

USU RISK MANAGEMENT GUIDELINES FOR 4-H/EXTENSION

INSURANCE DEFINITIONS

Liability Insurance

Liability insurance provides the insured entity protection from the risk of damage claims for which the insured entity is held legally liable. After payment of a deductible, a liability insurance policy will cover the payment of damages that the insured would have to pay if found legally responsible for the event that caused a third party damages. Liability insurance coverage also provides legal representation and coverage of legal costs in situations where a claim goes to court.

USU has liability insurance coverage through the Utah Division of Risk Management. This coverage extends to employees and officially registered volunteers acting in the course and scope of their employment or volunteer assignment with USU. It does not provide coverage for an employee acting outside the scope of his or her employment. The following examples illustrate this concept:

- If a USU grounds crew employee is mowing a lawn on the USU campus and the lawn mower accidentally throws a rock through someone else's car window, USU would be responsible for the damage and the liability insurance policy would pay for the damages.
- If that same USU employee is mowing his or her own lawn and the mower throws a rock through the neighbor's car window, USU's liability insurance would not be involved.

Workers Compensation

Workers compensation insurance covers medical expenses incurred by employees who are injured in the course and scope of their employment. USU has a workers compensation policy through the Workers Compensation Fund.

USU procures this coverage for all USU employees and officially registered volunteers. Should an employee or registered volunteer be injured while performing duties for and on behalf of USU, workers compensation insurance will cover the cost of getting him or her well again so he or she can return to work. It is important to note that workers compensation insurance is aimed solely at workplace injuries and workplace-related conditions. Workers compensation insurance is not health insurance.

- Workers compensation only covers workplace injuries. In some cases, an employee may have preexisting conditions that may cause or exacerbate a workplace injury. In these cases, while workers compensation claims adjusters may acknowledge that there are preexisting conditions, they are only obligated to cover the costs of the workplace injury.
- Workers compensation does not cover students or participants in USU-related activities.

Property Insurance

Property insurance provides coverage for USU property that is damaged or otherwise lost. USU's property insurance is provided by the Utah Division of Risk Management. It is an "all risk" policy meaning that all risks are covered except those that have been specifically excluded.

All property that is owned by or in the care and custody of USU as well as all buildings owned by USU are covered by this policy. Buildings leased to USU are not covered. USU Risk Management reports building and contents values to the Utah Division of Risk Management each year. It is important for USU units to have a current inventory of the contents and the value of the contents in their respective buildings so USU Risk Management can ensure that the insurance is maintained at an appropriate level.

- Your unit should work with USU Risk Management to have documentation describing what it would cost to replace everything you have in a building in case there was a total loss, like from a fire.
- The policy will only cover property owned or in the care and custody of USU. An employee's personal property is not covered.
- There is a \$1000.00 deductible on property claims.

Automobile Insurance

USU has automobile liability and physical damage insurance coverage through the Utah Division of Risk Management. This insurance covers vehicles owned by USU and used by USU permissive drivers during the course and scope of their employment.

- To be a permissive driver, a person needs to have permission from USU to drive the vehicle and he or she needs to have passed the State of Utah Online Driver's Training Course and submitted his or her certificate of completion to USU Parking and Transportation. This training may be accessed at the following webpage: <https://parking.usu.edu/htm/parking-information/drivers-representation-form/>.
- If a USU employee or registered volunteer is injured while riding in a USU vehicle, medical expenses would be paid by the Workers Compensation Fund, not through the Utah Division of Risk Management.
- There is very limited personal injury protection (PIP) coverage for personal injuries suffered by non-USU employees and non-registered volunteers riding as passengers in a USU vehicle.
- There is a deductible of up to \$1,500.00 for automobile physical damage claims.
- When using a rental vehicle, USU employees and registered volunteers must use a rental company with a State Contract. A claim involving a rental vehicle that was not rented through a State Contract may be covered but can have a \$10,000.00 deductible.
- Insurance follows the vehicle, meaning, an employee's personal automobile insurance is the primary insurance for their own vehicle, even if he or she is using that vehicle for work purposes.

