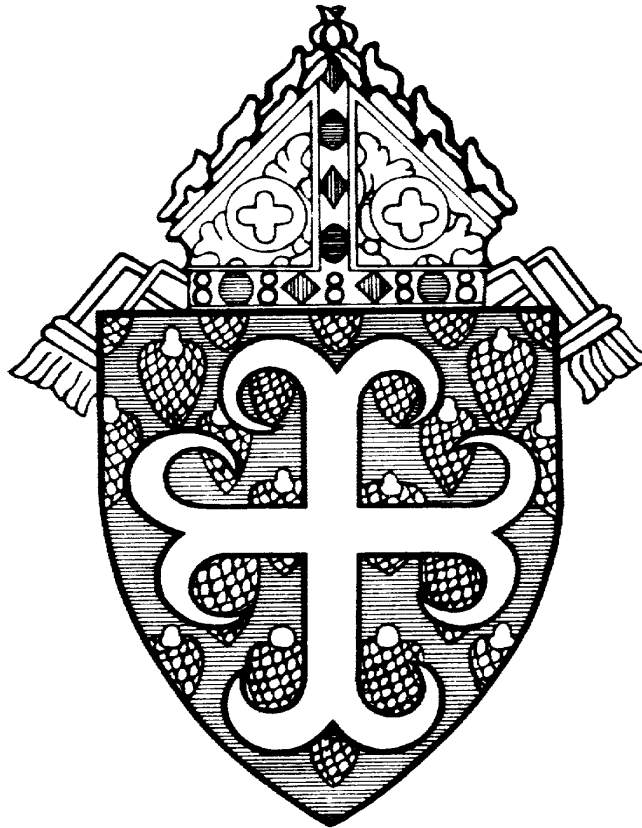


Roman Catholic Diocese Of Portland

Risk Management Best Practices Guide



Revised 6/15/2016

TABLE OF CONTENTS

	<u>Section</u>
Introduction to This Manual	Section 1.0
• Pertinent Regulatory Bodies	
Risk Management Needs Assessment - Self Evaluation	Section 2.0
• Questionnaire	
Diocesan Insurance Program	Section 3.0
• Program Overview	
• What The Program Covers	
• How To Report A Loss	
• How Claims Are Paid	
• Certificates of Insurance	
Allowing Others to Use Parish Facilities.....	Section 4.0
• Types Of Activities	
• Proof Of Insurance	
• Lease Review	
Motor Vehicle Use.....	Section 5.0
Volunteers	Section 6.0
• Motor Vehicles	
• Background Checks	
• Inappropriate Behavior	
Inappropriate Behavior	Section 7.0
Dealing with Contractors	Section 8.0
• Who is a Contractor?	
• Selection	
• Contracts/Insurance Requirements	
Life Safety	Section 9.0
Theft / Burglary.....	Section 10.0

Table of Contents (continued)

	<u>Section</u>
Use of Candles	Section 11.0
Safety Policies & Requirements	Section 12.0
• OSHA Injury & Illness Recordkeeping	
• Hazard Communication	
• Providing First Aid	
• Bloodborne Pathogen	
• Asbestos	
• Fire Extinguishers	
• Exit And Emergency Lighting	
• Electrical Safety	
• Emergency Eyewashes	
• Safety Orientation & Training	
• Confined Spaces	
• Machine Lockout	
• Fall Protection: Ladders / Scaffolding / Staging	
• Kitchen Exhaust Hoods	
• Automatic Sprinkler Protection (Requirements for New Construction)	
• Smoke Detection Systems	
• Fire Doors	

APPENDIX CONTENTS

	<u>Attachment</u>
• Risk Management Primer	Attachment 1.0
• Self Inspection Form	Attachment 2.0
• Contractor Insurance Requirements Form	Attachment 3.0
• Volunteer Driver Information Form	Attachment 4.0
• Sample Motor Vehicle Record Request Letter	Attachment 5.0
• Safety Orientation Checklist	Attachment 6.0
• Sample Hazard Communication Program	Attachment 7.0

Revisions conducted 6-2016

- AED Defibrillator information added
- L.D. 1314 – Independent Contractors
- CO2 Detectors – additional information added
- Man-lift guidelines added
- Certification Food Preparation Management – CFPM – requirements
- Lead Paint guidelines
- Real Christmas Tree policy
- Doors to all facilities to be locked after normal hours
- Blood Born Pathogen additional information added
- Volunteers talking points
- Hazard Communications – App for smart phones
- First Aid – Basic kit supplies

1.0 INTRODUCTION

PURPOSE

This manual is being offered to all of the Diocesan entities as a guide for developing and/or enhancing current risk management efforts. This presentation includes basic information on risk management concepts and provides a series of recommended and required "best practices" pertaining to a wide range of risk management challenges within our location.

GENERAL RISK MANAGEMENT CONCEPTS

In our current litigious society, there are few, if any, activities which are totally risk free. Employees are injured on the job, adults and children fall at our locations, fires and other property damages occur, along with thefts. However, the frequency and impact of these losses can be reduced if an organization identify and address potential. While the various entities of the Roman Catholic Diocese are not making widgets or remodeling homes, their ability to provide ministerial services can certainly be affected by an unanticipated loss.

The goal of Risk Management is to reduce both the frequency and severity of loss through effective risk control measures, claims management and properly selected insurance coverage.

DISCUSSION ABOUT REGULATORY AGENCIES

The Roman Catholic Diocese of Portland and our various entities are involved in an extremely wide variety of activities/services with each having its own unique set of challenges.

Insurance Companies

While insurance companies are obviously not "regulatory agencies," their influence in the risk management decision making process is significant.

An insurance company underwriter is responsible for determining if the company will insure a risk and, if so, how much premium will be charged. Insurance companies often employ risk control representatives who visit client sites to observe conditions/work practices and provide clients with assistance in improving their control efforts. Insurance company risk control representatives also provide their underwriters with information regarding the level of risk noted and how effective the client is in controlling the hazards. This information, good or bad is used in determining future premium levels or, in some cases, the decision too not to offer a policy renewal.

Insurance companies may not be able to issue citations and assess fines, but they can increase premiums or decide not to do business with a problem client.

