heat of crisis management. Training your team, developing an up-to-date recall plan, conducting mock recalls and practicing pre-incident mitigation methods can all go a long way to ensuring you’re ready if and when you experience a product recall.

RESOURCES

View 22
<https://www.sedgwick.com/view22>

Impact of COVID Pandemic on eCommerce
<https://www.trade.gov/impact-covid-pandemic-ecommerce>

2022 Edelman Trust Barometer
<https://www.edelman.com/trust/2022-trust-barometer>



Cultivating the ultimate consumer experience

BY **KATHY TAZIC**
managing director, client services, Sedgwick

When we think about what it takes to keep our businesses running at peak performance — particularly in these still-strange days — the obvious comes to mind: maintaining business continuity, adapting to new and evolving work models, complying with ever-changing regulations. To do this, we need good, clean data, state-of-the-art technology and a team of experts at the ready to make it all happen.

It's easy to look to the transformational power of data and technology to get it all done. It's also easy to overlook the irreplaceable value of people and partnership as we try to continuously improve upon the experience of our customers as they interact with us.

DATA VERSUS TECHNOLOGY

In a nutshell, technology is the vehicle that gets us to the data. And it's great — technology brings efficiency, accuracy, speed. It creates opportunities. But the tough question is, "so what?" In other words, how are those tools being used? How are they helping improve the customer or employee experience? Technology for the sake of technology gets us nowhere.

Same with data. It has to *mean* something. The data you collect only has value if it helps you to tell a better story and report back to your organizations on where, and on what, to take action. In the past, we might've been able to say loss costs for a certain region are going up because this thing is happening, at this time, under these conditions. Today, we're more able to pinpoint and prescribe action based on the way we translate that data: if we change this action, in this scenario, we can expect this result.

Technology and data must work together to tell a compelling story. A claim is a unique item from a data perspective. It has fixed, structured elements to it, a ton of transactional financial information. And so much of our daily lives are rooted in technology; it's how the vast majority of us conduct our business, manage our homes and interact with one another.

When it comes to claims, we want that technology to mirror our own life experiences. To meet us where we are. To tell us "there's a solution for that," whatever "that" might be. Technology has to keep pace with how we live our lives, and customer expectations of their web experiences, online tools available, are only going up. As a business, you want the top data experts you can get focused on that — "data journalists" working hard to bring the story that data is trying to tell to life, and technology to make it easy to convey and interact with the storyline.

THE HEART BEHIND THE MACHINE

When it comes right down to it, we must always remember that, while data and technology are great — critical, even — this is a people-centered industry. We’re people dealing with people, and we’ll always need humans to do the work.

Technology is great in that it gives our examiners greater efficiency. But above that, we need to give them more and better opportunities to influence the claims process, using that data to determine patterns, predict how they’ll change behavior, and prescribe actionable takeaways. Technology gives us the opportunity to be more holistic because it frees us from being mostly administrative.

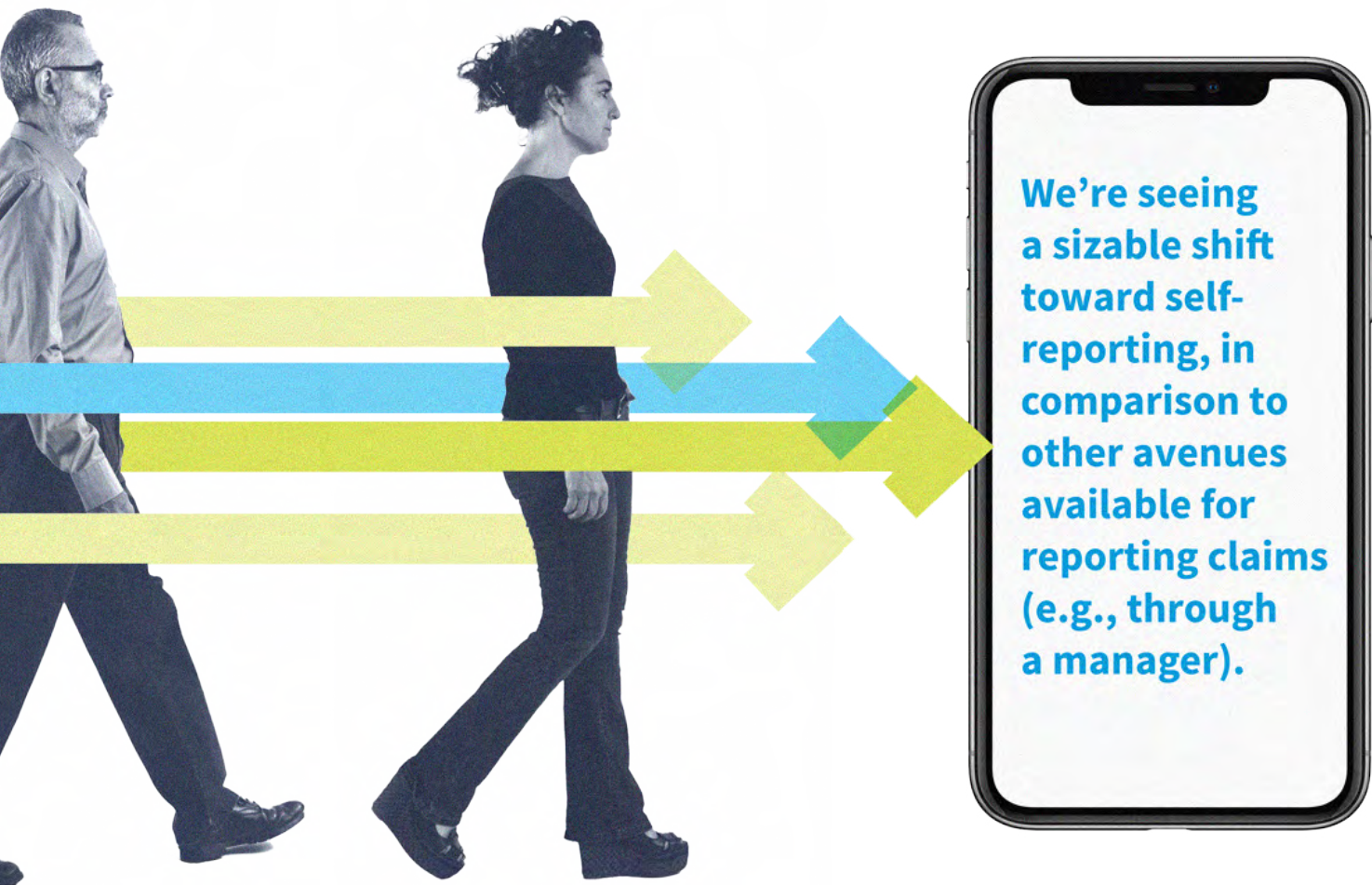
In the claims world, we encounter people every day who have had something unexpected happen. And while there’s work to be done on that claim, there’s also a person needing care. What was once a process focused on denying a claim has become an opportunity to advocate for the person on the other end of the line.

