



Risk Management Program Review Report

Texas State University

November 12, 2014

Conducted By:
Christine Wright, Risk Manager





STATE OFFICE OF RISK MANAGEMENT

WILLIAM P. CLEMENTS, JR. BUILDING, 6TH FLOOR
P.O. BOX 13777, AUSTIN, TEXAS 78711
(512) 475-1440

November 12, 2014

Dr. Denise M. Trauth
President
Texas State University
601 University Drive
San Marcos, TX 78666-4616

Agency #754

Re: Risk Management Program Review

Dear Dr. Trauth:

A Risk Management Program Review (RMPR) of Texas State University was conducted on November 3-4, 2014. The visit was conducted under the authority of Texas Labor Code, Title V, Subtitle A., Chapter 412, and is designed to assist state agencies to develop and implement comprehensive risk management programs that meet Risk Management for Texas State Agencies (RMTSA) guidelines.

Director of Environmental Health, Safety and Risk Management (EHS&RM), Mr. Russell Clark accompanied SORM and actively participated during the RMPR.

The following observations were reviewed and discussed during the visit:

- Number of Workers' Compensation Claims submitted by Texas State University:
 - FY15 (Through October) – 10 (10 were accepted)
 - FY14 – 68 (64 were accepted)
 - FY13 – 83 (78 were accepted)
 - FY12 – 82 (72 were accepted)
 - FY11 – 79 (72 were accepted)

- The total medical and income benefits paid to date to Texas State University claimants who were injured in the following fiscal years are listed below:
 - FY15 (Through October) – \$77
 - FY14 – \$161,707
 - FY13 – \$326,712
 - FY12 – \$255,043

- FY11 – \$169,742
- The Injury Frequency Rates (IFR) at Texas State University during FY10 – FY14YTD are listed below. IFR is calculated as follows - (number of accepted claims *100 / Full Time Employees (FTEs):
 - FY15 (Through October) – .2%
 - FY14 – 1.4%
 - FY13 – 1.9%
 - FY12 – 1.8%
 - FY11 – 1.8%
- Workers' Compensation claim costs per full-time equivalent employees (FTEs) at Texas State University during FY11 – FY14 are listed below:
 - FY14 – \$36
 - FY13 – \$78
 - FY12 – \$63
 - FY11 – \$43
- The occupations or classifications with the most workers' compensation claims at Texas State University during FY11 – FY15YTD were:
 1. Custodian (59)
 2. Student Worker/Graduate Student Worker (44)
 3. Grounds Maintenance (24)
- The leading causes of workers' compensation claims at Texas State University during FY11 – FY15YTD were:
 1. Slip/Trip/Fall (93)
 2. Strain/Injury by (85)
 3. Machinery/Object (57)
- The average lag time (i.e. date of injury until date claim received at SORM) for workers' compensation claim submission by Texas State University is listed below:
 - FY15 (Through October) – 5 days
 - FY14 – 4 days
 - FY13 – 8 days
 - FY12 – 11 days
 - FY11 – 12 days
- The percentage of submitted workers' compensation claims for Texas State University employees with less than 5 years of service is listed below:
 - FY14 – 90%
 - FY13 – 51%
 - FY12 – 59%

- FY11 – 56%

Noteworthy observations made during this consultation include the following:

- All recommendations generated from the last RMPR conducted by SORM in 2011 were completed;
- Emergency Service Areas (ESAs) have been designated at multiple locations throughout the campus that can assist emergency personnel with prompt entry into the buildings;
- Texas State University is utilizing a module of SAP, a robust Enterprise Resource Management (ERM) software package, to track all personnel training. This software allows for the tracking of completed training as well as training as it becomes due for campus personnel;
- All campus staff that deal with chemicals have been trained with the new Globally Harmonized System of classification and labeling of chemicals (GHS);
- Risk management responsibilities are assigned to high-level personnel within the agency; thus indicating that risk management issues are an integral component to the university's decision making processes;
- Texas State University has begun incorporating bona fide offers of employment in all workers' compensation claims that result in a modified/light duty return to work status, thereby reinforcing the university's return to work policy;
- The EHS&RM department uses a robust inspection program (Virtual Asset Tracking) for all safety related equipment including eyewash stations, fire extinguishers, etc. which allows for the monthly inspection of all safety equipment campus-wide. Maintenance of this equipment is addressed via work orders that are generated as a result of these inspections;
- The university has formally designated a Safety Committee comprised of department leadership and meets on a monthly basis;
- The EHS&RM team has worked diligently to develop and implement a campus-wide Spill Prevention, Control and Countermeasure (SPCC) plan;
- Texas State University completed and submitted their Continuity of Operations Plan (COOP) and completed continuity crosswalk to SORM by the designated due date;
- Housekeeping throughout the university is commendable.