Occupational Health and Safety Administration (OSHA)

In terms of employee safety, OSHA is, by far, the most dominant regulatory agency. OSHA's standards apply to every employer in the U.S. (except town/city/state governments), and have the power to issue citations and heavy fines. For the Roman Catholic Bishop of Portland, the only individuals **not** under the OSHA umbrella are those "who perform or participate in religious services". Any persons hired to perform secular activities are defined as employees, making the Diocese an employer in every sense of the word and subject to OSHA's standards.

Copies of the General Industry Standard (1910) can be obtained from OSHA offices located in Augusta (622-8417) Bangor (941-8177) or OSHA.gov. You should call the Diocesan Risk

Management Department immediately if contacted by OSHA or a serious work injury that results in death or injury.

National Fire Protection Association (NFPA)

Any questions regarding property protection will most likely be answered by the NFPA codes. While there may be a local building ordinance or building code used, the installation of automatic sprinkler systems and the method of egress (doors, aisles, stairs, etc.) from a facility will be designed by NFPA's standards.

Contact Jim Somma, Director of Property Management at (207) 321-7804 for more information.

2.0 RISK MANAGEMENT SELF ASSESSMENT

RISK MANAGEMENT SELF ASSESSMENT

Are you compliant with state and federal occupation safety regulations?	YES	NO
<i>Read sections in this manual for a summary of compliance issues.</i>		
Do you have any policies which define who is allowed to use motor vehicles and when?	YES	NO
<i>Specific requirements with regards to insurance requirements, driving record, use of seatbelt, etc.</i>		
Do you check driver history on volunteers and/or paid drivers:	YES	NO
Do you have any written protocol for supervising volunteers?	YES	NO
Are volunteers screened in a consistent fashion as per a written policy?	YES	NO
Do the buildings have the appropriate number of emergency exits, emergency lights and portable fire extinguishers?	YES	NO
<i>Do they actually work? Are they tested on a regular basis?</i>		
Are the buildings equipped with smoke & CO2 detectors, automatic sprinklers?	YES	NO
<i>Do you have a contract with a vendor for testing/maintenance?</i>		
Are deep fryers or grills used in your kitchen areas? Are the exhaust hoods cleaned regularly?	YES	NO
Are boiler rooms kept clean and not used for general storage?	YES	NO
Are all sidewalks and walkways inspected for cracks, gaps, bumps, etc.?	YES	NO
Is there adequate lighting in the parking areas and walkways?	YES	NO
Do you get insurance certificates from organizations using your facilities?	YES	NO
Are you obtaining proof of insurance from all contractors before signing contracts?	YES	NO
Do you limit what volunteer workers can do in terms of building maintenance? (Do you prohibit them from doing electrical, roofing and heights above a four foot ladder)?	YES	NO
Do you have a written plan for handling emergencies?	YES	NO
<i>Specific procedure for fire, medical, server weather, etc.</i>		

Scoring

As the goal of this self-audit is to identify areas in need of improvement, any area with a "no" should be prioritized for corrective action. Each question outlined in the audit is addressed in this Best Practices Manual.

3.0 INSURANCE PROGRAM OVERVIEW

INSURANCE PROGRAM OVERVIEW

The exposure to financial loss faced by the Diocese because of property damage or legal liability situations in most cases is covered unless excluded within the insurance program which includes all entities affiliated with the Roman Catholic Bishop of Portland.

The single program approach for all entities results in substantial premium savings and also provides for uniform claims handling and risk control. There are certain exclusions, which are detailed elsewhere in this manual.

HOW THE PROGRAM WORKS

At the Diocesan level, the program includes substantial deductibles or self-insured retentions which are, in turn, significantly reduced or eliminated completely as respects the individual Diocesan entities. For example, the property insurance is subject to a \$250,000 per occurrence deductible at the Diocesan level, but for the entities its \$500.00. For example, if a church were to suffer a \$3,000 windstorm loss, it would be reimbursed in the amount of \$2,500, which would be paid for entirely out of Diocesan Insurance Program. On the other hand, if a church were to suffer a \$500,000 fire loss, they would be reimbursed in the amount of \$499,500, of which \$250,000 would be paid by the excess insurance carrier and the balance of \$249,500 would be paid by the Diocese. The same approach, in varying degrees, applies to other exposures to financial loss, including third-party liability situations and workers' compensation insurance.

Obviously, this approach results in premium reductions. It also calls for an increased awareness of conditions that may lead to loss and for the prompt correction of unsafe or hazardous conditions. Entirely aside from financial considerations, there is an obligation to take reasonable and necessary steps to provide a safe environment for people and property.

From time to time, the Director of Risk Management and the insurance companies providing protection will make reasonable recommendations for the avoidance of loss, and it is

anticipated that these recommendations will be followed. You will also be provided with the details and final disposition of losses and claims that have occurred at the various entities and these reports will sometimes include recommendations for the avoidance of future occurrences.

Arthur J. Gallagher Risk Management Services, Inc. is the insurance broker for the Diocese

Arthur J. Gallagher Risk Management Services, Inc. Contact Information

**Arthur J. Gallagher Risk Management Service, Inc.
2 Westchester Park Drive
White Plains, NY 10604-3408
1/800-292-6656**

General Insurance Information

Nicole Anstett	800-292-6656	General Information
Nicole_Anstett@ajg.com		General Information, Certificates of Insurance & Special Events

Workers' Compensation – Effective 7/1/2009 MEMIC – Maine Employers Mutual Ins.

John Cavallaro	207-321-7857	Diocese contact
MEMIC.com		Claims reporting - 800-636-4292 or MEMIC.COM

All other Claims Contacts:

John Cavallaro	207-321-7857	General Liability, Property & Auto
	Fax 321-7858	John.Cavallaro@portlanddiocese.org

Risk Services

John Cavallaro	207-321-7857	General Information
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WHAT THE PROGRAM COVERS

The coverage afforded by the Diocese's self insurance program can be broken down into three broad categories: It covers damage to or destruction of Diocesan property, injuries to people or damage to property for which the Diocese is legally liable, and finally it covers work-related injuries to people employed by the Diocese.

Property Coverage

All property owned by the Diocese and its entities is covered under a broad program providing coverage for all risks of direct physical loss with certain exclusions. Among the basic exclusions is normal wear and tear, deferred maintenance, war, and nuclear fission.