Health Insurance

USU Risk Management does not provide health insurance covering medical costs to any student or participant in a USU-related activity.

- Groups associated with USU might carry their own insurance. For example, 4-H has a small medical coverage policy through American Income Life. The coverage limits are small and

intended to cover a participant's own insurance deductible in the case of an injury. The participant's own insurance would still be paying the bulk of the medical costs.

4H/Extension activities may include the following types of individuals:

Employee

An employee is an individual legally employed by the University in any capacity.

Registered Volunteer

A registered volunteer is someone who donates a service to USU without any form of payment or other compensation that has completed all the appropriate training and paperwork to be approved as a registered volunteer by USU. For 4-H/Extension volunteers, the appropriate paperwork is included in the 4-H Online registration process. Registered volunteers are afforded coverage through USU's liability insurance and workers compensation.

Participant

A 4-H/Extension participant is someone actively and directly participating in a 4-H/Extension program, group, or activity who is not an employee or registered volunteer.

Spectator

Anyone who is not an employee, registered volunteer, or participant of a 4-H/Extension program, event, or activity and is simply in attendance to observe the program, event, or activity.

Frequently Asked Questions

WORKERS COMPENSATION

What are the correct steps to follow when a USU employee or registered volunteer is injured or there is an emergency during a 4-H/Extension activity?

- Emergency response plans should be developed and understood by activity leaders before any activity takes place. Emergency response plans should include the steps that will be taken in the case of a foreseeable incident, including where the nearest clinic or hospital is to the location of the activity, what first-aid resources should be on hand, emergency contact information for participants, and at what point should activity leaders call 911.
 - o The Workers Compensation Fund (WCF) has various healthcare facilities with whom they prefer to work. This includes all Intermountain Healthcare WorkMed locations.
 - o A complete list of WCF Preferred Medical Providers can be found on the WCF website: <https://www.wcf.com/preferred-medical-providers>
 - o If there are no preferred medical providers close enough to provide appropriate treatment, take the injured individual to the nearest healthcare facility that can provide appropriate treatment.
 - o For serious injuries, call 911 and take the injured individual to the nearest emergency room.
- When an injury does occur, the first step is to get the injured employee or registered volunteer the appropriate treatment. This could include onsite first-aid up to calling 911. When in doubt about the appropriate treatment, err on the side of caution and take the injured party to a clinic, an emergency room, or call 911.
 - o Where possible, the employee or registered volunteer's supervisor should accompany the injured person to the healthcare provider.

What is the reporting process after a USU employee or registered volunteer has been injured during a 4-H/Extension activity?

- An Employer's First Report of Injury should be completed and sent to USU Risk Management as soon as possible after the injury. The electronic report form can be found on the USU Risk Management website.
 - o In the case of dismemberment or death, USU Risk Management should be notified immediately.
- A Supervisor's Investigation Report should be filed with USU Risk Management the same day as the injury. The employee or registered volunteer's supervisor will need to investigate the cause of the incident and determine what can be changed to avoid a similar incident in the future. The electronic investigation form can be found on the USU Risk Management website.
 - o USU Environmental Health and Safety and/or USU Risk Management may perform further investigation.

What happens after the reports have been filed?

- USU Risk Management will use the information in the Employer's First Report of Injury to file a WCF claim. A WCF claim number will be generated and USU Risk Management will send the claim number and paperwork to the injured individual.

- After the claim has been filed, WCF will assign a claims adjuster who will contact the injured individual. Treatment and payment for treatment is handled between the employee/registered volunteer, the medical provider, and the claims adjuster. Questions about covered treatment or payments for services provided should be directed to the WCF adjuster assigned to the claim.
 - o WCF can be contacted at 385-351-8010. When calling, please reference the claim number.
 - o WCF will need copies of all doctors' notes, restrictions, and billing documents. Please keep the documents and provide them to the WCF adjuster. The medical provider will not send the documents to the WCF adjuster.
 - o Employees/Registered Volunteers are responsible for following doctor's orders and restrictions.
 - o Supervisors are responsible for helping employees/registered volunteers follow doctor's orders and restrictions while employees/volunteers are at work.
 - o If the doctor has ordered the employee/volunteer to miss work, the employee/registered volunteer should not return to work until returning is approved by their doctor.
 - o Supervisors are encouraged to help employees/volunteers return to work as soon as possible by finding ways to accommodate doctor's restrictions while the injured employee/registered volunteer is recovering.