WHAT HAPPENS WHEN

My best advice to clients is this: Take a step back. Ask, “what happens when...” What, for instance, does the journey look like after an auto accident? How are you communicating with someone who’s never had to file a claim before? Think about modernizing how you move beyond the traditional three-point contact rule, reaching out to your customers where they are, both geographically and generationally. Will they answer the phone to an unknown caller? Will they be more likely to respond to an email, or a text message? When it comes to customer expectations, one size most certainly does not fit all.



When we look at how claims are initially received, self-service is another area that allows employees the control they’re looking for. We’re seeing a sizable shift toward self-reporting, in comparison to other avenues available for reporting claims (e.g., through a manager). If that first reporting is in the claimant’s hands, they get a truly holistic experience right from the start. By allowing them to determine when, or even if, they speak to someone or not, you let them access their information with customized options, rather than ill-fitting requirements.



We’re seeing a growing number of clients becoming more comfortable with workers self-reporting, whether they opt to talk with someone directly or use technology. That shift has a provable impact on turnaround time and satisfaction — and it speaks directly to organizational culture.

As your customers evolve, so too should your partners. Are they making it easy for you to grow and modernize? Are they actively working, all the time, to understand your goals and determine how to help you get there? Are they empowering you to measure the customer experience — through surveys, through stewardship — as an everyday process?

THE MORE THINGS CHANGE

To be clear, a lot has shifted since the pandemic moved in, from where people are working, to the hours they’re working, even what they wear, and the best leaders are adjusting to — and embracing — these new approaches.

But that doesn’t mean we don’t have measurable expectations. Even if the environment has changed, our focus on quality results and outcomes remains the same. Our teams may work differently, but we’re holding them to a consistently high standard. Attitudes and practices have shifted, to be sure. With that shift has come a broader perspective on how we — Sedgwick, yes, but also the industry as a whole — is improving the day-to-day experience for both claimants and customers. We’re looking as much at the “how” as the “how many.” Beyond just quantity, are you seeing empathy? Advocacy?

With the customer in mind, building the right experience is less about using technology to look over the shoulder of the adjuster and monitor their task work — and more about the holistic process. It’s more focused on supporting the people at the heart of the process.

And that, ultimately, is what the consumer experience is all about.

Expert view

An interview with Jen Keough, chief executive officer, JND

**edge:**

We're happy to welcome some of the newest members to the Sedgwick organization: JND Legal Administration. They're renowned in their field for integrity in leadership, excellence in service delivery and ingenuity in their proprietary offerings — and we're thrilled to bring their expertise into the fold. Speaking on their behalf today is Jen Keough, JND's founder and chief executive officer.

Give us a bit of your background, Jen. How did you get your start in the industry?