The term "property" includes buildings, their contents and equipment, fine arts, and stained glass. In most cases coverage is provided on a full replacement-cost basis, which means once damaged or destroyed property is replaced no depreciation will be applied. We have agreed with prior approval to insure some structures at Actual Cash value or Demolition.

All new acquisitions, new construction or additions to existing buildings are covered automatically up to \$5,000,000, as of the date of acquisition or start of construction. If construction is involved, the coverage extends to materials on the job site. While coverage is automatic, it is necessary to notify the plan administrator within 60 days so that underwriters can be put on notice. If the acquisition or new construction exceeds \$500,000 in value, the plan administrator should be contacted in advance.

Property damage also extends to motor vehicles owned by the Diocese or its entities. Both collision and comprehensive coverage is included in the program and each form of coverage is subject to a \$500 deductible clause. Personally owned vehicles are not included.

Liability Coverage

The Diocese and its entities face exposure to financial loss because of negligent acts or omissions, which result in personal injury to members of the general public, or damage to their property. The liability coverage afforded to the Diocese to mitigate this exposure can be broken down into three general categories; general, automobile and miscellaneous.

- **General Liability**

General Liability is normally associated with exposures inherent in the maintenance of properties and the performance of functions associated with diocesan activities that can lead to some form of personal injury. A slip and fall accident on icy church steps is an example of a personal injury situation. The medical payment provision can allow up to \$500.00 for injuries suffered on property owned by the Diocese or its entities are included and works like no fault type basics.

- **Automobile Liability**

Automobile Liability results from damage to persons or property caused by vehicles owned by the Diocese and causes damage or injury to a third party. Medical payments are also included for occupants of private passenger vehicles up to a limit of \$5,000, irrespective of liability. Coverage may also provide, subject to eligibility requirements, automobile liability on an excess basis only for employees and volunteers that may use their personal automobile for Diocesan business. In other words, the Diocesan's automobile insurance coverage will pay for losses over the limits of the employees/volunteers policies' using their own vehicles only if they meet the following requirements

In order for this coverage to apply, **all of the following requirements must be met:**

- Driver must be age 21 or older.
- There must be a personal auto policy in place providing at a minimum Liability limits of \$100,000/ \$300,000 split limits.

This is liability coverage only and does not provide physical damage coverage to Diocese vehicles, we are self-insured for physical damage.

- **Miscellaneous Liability**

This embraces a number of areas such as directors' and officers' liability, school board errors and omissions, and professional liability.

Liability Exclusions

While the liability program afforded the Diocese is extremely broad in scope, there are certain exclusions. Any liability associated with the use of **trampolines or aircraft** is excluded, as is any responsibility for pollution or the presence or removal of asbestos.

Obviously, this brief overview can't cover every situation, so if there is any doubt regarding possible exclusions; it is recommended that the Director of Risk Management be contacted.

Workers' Compensation

As of July 2009 the Workers' Compensation program is now handled by (MEMIC) Maine Employers Mutual Company for work-related injuries to employees of the Diocese and its entities. Benefits are provided in accordance with the statutory laws of the State of Maine.

HOW TO REPORT A LOSS

All workers' compensation losses should be reported as promptly as possible through MEMIC's electronic claims reporting system or faxing; MEMIC.com – Reporting of injury. You will need our policy number which I can provide by emailing me. Fax 1-800-636-4292. If you should have any questions whether a claim may be work related contact John Cavallaro, Director of Risk Management **(207)-321-7857**.

Any work related injury that results in lost time for the injured worker must be reported immediately to avoid any potential penalties from the Worker's Compensation board. We encourage you to call in the event you are unsure as to whether or not to report a loss or, for that matter, need any help with the reporting process.

If the loss you are reporting involves property loss, liability or auto accidents, please refer to the documented topic for helpful information. We have also enclosed a sample of the required Accord forms that can be down loaded from the Diocese website on the Risk Management page and found at the bottom.

Property Damage

1. Take immediate action to secure the area to prevent further damage to the property involved if it's safe to do so.
2. Complete the "Property Accord Form" located on the Risk Management web-page under forms, and fax or email to John Cavallaro at central fax #773-0182 or directly at 321-7858. Please provide as much information as possible. See attached.
3. Obtain two (2) repair estimates for purposes of comparison in a timely manner and forward them to John Cavallaro. We ask that you do not undertake any repair unless emergency in nature to protect the structure from additional damages until you have discussed the loss with John Cavallaro, since, in some cases, it may require an inspection of the damage. Without this approval, we cannot accept responsibility for payment of damage.

General Liability

1. Obtain as much information as possible. Include personal information of the injured party, name, address, phone number, any witness or anyone who has knowledge of the incident, time, date, location and a description of what happened. (See attached Accord form for information needed).
2. If the cause appears to have been from a defective condition, please have someone from your location inspect the area. If a defect does exist, take reasonable steps to secure the area from further harm to the public. Do not take any steps to correct it.
3. Do not make any voluntary statements assuming any responsibility for the situation.

4. If the loss involves serious injury, please contact John Cavallaro as quickly as possible.

Auto

1. If you are involved in an accident, please refer to your insurance ID card for steps to take.
2. Notify the police. It's better to notify them than to assume it's not a reportable accident when, in fact, it was.
3. Obtain the names of any witness who volunteers information.
4. Please do not make any statements assuming responsibility.
5. If the vehicle can not be driven, ask that it be towed to the closest reputable repair facility. Please get the information of the location. If the vehicle can be driven, we ask that you obtain two estimates in a timely manner.

The accident should be reported as soon as possible to John Cavallaro with the following Information;

- Date, time and location of the accident.
 - Name of the insured drivers involved, address, phone number, social security #.
 - Any injuries, names.
 - Police Department contacted.
 - Name of the other party and insurance information.
6. If a rental vehicle is needed, please contact John Cavallaro.

Workers' Compensation

Workers' compensation claims should be electronically reported on MEMIC's web site as noted above. By law, there are certain time limits for reporting work-related injuries to avoid fines, and penalties so we ask that you take appropriate action as soon as you become aware of a work-related injury or illness.

