

RESOLUTION 2017-01

A RESOLUTION TO RATIFY AND TO AMEND THE ADDISON FIRE PROTECTION DISTRICT NO. 1'S RISK CARE MANAGEMENT POLICY

WHEREAS, the Addison Fire Protection District No. 1, DuPage County, Illinois ("District") is a fire protection district duly organized and incorporated under the laws of the State of Illinois, including the Illinois Fire Protection District Act (the "Act", 70 ILCS 705/0.01 et seq.); and

WHEREAS, the District Board of Trustees (the "Board") has power pursuant to Section 6 of the Act (70 ILCS 705/6) to pass all necessary ordinances and rules and regulations for the proper management and conduct of the business of the Board for carrying into effect the objects for which the District was formed; and

WHEREAS, the District staff implemented a Risk Care Management Policy in May 2013; and

WHEREAS, despite this implementation of a Risk Care Management Policy, no official action was taken by the Board with respect to the Policy; and

WHEREAS, the Board acknowledges and ratifies the implementation of the District's Risk Care Management Policy from its beginning in May 2013; and

WHEREAS, the Board believes that it is in the best interest of the District to further modify and/or amend its Risk Care Management Policy, which is dedicated to establishing the necessary programs and procedures to assure a reduction of injury and property damage to its members, equipment, facilities and the public its serves.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Tri-State Fire Protection District, DuPage County.

SECTION 1: The Board hereby ratifies the adoption of the Risk Care Management Policy as of May 2013, which is attached at **EXHIBIT A** and incorporated herein.

SECTION 2: The District further amends its Risk Care Management to read as set forth in the attached **EXHIBIT B**, which is incorporated herein.

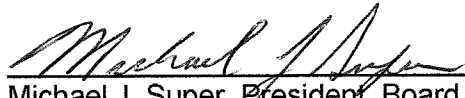
SECTION 3: This Resolution shall be in full force and effect upon its adoption and shall supersede any resolution or motions or parts of resolutions or motions in conflict with any part herein and any such resolutions or motions or parts of resolutions are hereby repealed to the extent of the conflict.


SECTION 4: If any section, paragraph or provision of this Resolution shall be held invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions of this Resolution.

ADOPTED this 1st day of March, 2017 by the following roll call vote:

AYES: 3
NAYS: 0
ABSENT: 0




Michael J. Super, President, Board Trustees
Addison Fire Protection District No. 1


Charles Baxa, Jr., Secretary, Board of Trustees
Addison Fire Protection District No. 1

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE) SS

SECRETARY'S CERTIFICATE

I, CHARLES BAXA, JR., the duly qualified and acting Secretary of the Board of Trustees of the Addison Fire Protection District No. 1, DuPage County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

RESOLUTION NO. 2017-01

**A RESOLUTION TO RATIFY AND TO AMEND THE
ADDISON FIRE PROTECTION DISTRICT NO. 1'S
RISK CARE MANAGEMENT POLICY**

which Resolution was duly adopted by said Board of Trustees at a regular meeting held on the 1st day of March, 2017.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of March, 2017.



Charles Baxa, Jr., Secretary, Board of Trustees
Addison Fire Protection District No. 1

RESOLUTION NO. 2017-01

A RESOLUTION TO RATIFY AND TO AMEND THE ADDISON FIRE PROTECTION DISTRICT NO. 1'S RISK CARE MANAGEMENT POLICY

EXHIBIT A

Risk Care Management Policy – Implemented May 2013

The Board of Trustees of the Addison Fire Protection District, DuPage County, Illinois, hereby enacts a risk care management policy dedicated to establishing the necessary programs and procedures to assure a reduction of injury and property damage to its members, equipment, facilities and the public it serves. In addition, the goal of this continuing program is to maximize the services to the community through professional administrative methods and by reducing unnecessary expenditures due to such injuries or losses.

To advance the goals of this Policy, the District hereby commits itself to providing the leadership and support to develop, implement, monitor and upgrade its loss control programs toward the following objectives:

1. Obtain compliance with applicable safety and health laws, rules and regulations governing the District's conduct.
2. Establish and maintain a safe and healthy environment toward the greatest benefit of all members and visitors.
3. Minimize the risk of human and economic losses resulting from unnecessary personnel injury and property damage.
4. Assure the security, protection and well-being of District personnel, property and vehicles.
5. Reduce the threat of injury, damage liability and maintain a state of readiness to serve, through the adoption and implementation of appropriate training programs and operational Standard Operating Guidelines.
6. Maximize the fire protection and rescue services provided to this jurisdiction by actively pre-planning high-life/high-risk hazard areas.
7. Plan for the need of large-scale incidents which may threaten the community by creating an Emergency Response Plan, Emergency Operations Center and Resource Manual, as well as provide training to participating agencies to better guarantee the capability to respond.

