

Toulon Public Library District
Tort Levy Expenditures/Risk Management Policy

Adopted: June 8 2020

This Toulon Public Library District “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.

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 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.

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 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 Program, necessary personnel, equipment, and inspections, to be included in the Library’s annual budgeting and tax levy.

The general, overall, responsibility for the development and maintenance of the Library’s Risk Management Program rests with the Board of Trustees and the specifically under this policy the Director of the Library. The Director shall be responsible for the development of the program, identifying the 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 five percent (5%) 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 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, Directors' and Officers' 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.
6. Snow and ice removal and parking lot/sidewalk maintenance.

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 the 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, Prevailing Wage Rates, Responsible Bidders, etc.), it is expected that he/she will devote five percent (5%) of his/her time toward the fulfillment of these duties.

The Library's Risk Management Program must relate to the safe condition 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. 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 services manager, maintenance workers, custodians), daily inspection of buildings and grounds, and operation of the Library's building security systems.
2. The maintenance of the legal and safe conditions of the buildings and grounds:
He/She is responsible for the Library's compliance with State and Federal laws regarding employee and patron health and safety, asbestos, radon, lead, etc. He/She 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.

3. The 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 an additional ten percent (10%) of his/her time directly related to fulfilling those additional responsibilities of the position 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 routine inspections of their respective building assignments to ensure a risk free environment. It is expected that all custodians will devote up to fifty percent (75%) of their time in these endeavors. The custodial staff are expected to inspect, correct, and prevent all safety hazards, control hazardous materials, and ensure proper building sanitation, and report to the Director all such matters and efforts related to risk management and loss control. Additionally, 75% of all custodial supplies will be used to support the District's Risk Management.

2. IT Staff: All IT staff are responsible for training staff, routine inspections of the variety of electronic devices and network systems in use by the District to ensure a risk free electronic environment. It is expected that all IT Staff, whether employed or contracted by the District, will devote up to fifty percent (50%) of their time in these endeavors. The IT staff are expected to inspect, correct, and prevent all electronic and network hazards and data breaches, and report to the Director all such matters and efforts related to data risk management and network control. Additionally, 50% of all IT equipment and supplies will be used to support the District's Risk Management.

3. Accountant: It is expected that the District Accountant will devote up to one hundred percent (100%) of their time to ensure that the District’s invoices are paid, taxes are filed, and financial records are kept.

4. Youth Services Librarian: The responsibilities of the youth services Librarian may 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 the Youth Services Librarian will closely supervise their department and visitors to ensure that all children are protected from undue exposure to risk situations and that up to fifteen percent (15%) of his/her time be devoted in such a manner.

5. Lead Librarian: The responsibilities of the Head of Circulation may create exposure to tort and risk situations and an effort has been made by the library to allocate a portion of his/her time to the Risk Management Plan. It is expected that the Head of Circulation will closely supervise building conditions and visitor situations and that up to fifteen percent (15%) of his/her time be devoted in such risk and tort oversight.

6. Library Assistants: The library's Risk Management Plan 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 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/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.

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 sage 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 employees charge to assure sage 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, Library Assistants will expend approximately ten percent (10%) of their time meeting their responsibilities regarding Risk Management.

Tort Levy Expenditures/Risk Management Plan – Personnel & Service Vendors
(compensation percentages charged to Liability Funds)

Title	Total Percentage of Wages/Cost
Library Director	20%
Custodial Services	75%
IT Services	50%
Accounting Services	100%
Youth Services Librarian	15%
Lead Librarian	15%
Library Assistants	10%