Miscellaneous

If you have any doubt whatsoever as to whether or not to report a claim or a situation that may possibly result in a claim, please call John Cavallaro for guidance. As a general rule, it is better to report an incident and have nothing develop than it is not to report it and then have a serious situation emerge. In the event you receive notice of suit papers, please call John Cavallaro immediately and advice, *David Twomey* at the Chancery. We will request that you fax or email the documentation or, in the event of extreme urgency, we will have you send them to appropriate legal counsel.

Any Loss or Claim Should Be Thoroughly Investigated

Besides the need for information necessary to process the claim, every injury, accident, property loss, theft, etc. should be investigated to determine what corrective action is needed to prevent the incident from occurring again in the future. There is **always** some way of at least reducing the odds of a reoccurrence and every effort should be made to identify the most effective corrective action. John Cavallaro should be contacted if you have any question regarding prevention strategies.

HOW CLAIMS ARE ADJUSTED AND PAID

John Cavallaro will provide the claim processing service for all Diocesan claims and, depending on the nature and extent of loss, may also involve insurance company adjusters. Most small property losses and automobile physical damage claims can be settled on the basis of the estimate you secure without further inspection.

On the other hand, claims involving personal injury are obviously more complex and generally will involve medical practitioners and possibly legal assistance. Our goal is to settle all Diocesan claims as expeditiously and fairly as possible.

For first-party claims involving damage to Diocesan property or automobile, payment will generally be made directly to you, minus the appropriate deductible which, in most cases, will be \$500. Third-party payments will be made directly to the injured person or persons involved. Workers' compensation indemnity checks are mailed to the injured employee. Payments for medical treatment for work-related injuries are sent directly to the health practitioner.

CERTIFICATES OF INSURANCE

Certificates of Insurance are legal evidence that insurance coverage is in force as described on the certificate. The practice of obtaining certificates from third parties planning on using Diocese property can help protect the Diocese in situations that should properly be directed against the third party.

A Certificate of Insurance should be obtained under the following circumstances, and the Roman Catholic Bishop of Portland, a Corporation Sole along with parish should be listed as certificate holder or additional insured, and a copy retained at the parish.

1. Leased or borrowed vehicles. The vehicle owner needs to provide a certificate of automobile liability insurance with minimum limits of \$100,000/ \$300,000.
2. All contractors who are planning on performing work on church property need to provide a certificate of general liability, auto coverage and workers' compensation insurance with minimum limit of \$2,000,000 limit under general liability and proof of workers' compensation. If the work entails bringing contractor vehicles onto church property, the certificate should also provide proof of automobile liability insurance with a limit of \$1,000,000. Please refer to the appendix for Form 01002 Insurance Requirements for Contractors. Certificates are required before work can begin.

4.0 ALLOWING OTHERS TO USE PARISH/ DIOCESAN OWNED FACILITIES

A great deal of common sense should be used when considering a request by an organization or group to use all or part of the facility. Historically, the Diocese has experienced problems with several structural fires being caused by unsafe practices of a group using the facility. You should consider discussing some of the following items with the interested party prior to the event.

Risk Management Questions to Ask

- No open flames (candles, torches, other decorative effects, etc.) should be allowed at any time by outside groups or organizations
- Is food being cooked / warmed? If so, how? The use of solid fuel burners (Sterno) is to be discouraged unless used by an insured caterer. If the kitchen's stove is being used, make sure someone will do a final check at the end of the event to assure gas/electricity is shut off.
- Are any electrical appliances or equipment going to be used which will draw excessive amounts of electricity? Electric space heaters, fans, amplifiers, carnival rides, etc. are just a few examples of equipment, which can over-tax the existing electrical wiring, creating the potential for fire, extension cords causing a tripping hazard.
- Are any particularly flammable decorations going to be used? Light receptacles should not be used to hang any sort of decorations.
 - Does the activity itself pose any serious hazards to the attendees? Carnival-like rides are the most common example.

Ideally, a responsible person should be assigned the job of touring the building and locking up after the event. In the case of a lease arrangement, some sort of owner inspection should be agreed upon and performed on a regular basis.

INSURANCE REQUIREMENTS

A Certificate of Insurance should be obtained and the certificate holder should be shown as Roman Catholic Bishop of Portland, a Corporation Sole, and 510 Ocean Ave. Portland, Maine 04103-4936.

Persons or organizations leasing or using the church for activities such as company meeting, special classes, etc. should provide a certificate for general liability insurance, including an indication that the church is named as an additional insured. A \$2,000,000 limit should be a minimum requirement. Please note that certificates are not required for church activities or from other entities (Catholic Charities, St. Joseph's Manor, etc.) affiliated with the Diocese.

The certificate should indicate proper coverages, limits, and name the insurance company, policy number and effective dates of coverage. The certificate should be examined and deemed satisfactory prior to entering into agreement with these parties. Any questions surrounding these certificates can be directed to Risk Management a copy of the certificate can be faxed or emailed for review.

When parish facilities are to be rented to a private party for a wedding reception, dance, social or other event, it is necessary that Special Events Coverage be utilized in order to protect both the Diocese and the sponsor of the event for general and host liquor liability.

The Diocesan Insurance Office has arranged a specific coverage program to meet these special needs, and has made it very simple to arrange coverage. The applications for this coverage can be found on the Risk Management webpage. It's to be completed and mailed to Arthur J. Gallagher Risk Management Services, Inc. at least 24 hours in advance of the event, together with a **parish check made payable to the Diocese of Portland** in the amount required for the specific event. If you have a question regarding what category or cost for the group event again visit the Risk Management webpage.

It is important that this procedure is followed in order to protect both the Diocese and the sponsor, and this is particularly true if liquor is being served at the event. If a request is made by a parish to use the parish or hall following a funeral service or baptismal at your facility there is no need to obtain the Special Events Coverage.

5.0 MOTOR VEHICLE USE

Exposures associated with the use of motor vehicles by employees / volunteers is a major liability exposure for the Catholic Diocese requiring some additional risk management control measures. Liabilities are not limited to Diocesan owned vehicles.

The Best Practices Manual defines a "driver" as any employee or volunteer operating any motor vehicle as part of their job or service on their behalf. Going to conferences, visiting or transporting clients/parishioners, going to the hardware store to pick up some paint, etc. are all typical examples of job related driving. Routine commuting to and from work is not considered job/service related.