The success of a Loss Control Policy is dependent upon the commitment and support of the District employees to eliminate conditions and behavior which might contribute to tort liability or worker's compensation claims. Recognizing that we have the ability to

implement policies and procedures toward reducing such losses, actions as are appropriate and necessary will be taken by all District employees and officers to assure the Policy's success. To that end, District employees are expected to report any possible safety concerns in the workplace, as well as any violation of district policies or rules, or local, state, or federal law by another employee that threatens the safety and health of the workplace or the public.

TORT IMMUNITY ACT

The Illinois Local Government and Governmental Employees Tort Immunity Act, (745 ILCS 10/9-101 et seq.), provides for a fire protection district to levy a tax which, when collected, will pay the costs of risk care management.

ADMINISTRATION

The general, overall responsibility for the development and maintenance of the District's Risk Management Policy rests with the Fire Chief. The Fire Chief shall be responsible for the implementation and enforcement of this Policy, identifying the various components of the Policy, and delegating responsibilities for these components to the appropriate personnel as necessity indicates. It is expected that the Fire Chief and his designees will continually evaluate the effectiveness of the Policy and apprise the Board of needed revisions, additions or deletions to the components and assigned responsibilities, sharing such information with the Board as needed.

The risk management responsibilities of the District's employees as described herein are based on the ongoing evaluation and analysis of each position by the Fire Chief, by other employees familiar with the duties and responsibilities of the position(s) in question, and by the employee(s) assigned to the position in question. The objective of the ongoing evaluation and analysis is to determine the employee positions best suited to reduce or prevent tort liability or worker's compensation claims as well as to determine the amount of time that each employee position spends on risk management responsibilities.

The allocation of the percentage of time that each District employee is expected to spend on his/her risk management responsibilities is based on the evaluation and input from knowledgeable individuals and is not made simply on the basis of time spent by employees in maintaining safety or in performing duties in a safe manner.

The Board approves the percentage allocations referenced in this Risk Management Policy based on the current and prospective needs of the District and the amount of time the employee in question actually spends on risk management activities.

The job responsibilities of District employees as described in this document are not intended to be a complete job description. Instead the job descriptions herein illustrate some of the job responsibilities of the employees as they relate to the District's goals and objectives concerning risk management.

It is expected that the Fire Chief will expend thirty percent (30%) of his time directly related to fulfilling the responsibilities of his position in the District's Risk Management Policy including, but not limited to, the District's insurance program and all communication of the claim component of the program.

The Fire Chief shall evaluate the effectiveness of this Policy and suggests revisions to the Policy. By virtue of serving in this position, he is also directly involved in risk management activities, especially those related to litigation.

The Deputy Fire Chief shall assist the Fire Chief in fulfilling the responsibilities under this Policy. It is expected that this will be thirty percent (30%) of his time.

The Battalion Fire Chiefs shall assist the Fire Chief and Deputy Fire Chief in fulfilling their responsibilities under this Policy. It is expected that this will be twenty percent (25%) of their time.

INSURANCE/COMPENSATION

A primary component of the Risk Management Policy is the provision of an insurance/compensation program that will provide protection to the District against liability.

The Fire Chief is assigned the responsibility for serving as the District's liaison to the various consulting services, claims and adjustment services and insurance companies. He/she is also assigned the responsibility for receiving communications, either written or by telephone, from various consulting services, claim and adjustment services, insurance companies, attorneys and collective bargaining agents pertaining to risk management, answering what questions he/she is capable of and directing the communications to the appropriate personnel. The Fire Chief is responsible for delegating, proofing, and mailing all correspondence concerning the Risk Management Policy.

PROPERTY MANAGEMENT

The District's Risk Management Policy in relation to safe conditions and supervision and protection of the District's real and personal property includes other components than those described previously.

For District owned vehicles, the District's Battalion Fire Chief in Charge of Vehicle Maintenance has the responsibility for periodic and continual safety inspections of the vehicles. Such items as lights, horns, mirrors, brakes, seat adjustments, seat belts, tires, etc., are to be inspected frequently. It is anticipated that because of these responsibilities the Battalion Fire Chief in Charge of Vehicle Maintenance expends at least an additional ten percent (10%) of his/her time on risk management responsibilities.