Jen:

I've lived in Seattle most of my life, which is where I began my law career and where JND is headquartered. Right out of high school I worked as a receptionist for a litigation firm to put myself through college. From there I became a paralegal, then a case manager, and that organically led me to law school. After graduation I began working at one of Seattle's largest law firms, mostly on high-profile product class action cases; there I was exposed to administration and ultimately recruited to join one of the largest legal administration firms in the country. That's where I met Neil and David, with whom I would go on to found JND.

edge:

Tell us more about the formation of JND with your partners, Neil Zola and David Isaac. What was it like to build a start-up business after coming, as each of you did, from such large firms?

Jen:

After working together for more than a decade, Neil, David and I had helped to grow our former company into the largest firm in the class action administration space. We had a real decision to make: Renew our contracts again as employees, or branch out and build our own company. We decided to put our money where our mouths were and started creating JND from the ground up. We wanted to build upon the things that had made

us successful, and to find new opportunities to streamline the process — which would ultimately allow us to better serve our clients and the courts. And we wanted to get into eDiscovery, which we saw as a natural fit with our class action practice.

Once we decided to make our move, it was a whirlwind. A lot of start-ups take six months, maybe a year, to build steam. We were up and running within a month or so with just the three of us — we built the system, started acquiring clients right out of the gate — so it was definitely a "go big or go home" mentality. Oh, and in the midst of that, I had twins!

edge:

We're tired just hearing about it! So, what was your mission as a new company? Has it evolved over the years?

Jen:

Our mission was always to be the firm that was hired to handle the largest and most complex matters in the legal industry, and to be the leading player in class action administration. In less than six years, we've done just that.

It's been possible, in large part, because at one time or another we were each clients of administration firms ourselves. We're huge believers in responsiveness and quality, because we know what it feels like to walk in the shoes of our own clients. We know how we'd want to be treated, and we bring that to each of our conversations.

People don't necessarily want to be sold something; they want the opportunity to learn something useful for their practice. Our clients come back because they really want that consultative relationship — along with our experience, of course — and appreciate that we take a lot of responsibility for the complicated work we're doing on their behalf.

edge:

Can you give us a crash course in what legal administration comprises?

Jen:

Legal administration, in the class action context, involves sending notice to all potential class members — which in some cases can be more than 100 million people — handling and processing the claims they

submit, and paying them. Those three steps are the basics but there is a ton of complexity, from handling hundreds of millions of pieces of data, to setting up interactive, claim-filing websites, to staffing and training telephone operators to handle varied and complex matters, and a myriad of associated tasks. And all that’s happening while under pressure from major partners at law firms, federal judges, regulators, and other interested stakeholders.

edge:
And how then does eDiscovery fit into your work?

Jen:
eDiscovery is a different side of legal administration. Our class action administration business comes into play once a case is settled; eDiscovery is a stage that occurs during the middle of a litigation. Essentially

it refers to any discovery in legal proceedings where the information is provided electronically. When you think about what discovery looked like 25 or 30 years ago, there were literally thousands of documents that needed to be whittled down to the most pertinent “hot docs” that would go to trial. eDiscovery completely transformed that process. Now there are algorithms that can do that whittling for us, in a much quicker, more programmatic way.

edge:
What do you anticipate will be most useful, and most interesting, to Sedgwick’s corporate clients about your work?

Jen:
Certainly the eDiscovery process. What’s exciting about the eDiscovery market is that it doesn’t rely on class action cases — any time any parties bring a lawsuit, there is eDiscovery. It’s been called

a \$40 billion industry by some analysts. A large number of Sedgwick’s corporate clients will have some kind of eDiscovery need; Sedgwick now has a dedicated resource they can trust implicitly to handle this work for them.

I think Sedgwick’s clients might also be interested to learn that JND has an in-house media team supporting our class action cases. The first step in our process is sending notice to the class members, which can be done by direct mail, email or, where class members are not readily identifiable, through media like print, digital, television and radio. Our media team needs to do considerable research in all of our matters to decide the best way to reach the particular class members — I say it really is both a science and an art.

edge:
What made now the right time to join forces with Sedgwick?

Jen:
Sedgwick was one of several companies that approached JND in the last twelve or so months. We had resisted selling because, frankly, we thought we could continue to grow JND better on our own than with any partnership. But after meeting with Dave [North] and Mike [Arbour] we began to get super

excited that Sedgwick had the resources and connections to help us get to the next level. Our client base was a great fit for Sedgwick, we liked what the organization was doing with brand protection, and we knew eDiscovery was an important tool we could add to Sedgwick’s already impressive toolbelt.

For me personally, creating a positive culture is just about the most important thing a company can do. A lot of the

people working with us now at JND have been with us in varying places for a decade or longer; it was crucial to me that whoever we sold to would treat our team the way we would. It had to be a good experience for them. I felt strongly — and still do — that Sedgwick’s philosophies and beliefs matched ours. And I was confident that we could continue growing what we’d set out to build in the first place.



edge:
What kind of relationship do you see between JND's services and Sedgwick's work in brand protection?

