

Effective: May 14, 1991

Administrative Policy LIABILITY CLAIMS

Approved: May 14, 1991
President's Advisory Council

This policy applies to accidents or occurrences which result in a claim against the University, its employees, or volunteer workers when they are performing duties or rendering services for the University. Liability claims resulting from incidents involving University vehicles are not covered by this policy statement and should be reported directly to Maintenance Operations. In addition, injury claims of employees are handled under normal Worker's Compensation procedures. This policy does not apply to law suits which should be referred directly to the University Legal Counsel.

This policy provides the expedition of processing the liability claims made against the University and ensures that claims are appropriately handled.

Definitions

A Risk Management Coordinator is a University manager appointed by the Vice President for Finance and Administration. This position's function is to initially review and coordinate the response to any claim made against the University or its agents. The individual designated as Risk Management Coordinator is the Purchasing Director.

A Claimant is any person filing a liability claim against the University or its agents.

University Agents are any University employee or volunteer worker performing duties or rendering services for the University.

Responsibilities

A Claimant is any individual who files a claim against the University or its agents. This must be done in writing.

University Agents report to their supervisor any incident that may involve a potential claim. Individuals in receipt of a claim should not respond directly, but should acknowledge the claim and indicate that it is being submitted to the Risk Management Coordinator for review. Claims and other correspondence should be submitted within five (5) working days to the Risk Management Coordinator. Any relevant background information subsequently requested by the Risk Management Coordinator or University Legal Counsel is to be provided.

The Risk Management Coordinator performs an initial investigation of any claim for damages made against the University and recommends a course of action to the Vice President for Finance and Administration. He/she must process any approved settlement payments as well as present settlement checks to claimants and obtain a signed copy of the release statement.

The Vice President for Finance and Administration will review all claims submitted by the Risk Management Coordinator and either approve them for payment, deny the claim, or submit the claim to University Legal Counsel for advice. For cases denied at the Vice Presidential level, an appropriate response to the claimant must be provided. For claims submitted to Legal Counsel, the Vice President will take appropriate action and take into consideration advice received from University Legal Counsel.

The University Legal Counsel will review claims submitted by the Vice President for Finance and Administration and perform an additional investigation if necessary. Legal Counsel will respond to all claims or correspondence received from outside attorneys and copy the Risk Management Coordinator and Vice President for Finance and Administration. Legal Counsel will also recommend to the Vice President for Finance and Administration an appropriate course of action on all claims submitted to Legal Counsel.