For District owned radios and pagers, the District's Battalion Fire Chief in Charge of Radios and Pagers has the responsibility for periodic and continual safety inspections of the radios and pagers. It is anticipated that because of these responsibilities the Battalion Fire Chief in Charge of Radios and Pagers expends at least an additional ten percent (10%) of his/her time on risk management responsibilities.

For District owned buildings, the District's Battalion Fire Chief in Charge of Building Maintenance has the responsibility for periodic and continual safety inspections of the buildings. It is anticipated that because of these responsibilities the Battalion Fire Chief

in Charge of Building Maintenance expends at least and additional ten percent (10%) of his/her time on risk management responsibilities.

HEALTH AND SAFETY

The District's Risk Management Policy in relation to the health and safety of District personnel is the responsibility of all employees. Employees shall provide for the protection of personnel freedom from exposure to tort-producing situations or worker's compensation claims through regular required training, property inspection, maintenance and physical fitness training.

It is expected that each employee expends at least ten-percent (10%) of his/her time in meeting their responsibilities associated with this Risk Management Policy in regard to health and safety through regular required training.

It is expected that the District's Training Officer expends one hundred percent (100%) of his/her time in meeting responsibilities associated with the Risk Management Policy in regard to health and safety by planning, coordinating, scheduling and conducting regular required employee training.

It is expected that the District's Lieutenant in Charge of EMS expends an additional ten percent (10%) of his/her time in meeting responsibilities associated with the Risk Management Policy in regard to proper delivery of emergency medical services by the District.

REVIEW AND REVISION

The Fire Chief shall regularly review the operation of the Policy, provide for needed revisions and modifications, and recommend actions by the Board as necessary. Part of this review function is to identify, define and assign Risk Management functions and to assign and revise assignments of the estimated percentage of work hours dedicated to Risk Management functions.

SUMMARY OF TORT FUND EXPENDITURES

SALARIES:

- Fire Chief
- Deputy Fire Chief
- Battalion Fire Chiefs
- Lieutenants
- Firefighters

INSURANCE:

Building, Workers' Compensation, Unemployment Insurance, Errors and Omissions, Liability, Management Liability, Fleet, Personnel Bonds and others as deemed necessary.

SERVICES:

- Legal fees connected with protecting or defending the District against liability
- Insurance consultant

- Consultants or training of employees concerning HIV, Hepatitis B and communicable diseases
- Legal fees for defending against Constitutional and civil rights violations and tort suits

JUDGEMENT:

Any and all judgments or settlements against the District for constitutional, civil rights and tort claims.

OTHER:

Other such expenses that the administration deems appropriate under the Tort Immunity Act.

TORT EXPENDITURES (Not all inclusive Examples only)

Risk Management and/or Insurance Related:

- Risk Management Administrative Expenses
- Loss Prevention Program Expenses
- Treasurer's Bond
- Vehicle Insurance
- Unemployment Insurance
- Workers' Compensation Insurance
- Umbrella Policies
- Insurance Deductible Costs
- Salaries associated with risk management activities

Buildings/Grounds Alterations:

- Surveys or Removal of Underground Storage Tanks
- ADA Compliance
- Equipment Repairs
- Testing for Radon
- Testing for Lead in Drinking Water
- Asphalt Repairs and Seal Coating

Security:

- Building Security Systems
- Security Devices
- Security Monitoring Systems (Cameras)

Blood Borne Pathogens, Communicable disease prevention and control, personal protective equipment:

- Purchase of Universal Precaution Kits (bandages, Bactine, Lysol, etc.)
- Costs Related to Personal Protective Equipment
- Costs Related to the Disposal of Bodily Fluids

RESOLUTION NO. 2017-01

A RESOLUTION TO RATIFY AND TO AMEND THE ADDISON FIRE PROTECTION DISTRICT NO. 1'S RISK CARE MANAGEMENT POLICY

EXHIBIT B

Risk Care Management Policy – Revised March 1, 2017

The Board of Trustees of the Addison Fire Protection District, DuPage County, Illinois, hereby enacts a risk care management policy dedicated to establishing the necessary programs and procedures to assure a reduction of injury and property damage to its members, equipment, facilities and the public it serves. In addition, the goal of this continuing program is to maximize the services to the community through professional administrative methods and by reducing unnecessary expenditures due to such injuries or losses.

