Office of Risk Management and Insurance
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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/

  - 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/

- 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/](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/