Minimum Control Measures

- ***Any employee or volunteer operating a motor vehicle (Diocesan owned or privately owned) as part of their duties or service must be 21 years of age or older.***
- Assure any and all paid employees/volunteers operating their own vehicles as part of their activities have insurance coverage by obtaining a certificate of insurance with a minimum coverage amount of \$100,000 / \$300,000 (should be obtained before driving and performed annually).
- Assure employees and volunteers operating owned or non-owned vehicles have a valid driver's license (request a photocopy of the actual license).
- Assure employees and volunteers operating owned or non-owned vehicles have a good driving record. Motor vehicle record must be obtained before they can drive. Motor vehicle records can be obtained for \$5.00 (sample letter of request can be found in the appendix). The report will provide a list of citations over the past few years and will include specifics regarding the type and severity of the particular citation.

MVR's should be obtained at the point of hire and then on an annual basis.

Additional Best Practices

If you have employees who drive frequently as part of their duties or are frequently involved with transporting clients/parishioners, the following additional safeguards should be considered.

- All accidents involving Diocesan owned vehicles need to be reported to Risk Management so a timely investigation can be conducted and if any, corrective action is necessary.
- Written policies addressing the use of seat-belts, cell phone safety, unauthorized use of vehicles, minimum age, etc, should be reviewed with all employees and volunteers.

Policy Examples: General Driver Safety

- All driver employees must have a valid driver's license.
- Any accident, no matter how small, must be reported within 24 hours to Risk Management.
- Seatbelts must be worn at all times by the driver and all occupants in the motor vehicle.
- Cellular phones should only be used in the "hands free" mode or when the motor vehicle is parked.
- No unauthorized passengers are allowed in Diocesan-owned vehicles.
- Diocesan-owned vehicles should not be utilized for personal use.
- No firearms should be transported/stored in Diocesan-owned motor vehicles.
- No firearms should be transported / stored in non-owned motor vehicles during "duty hours."
- All drivers operating their own personal vehicle must have proof of insurance with adequate insurance limits (*see page 3-5 for details*)
- All driver employees must have an "acceptable" driving record. Driving privileges **can be restricted** and/or revoked at the discretion of the employee's supervisor or Diocesan management for the following reasons:

- Being cited for reckless driving, operating under the influence, or anything more serious than a simple traffic citation.
- Violating any of the standard policies outlined above.
- Three or more traffic violations in any 12 month period.
- We do not allow the use (rental or borrowed) of 12-14 passenger Van's

At the supervisor's or Diocesan discretion, disciplinary action can be:

- Termination of employment (all non-voluntary terminations must be discussed with the Director of Human Resources)
- Permanent suspension of driving privileges.
- Temporary suspension of driving privileges.
- Retraining (defensive driving class).
- Written warning.
- Verbal warning.

Policy Examples: Driver Selection

- The Diocese has established 21 as the minimum age for employees/volunteers operating a motor vehicle as part of the relationship.
- Possess a valid driver's license (provide photocopy of license at time of hire).
- Have an acceptable driving record. All job candidates will be subject to a review of their motor vehicle registration records to ascertain driving history.

6.0 VOLUNTEERS

There are a variety of risk management exposures associated with working with volunteers. Exercising diligence and great care in "screening", training and supervising volunteers is important to everyone involved. With the top three liability issues being negligence, defamation of character and sexual abuse, the need for firm, consistent supervisory strategies is acute.

BEST PRACTICES POLICIES

Diocese requires that some form of **orientation** be held with each volunteer when the service commitment begins to review policies and specific expectations. This training/orientation should be **documented** with the volunteer signing an Acknowledgment. Although development of a "volunteer handbook" is suggested, a simple orientation checklist is adequate. Any changes of Diocesan policy and/or procedures should be reviewed with each volunteer and documented as well. Below are some talking points involving volunteers;

- Safety should always be the focus – Are they physically capable of doing what's being asked of them.
- Orientation: It should be done before a volunteers performs any type of service this is good pro-active policy. Give them the guidance and resource they need.
- If the activity involves a group there should always be someone assigned to oversee the activity.
- If it involves going into someone's home there should be a pre-inspection done – who's going to be there – hazards / dogs / etc.
- If using their own vehicle they need to be aware of the vehicle use requirement which is covered in this manual
- Ladder safety / lifting objects / winter time stairs safe / carrying packages use hand-rails

First Aid Kits – CPR mask / AED - defibrillator if your facility has one. The OSHA website at www.osha.gov or the websites of the American College of Occupational and Environmental Medicine at www.acoem.org, the American Heart Association at www.americanheart.org, the American Red Cross at www.redcross.org, Federal Occupational Health at www.foh.dhhs.gov, and the National Center for Early Defibrillation at www.early-defib.org can provide additional information about AED program development.

Below are basic items a first aid kit should contain;

- Adhesive tape
- Elastic wrap bandages
- Bandage strips and "butterfly" bandages in assorted sizes
- Nonstick sterile bandages and roller gauze in assorted sizes
- Triangular bandage
- Finger split
- Instant cold packs
- Cotton balls and cotton-tipped swabs
- Disposable nonlatex examination gloves, several pairs

- Duct tape
- Plastic bags, assorted sizes
- Scissors and tweezers
- Antibiotic ointment
- Antiseptic solution and towelettes
- Eyewash solution
- Breathing barrier / CPR mask
- First-aid manual

Use of Motor Vehicles

All volunteers operating a motor vehicle as part of their service must fill out the "Volunteer Driver Information Form" (included in the appendix) and satisfy all insurance requirements. Volunteers who perform driving tasks on a monthly (or greater) frequency should also be subject to a motor vehicle registration record review.

