

Office of Risk Management and Insurance
Nakeschi Watkins,
Director
May 16, 2024

Agenda

- Office of Risk Management and Insurance Services
- Insurance requirements
- Contract language
- Incident reporting
- International Travel
- Use of Cornell Vehicle
- Resources

Office of Risk Management and Insurance Services

- Assumption of Risk and Hold Harmless
- Domestic and International insurance requirements
- Domestic and International contract review and modification
- Certificate of Insurance request
- Claim Management
- Insurance (cost allocation and all-risk insurance)
- Drones
- Event Review
- Minors/Youth Oversight
- Volunteer Request
- Workers' compensation coverage- international and Domestic

University Insurance Deductibles/Self-Insured Retentions

Cornell will cover this amount per occurrence. Once the retention is reached, insurance takes over.

\$1M

- Liability
- Auto
- Property
- Boiler and machinery claims
- Defense Base /Act Longshoremen and Harbor Workers Act

\$1.5M

- Workers' compensation
- AOS

\$1M

- Educators Legal Liability
- Directors & Officers
- Cyber

Why insurance is needed for Contracts

Cornell's Insurance Programs only cover:

- Cornell faculty and staff while performing duties on behalf of the university
- Volunteer workers performing services on behalf of, and with the express direction and authority of, the university
- Students while serving in a supervised internship program

It doesn't cover...

- Independent contractors/consultants
- Vendors or Subcontractors
- Other third-parties

Insurance

Types of insurance are required of nearly all contractors

- Commercial General Liability
- Workers' Compensation & Employers' Liability
- Business Automobile Liability
- Umbrella/Excess Liability
- Cyber Insurance
- Professional Liability

[Cornell Insurance Requirements](#)

The Contract

Serves as the governing terms and conditions applicable to the transaction.

- Who does what
- Evaluate risk assumptions individually or as a group.
- Who is responsible and assumes the risk
 - Identification of the risk (and obligations) that **the contractor** is assuming in the contract
 - Identification of the risks (and obligations) that **Cornell** is assuming in the contract.

Start with Cornell standard Terms and Conditions and try to ensure:

- The party doing the work is responsible for their activities
- We accept no more risk than we can finance

Contract Risk Review

Know the terms and conditions of the contract.

Beware open-ended obligations with no finite limitation on expense.

For standard clauses or special situations, consult RMI for:

- Risks we are assuming.
- Evaluation of the contractor's risk management techniques for risks that they are assuming.
- Adequacy of the insurance and indemnification sections of the contract. Can the contractor perform and provide proof of insurance?
- Review of subcontractor's insurance coverage and collection of certificates of insurance.
- Issues that may require additional review by University Counsel or within OSP.
- Indemnity agreements: Regularly used to allocate risk between parties and shift liability to the party more responsible for events giving rise to the liability.

RMI Contract review

- Departments should contact RMI as soon as they are aware of
 - Contract review
 - Review is 2 to 4 days

Request should be sent to the following:

- Submit all request to risk_mgmt@cornell.edu

Exposures

- Anything that affects the department's ability to complete its objectives
- Field trips
- Security of people and property
- Research activities
- Vendors
- New programs
- Travel (domestic and international)
- Athletic events
- Contracts and business relationships
- Alcohol
- Volunteers and interns
- Minors

Research Exposure

- Auto outside NYS
- Boats
- Drug trials
- High value property in non-owned facilities
- Employees and Contractors outside NY, including International
- Services provided to US government outside of US
- No ability to transfer risk to Subcontractor
 - Sub-contractor doesn't have appropriate insurance
 - Limitations of sub-contractor responsibility
- Work may be considered by some to be outside scope of university's mission
- International Travel

Research Exposure (continued)

- Hazardous work by volunteers/interns/minors
- Work in hazardous areas
- Production and/or Selling new products
 - Product liability concerns
- Professional liability exposures/consulting
- Long tail liability or exposure to downstream liability due to use of research by sponsor.
- Portable equipment, theft, breakage
- Damage to equipment from power surge
- Damage to research samples/data/specimens
- Data protection
 - HIPAA, FERPA, PII, etc.
 - Cyber Liability
- Drones (Unmanned Aerial Vehicles)

Incident/Accident Reporting

- Injury reporting
 - Student injury and visiting injury
- Auto accident: Police, RMI
- Property damage: Facility coordinator, RMI
Building coordinators

<https://www.risk.cornell.edu/incident-reporting/>

International Travel

- <https://www.risk.cornell.edu/travel-main-page/>
- <https://www.risk.cornell.edu/travel-main-page/international-travel/>
- <https://www.risk.cornell.edu/vehicles-main-page/>
- <https://www.risk.cornell.edu/events-and-staffing-main-page/function-of-risk-or-hold-harmless-checklist/>
 - Required for students traveling on international Travel
- ***Students driving Internationally requires approval from RMI***
- ***Travel to Cuba requires approval by RMI***
- All students, staff, and faculty planning travel to ***Ukraine, Russia, Belarus, Israel, Gaza, West Bank or Lebanon***, on Cornell related business, the University and its insurance company, Zurich, require prior review and a formal approval process. In addition, there will be a premium surcharge per traveler if travel is approved by Cornell University and Zurich. Approval requests are being reviewed on a case-by-case basis. ***Please contact RMI for further Instructions or guidance.***

Domestic Travel

- <https://www.risk.cornell.edu/travel-main-page/>
- <https://www.risk.cornell.edu/vehicles-main-page/>
- <https://www.risk.cornell.edu/travel-main-page/domestic-travel/>
- <https://www.risk.cornell.edu/events-and-staffing-main-page/function-of-risk-or-hold-harmless-checklist/>
- Domestic Travel means travel within the United States that involves students and is officially recognized, sponsored, organized, or funded by Cornell University.

Use of Cornell Vehicles

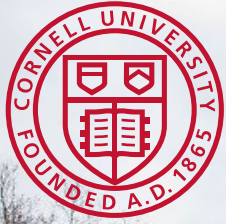
- <https://www.risk.cornell.edu/vehicles-main-page/>
- **Using personal vehicles for University business is highly discouraged.**
 - Students are required to obtain Risk Management and Insurance's approval to drive University vehicle and on university business
 - ***Student who wish to drive Internationally on behalf of Cornell is required to get RMI's approval at least 30 day prior to departure.***

Resources

- <https://www.risk.cornell.edu/events-and-staffing-main-page/events-involving-food-or-alcohol/>
- <https://www.risk.cornell.edu/insurance-main-page/>
- <https://www.risk.cornell.edu/events-and-staffing-main-page/cornell-volunteer-program/>
- <https://www.risk.cornell.edu/events-and-staffing-main-page/function-of-risk-or-hold-harmless-checklist/>

Resources

- <https://www.risk.cornell.edu/insurance-main-page/insurance-types-defined/>
- <https://www.risk.cornell.edu/insurance-main-page/terms/>
- <https://www.risk.cornell.edu/travel-main-page/aircraft-use/>



risk.cornell.edu
risk_mgmt.@cornell.edu