Jen:
I see great synergy between brand protection and JND right off the bat — in fact, we're already working on two recalls together — and I think that partnership will just continue to evolve and grow. Brand protection comes in to service its clients before a class action happens; as brand protection handles the front end, JND is poised to step in if there's a class action and then a settlement.

JEN KEOUGH

As chief executive officer of JND, Jen oversees all business operations, from day-to-day processes to high-level strategy. She is an expert in all facets of class action administration, and has testified on settlement matters in courts across the country. With more than 20 years of legal experience, Jen has worked directly on hundreds of high-profile and complex administration engagements.

Jen formed JND with her partners in 2016; prior to that she was COO and executive vice president for one of the then-largest legal administration firms in the country. She's been named a female entrepreneur of the year finalist in the Stevie Awards for Women in Business, was recognized twice as a "Woman Worth Watching" by Profiles in Diversity Journal, and is a frequent speaker and content contributor concerning all manner of class action issues.

edge:
Looking ahead, what new opportunities might this partnership bring Sedgwick's clients and partners? And what do you hope to see your role at Sedgwick becoming?

Jen:
In terms of new opportunities, I realize I am banging the same drum, but it's important: eDiscovery is needed everywhere. I think we'll also be of great service to Sedgwick clients as consultants. When faced with a class action, clients want to understand the

potential costs: If we settle this case for X, how many people will submit claims, etc. We can help advise clients on take rates and other nuances.

As for my own role... it's way too early to know. But I do know I'm delighted to be part of the Sedgwick leadership team. Ask me that question again in a few years!



BY HEATHER LAWLEY
global head of diversity, equity and inclusion (DEI) and environmental, social and governance (ESG)

For many of us at Sedgwick, 2021 offered a fresh perspective on the world. Between the lingering COVID-19 pandemic and the occurrence of multiple natural disasters, we gained a renewed appreciation for the interconnectedness and fragility of our global ecosystem.

In particular, societal restrictions related to the pandemic disrupted our behavior patterns and encouraged us to spend more time outside. Perhaps one silver lining of COVID was rediscovering the great outdoors. Whether dining under the stars, walking around our neighborhoods, or vacationing in the woods or the mountains, 2021 brought us closer to nature.

CARING FOR
PLANET EARTH

This connection to nature, combined with a heightened emphasis on environmental issues in the area of ESG, was in the forefront of our minds when selecting the focus of Sedgwick’s [2021 season of giving campaign](#). Our caring counts philosophy extends to caring for the Earth, and it’s a cause that is meaningful and important to our global clients, colleagues and the communities we serve.

The goal of our campaign — whose theme was “Seeing the world through a new lens” — was to highlight the need for protecting our ecosystem, so planet Earth can thrive long into the future. We encouraged Sedgwick colleagues, customers and friends to commit to small, incremental changes to their personal consumption habits, with an eye toward making a significant collective impact.

Additionally, we invited participants to help us celebrate our amazing planet by sharing photos of nature they took in 2021. We received more than 360 stunning submissions from across North America, Europe, Asia and Australia.

Conservation International was our nonprofit partner for the campaign. Since 1987, Conservation International has worked to spotlight and secure the critical benefits that nature provides to humanity — including, as explained on [the organization’s website](#), every breath we take, every drop we drink and every bite we eat. Their efforts serve to protect more than 2.3 million square miles (6 million square kilometers) of land and sea across more than 70 countries. The organization uses science,