- All driver volunteers must fill out the "Volunteer Driver Information Form" before their time of service. The form includes such things as insurance coverages in place and past driving experience.
- Driving Record Check - While involvement of the community through the use of volunteers is an integral part of the Catholic Church, the Diocese must also assure that its Parishioners not be put at risk by the unsafe operation of a motor vehicle. The Catholic Diocese therefore requires that all regular volunteers and paid employees who operate a motor vehicle as part of their assigned "activities" have a good driving record.
- Volunteers operating their own motor vehicle to transport client and parishioners should have automobile insurance and valid inspection sticker (see page 3-5 for details). While law requires having some level of insurance, a copy of the auto insurance identification card should be obtained and kept on file.
- A copy of the volunteer's valid drivers license should be kept on file

Background Checks - It is required that background checks be performed on all volunteers working in the following capacities:

- With the elderly / venerable adults
- With children
- With youth
- With persons w/disabilities
- Dealing with fund raising and/or finance issues
- Having access to sensitive or confidential information

7.0 INAPPROPRIATE BEHAVIOR

The key to dealing with inappropriate behavior is developing standards and communicating them clearly at the time of orientation (and then annually). Although there is an obvious expectation that volunteers' behavior will reflect the values and beliefs of the Catholic faith, zero tolerance policies with regards to the use of drugs/alcohol, foul language, sexual harassment, aggressive or violent behavior, breaking motor vehicle laws, etc. will require the volunteer's supervisor to intervene in an appropriate fashion and report the incident to a member of the pastoral staff.

Action taken by the supervisor should be documented and treated as confidential.

Child Abuse

All volunteers should report any suspected abuse or neglect of children to the pastoral staff. State of Maine Law requires that CLERGY report suspected abuse or neglect of children except for information received during confidential communications (confession). Pertinent information should be reported to the State of Maine Department of Human Services (DHS).

8. CONTRACTORS & INDEPENDENT CONTRACTORS

Service, Maintenance, Construction

For any organization, regardless of industry or size, having an effective method of "controlling" contractors and independent contractors is a critical component of the risk management program. Besides the threat of OSHA holding the owner responsible for the actions of contractors, there is also potential of civil lawsuits associated with these situations.

For the sake of this discussion, they include any outside services such as mechanical, electrical, snow removal, landscaping, waste removal, roofing, etc. Remember that anyone being paid to

perform services on the premises is a contractor/ independent contractor regardless of the size of the company or nature of business.

Many organizations assume that they are transferring all of the liability if there is some sort of contract with an indemnification agreement. However, this is not always the case and while having an effective contract is extremely important, there are a number of other controls, which should be considered.

Minimum Control Required:

Diocesan policy requires that all capital items in excess of \$2,500.00 (whether expended or donated) must be approved by Jimmy Somma Director of Property Management. Furthermore, the Diocesan requires that certificates of insurance be obtained from contractors prior to signing contracts and starting the work. Copies of the certificates must be sent to Risk Management. Certificates of Insurance are legal evidence that insurance coverage is in force as described on the certificate. The Diocese of Portland also has minimum requirements with regards to the coverages involved. Please refer to Form 01002 (following page) for details. Important Note: If applicable, OSHA requires that the owner brief the contractor on their hazard communication, machine lockout and confined spaces programs.

Best Practices Suggestions (for dealing with outside contractors):

- Create an "approved contractor" list.
- Establish basic criteria for being approved (see below).
- Schedule annual review procedure for maintaining approval list.
- Develop a bid/application packet for contractors wanting to become approved.
- Issue written "letters of concern" when contractor is not meeting standard.
- Terminate contracts when appropriate for lack of meeting standard.
- Maintain all documentation on file for future use or possible claims.

Below is a copy of L.D. 1314 definition of "Independent Contractor" used by Department of Labor and Workers Compensation Board;

COMP SUMMIT 2012

Independent Contractor Status - L.D. 1314

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On January 1, 2013, L.D. 1314 will create a new, uniform definition of "independent contractor" to be used by both the Department of Labor and the Workers' Compensation Board. If an individual is performing services for remuneration it creates a rebuttable presumption that he/she is employee. This places the burden of proving an individual is an independent contractor on the employing entity.

FIRST FIVE REQUIREMENTS FOR I/C STATUS - Failure to meet any one of the five tests in 39-A M.R.S. A § 102 (13-A)(A) will result in a determination that an individual is an employee.

1. Essential right to control the means and progress of the work, except as to final results;
2. Customarily engaged in an independently established trade, occupation, profession or business;
3. Opportunity for profit and loss as a result of the services being performed;
4. Hires and pays the person's assistants, to the extent such assistants are employees, supervises the details work;
5. Makes his or her services available to some client or customer even if right to do so is voluntarily not exercised or is temporarily restricted.

ADDITIONAL REQUIREMENTS TO ESTABLISH I/C STATUS - The employing unit must also establish that **at least three** of seven additional criteria are met if an individual is to be considered an independent contractor.

1. The person has a substantive investment in the facilities, tools, instruments, materials and knowledge used by the person to complete the work;
2. Not required to work exclusively for other individual or entity;
3. Responsible for satisfactory completion or failure to complete the work;
4. Contract defines relationship and gives contractual rights if the contract is terminated prior to completion of the work;
5. Payment based on work performed and not solely on the amount of time expended;
6. Work outside the usual course of business for which the service is performed;
7. The person has been determined to be an independent contractor by the federal Internal Revenue Service.

9.0 LIFE SAFETY CODE INTRODUCTION

Being able to evacuate a building in a safe manner is the primary focus of the National Fire Protection Association's Life Safety CODE 101. The code is extremely comprehensive and addresses occupancies ranging from nursing homes to warehouses.

The code outlines the type and number of exits required based on the occupancy, size and level of sprinkler protection.

CRITICAL POINTS

The code is particularly sensitive to situations where a group of people are gathered in one room where the occupants are sleeping or incapable of leaving the building without some level of assistance. Examples include: Churches, rectory halls, nursing homes, schools, etc. These situations require extra care and attention to assure emergency egress will go smoothly.

- Think twice when remodeling or simply opening up rooms to fit more people. There may not be enough exits to get everyone out.
- Minimize the use of combustible decorations on special occasions. Increasing the fire hazard when the most people will be in the church, hall, cafeteria, or gymnasium could lead to disaster.
- Putting locking mechanisms, (deadbolts, cross bars, padlocks, etc.) is not allowed on designated emergency exits!

It is extremely difficult to provide blanket standards regarding the specific number of exits required as each building layout is going to be different. Generally speaking, you should have two exits out of most areas; large gathering places in the Diocese should have three or more (or as many as possible). This number can go up or down based on the size of the doors and where they lead. If you are planning a new building or remodeling, every attempt should be made to obtain approval before construction begins. The Diocesan Insurance Office strongly recommends that these projects be reviewed by the local or state fire marshal for life safety.

