

80-1 Environmental Health, Risk Management, Loss Prevention and Safety Control (Portales)

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1. **Overview.** The Eastern New Mexico University System supports and encourages programs to improve occupational health and safety for the betterment of all students, faculty and staff. The ENMU System recognizes that initiatives related to environmental health, risk management, loss prevention, and safety are shared responsibilities that require the diligent efforts of all students, faculty, staff, and administrators.
2. **Purpose.** The purpose of this policy is to establish, support, and maintain a positive culture of safety and compliance at the Eastern New Mexico University Portales campus (ENMU Portales).
3. **Policy.** It is the policy of ENMU Portales to promote good health, well-being, and occupational safety for students, faculty, staff, and visitors. This shall be achieved by proactive initiatives guided toward current best practices and compliance of safety and loss control recommendations of the New Mexico Public School Insurance Authority (NMPSIA) as well as local, state, and federal laws and/or regulations. This policy endorses programs and compliance-based initiatives which:
 - A. Provide for safe and healthy working conditions and mitigate injuries/illness to the greatest degree possible. No task is so important and no service is so urgent that it cannot be done safely.
 - B. Assure compliance with State Loss Prevention and Control Program [1.6.4 NMAC (formerly Rule 91-703) with respect to worker's compensation in 6.50.1 NMAC] and, by this reference, adopts all provisions of those programs.
 - C. Assure compliance with the recommendations of NMPSIA.
 - D. Assure compliance with local, state, and federal regulations providing for environmental health and occupational safety.
 - E. Provide information, training, and safeguards to faculty, staff, and students regarding health and safety hazards, and to the surrounding community regarding environmental health hazards arising from operations and events at the University.
 - F. Install and maintain facilities and equipment in accordance with recognized and accepted standards essential to reduce or prevent exposure to hazards by faculty, staff, students, and visitors.
 - G. Provide appropriate personal protective equipment to all employees at University expense when engineering controls are not adequate to minimize exposure.
 - H. Provide medical services as required by law and as may be dictated by existing circumstances or programs.

- I. At a minimum, are developed, adopted and executed by the designated loss prevention control coordinator for ENMU Portales when such are designed to facilitate professional development, reduce operational liability or are consistent with local, state, and federal laws, codes, acts, regulations and/or standards related to health, safety and/or the environment.
- J. Facilitate best practices and recognize the importance of involving consultation among key personnel at the University related to environmental health, risk management, loss prevention, and safety control. As such, ENMU Portales shall establish and maintain a committee entitled, "Loss Prevention and Safety Control Committee (LPSCC)".

The foregoing purposes and policies are implemented by the following.

Procedures

- 4. Administration.** The ENMU Portales safety officer / coordinator shall serve as the loss prevention and control (LPC) coordinator for the ENMU Portales campus. This policy shall be administered by ENMU Portales safety officer / coordinator with consultation and supervision from the director of public safety. Overall administrative oversight will be provided by the System chief financial officer (CFO) at the discretion of the ENMU Portales President.
- 5. Responsibility and Accountability for Environmental Health and Occupational Safety.**
 - A. All University administrators, vice presidents, deans, directors, and other mid-level managers not otherwise specified are responsible for all subordinates and facilities under their care and control. This responsibility includes, but is not limited to the following:
 - 1. Ensuring that facilities and equipment provided meet requirements for a safe work environment for activities being conducted or modify those activities accordingly to come into compliance with applicable rules, regulations and standards.
 - 2. Ensuring individuals under their management control have the authority and administrative support to implement environmental health and safety policies, practices, programs, and compliance-based initiatives.
 - 3. Ensuring areas under their management follow University, state and federal environmental health and safety policies, practices, programs, and compliance-based initiatives.
 - 4. Establishing priorities and committing resources for correction of environmental health and safety deficiencies.
 - 5. Establishing departmental procedures for the dissemination of departmental policies, university policies, or other safety-related information.
 - 6. Establishing departmental procedures and implementing departmental policies related to occupational health and safety.
 - 7. Utilizing the system which will be established for assessing safety performance to evaluate their own areas of responsibility and report back findings through LPSCC and/or their chain of command as established by the ENMU Portales organizational chart.

8. Notifying the ENMU Portales loss prevention control coordinator without unnecessary delay when they become aware of a violation of any university, local, state, or federal environmental, health or occupational safety rule, regulation or law. This includes any unannounced or scheduled contact with state or federal regulatory agencies associated with occupational health or environmental conditions.

