

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Risk Management

Policy Number: 13.19

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 12/1/2017

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): guidelines and practical approaches for the reduction of risk on campus

Reason for the addition, revision, or deletion (check all that apply):

Scheduled Review Change in law Response to audit finding

Internal Review Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy:

Specific rationale for each substantive revision: No substantive revisions

Specific rationale for deletion of policy:

Additional Comments:

Reviewers:

Safety Officer Sonja Hendry-Witt
Director of EHSRM, Dr. Jeremy K. Higgins
Danny Gallant, Vice President for Finance and Administration
Damon Derrick, General Counsel

Risk Management

Original Implementation: August 2, 1994

Last Revision: ~~April 14, 2015~~ January 30, 2018

The administration of Stephen F. Austin State University recognizes the significance of providing a safe working and teaching environment for both employees and students. Fulfilling educational philosophies and protecting facility assets are important priorities.

Institutional planning, with an emphasis placed on practical approaches to problem solving and risk control, are standards commonly adhered to in a university environment. Policies and procedures address controlling the total cost of risk while meeting the goals of conserving the physical and financial resources of the institution. The ultimate benefit is a reduction in the total cost of risk. Additionally, the university is a safer place for employees, students and the public to work, study and congregate.

It is the responsibility of the university administration to communicate this policy to university personnel. In so doing, university personnel are educated on the concepts of safety and risk management. By demonstrating the ability to analyze exposure to loss and by implementing measures to control these losses, the image of the university is improved in the marketplace and in the community.

The function of risk management is to minimize the adverse effects of events, be it physical or financial, through the implementation of three basic tools:

Avoidance. Risk is avoided by refusing to assume it. This is not always wise or possible as it may mean an end to an operation in a specific area.

Loss Prevention and Reduction. When a risk cannot be avoided, it can often be reduced and the severity of losses lessened through the proper training of staff, maintenance of equipment, updating of policies and procedures, and the proper implementation of adequate emergency procedures.

Transfer. If a risk cannot be avoided, it can be transferred to others. In negotiating contracts, the risk manager may recommend an insurance clause be included requiring evidence of the other party's insurance coverage. This type of document is a "certificate of insurance" and where appropriate, the institution may need to be named as an additional insured under the contractor's policy.

RISK MANAGEMENT PLAN

Loss or claim reporting procedures

I. Personnel

Faculty, staff or student assistant injuries that occur during the scope of employment may be covered by worker's compensation. The employee must inform his/her supervisor and contact the university claims coordinator (safety officer) as soon as possible. Refer to university policy Workers' Compensation Coverage (12.23).

II. Property

Whenever a property loss occurs from fire, theft, explosion, flood, earthquake, vandalism or any other such cause, a loss report is submitted to the University Police Department (UPD) and the Environmental Health, Safety, and Risk Management Department (EHS&RM) by the department supervisor. EHS&RM will file the necessary paperwork for insurance claims.

III. Students and Visitors

- A. Occurrence: Whenever there is an accident or injury on university premises, a loss or injury to a student, visitor or company, or any other unplanned event, the UPD and EHS&RM is notified. UPD will submit incident or accident reports to ~~the Environmental Health, Safety, and Risk Management Department~~ EHSRM.
- B. The appropriate vice president is notified of all incidents that involve a contractor, vendor, student, or visitor.
 - 1. Once all of the facts have been documented, the general counsel is notified.
 - 2. Employees are advised to discuss the case with no one until consulting with the general counsel.
 - 3. No statements are made admitting liability or authorizing medical treatment unless cleared through the general counsel.
 - 4. If any machine, product, or object is involved in the accident, it is preserved, as is, in a safe place until it can be examined.

SAFETY AND LOSS PREVENTION

I. Safety Communication Network

~~The University Environmental Health, Safety and Risk Management Department (EHS&RM)~~ is charged with the general oversight of the university safety program. Communication channels that connect each area of the university with ~~the EHS&RM Department~~ are necessary for an effective safety program. Each division of the university shall designate a safety representative or representatives who will act as the liaison(s) between the division and the ~~EHS&RM Department~~. The purpose of the safety communication network is not to relieve the division members of the general responsibility but to recognize hazards in their areas of activity and take positive action to reduce or eliminate those hazards, nor is it to relieve the faculty and staff members of their responsibility to educate their students and employees about proper job procedures and recognized hazards before making task assignments. The safety communication network procedures are maintained on the ~~Environmental Health, Safety, and Risk Management EHSRM~~ website.

II. Safety Management

There are varying risks associated with activities and occupations at a university. ~~The Environmental Health, Safety and Risk Management Department EHSRM~~ serves the university community by identifying the areas of greatest risk and by making recommendations regarding elimination, substitution or reduction of those risks. Recommendations are based on the numerous federal, state, and local regulations, codes, and standards that have been developed to assure public health and safety. Employees are encouraged to play an active role in the university safety program by identifying and reporting hazardous conditions.

Refer to the university Health and Safety Manual.

III. Instructional Program

Structured safety training such as new employee, defensive driving, specialized, high interest areas, or specific subject matter, and information concerning the Hazardous Communication Act will be offered to employees when appropriate or required by law.

IV. Monitoring

~~The EHS&RM Department~~ will update or modify the Health and Safety Manual as needed. EHS&RM will be charged with the responsibility of reviewing problem areas such as recurring injuries, accidents or safety violations.

V. Travel and Vehicle Use

The university provides several choices for vehicle transportation necessary for operations that include travel for university business. For procedures, requirements, policies, worker's compensation and general insurance information, reference the Rental and Use of Vehicles in an Official Capacity procedures located on the *EHSRM Environmental Health, Safety and Risk Management* website.

VI. Insurance

- A. The purchase and renewal of insurance are the responsibility of the vice president for finance and administration.
- B. The vice president of finance and administration and the campus risk manager will evaluate campus risks of loss and insurance needs.
- ~~B.C. C.~~ Insurance shall be purchased if:
 - 1. Required by law,
 - 2. The cost of insurance is judged to be preferable to leaving the risk uninsured, or
 - 3. Required by contractual agreement.

Insurance will not be purchased if state or federal law prohibits the purchase of insurance. Insurance coverage is limited to what is allowed by state law.

The State Office of Risk Management must approve all insurance prior to purchasing. The appropriate approval forms must be initiated through ~~the EHS&RM Department~~.

D. Insurance Claims:

- 1. Any incident that may be covered by insurance must be reported to *EHSRM the Environmental Health, Safety and Risk Management Department* so that the incident may be evaluated and reported to the appropriate insurance carrier; and
- 2. The Office of the General Counsel will be notified of all claims and consulted for guidance.

VII. Employee Indemnification

Employees are indemnified within the course and scope of employment, ~~to the extent provided by state law. Refer to Chapter 104, Civil Practice and Remedies, Vernon's Texas Codes Annotated.~~ *in accordance with applicable laws and University policy.*

Cross Reference: Workers Compensation Coverage (12.23); Rental of University Vehicles (16.23); Health and Safety (13.10); Tex. Civ. Prac. & Rem. Code Ch. 104

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director, Environmental Health, Safety, and Risk Management.

Forms: None

Board Committee Assignment: Finance and Audit