

Risk Management Plan – Library District Tort Levy Expenditures

Purpose

The Mississippi Valley Library District (hereafter “Library”) 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 and equipment; (4) to provide education and training for board members, administration, and staff directly related to loss prevention and reduction; and (5) to provide protection to the Library against liability.

Legal Authority

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 this 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, educational, inspectional and supervisory services directly relating 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 to the Library's purchase of insurance protection for general liability, building, contents and property damage insurance, and related coverages like Executive Director's and Board 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.

Risk Management Organization

The Library finds that the most effective manner in which to implement this Risk Management Plan is to thoroughly integrate risk management into every level of the Library's operations. Every Library employee, from the top to bottom, should understand the Library's risks and his/her role in preventing and controlling potential losses.

The general, overall, responsibility for the development and maintenance of the Library's Risk Management Program rests with the Board of Trustees and, specifically, the Executive Director. The Executive Director shall be responsible for the development of the Plan, identifying the various components of the Plan, and delegating responsibilities for these components to the appropriate personnel. It is expected that the Executive Director will continually evaluate the effectiveness of the Plan and be apprised of needed revisions, additions, or deletions to the components and assigned responsibilities.

It is expected that, because of the delegation of responsibilities, the Executive Director will spend no less than five percent (5%) of his/her time toward the fulfillment of this portion of the Risk Management Plan.

Administrative Team

The Administrative Team will include the Executive Director and the two Center Managers. The Administrative Team may include other library employees at the discretion of the Executive Director. The general responsibility for the implementation and maintenance of this Risk Management Plan rests with the Administrative Team. The Team should continually evaluate the effectiveness of the Plan and be apprised of needed revisions, additions, or deletions to the components and assigned responsibilities.

In performing their responsibilities, the Administrative Team should:

- Finalize the library's Risk Management Plan and changes, if any, to library policies, practices, procedures, and job descriptions to implement and/or monitor risk management techniques and communicate them to all library employees.
- Modify job descriptions of each employee who will be implementing and/or monitoring risk management techniques.
- Ensure that each employee is aware of his/her revised job description that relates to his/her part in implementing and/or monitoring risk management techniques.
- Provide training to an employee if necessary to support his/her responsibilities for implementing and/or monitoring risk management techniques.
- Monitor and track sources and uses of funds.
- Monitor the overall success/failure of risk management techniques on a regular basis and make appropriate revisions as necessary.
- Report to the Board on the Risk Management Plan.

The library's Risk Management Plan shall provide for: (1) identification of the various components of the Risk Management Plan; (2) clearly delineated personnel responsibilities in respect to loss control and risk reduction; (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 Plan, necessary personnel, equipment and inspections, to be included in the Library's annual budgeting and tax levy. One primary component of the Risk Management Plan is the provision of an insurance/compensation program that provides protection to the Library against liability of all types. Portions of this 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, Executive Director's and Board Officer's Liability insurance, workers' compensation, unemployment compensation, etc.
3. Pay judgments or 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. Allowance for the time expended by assigned library personnel concerning the above mentioned assignments.

The Administrative Team is assigned the responsibility for the administration of this component of the Risk Management Plan and shall serve as the Library's liaison to the various consulting services, claim and adjustment services, and insurance companies. It is expected that each team member will devote three percent (3%) of his/her time toward the fulfillment of these duties. In addition, members of the Administrative Team shall be responsible for communicating claims against, or on behalf of, the Library and it is expected that each team member will devote two percent (2%) of his/her time toward the fulfillment of these duties.