B. Supervisors and all others in a position of authority are responsible for:

1. Providing a safe and healthy environment for those areas and personnel for whom they have supervisory, managerial, or administrative responsibility. This involves incorporating occupational health and safety initiatives as an integral part of all employment activities.
2. Being continuously cognizant of the health and safety needs of all co-workers and employees for whom they are responsible. This may involve an element of peer accountability.
3. Initiating and enforcing necessary preventative measures to mitigate liability and control potential hazards.
4. Ensuring employees are properly trained and/or certified (when applicable) prior to starting an assignment or beginning new tasks.
5. Reporting job-related injuries and illnesses to ENMU Office of Human Resources with appropriate forms and without unnecessary delay.
6. Reviewing accident and injury reports associated with their area or personnel with the goal of improving overall operations.
7. Serving as a focal point for employees to relay occupational health and safety concerns.
8. Notifying the ENMU Portales loss prevention control coordinator without unnecessary delay when they become aware of a violation of any university, local, state, or federal environmental, health or occupational safety rule, regulation or law. This includes any unannounced or scheduled contact with state or federal regulatory agencies associated with occupational health or environmental conditions.

C. All ENMU Portales students, faculty and staff are responsible for:

1. Participating in mandated training and professional development programs provided by the University.
2. Properly using University supplied materials, equipment and personal protective equipment.
3. Using good judgement in carrying out work assignments and following established procedures.
4. Promptly reporting unsafe conditions, environmental health hazards, as well as job-related injuries and illnesses to their appropriate supervisor.

5. Giving due consideration to personal safety and the safety of others in the performance of assigned tasks or official duties.
 6. Adhering to local, state, and federal laws and University safety requirements and guidelines.
- 6. Loss Prevention and Control Coordinator.** The LPC coordinator shall perform the responsibilities outlined in Title 1, Chapter 6, Part 4 of the New Mexico Administrative Code (NMAC) which is related to loss prevention and risk management. Such responsibilities shall include, but are not limited to:
- A. Appropriately briefing the LPSCC on a quarterly basis of pending issues, recommendations, and initiatives related to environmental health, risk management, loss prevention, and safety control;
 - B. Receiving loss summaries and reports from NMPSIA (insurance authority) and providing them to the LPSCC for review;
 - C. Assuring that a process is in place to generate and obtain an "Accident and/or Incident Investigation Report" on all University losses. This will involve diligently coordinating with Inventory Control, Business Affairs, Department of Public Safety, and/or Human Resources (whichever is applicable);
 - D. Completing an investigation and subsequent "Employee Notice of Accident Review" regarding occupational injuries related to ENMU Portales;
 - E. Assisting with, monitoring, and assessing the adequacy of safety and loss control training;
 - F. Providing advice, guidance, and support for departments on campus related to risk management and loss prevention; and
 - G. Conducting investigations, reviewing and generating reports related to environmental health, risk management, loss prevention, and safety control to determine the contributing factors, major contributing factors and/or cause to prevent future recurrence and involving the LPSCC when applicable.
- 7. Inspection and Program Requirements.** Inspections and program requirements shall be administered and reviewed to ensure that proper work practices are followed and that work areas are safe, avoiding physical hazards and improper management controls. Requirements are outlined below.
- A. Supervisors should conduct regularly scheduled inspections of work areas and employees under their care and control.
 - B. The LPC coordinator can assist supervisors by developing and providing appropriate checklist for supervisory inspections of facilities and personnel.
 - C. The LPC coordinator shall ensure the regular inspection of university facilities. This may be accomplished with the assistance of the Fire Marshall or NMPSIA representatives as needed at a minimum on a semi-annual basis or as otherwise directed by the Director of Public Safety.