To advance the goals of this Policy, the District hereby commits itself to providing the leadership and support to develop, implement, monitor and upgrade its loss control programs toward the following objectives:

1. Obtain compliance with applicable safety and health laws, rules and regulations governing the District's conduct.
2. Establish and maintain a safe and healthy environment toward the greatest benefit of all members and visitors.
3. Minimize the risk of human and economic losses resulting from unnecessary personnel injury and property damage.
4. Assure the security, protection and well-being of District personnel, property and vehicles.
5. Reduce the threat of injury, damage liability and maintain a state of readiness to serve, through the adoption and implementation of appropriate training programs and operational Standard Operating Guidelines.
6. Maximize the fire protection and rescue services provided to this jurisdiction by actively pre-planning high-life/high-risk hazard areas and maintaining a robust fire prevention inspection and educational program to minimize and reduce the severity of fires and other incidents that may occur within the district which in turn reduces the chances of injury to AFD and further reduces potential losses to the District.
7. Plan for the need of large-scale incidents which may threaten the community by creating an Emergency Response Plan, Emergency Operations Center and Resource Manual, as well as provide training to participating agencies to better guarantee the capability to respond.

The success of a Loss Control Policy is dependent upon the commitment and support of the District employees to eliminate conditions and behavior which might contribute to tort liability or worker's compensation claims. Recognizing that we have the ability to implement policies and procedures toward reducing such losses, actions as are appropriate and necessary will be taken by all District employees and officers to assure the Policy's success. To that end, District

employees are expected to report any possible safety concerns in the workplace, as well as any violation of district policies or rules, or local, state, or federal law by another employee that threatens the safety and health of the workplace or the public.

TORT IMMUNITY ACT

The Illinois Local Government and Governmental Employees Tort Immunity Act, (745 ILCS 10/9-101 et seq.), provides for a fire protection district to levy a tax which, when collected, will pay the costs of risk care management.

ADMINISTRATION

The general, overall responsibility for the development and maintenance of the District's Risk Management Policy rests with the Fire Chief. The Fire Chief shall be responsible for the implementation and enforcement of this Policy, identifying the various components of the Policy, and delegating responsibilities for these components to the appropriate personnel as necessity indicates. It is expected that the Fire Chief and his designees will continually evaluate the effectiveness of the Policy and apprise the Board of needed revisions, additions or deletions to the components and assigned responsibilities, sharing such information with the Board as needed.

The risk management responsibilities of the District's employees as described herein are based on the ongoing evaluation and analysis of each position by the Fire Chief, by other employees familiar with the duties and responsibilities of the position(s) in question, and by the employee(s) assigned to the position in question. The objective of the ongoing evaluation and analysis is to determine the employee positions best suited to reduce or prevent tort liability or worker's compensation claims as well as to determine the amount of time that each employee position spends on risk management responsibilities.

The allocation of the percentage of time that each District employee is expected to spend on his/her risk management responsibilities is based on the evaluation and input from knowledgeable individuals and is not made simply on the basis of time spent by employees in maintaining safety or in performing duties in a safe manner.

The Board approves the percentage allocations referenced in this Risk Management Policy based on the current and prospective needs of the District and the amount of time the employee in question actually spends on risk management activities.

The job responsibilities of District employees as described in this document are not intended to be a complete job description. Instead the job descriptions herein illustrate some of the job responsibilities of the employees as they relate to the District's goals and objectives concerning risk management.

It is expected that the **Fire Chief** will expend **thirty percent (30%)** of his time directly related to fulfilling the responsibilities of his position in the District's Risk Management Policy including, but not limited to, the District's insurance program and all communication of the claim component of the program.

The Fire Chief shall evaluate the effectiveness of this Policy and suggests revisions to the Policy. By virtue of serving in this position, he is also directly involved in risk management activities, especially those related to litigation.

The **Deputy Fire Chief** shall assist the Fire Chief in fulfilling the responsibilities under this Policy. It is expected that this will be **thirty percent (30%)** of his time.

The **Battalion Fire Chiefs** shall assist the Fire Chief and Deputy Fire Chief in fulfilling their responsibilities under this Policy. It is expected that this will be **twenty percent (25%)** of their time.

INSURANCE/COMPENSATION

A primary component of the Risk Management Policy is the provision of an insurance/compensation program that will provide protection to the District against liability.

The Fire Chief is assigned the responsibility for serving as the District's liaison to the various consulting services, claims and adjustment services and insurance companies. He/she is also assigned the responsibility for receiving communications, either written or by telephone, from various consulting services, claim and adjustment services, insurance companies, attorneys and collective bargaining agents pertaining to risk management, answering what questions he/she is capable of and directing the communications to the appropriate personnel. The Fire Chief is responsible for delegating, proofing, and mailing all correspondence concerning the Risk Management Policy.

PROPERTY MANAGEMENT

The District's Risk Management Policy in relation to safe conditions and supervision and protection of the District's real and personal property includes other components than those described previously.