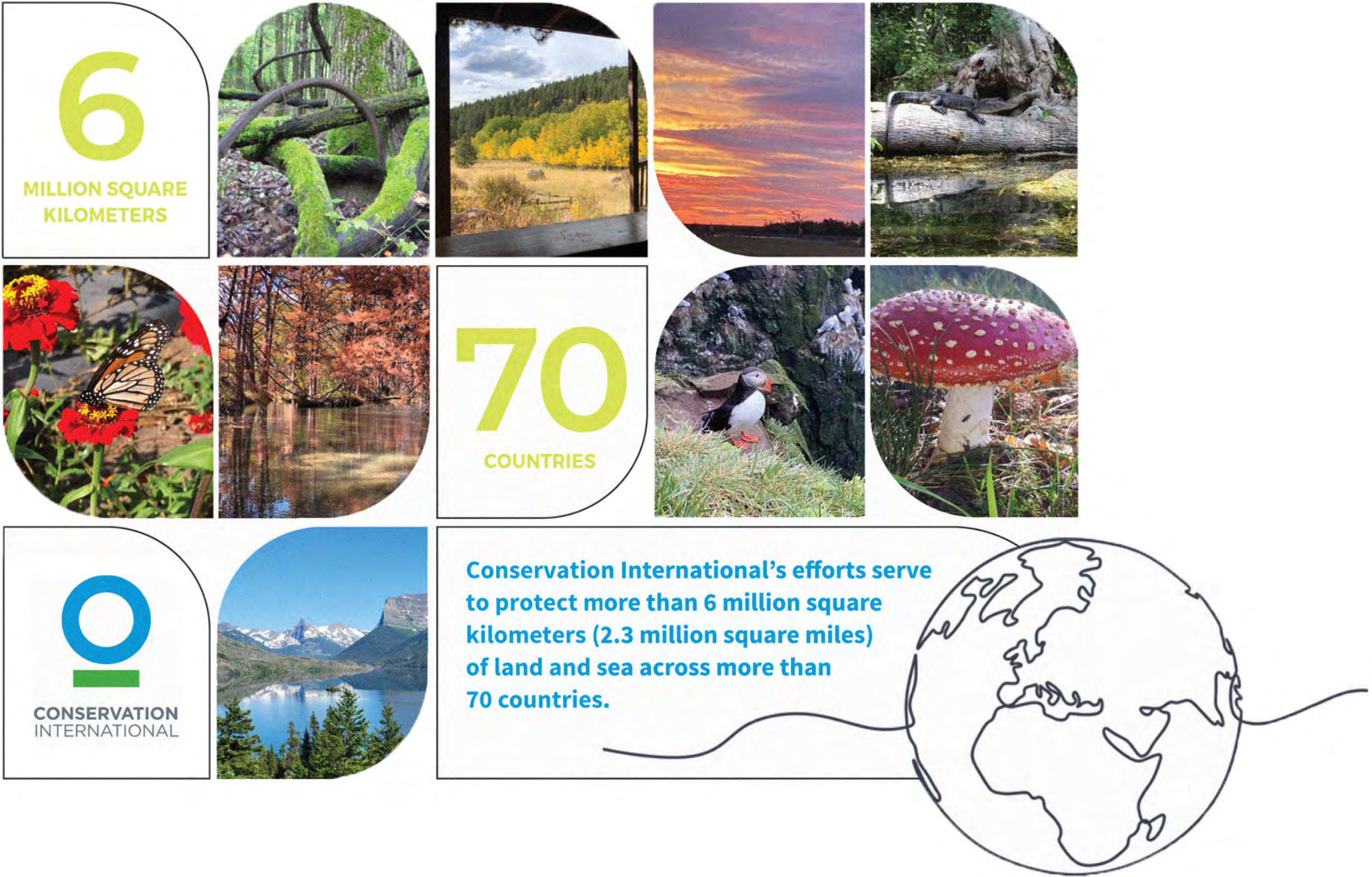
policy and partnerships to tackle the climate crisis and create a cleaner, healthier planet. As part of the season of giving, Sedgwick donated to Conservation International to support their vital efforts and encouraged campaign

participants to do the same. Our 2021 season of giving campaign not only engaged our 30,000 global colleagues, but also reached around 18,000 people on social media and drew nearly 3,000 visits to our website. Our hope is that the

campaign left a lasting positive impact on the environment, gave participants a better understanding of how their consumption habits affect the Earth’s ecosystem, and helped people to see the wonders of the natural world through a new lens.

WHAT’S NEXT IN ESG?

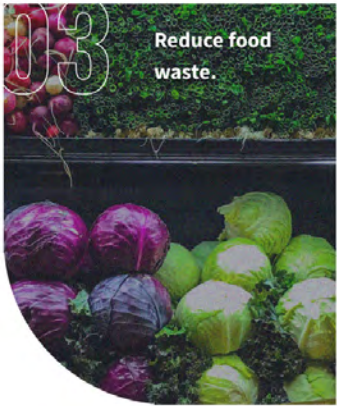
At Sedgwick, taking care of people — our colleagues, clients and communities — is at the heart of everything we do. We aspire to lead our industry in acting with purpose and social consciousness



and to promote sustainable practices. While Sedgwick has long practiced the principles of ESG simply because it's the right thing to do, we are now working to bring together our efforts in these areas under a single strategic framework. These include our support for environmental causes (like

our 2021 season of giving campaign and reducing our use of paper in favor of digital files); our social impact through things such as charitable giving, diversity, equity and inclusion (DEI) initiatives and colleague engagement; our governance practices, such as commitment to business ethics and data privacy and protection; and more.

All of these undertakings are informed by and demonstrate our belief that caring counts. The Sedgwick organization is founded on the notion of making things right and making a difference in the world, one person and one step at a time. We look forward to sharing more about our expanding ESG efforts in the months ahead.



RESOURCES

Sedgwick's 2021 season of giving campaign
<https://www.sedgwick.com/2021seasonofgiving>