10.0 THEFT / BURGLARY PREVENTION

The loss of personal and diocesan property from theft/burglary is an exposure and a concern from a risk management standpoint. Although the state of Maine enjoys relatively low crime rates, some simple preventative measures should be considered for all locations.

INVENTORIES

- A complete inventory of contents should be developed and updated periodically. Using a descriptive lists, digital photographs, video, etc. a comprehensive inventory can be extremely helpful when the need to determine values on an extensive loss.
- Maintaining an electronic file of the inventory is highly recommended.

PHYSICAL SECURITY

- Entranceways should be locked unless opened under the supervision of a parish/diocese representative.
- Assure there is adequate lighting in walkways and parking lots.
- Make sure high value items are stored in a locked room or cabinet.
- Remind Parishioners not to leave personal items unattended.
- Burglar alarm systems should be installed whenever and wherever possible.
- Doors to all buildings should be locked after normal operating hours

11.0 CANDLES & REAL CHRISTMAS TREE'S

The presence of any open flame is a concern from a fire protection standpoint and candles are no exception. Candles have caused many church fires over the years and **their use is not allowed.**

Exceptions Include: Sanctuary Light / Alter Candles - During Mass Only

State Fire Marshalls current policy relating Christmas trees;

The following policy has been developed for the use of Christmas Trees in public buildings. Some communities throughout Maine have regulations that may be more stringent than this policy. In these municipalities the Fire Chief or Code Enforcement Official will set the standards for the use of natural greens and trees. In communities that have no local standards, the display of greens or trees in occupancies such as mercantile, assembly, education, and business or like facilities must be done in one of four ways:

- * A living tree, with its roots protected by a ball of earth and wrapped in burlap or similar material placed in a sturdy container and watered daily.
- * An artificial tree, labeled or certified by the manufacturer as flame retardant or flame resistive.
- * A natural cut tree located in an area protected by an approved automatic sprinkler system.
- * A natural cut tree, sprayed or dipped by a commercial applicator using a tested and listed fire retardant formula.

Local officials should familiarize themselves with the authorized commercial applicators in their respective geographic areas.

Each treated tree shall have a certificate attached, stating the name of the formula, name of the applicator, and date of treatment. Treated trees must be watered on a daily basis. **Natural living, balled or cut trees and greens, treated or untreated, will continue to be banned in patient care facilities.**

12.0 SAFETY PROGRAM REQUIREMENTS & POLICIES

OSHA 300 RECORDKEEPING

The Occupational Health & Safety Act requires all employers in the private sector to maintain a log of injuries and illness which occur in the workplace. The OSHA 300 Log must be kept up-to-date within seven (7) days. Additionally the OSHA 300a summary for the previous year must be posted in a conspicuous location from February 1st through April 30th of each year. OSHA 300 forms are maintained by the Risk Management Department of the Diocese.

By January 20th of each year, the Risk Management Department will forward, to each location that had any OSHA 300 reportable injuries, the OSHA 300a for posting. These summaries must be kept for 5 years. For more information about this form and reporting requirements, please visit www.OSHA.gov. Or contact Risk Management.

HAZARD COMMUNICATION

OSHA 1910.1200 Hazard Communication Standard addresses employee exposure to chemicals in the workplace. **All Diocesan entities are subject to this standard.**

Examples include:

- Paints, stains, etc.
- Boiler cleaning chemicals
- Custodial chemicals
- Welding gases
- Construction materials (roofing tar, adhesives, solvents, etc.)

Commonly referred to as the "chemical right to know law" or HAZCOM, OSHA requires employers to train employees with regards to the characteristics of the chemicals present in their workplace and what protective equipment or precautions are required. The employer is also required to have Material Safety Data Sheets or if you have a smart phone device you can install the (SDS App) for immediate search for any product in case of an emergency. Steps towards compliance include:

Step 1 Survey the facility and make a list of all the chemicals used. Your list should include things such cleaning materials, paints, and heating fuel. Important: you only need to list chemicals that are used in non-residential quantities or simply wouldn't be used in the home. Example: purchasing one can of drain cleaner and

storing it under sink versus a plumber purchasing 5 cases of the same drain cleaner and using it on a daily basis. One can of insect repellent, one container of whiteout do not need to be included.

- Step 2** Request Safety Data Sheets (SDS's) from all vendors/suppliers. They must provide them by law and will most likely be very familiar with what they are. Keep on file or three ring binder.
- Step 3** Review (SDS's) and determine what, if any, additional personal protective equipment is needed.
- Step 4** Develop written program (example in appendix).
- Step 5** Provide training, develop your own or purchase a pre-packaged program (thousands are available!). Keep documentation that training was provided.
- Step 6** Smart phone users can download the SDA app that allows quick look up and reference to identify products and what they contain for first aid care

THE PROVISION OF FIRST AID

The increase in bloodborne diseases over the past decade has made the topic of first aid extremely important. While we have all been taught to go to the aid of an injured person, providing first aid without adequate training and the appropriate equipment can be extremely dangerous.

Providing First Aid to employee's

OSHA requires that an employer have an adequately trained (first aid trained) employee on site unless there is an infirmary, clinic or hospital in near proximity (within 5-7 Minutes). If an employee (s) receives training and is expected by the employer to respond they must be provided with the appropriate equipment and receive training in bloodborne pathogen control.

While employers in close proximity to a healthcare facility have the option of providing in-house first aid or simply sending the injured employee out, employers in remote/rural areas need to consider how they will provide some sort of first aid. The steady rise in the incidence of HIV and Hepatitis B makes this decision extremely important.

The Catholic Diocese strongly suggests that an adequate number of employees be fully trained and equipped at each location to assure medical emergencies are handled in a safe, effective manner.

Providing First Aid to Non-Employees

The Catholic Diocese provides a wide variety of services to communities where a Diocesan employee or volunteer is coordinating, leading, coaching, or teaching parishioners of various ages and physical capabilities. The provision of first aid to non-employees creates some distinct problems, as the majority of these situations do not involve a licensed health care provider. Program leaders, bus drivers, schoolteachers, etc. are not licensed and as such should not be providing medical care under any situation. Where an employer has a duty to provide trained first aiders on site, providing medical care to others is an entirely different matter.