For District owned vehicles, the District's **Battalion Fire Chief in Charge of Vehicle Maintenance** has the responsibility for periodic and continual safety inspections of the vehicles. Such items as lights, horns, mirrors, brakes, seat adjustments, seat belts, tires, etc., are to be inspected frequently. It is anticipated that because of these responsibilities the **Battalion Fire Chief in Charge of Vehicle Maintenance** expends at least an additional **ten percent (10%)** of his/her time on risk management responsibilities.

For District owned radios and pagers, the District's **Battalion Fire Chief in Charge of Radios and Pagers** has the responsibility for periodic and continual safety inspections of the radios and pagers. It is anticipated that because of these responsibilities the **Battalion Fire Chief in Charge of Radios and Pagers** expends at least an additional **ten percent (10%)** of his/her time on risk management responsibilities.

For District owned buildings, the District's **Battalion Fire Chief in Charge of Building Maintenance** has the responsibility for periodic and continual safety inspections of the buildings. It is anticipated that because of these responsibilities the **Battalion Fire Chief in Charge of Building Maintenance** expends at least an additional **ten percent (10%)** of his/her time on risk management responsibilities.

HEALTH ,AND SAFETY & FIRE PREVENTION

The District's Risk Management Policy in relation to the health and safety of District personnel is the responsibility of all employees. Employees shall provide for the protection of personnel freedom from exposure to tort-producing situations or workers' compensation claims through regular required training, property inspection, maintenance and physical fitness training.

It is expected that each **sworn firefighter** employee expends at least **ten-percent (10%)** of his/her time in meeting their responsibilities associated with this Risk Management Policy in regard to health and safety through regular required training.

It is expected that the District's **Training Officer** expends **seventy-five percent (75%) one hundred percent (100%)** of his/her time in meeting responsibilities associated with the Risk

Management Policy in regard to health and safety by planning, coordinating, scheduling and conducting regular required employee training.

It is expected that the District's **Lieutenant in Charge of EMS** expends an additional **ten percent (10%)** of his/her time in meeting responsibilities associated with the Risk Management Policy in regard to proper delivery of emergency medical services by the District.

It is expected that the District's Fire Marshal expends twenty-five percent (25%) and the Fire Inspectors and Fire Educators expend twenty percent (20%) of their time in meeting responsibilities associated with the Risk Management Policy in regard to lower risks by reducing the number and severity of fires, reducing the number of calls for emergency service and educating the community in fire and health safety which further, all of which reduce the risk that would otherwise be encountered by AFPD employees.

REVIEW AND REVISION

The Fire Chief shall regularly review the operation of the Policy, provide for needed revisions and modifications, and recommend actions by the Board as necessary. Part of this review function is to identify, define and assign Risk Management functions and to assign and revise assignments of the estimated percentage of work hours dedicated to Risk Management functions.

SUMMARY OF TORT FUND EXPENDITURES

SALARIES:

Fire Chief
Deputy Fire Chief
Battalion Fire Chiefs
Fire Marshal
Lieutenants
Firefighters
Fire Inspectors
Fire Educators

INSURANCE:

Building, Workers' Compensation, Unemployment Insurance, Errors and Omissions, Liability, Management Liability, Fleet, Personnel Bonds and others as deemed necessary.

SERVICES:

- Legal fees connected with protecting or defending the District against liability
- Insurance consultant
- Consultants or training of employees concerning HIV, Hepatitis B and communicable diseases
- Legal fees for defending against Constitutional and civil rights violations and tort suits

JUDGEMENT:

Any and all judgments or settlements against the District for constitutional, civil rights and tort claims.

OTHER:

Other such expenses that the administration deems appropriate under the Tort Immunity Act.

TORT EXPENDITURES (Not all inclusive Examples only)

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- Risk Management Administrative Expenses
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- Treasurer's Bond
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- Unemployment Insurance
- Workers' Compensation Insurance
- Umbrella Policies
- Insurance Deductible Costs
- Salaries associated with risk management activities

Buildings/Grounds Alterations:

- Surveys or Removal of Underground Storage Tanks
- ADA Compliance
- Equipment Repairs
- Testing for Radon
- Testing for Lead in Drinking Water
- Asphalt Repairs and Seal Coating

Security:

- Building Security Systems
- Security Devices
- Security Monitoring Systems (Cameras)
- Banking Fees and Services related to banking security
- Information technology and information security

Blood Borne Pathogens, Communicable disease prevention and control, personal protective equipment:

- Purchase of Universal Precaution Kits (bandages, Bactine, Lysol, etc.)
- Costs Related to Personal Protective Equipment
- Costs Related to the Disposal of Bodily Fluids