

INSURANCE

I. INSURANCE COVERAGES

The Chancellor or designee shall be responsible to procure and maintain insurance for the District, its officers, agents, and employees as prescribed by the law. Such coverages shall include, but are not limited to the following:

A. Liability

Coverage that insures the District for losses involving bodily injury and/or property damage sustained to a third party.

B. Automobile Liability

Insures District owned, rented, or leased vehicles for comprehensive and collision coverage while involved in a motor vehicle accident.

C. Directors and Officers Liability

Insurance coverage for the personal liability of the Board and of the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer or employee when acting within the scope of employment.

D. Professional Liability

Coverage known as errors and omissions insurance. This coverage protects the District and its employees from risks as a result of providing or performing professional services (e.g., Medical services) within the scope of their duties.

E. Cyber Liability

Coverage known as privacy and data breach insurance. Coverage shall insure against data breach mitigation and third party claims.

F. Crime

The District may purchase crime coverage, in lieu of an indemnity bond as required by law. Such coverage insures against losses caused by an employee or officer of the District as a result of employee theft, forgery or alteration, theft of money and securities inside the premises, robbery or safe burglary of the property inside the premises, computer fraud, funds transfer fraud, money orders, and counterfeit money.

G. Property (Real and personal)

Insures against physical losses (lost, stolen, or damaged) including losses caused by fire to District owned, rented, or leased property. Property coverage includes property while in-transit, or while located in a leased/rented location.

H. Workers' Compensation and Employer's Liability

The District is required by California law to purchase and maintain workers' compensation insurance. Employer's liability insurance protects the District from financial loss if a worker has a job-related injury or illness not covered by workers' compensation.

I. Student Accident Insurance

Students are covered by accident insurance as required by law, in adherence to BP 5510.

II. LIMITS OF INSURANCE AND DEDUCTIBLES/MEMBER RETAINED LIMITS

The Chancellor or designee shall determine limits of insurance, as well as deductibles and/or member retained limits, which are appropriate based on the District's exposures.

III. PLACEMENT OF COVERAGE

- A. The District may join and enter into an agreement with a joint powers authority as a vehicle to purchase insurance.
- B. Insurance coverages may be written by any insurance company authorized to transact business of insurance in the state or by a non-admitted insurer.
- C. The District will make every effort to purchase and maintain insurance coverage for exposures, which exist in the day-to-day operations, at the most economical cost.

IV. PROPERTY & LIABILITY PROTECTION PROGRAM

A. Management and Control

- 1. Management and control of the District's property and liability programs are a function of all managers, administrators, and the Office of Risk Management.
- 2. The Vice Chancellor of Business Services has authority to establish rules and procedures, consistent with board policy, to ensure the safety and well-being of students, employees and the public while on or in district property. Such rules and procedures are designed to minimize the District's liability exposures.

B. College Responsibility

- 1. It shall be the responsibility of each college president or designee to be constantly alert to the risks inherent in its operations and to make every effort to eliminate such risks.

2. The college presidents are responsible for ensuring that employees are educated concerning their responsibilities under the District's Risk Management Program and enlist their support in minimizing such risks for their designated sites.
 - a. Each employee is charged not only with operating in the safest possible manner, but also with alerting management to any possible hazards or unsafe working conditions.
 - b. Each faculty member is charged with operating their classrooms in the safest possible manner.
3. The college presidents are responsible for the safekeeping of all assets charged to the respective campus sites and with the security of the facilities.
4. College activities: The college presidents or designees are responsible for the following:
 - a. Completion of questionnaires and survey forms on existing activities as delegated by the Vice Chancellor of Business Services or designee.
 - b. Notification of new or proposed activities to the Vice Chancellor of Business Services or designee.
 - c. Cooperation with the Vice Chancellor of Business Services or designee for on-site inspections and analyses of physical operations.
 - d. Correction of all identified out-of-compliance situations.

V. WORKERS' COMPENSATION

Workers' Compensation benefits are designed to provide employees with the medical treatment needed to recover from a work-related injury or illness, partially replace lost wages while an employee is recovering, and assist in returning injured employees to work.

A. Employee Responsibilities:

1. Employees must follow the reporting procedures for work-related incidents as outlined in the District's Injury and Illness Prevention Program (IIPP). Employees must report accidents and incidents to their supervisor, no matter how minor and complete an *FS#38 Employee Report of Work Accident/Incident* form within 24-hours from time of incident or as soon as it is safe to do so.
2. If the supervisor of the injured employee is unavailable at the time of injury/illness, immediately contact the Office of Risk Management at riskmanagement@socccd.edu, (949) 348-6065, or (949) 348-6043 for guidance.
3. If the injured employee wishes to initiate a workers' compensation claim, they must complete and submit a workers' compensation packet.

4. Employees may choose to pre-designate their own doctor at any time of employment, prior to a work-related injury by completing *FS#41 - Pre-designation of Personal Physician* form.
5. Depending on the severity of the injury and the temporary work restrictions identified by the treating physician, the employee may be required to participate in an interactive process meeting to ensure that the supervisor can reasonably accommodate the temporary restrictions prior to the employee returning to work. The interactive process shall include, the employee, supervisor, District ADA Compliance and Leave Administration Manager, and the Office of Risk Management to determine whether the employee can be reasonably accommodated.
6. Each benefit eligible employee is afforded 60 days of industrial accident leave per approved workers' compensation claim. If the employee will be off work as a result of a work-related injury/illness, the employee MUST provide the Office of Risk Management with a work status report from the authorized workers' compensation treating physician. Time off will be deducted from employees' industrial leave balance. Any time off not resulting from a treating physician's authorized absence for the industrial injury will be deducted from the employee's available sick leave(s). Refer to *BP and AR 4078 - Industrial Accident or Illness Leave* for further details.
7. All Risk Management related documents are available on District SharePoint under Business Services/Risk Management.

B. Supervisor's Responsibilities

1. Once a supervisor is notified of a work-related injury, they must provide the injured employee with a workers' compensation packet and immediately inform the Office of Risk Management.
2. Should the injured employee wish to seek medical attention for the injury, the supervisor shall sign a medical provider authorization form, which is contained in the workers' compensation packet.
3. It is the supervisor's responsibility to complete *FS#39 - Supervisor's Accident Investigation* form and submit it to the Office of Risk Management for every work-related incident.

C. Return to Work Authorization

A Return to Work Authorization, completed by the authorized treating physician, must be presented to the Office of Risk Management when the employee returns to work. The Office of Risk Management will ensure the respective supervisor, Human Resources, and Payroll are notified.

1. If there are no restrictions stated in the Return to Work Authorization, the employee may return to their current assignment.

2. If there are temporary or permanent work restrictions, the employee must immediately notify the District ADA Compliance and Leave Administration Manager, the Office of Risk Management and their direct supervisor to determine if temporary restrictions can be accommodated.
3. It is the employee's responsibility to keep the supervisor and the Risk Management Department informed of their work status throughout the life of the claim.

References:

Education Code Sections 72506, 81601 et seq.

Labor Code Section 3364.5