Conservation International
<https://www.conservation.org/>



Edging up

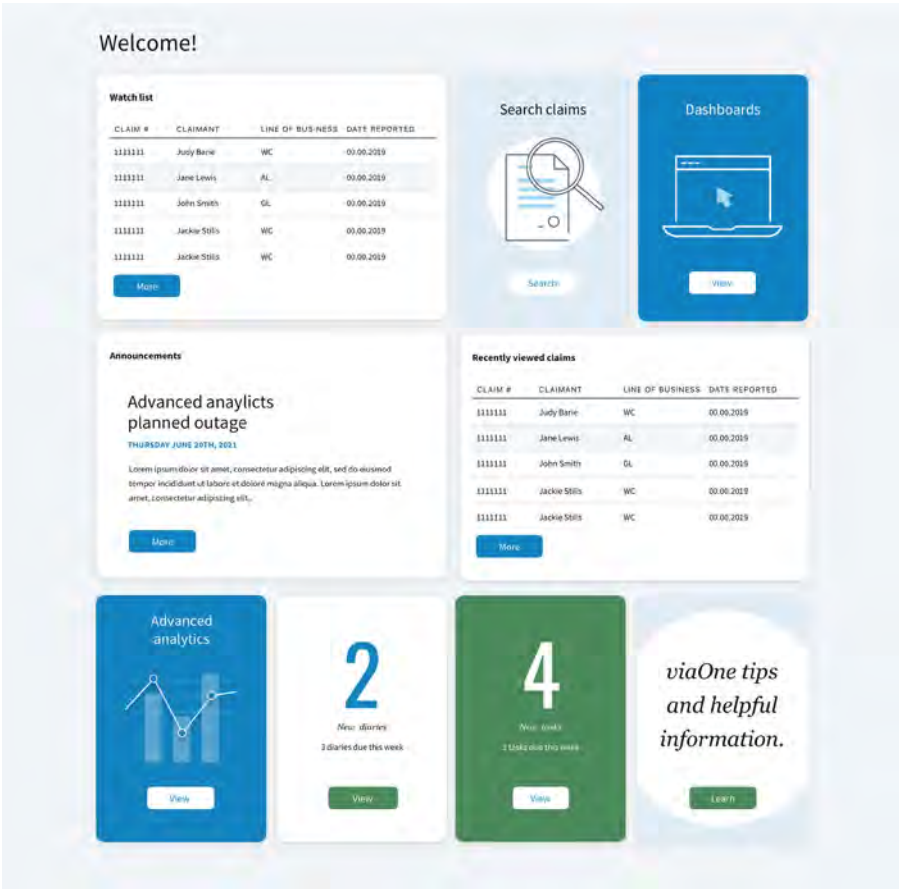
Short takes on industry trends, emerging issues and new technology enhancements.

New viaOne dashboard options enhance data experience

ViaOne, our digital client experience for real-time claims information, now includes enhanced dashboard capabilities that offer new and improved data visualization. Clients can determine the path and depth of data they see, and toggle from the aggregate, graphical view down to the individual claim level. They can select from a catalog of tables, charts and graphs to build personalized dashboards with the information they need, when they need it.

Our latest enhancement builds upon the extensive features already in viaOne. Through a secure website, users can track and analyze key claims and absence metrics, run standard and custom reports, set alerts, and generate powerful loss triangles to support actuarial analyses. The system provides clients with 24/7 access and integrates with virtually any human resources, risk management or payroll system.

ViaOne offers unique views for different audiences and visualizes data across multiple lines of business including workers’ compensation, managed care, disability and absence, liability and property. Users also have full visibility into every aspect of managed care, from triage and intake to clinical services and medical bill review. And viaOne is the only fully integrated OSHA solution in the industry.



RESOURCES

- Edging up. *edge magazine*, issue 17.
https://edge.sedgwick.com/issue_017/edging-up/
- Cultivating the ultimate consumer experience. *edge magazine*, issue 18.
https://edge.sedgwick.com/issue_018/cultivating-the-ultimate-consumer-experience/
- Sedgwick website
<https://www.sedgwick.com/solutions/technology>

Sedgwick’s technology is built around advanced market-facing claims tools that support every aspect of our services, making the client and consumer the focus at every step. Additional tools include smart.ly, our flexible intake and incident management platform, and mySedgwick, our self-service tool.

Designed to address a range of high-volume incidents or claims events, smart.ly integrates advanced technology — including real-time system interactions, artificial intelligence, optical image analysis and intuitive scripts — behind the scenes to simplify the intake process. Multilingual and available to deploy anywhere in the world, smart.ly can address a wide range of scenarios. See our [smart.ly update](#) in the last issue of edge.

MySedgwick uses role-based access to give clients, their employees, consumers and insureds rapid access to loss and claims data. With this self-service tool, claims and absence reporting, provider search and document upload are simplified; the user experience is supported through communication options, payment updates and more. Features are tailored by line of business — intake options are available for workers’ compensation, disability, leave, property, and general and auto liability claims.

See “[Cultivating the ultimate consumer experience](#)” in this issue to read more about how our technology focuses on supporting people throughout the process.

Sedgwick’s technology platforms were developed based on our experience with clients in all industries across multiple lines of business. To learn more about all of our technology solutions, see sedgwick.com/solutions/technology.

Product safety report highlights the latest trends and challenges

BY CHRIS HARVEY
senior vice president, client services, Sedgwick

Our 2022 State of the Nation Recall Index, published earlier this year, takes a close look at the economic, regulatory and legal challenges facing several industries including automotive, consumer product, food and drink, pharmaceutical and medical device. This edition shares the biggest product quality and safety risks from 2021, and why average recall sizes are at their highest level in over a decade.