If you have more detailed questions about workers compensation, please contact USU Risk Management at 435-797-1951.

USU does not have workers compensation or healthcare coverage for 4-H/Extension participants. All 4-H/Extension group, program, and activity leaders should have emergency plans in place for how to respond to an incident or emergency involving a 4-H/Extension participant. Even though there is no insurance coverage for participants and spectators, incidents/injuries should still be reported to 4-H/Extension administration and USU Risk Management.

MINORS

Do all 4-H/Extension volunteers need background checks to be able to work with minors?

- Yes. Even if there are 4-H/Extension staff present, all registered volunteers need to pass a background check before working with minors or other at-risk populations.

VEHICLES/TRAVEL

Who can drive a USU vehicle?

- USU employees and registered volunteers may drive USU vehicles, but all use of a USU vehicle must comply with USU Policy 514 – Vehicle Use Policy.
 - o At a minimum, the driver must:
 - a) Hold a valid driver's license

- b) Complete the State of Utah Driver Safety Program. The online training can be found at <https://parking.usu.edu/htm/parking-information/drivers-representation-form/>.
 - Be sure to follow the instructions found on this link. Certificates of completion have to be emailed to the USU fleet manager for the program to be fully completed.

Can a USU employee and/or volunteer use their personal vehicle for USU business?

- Yes. However, using a personal vehicle for USU business, or any purpose, has some inherent risk. Insurance policies follow the vehicle. USU does not carry any auto physical damage insurance that would cover damage to an employee's vehicle, even if that vehicle were being used for USU business. If the personal vehicle were in an accident, USU's auto insurance would not cover the physical damage to that vehicle.
 - o Many private auto insurance policies exclude damage caused to a vehicle while it is being used for business purposes. If a 4-H/Extension employee/registered volunteer is using his or her personal vehicle for business purposes and is in an accident, he or she should check with their insurance provider to make sure they have coverage for business use of their vehicle.
 - a) Mileage paid to 4-H/Extension employee/registered volunteer for travel in his or her person vehicle is intended to cover such things as gas, maintenance, and auto insurance.

If a registered volunteer is traveling on behalf of 4-H/Extension in their personal vehicle and is in an accident, does the volunteer have insurance coverage?

- If the registered volunteer is acting in the course and scope of their role with USU and they are at fault in the accident, USU's liability insurance would cover the damage or personal injury they caused to third parties.
- If a registered volunteer is injured while acting in the course and scope of their role with USU, including while driving a personal vehicle, USU's workers compensation would cover their medical expenses.
- If the registered volunteer's personal vehicle is damaged in an accident, damage to that personal vehicle would not be covered by USU's auto insurance.

Is it possible to use a car from a car rental company for 4-H/Extension travel?

- It is possible, and in some cases preferable, to use a vehicle rented from a vehicle rental company. The State of Utah has negotiated contracts with Enterprise, Hertz, and National to provide rental car services to State entities.
- Auto insurance is already included in these State Contracts, so extra insurance does not need to be purchased.
 - o When renting a vehicle from Enterprise, Hertz, or National it is important to reference that the rental is for USU and to use the State Contract number.
 - o Please visit the USU Risk Management website for more information on the rented vehicle State Contracts.
- These guidelines also apply to travel outside of the State of Utah.
- It is not recommended you drive internationally. If driving is required outside of the U.S., use the rental companies with State Contract where possible and purchase the offered additional insurance.