During the consultation, we discussed the previously submitted recommendations generated as a result of the Risk Management Program Reviews (RMPR) conducted on March 29-31, 2011, April 6, 2011 and May 24-26, 2006. Texas State University has fully implemented the following recommendations, which are now **closed**:

05-06-01	Employee Safety and Health Manual
05-06-03	Inspections and Safety & Health Training
11-04-01	Freeman Aquatic Biology Building
11-04-02	Chemistry Building
11-04-03	Safety Committee

11-04-04 Supervisor Safety Development Program
11-04-05 Business Continuity Plan (BCP)

As a result of this visit, the following new recommendations are made to help maintain or improve the effectiveness of your risk management program:

15-11-01 Continuity of Operations (COOP): Resources

The Director of Environmental Health, Safety and Risk Management (EHS&RM) serves as the Risk Manager and the Continuity of Operations Planner for the university. Continuity of operations planning is an ongoing program that requires continual updates, testing, training and evaluation. While Texas State University completed and timely submitted their COOP plan and continuity crosswalk to SORM, future testing, training and evaluation of the plan is required. Beginning as soon as practicable, but no later than fiscal year 2015, all state agencies are required to conduct an annual exercise of agency continuity plans and report completion to SORM. Exercises should be compliant with the Homeland Security Exercise and Evaluation Program (HSEEP) and should be sequential and progressive in terms of participants and objectives. SORM recommends that the university consider what resources, in regards to both staffing and required monetary funding, will be necessary to successfully sustain the university's COOP program. Texas State University should incorporate these required resources in their strategic plan and formally request the needed resources.

Reference: Texas Labor Code, Section 412.054, Texas State Agency Continuity Planning Policy Guidance Letter

15-11-02 Risk Management: Policies and Procedures

A) Accident Investigation Procedure

Texas State University currently has a fully implemented workers' compensation accident investigation procedure. However, this procedure is not documented. SORM recommends that EHS&RM document their accident investigation procedure and incorporate the approved procedure in their safety and health manual;

Reference: RMTSA Vol. III, Section Two, Chapter 5, Subchapter 5.7 – Accident Reporting

B) Workplace Violence Policy

The university currently has documented personnel policies, including information on sexual harassment, as well as filing grievances and complaints. However, there is no policy on workplace violence. SORM recommends that the university develop and implement a workplace violence policy. Once the policy is updated, all employees should be made aware of the contents of the policy;

A sample policy template was provided to Texas State University to assist in addressing this recommendation. Additionally, SORM featured videos can be found here: <https://www.youtube.com/user/SormTX?feature=mhee>

Reference: RMTSA Vol. III, Section Two, Chapter 7, Subchapter 7.8; RMTSA Vol. IV

C) Distracted Driving Policy

While the university has an approved driving policy, it does not currently include information on distracted driving, required levels of insurance, or policies regarding employees who drive their personally owned vehicles (POV) for university business. SORM recommends that the university update the driving policy to incorporate these items. Once updated, university employees should be provided a copy and trained on the policy;

A sample policy template was provided to Texas State University to assist in addressing this recommendation.

Reference: RMTSA Vol. IV, Section Two

D) Chemical Hygiene Plan

Currently, Texas State University has a Safety Manual that contains sections on Laboratory Safety, Biological Safety, Chemical Safety, and Hazardous Waste Disposal. SORM recommends that the university prepare a Chemical Hygiene Plan for Chemical and Biological Laboratories. Each plan should contain laboratory specific information for chemical laboratories and biological laboratories. The information contained in the university Safety Manual and the Chemical Hygiene Plan template will assist in the preparation of each chemical hygiene plan;

A sample policy template was provided to Texas State University to assist in addressing this recommendation.

Reference: OSHA 29CFR 1910.1450(e)

E) Small Appliance Policy

During the walkthrough, several areas were found to contain small appliances in service for personal use, including refrigerators, coffee makers, microwaves, space heaters, and other appliances plugged into power strips or directly to the outlets. The use of these appliances outside of a designated kitchen/break room may pose a fire hazard. Not only could a fire be started at the source of the appliance electrical connection, but at the breaker panel as well. The Texas Department of Insurance State Fire Marshal's Office 'Annual Report Regarding

Findings in *Conducting Investigations*' identifies cooking equipment as the leading cause of fires in the workplace, accounting for 25 percent of fires in office buildings. Cooking and food warming equipment should only be present in designated areas. SORM recommends that all hazardous appliances be removed from the campus (except for designated kitchen/break room areas), and that Texas State University develops a small appliance policy to prohibit these items within all buildings.

