LIABILITY CLAIM DEFENSE

Policy Title: Liability Claim Defense
Policy Type: Administrative
Policy Number: # 42-09 (2014)
Approved: 08/26/2014
Responsible Office: Environmental Health, Safety and Risk Management
Responsible Executive: Vice President for Finance and Administration
Applies to: Faculty, Staff and Students

POLICY STATEMENT

This policy outlines basic steps for University defense against claims alleging liability.

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DEFINITIONS

None

CONTACT(S)

Environmental, Health, Safety and Risk Management (EHS&RM) staff interpret this policy. The Vice President for Finance and Administration is responsible for obtaining approval for any revisions as required by BOV Policy #1 (2014) Creating and Maintaining Policies https://www.nsu.edu_Assets/websites/policy-library/policies/01/BOV-Policy-01-Creating-and-Maintaining-Policies.pdf through the appropriate governance structures. Questions regarding this policy should be directed to Environmental, Health, Safety and Risk Management.
STAKEHOLDER(S)

Faculty, Staff and Students

LIABILITY CLAIMS DEFENSE POLICY CONTENTS

This policy describes the steps for managing claims against the University for personal injury and/or property damage.

The EHS&RM Office shall:

- Determine the extent of injury and/or damage
- Identify possible means of preventing a recurrence
- Oversee immediate remediation
- Advise legal counsel
- Present applicable cost documentation as a claim to Department of Risk Management
- Arrive on scene as soon as possible
  - Interview witnesses
  - Photograph damage
  - Confer with University Police

- Determine cause(s):
  - Confer with appropriate tradesmen
  - Identify physical evidence

- Oversee immediate remediation:
  - Water removal
  - Remove fire damaged items
  - Secure area

- Conduct inventory of damaged items:
  - Determine ownership
  - Secure damaged items

- Prepare list of labor and material costs

- Compose letter of complaint to the insurance company of a third party found to liable for damage

- Claims to DRM are subject to a deductible
PUBLICATION

This policy will be published in the Policy Library on the NSU website and made available to all University Faculty, Staff and Students as requested or needed through Facilities Management.

REVIEW SCHEDULE

List the following:

- Next Scheduled Review: 08/22/2018
- Approval by, date: President, 08/26/2014
- Revision History: 08/26/2014; 07/23/2015; 08/12/2016; 08/22/2017
- Supersedes: None – New Policy

RELATED DOCUMENTS

None

FORMS

There are no forms associated with this policy and procedures.