- Vehicle rentals are not recommended from companies without a State Contract even though they may have cheaper rates. If an employee/registered volunteer rents a vehicle from a company without a contract with the State of Utah, they should purchase extra insurance from that company, as the Utah Division of Risk Management may impose a \$10,000.00 deductible or deny a claim completely.

If an employee or registered volunteer is traveling on behalf of 4-H/Extension in their personal vehicle and is in an accident, does it need to be reported?

- Yes

How should an auto accident be reported?

- If the accident involves a vehicle owned by USU, the driver of the vehicle should file a Vehicle Accident Report with USU Risk Management as soon as possible. The online form to file this report can be found on the USU Risk Management website.
 - o In order to use the online form, you will need to have a USU A#. If you do not have an A#, a printable version of the form can be found on the [Frequently Used Forms](#) link on the USU Risk Management Website.
- If the accident happens in a rental vehicle from a company with a State Contract, report the accident to the rental company.
- If an employee/registered volunteer is injured in the accident, they should seek the appropriate treatment and follow the procedures for filing a WCF claim.
- Whenever a USU employee/registered volunteer is involved in a vehicle accident, they should call 911 and get a police report of the accident.

VOLUNTEERS

What kind of insurance coverage is provided for 4-H/Extension volunteers?

- 4-H/Extension volunteers who have completed their volunteer registrations through 4-H Online have liability and workers compensation coverage through their relationship to USU.
- Here are some guiding principles:
 - o There is no such thing as an “episodic” volunteer. A registered volunteer is a person who has completed the training and signed the appropriate agreements. There is no other kind of volunteer that would be afforded any sort of liability or other insurance coverage.
 - o Liability insurance is not health insurance. Liability insurance provides coverage for USU for its potentially negligent acts. If a registered volunteer accidentally burned down a barn while acting in their approved role for USU, USU’s liability insurance would cover the repairs of the barn. If the registered volunteer received severe burns in the fire, USU’s liability insurance would not cover the medical treatment for those burns. Treatment for the burns would be covered by workers compensation.
 - o Registered volunteers are not participants and participants are not registered volunteers. The terms “volunteer” and “participant” are not interchangeable. Helpers and/or parents are not volunteers unless they have gone through the 4-H Online volunteer registration process.

Are people who volunteer their own personal property to be used by 4-H/Extension covered by USU's liability insurance?

- USU's liability insurance does not extend to cover personal property owned by a third party or the owner of that property unless there is a usage agreement signed in advance. This includes real property such as arenas, or personal property such as equipment. Even if there is no charge for the use of that property, there should still be a signed agreement outlining the relationship between the property owner and USU 4-H/Extension.
 - o Usage agreements should include a description of the activity and what party is to be held liable for what types of damages.
 - o The property owner will not usually be able to transfer their own premises liability to USU.
 - o USU has no insurance coverage for animals.
- As part of the usage agreement, the property owner may request that USU provide proof of insurance.
- It is recommended that property owners also display the inherent risk signage when their property is being used for 4-H/Extension activities. In the case that they do not, the responsible 4-H/Extension employee/volunteer must post a temporary sign.

PROCEDURES

Should there be an emergency plan for every 4-H/Extension program or activity?

- Yes. Emergency response plans should be developed and understood by activity leaders before any activity takes place. Emergency response plans should include the steps that will be taken in the case of a foreseeable incident, including where the nearest clinic or hospital is to the location of the activity, what first-aid resources should be on hand, emergency contact information for participants, and at what point should activity leaders call 911.
- For advice and help developing an emergency response plan, please contact USU Risk Management at 435-797-1951.

What is the procedure to create a liability waiver?

- Contact USU Risk Management at 435-797-1951.

How do we prove that a volunteer was working on an approved USU project?

- For Risk Management/Workers Compensation purposes, if the volunteer is registered through 4-H Online and their supervisor submits the Employer's First Report of Injury and Supervisor's Investigation Report, then the volunteer is considered to be a registered volunteer working on an approved USU project.
- All 4-H/Extension program, activity, and event leaders should keep a record of which volunteers are assigned to and working on their programs, activities, and events.

What kind of review should be done for facilities used for 4-H/Extension programs, activities, and events?