Sedgwick’s recall index report offers a fundamental resource for manufacturers and retailers seeking impartial, reliable analysis and perspective on product safety regulations and trends. It also aggregates and tracks essential sector data to help stakeholders mitigate litigation and reputational damage caused by recalls

and other in-market product incidents. Key topics include:

- Factors that made 2021 a huge year for U.S. recalls, with more than 1 billion units recalled
- Top causes of recalls across five key industries
- Top product safety priorities for the CPSC, FDA, NHTSA and USDA
- Best practices for navigating the current business and regulatory environment
- Top recall data and trends in 2021 and predictions for 2022

U.S. and European editions are available. Click [here](#) to learn more and download a copy.

Sedgwick provides a wide range of brand protection solutions to assist clients with product recalls, remediation and customer retention. To learn more about these services, visit our [website](#).

RESOURCES

2022 State of the Nation Recall Index
<https://marketing.sedgwick.com/acton/media/4952/2022-state-of-the-nation-recall-index-report>

Sedgwick website
<https://www.sedgwick.com/brandprotection>

View 22
<https://www.sedgwick.com/view22>

Sedgwick website
<https://www.sedgwick.com/news>

View 22:
Focusing
on people,
property,
brands and
performance

Earlier this year, we introduced our [View 22](#) list, highlighting trends and topics that employers, risk management and human resource professionals, brokers and carriers should watch throughout the year. Sedgwick’s industry experts and thought leaders focused on 22 key trends we believe are essential to follow this year. They align with our view on people, property, brands and performance:

View on people
Organizations around the world face workforce challenges, populations moving beyond a pandemic mindset and, as a result, reshaping their attitudes toward work, benefits and balance. In the face of ongoing change, partnership and support will be essential to organizations’ success and the overall health and wellness of their teams.

View on property
Supply chain disruption, fluctuation in labor and demand, and ever-shifting restrictions have created both shortages and surges in the marketplace – this will impact all types of property claims and repairs. As technology and the global landscape influence the way we respond, what changes will we see in coverage, service and resolution?

View on brands
Companies across all industries face new levels of risk and ongoing pressure in approaching regulation, liability and reputation. Proactive preparation can make a critical difference in getting ahead of the next product or brand crisis.

View on performance
Data science and advanced analytics are driving the technological transformation of organizations, helping leaders leverage insights and maintain business continuity. But partnership remains a differentiating factor as organizations adapt to evolving models, improve consumer experience and transform for the future.

Take a closer look
As we monitor these issues and their impact on our industry, we will continue to share strategies and solutions to help meet the challenges. Read the full View 22 list at [sedgwick.com/view22](https://www.sedgwick.com/view22). For our broader industry thought leadership, visit our website and follow Sedgwick’s news at [sedgwick.com/news](https://www.sedgwick.com/news).

Work from
home, vaccine
and litigation
trends in 2022

BY ADAM MORELL
JD, assistant vice president, product compliance, Sedgwick

The crystal ball for the remainder of 2022 shows us that trends around work from home, vaccine mandates and litigation are sure to evolve. How can employers prepare?

Work from home: a game
changer for employees with
a disability

Before the pandemic, it was generally accepted for a court to defer to an employer on whether onsite presence was an essential function of the job. Therefore, they frequently didn’t have to grant remote work as an accommodation. However, after nearly two years of working remotely, questions will arise about why employees with a disability cannot continue to do so. Moving forward, employers who want to decline requests

from employees to work from home will need to individually assess each circumstance and pinpoint why remote work was not effective in the early stages of the pandemic. This could involve problems with technology, decreased productivity, lost sales, etc. Fortunately, as the cases of *Frantti v. State of New York* (2nd Cir. 2021) and *Ryerson v. Jefferson County* (11th Cir. 2021) illustrate, if you have a strong interactive dialogue with the employee and you determine that working from home isn’t reasonable, you will be in a much better position declining the request than if you didn’t do the individualized assessment.

Vaccine mandates: keeping up
with evolving regulations

With the shelving of the proposed Occupational Health and Safety Administration (OSHA) temporary standard, state and local vaccine mandates will likely continue to pop up as the OSHA rule makes its way through the courts. Currently, nearly two dozen states have some kind of vaccine or test requirement.



On the other side of the coin, nearly a dozen states have adopted new laws intended to *curtail* workplace vaccine mandates. In fact, a couple of states, including Montana and Tennessee, have sought to ban such mandates entirely. Familiarizing yourself with evolving state and local regulations is essential.

At the employer level, many companies have implemented their own vaccine mandates. Equal Employment Opportunity (EEO) laws allow an employer to require all employees physically entering the workplace to be fully vaccinated against COVID-19, subject to the

reasonable accommodation provisions of the Americans with Disabilities Act (ADA), Title VII, and other EEO considerations. While several high-profile companies have issued strict vaccine mandates, the tight labor market may prevent some companies from doing the same. In fact, two of the country’s biggest manufacturers dropped their proposed vaccination requirements in December 2021 and another food and beverage company reversed course – informing employees that it would not require any vaccine or testing regimen.