- D. Written reports shall be collected or generated on all unsatisfactory or deficient conditions observed during inspections or program reviews with the goal of proactive initiatives that provide for remedy and prevent future recurrence.
- 8. Incident and Loss Investigation.** Investigation of losses unassociated with employment injury shall include the following procedures at a minimum:
- A. Employees and/or supervisors shall report such matters to the Department of Public Safety (DPS).
 - B. DPS shall investigate incidents of loss, damage or theft of University property, motor vehicle crashes, industrial incidents, or circumstances where individuals are injured on campus. DPS shall file written reports in appropriate records management systems. DPS will subsequently notify the supervisor of Inventory Control, controller, internal auditor, director of Purchasing, director of Human Resources and/or CFO, whichever is applicable to assure appropriate notifications are made by administration and additional processing takes place. In the event a president or the chancellor is involved, it shall be the responsibility of the CFO to appropriately brief the president of the Board of Regents without unnecessary delay.
 - C. The University shall assign responsibility for maintaining property and casualty claims records to the Office of Purchasing. The office will maintain, monitor and analyze this information.
 - D. All claims for property and casualty will be prepared by the Office of Purchasing and submitted to NMPSIA on the appropriate forms and other claims records, as required.
- 9. Loss Prevention and Control Training.** The University shall establish and evaluate risk management, loss prevention and safety control as management responsibilities. These management responsibilities include providing adequate training to supervisors to accomplish these responsibilities. It is with this objective in mind that the following is adhered to:
- A. The Office of Human Resources (OHR) shall provide position-appropriate training related to worker's compensation and employment-related civil rights to all employees. This will include training on Federal and state civil rights laws, including Title VII of the Civil Rights Act and the New Mexico Human Rights Act (Sections 28-1-1 and following NMSA 1978), shall occur on a continuing basis.
 - B. LPC coordinator shall provide or host on-campus training opportunities for employees related to environmental health, risk management, loss prevention, and safety control on regular basis and at minimum of once per semester. The LPC coordinator may utilize a summary of losses within the University (Portales campus) and an explanation of why the losses are occurring to supplement training whenever possible.
 - C. Supervisors shall provide position-appropriate safety training to employees under their care and control. This training shall include the safe and correct way to perform their job functions as needed. Supervisors shall discuss loss prevention and control policies, procedures, and strategies with subordinates, individually and in group sessions.
 - D. Each ENMU Portales entity providing or hosting training shall be required to appropriately document the training provided. This may include, but is not limited to course rosters, training certificates, assessments, or instructor evaluations.

10. Job-Related Injury or Illness Claims Management. The University shall establish a workers' compensation claims management process that complies with current laws, rules and regulations regarding workers' compensation, early return to work, and new employee orientation. This policy and subsequent provisions only apply to aspects of incident reporting and/or workers' compensation claims associated with the duties and responsibilities of the LPC coordinator.

- A. Employees shall report employment related injuries immediately, without unnecessary delay to their immediate supervisor.
- B. The immediate supervisor shall ensure that a "Notice of Accident (NOA)" is completed and submitted to OHR for review.
- C. The Office of Human Resources (OHR) shall forward a copy of the NOA to the LPC coordinator within two (2) days of receipt. The LPC coordinator shall investigate and document the incident/accident findings on an "Employee Notice of Accident Review" form within thirty (30) days of receiving an NOA from OHR. The LPC coordinator shall evaluate contributing factors and determine if recommendations can be made to prevent future recurrence, when applicable. The completed form will be forwarded to OHR to assist with file completion.
- D. The University shall assign responsibility for maintaining job-related injury and illness claims records to the OHR. The office will maintain, monitor and analyze this information. The Office of Human Resources (OHR) shall establish written procedures regarding workers' compensation claims, early return to work procedures for workers with job-related injuries or illnesses; and new employee orientation programs that include employment safety and workers compensation.
- E. All claims for job-related injury or illness will be prepared and submitted by the OHR including Notice of Accident, employer's first report of injury or illness, authorization to release medical information and other claims records, as required.

11. LPSCC. The Loss Prevention and Safety Control Committee (LPSCC) plays an important role in improving health and safety on campus. Their efforts are guided toward reducing the number, frequency, and severity of injuries on campus. This can result in a reduction of operational liability and potential costs associated with injuries, illnesses, or harmful activities. Their efforts are focused on prevention initiatives to mitigate overall risk. They are also tasked with identifying potential problem areas and recommending reasonable solutions for remedy. Reasonable solutions for remedy are appropriately channeled from the chair of the committee to the Director of Public Safety, who will in turn appropriately brief the CFO.

12. LPSCC Membership. The LPSCC is a committee of specialized personnel directly associated with accessibility, risk management, occupational health, environmental health, and/or loss prevention on campus. As such, membership shall include the following personnel:

- A. Ex-Officio Membership
 - 1. The ENMU Portales safety officer / coordinator shall serve as the ex-officio chair with the ability to entertain motions and vote in the event of a tie;
 - 2. The director of Human Resources or their designee shall serve as a voting member;

3. The director of Purchasing or their designee shall serve as a voting member;
4. The director of Physical Plant or their designee shall serve as a voting member;
5. The supervisor of Inventory Control or their designee shall serve as a voting member;
7. The coordinator of Accessibility Resources or their designee shall serve as a voting member;
8. The Academic Lab Safety Coordinator or their designee shall serve as a voting member.
9. Department of Public Safety designee shall serve as a voting member.