- Program, activity, and event leaders should ascertain that the desired venue is appropriate for the planned program, activity, or event. If the desired venue is not appropriate, another venue should be selected.

Are there any specific requirements for equine or livestock activities?

- All 4-H/Extension activities involving horses and/or livestock must post inherent risk signage at every location where such an activity may be held in accordance with Utah Code 78B-4-201(5) and 78B-4-203. Appropriate signage may be obtained by contacting the State 4-H Office.
- Inherent risk signage must include the following language:

- NOTICE

USE THIS FACILITY AT YOUR OWN RISK. There are inherent risks of participating in equine or livestock activities. "Inherent risk" with regard to equine or livestock activities means those dangers or conditions which are an integral part of equine or livestock activities, which may include:

- a) the propensity of the animal to behave in ways that may result in injury, harm, or death to persons on or around them;
- b) the unpredictability of the animal's reaction to outside stimulation such as sounds, sudden movement, and unfamiliar objects, persons, or other animals;
- c) collisions with other animals or objects; or
- d) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the animal or not acting within his or her ability. See Utah Code 78B-4-201(5) and 78B-4-203.

The sponsor of equine or livestock activities occurring within or connected to this facility is not liable for (i) Inherent Risks or (ii) any injury, death, illness, disability, or damage to persons or to property arising from the Inherent Risks.

How should a volunteer report inappropriate behavior and/or harassment from another volunteer or participant?

- If a volunteer becomes aware of inappropriate behavior and/or harassment of any kind, it should be reported immediately to the volunteer's supervisor and the AA/EO Office. Online reporting forms for the AA/EO Office are available at <http://www.aaeo.usu.edu>.

How do we report an incident if a 4-H/Extension employee or registered volunteer causes damage to public or private property or to another person while volunteering?

- All incidents/accidents should be reported to USU Risk Management.
 - o Auto accidents can be reported [here](#).
 - o Property damage incidents can be reported [here](#).
 - o Injuries to other people can be reported [here](#).
 - o In order to use the online form, you will need to have a USU A#. If you do not have an A#, a printable version of the form can be found on the [Frequently Used Forms](#) link on the USU Risk Management Website.

- Each 4-H/Extension program or group may also have their own additional internal reporting process to report incidents to 4-H/Extension leadership.

Can 4-H/Extension equipment and property be rented or loaned to the general public, employees or volunteers for personal use, or third parties unaffiliated with 4-H/Extension?

- 4-H/Extension equipment and property can only be used by 4-H/Extension groups and for approved 4-H/Extension activities. It is not appropriate, and against USU policy, to rent or lend 4-H/Extension equipment or property to third parties unaffiliated with 4-H/Extension without University authorization.
- Registered 4-H clubs are not third parties. They may use 4-H/Extension equipment and property for 4-H activities.
- USU departments and entities are not third parties. They may use 4-H/Extension equipment and property for University-related activities.

How and when is 4-H/Extension equipment and property authorized for the general public or a third party?

- 4-H/Extension equipment may be authorized for use by a third party to support 4-H/Extension activities. Authorization occurs through existing processes:
 - o The use, sharing, loaning of equipment or property may be included as part of an approved grant or contract.
 - o Agreements may be approved through the University's Document Review process. Agreements should address issues of liability, indemnification, scope of use, time, supervision, responsibility for repairs, etc. Risk Management can assist with the development of such agreements.
 - o Procedures for "check-out" kits, "shopping-carts", "lending libraries", etc. may be developed and approved through the University's Document Review process. Risk Management can assist with language that addresses issues of liability, indemnification, scope of use, time, supervision, responsibility for repairs, etc.
- 4-H/Extension equipment and property is not authorized for non USU purposes. When a third party is authorized to use 4-H/Extension equipment and property, they do not receive a blanket authorization. The authorization is tied to the approved 4-H/Extension/USU grant, event, activity, etc. Authorization does not extend to other activities conducted by the third party. Exceptions require a written agreement approved through the University's Document Review process.
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