A sample policy template was provided to Texas State University to assist in addressing this recommendation.

Reference: RMTSA Volume III, Section 2, Chapter 6.11 Office Safety
<http://www.sorm.state.tx.us/rmtsa-introduction/rmtsa-volume-three-table-of-contents-2/subchapter-7-20/rmtsa-vol-iii-section-two-chapter-6-subchapter-6-11>, OSHA Section 5, General Duty Clause, OSHA 29 CFR 1926.154, OSHA 1910.303, OSHA 1910.399, NEC 210.19(A)(1) and Texas Department of Insurance State Fire Marshal's Office 'Annual Report Regarding Findings in Conducting Investigations' (December 2012)

15-11-03 Safety: Emergency Eyewash

While inspecting the "Commons" food service department, the eyewash station was found to be missing its eye flushing solution. SORM recommends that the university explore an alternate type of eyewash station, which could include an eyewash station that is plumbed through an existing sink.

"Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use."

Reference: OSHA 29 CFR 1910.151(c)

"Provide eye wash stations and showers if exposures to hazardous chemicals and airborne particles exist."

Reference: RMTSA Volume 3, Section 2, Subchapter 6.12 Shop Safety

15-11-04 Safety: Fire Safety – ANSUL Spray Nozzles and Hood Filters

During the walkthrough of the "Commons" food service department, a commercial range top was inspected and found to have the ANSUL fire extinguishing nozzles misaligned with the cooking equipment. Additionally, the ventilation hood filters showed signs of grease buildup. The ANSUL system should be capable of suppressing fires in the areas associated with ventilating equipment including hoods, ducts, plenums and filters as well as areas associated with cooking equipment, such as fryers, griddles and range tops. SORM recommends ensuring all appliances that utilize the ANSUL suppression system are used in accordance with NFPA standards.

“The effectiveness of an automatic extinguishing system is affected by the placement of the nozzles. For this reason, it is essential that cooking appliances be situated in the area in which they were when the extinguishing equipment was designed and installed. If an appliance is moved from under the equipment for cleaning or any other reason, it should be replaced to its original position prior to initiating a cooking operation. When appliances are on wheels or casters for ease of cleaning, it is important that the appliance be placed in its design position to ensure the fire-extinguishing system will be effective. An approved method should ensure that the appliance is returned to its appropriate position before cooking takes place. Channels, markings, or other approved methods will assist in ensuring proper placement.”

Reference: NFPA 96 – A.12.1.2.2

We request that the appropriate staff review this document, specify the actions that the CCA plans to take, and project the estimated date of completion for each recommendation. Please provide your response to me by **December 19, 2014** via fax, U.S. mail, or email Christine.wright@sorm.state.tx.us. My direct fax number is (512) 370-9173.

Please convey my sincere appreciation to Mr. Russell Clark, Ms. Diana Trelles, Mr. Bill Nance, and the rest of the staff at Texas State University for their cooperation and assistance during the visit. If you have any questions or concerns regarding the information detailed in this report, please call me at (512) 936-1571.

Sincerely,



Christine Wright, PCP
Risk Manager
State Office of Risk Management

cc: Mr. Russell Clark, EHS&RM Director, Texas State University
Mr. Bill Nance, V.P. of Finance and Support Services, Texas State University
Ms. Diana Trelles, EHS Specialist, Texas State University
Mr. Sam Arant, Senior Risk Manager, State Office of Risk Management



Important Dates & Resources

Statewide Property Insurance Program – Renews April 30, 2015

- www.sorm.state.tx.us/statewide-property-insurance-program

SORM Training Calendar

- <http://www.sorm.state.tx.us/sorm-cms/Calndr07.php>

SORM Safety Videos

- www.youtube.com/user/SormTX

Workers’ Compensation Healthcare Network

- www.sorm.state.tx.us/workers-compensation/health-care-network

State Risk Management Employment Opportunities

- <http://www.sorm.state.tx.us/about-us/employment>

SORM Contact Information

www.sorm.state.tx.us

(512) 475-1440

Michelle Tooley	Senior Insurance Manager	512-936-2942	michelle.tooley@sorm.state.tx.us
Maureen Clement	Continuity Planning Consultant	512-936-1477	maureen.clement@sorm.state.tx.us
Michelle Hammett	Training Coordinator	512-936-1537	michelle.hammett@sorm.state.tx.us