

Library Tort Levy Expenditures/Risk Management Plan

This Sherrard Public Library District shall have in operation a comprehensive Risk Management Program which shall reduce or prevent the Library's exposure to liability and liability risks. It is of the utmost importance for the Library: (1) to ensure that statutory and common law, health and safety rights are extended to all visitors and employees; (2) to ensure that the Library's facilities and grounds are maintained in a safe condition; (3) to provide careful supervision and protection of all the Library's real and personal property, including vehicles.

The Illinois Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/9-101 et. seq.) provides for a governmental body to levy a tax which when collected will pay the cost of risk management (Section 9-107). In addition, this Statute provides for funds raised pursuant to the Section to be used to pay the cost of insurance, including all operating and administrative costs and expenses directly associated therewith, claim services and risk management directly attributable to loss prevention and loss reduction, education, inspectional and supervisory services directly relation to loss prevention and loss reduction, to purchase claim services, to pay for judgments or settlements, or to otherwise pay the cost of risk management programs. In addition, section 30-55.85 of the Public Library District Act (75 ILCS 16/10-55.85) authorizes the Library Board to accumulate reserve funds of unexpected balances of proceeds from these taxes for the purposes of providing self-insurance against liabilities of the district.

In addition to the Library's purchase of insurance protection for general liability, building contents and property damage insurance, and related coverage's like Director's and Officer's liability coverage, Workers' Compensation and Unemployment Compensation insurance, the Library hereby resolves to create and continue a plan and program of Risk Management and Loss Control using funds as provided by statute for such purposes, and hereby sets out that Plan as well as the recognition of the District's accumulation for self-insurance purposes.

Director of the Library:

The Library's Risk Management Program shall provide for: (1) identification of the various components of the Risk Management Program; (2) clearly delineated personnel responsibilities in respect to loss control and risk reductions; (3) the purchase of adequate insurance against liability exposure of all appropriate types; (4) identification of allowable costs for the maintenance of the Risk Management Program, necessary personnel, equipment and inspections to be included in the Library's annual budgeting and taxing levy.

The general, overall, responsibility for the development and maintenance of the Library's Risk Management Program rests with the Board of Trustees and, specifically under this policy, identifying various components of the program, and delegating responsibilities for these components to the appropriate personnel. It is expected that the Director will continually evaluate the effectiveness of the

program and be apprised of needed revisions, additions, or deletions to the components and assigned responsibilities. It is also expected that, because of the delegation of responsibilities, the Director will spend no less than ten percent (10 %) of his/her time toward the fulfillment of this portion of the Risk Management program.

One primary component of the Risk Management Program is the provision of an insurance/compensation program that will provide protection to the Library against liability of all types. Portions of the component shall include, but not be limited to:

1. Purchase of Insurance Consultant Services, if needed.
2. Premiums for the various necessary insurances, including all liability insurance, property damage and fleet insurance, Director's and Officer's Liability insurance, workers compensation, unemployment compensation, etc.
3. Pay judgments of settlements arising or which may arise against the Library.
4. Pay for all legal fees connected with protecting or defending the Library against liability, including employment practice charges and citizen or patron charges.
5. Establishment, maintenance, and funding for the Library's "self-insurance reserve fund" as authorized by statute, and in amounts that from time to time the Board has specified as appropriate in their view to adequately protect the Library.
6. Allowance for the time expended by assigned Library personnel concerning the above mentioned assignments.

The Library's Director is assigned the responsibility for the administration of this component of the Risk Management Program and shall serve as the Library's liaison to various consulting services, claim and adjustment services, and insurance companies. In addition, he/she shall be responsible for communicating claims against, or on behalf of, the Library. Because the Director is also responsible for any and all environmental remediation required, as well as the bidding of supplies and contractual services in such a manner that the Library meets all the requirements for freedom from tort situations (which include meeting the requirements for Toxic Materials, Equal Opportunity Employment, Disaster Recovery and Emergency Preparedness Planning, Prevailing Wage Rate Compliance, Responsible bidders, etc.) it is expected that he/she will devote four percent (4 %) of his/her time toward the fulfillment of these duties.

The Library's Risk Management Program must relate to the safe conditions of buildings and grounds and protection of the Library's real and personal property. This shall also primarily be the responsibility of the Director. His/her responsibilities and duties shall include, but not be limited to:

1. The maintenance of the legal and safe conditions of the buildings and grounds: She/he is responsible for the Library's compliance with State and Federal laws regarding employee and patron health and safety, asbestos, radon, lead, etc. His/her shall be the Library's official Asbestos Management Director and shall be responsible for the training of the Library custodial personnel in performing work on safety and health matters, emergency repairs, etc.

2. The supervision of all personnel performing maintenance duties within the Risk Management Program, on Library facilities, grounds, furnishings, and equipment.
3. The preparation and continuous operation of a “liability risk early warning system” for the gathering of warnings, complaints, concerns, or alerts pertaining to the Library’s facilities, grounds, furnishings, equipment, as well as its programming and activities, and monitoring thereof, from any source, including citizens, patrons, employees, consultants, visitors, Board members, etc. to include the assessment of risk presented, follow-up and attention to such risks or conditions, their removal or abatement thereof, and all appropriate follow-up steps advisable for the Library.

It is expected that the Director will expend an additional six percent (6 %) of his/her time directly related to fulfilling those additional responsibilities in the Library’s risk management/tort avoidance program.

Responsibilities Performed by Other Personnel

The District’s Risk Management Program in relation to safe conditions, supervision, and protection of the District’s real and personal property includes other components than those described in the responsibilities of the Director. Included here are responsibilities performed by many different members of the staff or outside consultants, vendors, and contractors.

1. Custodians: All custodians are responsible for daily inspections of their respective building assignments to ensure a risk free environment. The custodian will devote ten percent (10 %) of his/her time toward the fulfillment of these duties.
2. Maintenance: As needs arise at the Library independent contractors will be contracted for safety related repairs. It is expected that the independent contractor will devote up to 100 percent (100 %) of his/her time toward the fulfillment of these duties depending on input from the contractor as to the safety related percentage.
3. Management, Supervision, and Branch Clerks: Development and identification of the various components and responsibilities concerning inspection of buildings, grounds, and equipment to provide protection to the District, its employees and the public. Within this parameter, he/she shall be responsible for the supervision of the Library staff (e.g. operations service manager, maintenance workers, custodians) daily inspection of buildings and grounds, and operation of the Library’s building security systems. He/she will devote ten percent (10 %) of his/her time toward the fulfillment of these duties.
4. Bookmobile Clerks/Managers: Development and identification of the various components and responsibilities concerning inspection of bookmobile and equipment to provide protection to the District, its employees and the public. Within this parameter, he/she shall be responsible for daily inspections of the bookmobile, both internal and external, and operation of the bookmobile’s security system. He/she will devote ten percent (10%) of his/her time toward the fulfillment of these duties.

Summary

Director of the Library

Development and maintenance of the Risk Management/Tort

Expense Program 10%

Insurance/Compensation Plan management 4 %

Risk Management/Tort avoidance 6%

Building Custodians/Maintenance Staff

Custodian 10%

Maintenance

Safety related maintenance 100%

Management Team, Supervisors, and Branch Clerks

Health/Life Safety of employees and visitors 10%

Bookmobile Clerks/Managers

Health/Life Safety of employees and visitors 10%

Specific Projects

Specific safety related projects needed to manage current risks and control the potential of loss, damage, or injury to library patrons, users and employees: (Funds requested to complete special risk management projects will be listed annually in the attached "Appendix A"

--Adopted April, 2010, Amended July 2010