13. LPSCC Meetings. The LPSCC shall meet at least quarterly. The LPC coordinator shall ensure that meeting minutes are prepared and posted.

14. LPSCC Duties and Responsibilities. The LPSCC shall recommend policy regarding safety, loss control and risk management to the administration. The LPSCC shall elect a secretary from committee membership. The LPCC is charged with the following responsibilities:

- A. Review loss summary information to identify adverse trends and develop corrective actions;
- B. Review loss investigation reports for adequacy of corrective actions to reduce the possibility of similar losses in the future and make recommendations where appropriate;
- C. Review summary findings of the self-inspection program, evaluate action taken and follow up to assure that final corrective action is taken as planned or recommended;
- D. Hold informal hearings inquiring into safety and loss control problems arising at the University (members of University faculty and staff may be invited to attend such meetings);
- E. Submit written findings to appropriate University administrative staff, professional staff or faculty, with recommendations for action and
- F. Comply with all requirements of 1.6.4 NMAC (for worker's compensation) and 6.50.1 NMAC to address issues of safety, loss control and risk management.

15. Compliance and Enforcement. The LPC coordinator may work to gain compliance through progressive corrective action. Some violations may be so egregious and negligent that they require immediate remedy and administrative notification. In such circumstances, the LPC coordinator has authority to address issues related to occupational health and safety as well as environmental concerns. Examples of progressive steps may include, but are not limited to the following:

- A. Consultation: The ultimate goal is gain compliance through education and awareness. In this process the LPC coordinator will work with supervisors and/or personnel to gain compliance with clearly established goals and a reasonable deadline for obtaining compliance and/or project completion. The LPC coordinator will conduct a follow-up inspection after the deadline has ended to determine if further corrective action is needed.

- B. **Formal Deficiency Report:** Are written notices to supervisors and/or personnel that areas and/or personnel under their care and control are deficient as it relates to safety, risk management, or loss prevention. Some of the criteria evaluated include, but are not limited to:
1. Trip Hazard(s)
 2. Blocking Egress Point(s)
 3. Failure to Use Personal Protective Equipment (PPE)
 4. Blocking Access to Safety Equipment, Life Safety Devices, or First Aid Equipment
 5. Violation of Fire Code / Fire Hazard Concerns
 6. Public Health Issue
 7. Excessive Clutter, Debris and Trash

In this process the LPC coordinator will work with supervisor(s) and/or personnel to gain compliance with clearly established objectives and the supervisor(s) and/or personnel will be provided with a reasonable deadline for remedy. Most deficiencies are of such a nature that they can be immediately addressed. The LPC coordinator will conduct a follow-up inspection after the deadline has ended to determine if further corrective action is needed.

- C. **Area Executive Administrator Notification:** If a deficiency continues to be unaddressed or ignored during a follow-up inspection then an additional deficiency report will be drafted and forwarded to the Area Executive Administrator providing oversight over the area in question along with the original report(s) and/or any other documentation related to the deficiency. In this process the LPC coordinator will work with the area executive administrator to gain compliance and establish a reasonable deadline for obtaining compliance and/or project completion.
- D. **Human Resources and Chief Financial Officer Notification:** If a continuous deficiency is identified that during a follow-up inspection that was not resolved with an area executive administrator then an additional deficiency report will be drafted and forwarded to the director of Human Resources and the System CFO for remedy. The LPC coordinator will provide both administrators with any and all documentation associated with the ongoing issue and any associated specific codes, rules, regulations, policies, etc. The LPC coordinator will be considered to have met due diligence regarding the matter and the responsibility will be that of the director of Human Resources and/or Chief Financial Officer for formal resolution.

16. Sanctions. The reckless disregard for the safety of others and chronic negligence will not be tolerated at ENMU Portales. Violations of this policy and subsequent procedures may result in civil penalties and disciplinary action up to and including termination of employment in accordance with ENMU AG&P 40-11, titled "Employee Disciplinary Action and Termination".

Approved by the Board of Regents, December 16, 2005.

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Approved by the Board of Regents, May 8, 2020.

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