

## Tort Levy Expenditures/Risk Management Plan Mt. Zion District Library

### Introduction

The Mt. Zion District Library has a comprehensive Risk Management Plan to reduce and/or prevent the library's exposure to liability and liability risks. It is critical for the library to: 1) ensure statutory and common law, as well as health and safety rights, are extended to all patrons and staff; 2) ensure the library's facilities and grounds are maintained in a safe condition; 3) provide careful supervision and protection of the library's real and personal property; 4) educate and train trustees and staff concerning loss prevention and risk reduction; and 5) provide protection to the library against liability exposure.

### 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 pays the cost of insurances and risk management (*Section 9-107*). This statute provides for funds raised to be used for the cost of insurance, including all operating and administrative costs and expenses; claim services and risk management attributable to loss prevention and loss reduction; educational, inspectional, and supervisory services directly relating to loss prevention and loss reduction; judgments or settlements costs; or 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 Director's and Officer's Liability coverage, cyber liability, Workers' Compensation and Unemployment Compensation insurance, the library created and continues a plan and program of Risk Management and Loss Control using funds as provided by statute for such purposes.

### Risk Management Organization

The most effective implementation method is to integrate risk management into every level of the library's operation. Every library employee should understand the library's risks and their role in preventing and/or controlling potential losses. All levels of employees have a duty to perform Risk Management steps and techniques for library areas and to report their actions, concerns, and recommendations.

### Library Director

The overall responsibility for the development and maintenance of the library's risk management program rests with the Library Director. The Director is responsible for the development of the Risk Management Plan, identifying the Plan's components, delegating responsibilities for the various components to appropriate staff, continuously evaluating the effectiveness of the Plan, and making revisions as needed.

The Director's responsibilities include:

- Evaluating, acquiring, and monitoring necessary insurances and legal representation

- Monitoring and tracking sources and uses of funds
- Preparing revisions to the Plan
- Reporting to the Board concerning the Risk Management Plan
- Overseeing property maintenance and conditions

It is expected that the Director will spend no less than ten percent (10%) of their time toward the fulfillment of this portion of the Risk Management Program.

### Risk Management Team

The Risk Management Team includes the Director, the Assistant Director, the Youth Services Manager, the Custodian, and as needed, other library staff. The general responsibility for the implementation and maintenance of the Risk Management Plan rests with the Risk Management Team. The team continually evaluates the effectiveness of the Plan making recommendations or revisions as needed.

The Risk Management Team should

- Finalize the library's Risk Management Plan and any necessary changes to other library policies, practices, procedures, and job descriptions to implement and/or monitor risk management techniques, communicating these changes to all staff.
- Modify job descriptions for each employee implementing and/or monitoring risk management techniques.
- Ensure that each employee is aware and understands their job description as it relates to risk management techniques.
- Provide training to employees to support their responsibilities with risk management techniques.
- Monitor the overall success and/or failure of risk management techniques, making appropriate recommendations for changes.

### Risk Management Plan

The library's Risk Management Plan provides for 1) identification of the components of the Risk Management Plan; 2) clearly delineated personnel responsibilities in respect to loss control and risk reduction; 3) the purchase of appropriate and adequate insurance against liability exposure; 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 program providing protection to the library against liability of all types. Portions of this component 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 insurance, Directors' and Officers' Liability insurance, workers compensation, unemployment compensation, etc.

3. Payment for judgments or settlements arising or which may arise against the library.
4. Payment 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 Risk Management Team is assigned the responsibility for the administration of this component of the Risk Management Program 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 up to five percent (5%) of their time towards the fulfillment of these duties.

In addition, the Director, or the Assistant Director when the Director is unavailable, is responsible for communicating claims against, or on behalf of, the library. It is expected that they will devote five percent (5%) of their time toward the fulfillment of these duties.

### Physical Facility

The library's risk management program relates to the safe condition and protection of the building, grounds and the real and personal property. This is primarily the responsibility of the Library Director. The Library Director's responsibilities and duties shall include, but not be limited to:

1. Development and identification of the components and responsibilities concerning inspection of buildings, grounds, and equipment to provide protection to the library, its employees, and the public. Within this parameter, the Library Director is responsible for the supervision of the library staff (e.g. custodians), daily inspection of the building and grounds, and operation of the library building's security systems.
2. Maintenance of the legal and safe conditions of the building and grounds: the library's compliance with state and federal laws regarding employee and patron health and safety, and the training of the library's custodial personnel in performing work on safety and health matters.
3. Coordination and supervision of all personnel performing maintenance duties within the Risk Management Program, on library facilities, grounds, furnishings, and equipment.
4. 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.

It is expected that the Director will expend up to an additional five percent (5%) of their time directly related to fulfilling those additional responsibilities of the position in the library's risk management/tort avoidance program and Health/Life Safety program.

## Responsibilities Performed by Other Personnel

The library's Risk Management Program 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 of the Director. Included here are responsibilities performed by different members of the staff or outside consultants, vendors, and contractors. Portions of this component include, but are not limited to:

### Custodians

The library's custodian is responsible for

- inspecting the building to ensure a risk free environment
- evaluating building and grounds safety
- completing necessary building maintenance to ensure a safe environment
- inspecting, and as needed, correcting and preventing all safety hazards
- controlling hazardous materials
- providing safety training as necessary for employees
- ensuring proper building sanitation
- reporting to the Director all such matters and efforts related to risk management and loss control.

It is expected that the custodian will devote twenty-five percent (25%) of their time to these endeavors.

### Assistant Director

The Assistant Director's responsibilities include working closely with the Director and assuming such duties when necessary. The Assistant Director is also expected to closely supervise building conditions and patron situations. The portion of their time allocated to the Risk Management Plan for these duties is five percent (5%).

### Youth Services Manager

The responsibilities of the Youth Services Managers bring him/her into contact with patrons in unique ways, creating exposure to tort and risk situations. It is expected the manager closely supervise his/her areas, activities, and patrons to ensure that patrons are protected from undue exposure to risk situations and that five percent (5%) of their time is devoted in such a manner.

### 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 outlined above. Included here, below, are responsibilities performed by staff, or outside consultants.

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

- Routinely supervise and monitor the behaviors of patrons while on library property and/or in the library building to ensure appropriate behavior
- Maintain public and staff areas and rooms to assure compliance with health and safe standards.

- Assume responsibility for inspecting library property and equipment, within the employee's charge, to assure safe and effective operation
- All other duties required to address emergency situations
- Report any incidents occurring on or in the building and/or property

It is expected that in general, other personnel, not specifically named above, will expend approximately five percent (5%) of their time meeting their responsibilities regarding Risk Management.

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

Title	Total Percentage of Salary/Wages
Director	15%
Assistant Director	5%
Custodian	25%
Youth Services Manager	5%
All other staff	5%

Revised & Adopted 8/11/2020