Litigation expectations for 2022

In 2019, for the first time in the history of the ADA, disability charges were filed more frequently than any other type: race, color, religion, sex, national origin or age. In 2020, that trend continued, and the gap between disability charges and other charges widened. Aided by claims related to COVID-19, we anticipate that when litigation statistics for 2021 are announced, the trend will continue and the gap between disability and everything else will expand.

This article recently appeared on the Sedgwick Connection blog. Click [here](#) to read more. Visit our website for the latest blogs on [work from home](#), [vaccines](#) and [litigation](#).

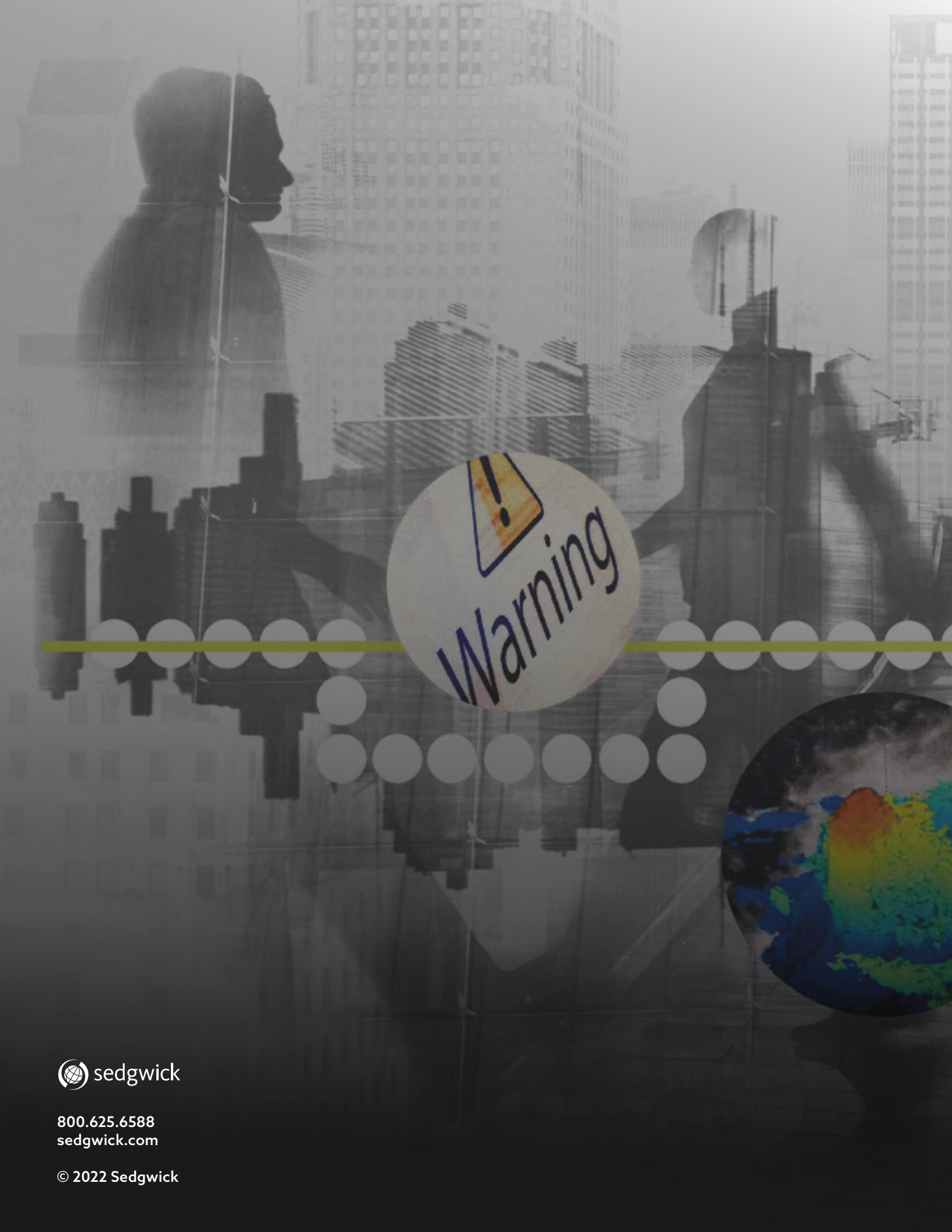
RESOURCES

Work from home, vaccine and litigation trends in 2022.
Sedgwick Connection blog. March 8, 2022.
<https://www.sedgwick.com/blog/2022/03/08/work-from-home-vaccine-and-litigation-trends-in-2022>

Sedgwick Connection blog
<https://www.sedgwick.com/blog?q=work+from+home>

Sedgwick Connection blog
<https://www.sedgwick.com/blog?q=vaccine>

Sedgwick Connection blog
<https://www.sedgwick.com/blog?q=claims+litigation>



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