Center Managers

The Library's Risk Management Plan must relate to the safe condition of buildings and grounds and protection of the Library's real and personal property. This shall primarily be the responsibility of the Center Managers. Responsibilities and duties shall include, but not be limited to:

1. Development and identification of the various components, risks and responsibilities concerning inspection of buildings, grounds, equipment and/or readiness for events listed in the Disaster plan that includes fire or blood-borne pathogens to provide protection to the Library, its employees and the public. Within this parameter, the Center Managers are responsible for the supervision of the Library Maintenance Staff, daily inspection of buildings and grounds, the development and operation of the library's building security program, including the acquisition and supervision of necessary security personnel and purchasing of security devices.
2. The maintenance of the legal and safe conditions of the buildings and grounds: the Library's compliance with State and Federal laws regarding employee and patron health and safety, and the training of the Library custodial personnel in performing work on safety and health matters.
3. The coordination and supervision of all personnel performing maintenance duties within the Risk Management Plan, on Library facilities, grounds, furnishings and equipment.
4. The bidding of supplies and contractual services in such a manner that the library meets all the requirements for Toxic Materials, Equal Opportunity Employment, Prevailing Wage Rates, comparable name equipment, responsible bidders, etc.
5. 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 the 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.

The Center Managers are 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, Prevailing Wage Rates, Responsible Bidders, etc.).

It is expected that the Center Managers will expend ten percent (10%) of their time directly related to fulfilling those responsibilities of the position in the library's risk management/tort avoidance program.

Maintenance Staff

It is expected that the Library's Maintenance Staff will expend one hundred percent (100%) of their time directly related to fulfilling the responsibilities of the position in the library's Risk Management Tort Avoidance Program. Maintenance staff is responsible for daily inspections of Library buildings to ensure a risk free environment. Maintenance staff is responsible to evaluate building and grounds safety throughout the Library and make sure all necessary building maintenance is completed to ensure a safe environment for visitors and employees to all attendance centers and associated grounds. The maintenance staff responsibilities include vehicles and equipment. The maintenance staff is expected to inspect, correct, and prevent all safety hazards, control hazardous materials, participate in safety training, ensure proper building sanitation, and report to the appropriate Center Manager all such matters and efforts related to risk management and loss control.

Youth Services Coordinator and Children's Librarian

The responsibilities of youth services staff are such to create exposure to tort and risk situations and an effort has been made by the Library to allocate a portion of their time to the Risk Management Plan. It is expected that all youth services staff will closely supervise their department and visitors to ensure that all children are protected from undue exposure to risk situations and that five percent (5%) of their time be devoted in such a manner.

Circulation Supervisors

As part of the overall administrative/management team, the Circulation Supervisors have duties when they are "in charge." During these times the Circulation Supervisors are exposed to tort and risk situations and it is expected that ten percent (10%) of their time be devoted to such.

Responsibilities Performed by Other Personnel

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

All Library employees shall be expected to perform specific duties to understand the risks and his or her role in preventing and controlling potential losses. All levels of employees have a duty to perform Risk Management steps and techniques for those areas over which they have responsibility and to report on their findings and recommendations.

Perform Risk Care Management Duties

All library employees have the following responsibilities relative to risk management:

- Routinely supervise and monitor the behaviors of visitors while on Library property or in Library buildings to assure safe and appropriate behaviors.
- Maintain work areas and rooms in such a manner to assure compliance with health and safety standards.
- Assume responsibility for inspecting Library property and equipment within the employee's charge to assure safe and effective operation.
- Maintain confidentiality of information about Library visitors as is expected of any staff member.
- All other duties required to address emergency situations.
- Any incidents occurring on or in buildings, property, and grounds.

It is expected that in general, other personnel, not specifically named above, will expend approximately three percent (3%) of their time meeting their responsibilities regarding Risk Management.

Tort Levy Expenditures/Risk Management Plan - Personnel
 (salary and wage percentages charged to Tort Liability Funds)

Title	Total Percentage of Salary/Wages
Executive Director	10%
Collinsville Memorial Center Manager	15%
Fairmont City Center Manager	15%
Collinsville Memorial Circulation Supervisor	10%
Fairmont City Circulation Supervisor	10%
Maintenance Staff	100%
Youth Services Coordinator	5%
Children's Librarian	5%
All other staff	3%

Adopted by the Board of Trustees of the Mississippi Valley Library District on September 18, 2017.