It is the policy of the Catholic Diocese that any situation involving anyone other than an employee and requiring more than self administered first aid (putting on your own band aid) will be handled by a licensed health care provider; i.e. 911 type emergency services

There are several situations that necessitate a special discussion:

- Schoolteachers will most likely respond to an injured child and be exposed to some type of body fluid. All teachers should be adequately trained and equipped to deal with body fluids, cleaning up spills in particular.
- Any licensed healthcare professional performing home visits, even if not for the express purpose of providing direct care, are required to respond to a medical emergency and should be adequately trained and equipped.
- Simple first aid kits can still be carried on field trips. However, they should be used with the clear understanding that they are only for the self-administration of first aid. The kit should contain a CPR mask.

BLOODBORNE PATHOGEN

The purpose of this is to reduce the risk of infection with hepatitis B virus (HBV), Human Immunodeficiency Virus (HIV), and other blood borne pathogens. It describes measures to be taken following an occupational exposure incident involving blood and other potentially infectious materials, and it outlines work practices and precautions to be taken by all.

Bodily Fluid Response Practices at a Glance to Possibly Prevent Infection from Blood Borne Pathogen

If you should find yourself in a situation where you are responding to an emergency that may require you to perform CPR, give mouth-to-mouth resuscitation, administer first aid, or clean up after an accident, protective measures need to be taken to prevent an exposure to infectious materials.

- Treat all blood and body fluid spills as if they were infectious.
- When providing first aid or CPR, protect yourself first, and then treat the victim second.
- Wear appropriate personal protective equipment: gloves, goggles, etc.
- When performing CPR, always use a pocket mask equipped to prevent contact with potentially infectious fluids.
- Contain spills immediately, if possible use an absorbent clean up and disinfect the area.
- Clean up contaminated broken glass with brush and dust pan. Never use your hands, even if protected with gloves.
- When removing contaminated clothing, carefully turn inside out as it is removed to contain contaminants. Dispose in appropriately labeled bags or containers.
- After removing personal protective equipment, wash hands or other affected body parts with soap and warm water. Vigorously scrub all areas to remove all potentially infectious contamination.
- Place all potentially infectious materials and contaminated items in a RED biohazard waste bag or clear bag if deemed non-infectious. The bags must be color coded (usually red) and/or marked with a biohazard label. Check with your supervisor or Risk Management Department for proper procedures.

WHAT TO DO IF YOU ARE EXPOSED

Despite your best efforts, there is a possibility you may be exposed to blood or body fluids. An exposure incident is defined as a specific eye, mouth, nose or skin contact with potentially infectious materials. All reports will be treated with strictest confidence.

- Flush the area on your body that was exposed with warm water, then wash with soap and water. Vigorously scrub all areas. It is the abrasive action of scrubbing that removes contaminants from the skin.
- If you have an open wound, squeeze gently to make it bleed, then wash with soap and water.
- Notify your supervisor who will initiate WPI's Exposure Incident procedures from the Exposure Control Plan.
- Seek emergency medical treatment following an exposure incident.

Immediately notify supervisor to allow them to report the incident to Risk Management

ASBESTOS MANAGEMENT – SCHOOLS / FACILITIES

The Diocesan Director of Property Management should be contacted at the Chancery with any specific questions or when any work is being contemplated regarding asbestos (suspect or otherwise) at your facility. The Diocesan Director of Property Management is the Designated Person as called for by State of Maine and federal law.

AHERA Management Plan and Asbestos Guidelines for Schools

AHERA was enacted in 1986. The purpose of AHERA, through the implementation of a management system referred to as the Management Plan, is to safely manage asbestos containing materials found in schools. A Management Plan book has been implemented for all Roman Catholic Diocese of Portland schools that have asbestos containing materials. The Management Plan book is intended to be a working tool and repository for:

- ◆ **Notifications** – Annual notices to workers, building occupants, parents and legal guardians of the availability of the management plan regarding asbestos identified in its school.
- ◆ Schools that **do not have** asbestos must also give notifications on an annual base, stating that there is no asbestos in their school.

- ◆ **Training Records** – Asbestos awareness training is provided to school staff and short-term workers who may come into contact with asbestos containing materials and they are provided with information regarding its location.

- ◆ **Subcontractor’s sign-in** – All contractors, sub-contractors, individuals or organizations must sign in.
 1. Description of work to be performed.
 2. Building spaces that will be worked on.
 3. The building spaces that are involved will be located in the Management Plan and reviewed with the Designated Person of the Diocese in order to identify any asbestos hazards.
 4. If work involves renovation / remodeling, then the Designated Person must be notified prior to the start of work.
 - ◆ A meeting with the contractor will be held prior to any renovation projects to avoid any potential impact to asbestos containing materials.
 - ◆ The Designated Person will check the management plan for information about the presence of asbestos containing materials where work is to be performed.
 - ◆ An impacted survey will be requested to verify that the building materials do or do not contain asbestos.
 5. A Maine State Certified Asbestos Inspector will do a pre-renovation impact survey. If asbestos is detected, it will be properly removed according to AHERA regulations by an abatement firm licensed with the State of Maine Department of Environmental Protection.

- ◆ **6-Month Periodic Surveillance & 3-Year Re-Inspections** – An accredited inspector will do these inspections according to AHERA regulations. The Designated Person will accompany the inspector and they will review the Management Plan and inspection results with the school principal.

- ◆ **Abatement Records** – All abatement records will be kept in the Management Plan book and a copy of abatement records will be forwarded to the Designated Person to be kept on file. Abatement records will include the following information:
 1. Certificate of Insurance
 2. Notification of Demolition & Renovation
 3. Design Plan
 4. Abatement Company / Person’s Qualification
 - ◆ License
 - ◆ Certification
 - ◆ Annual Respirator Training and Fit Test Record
 - ◆ Asbestos Supervisor Certification
 5. Abatement Company / Person’s Notes & Information
 - ◆ Daily Job Report
 6. Hygienist’s Qualifications
 - ◆ Certification
 - ◆ Licenses
 7. Hygienist’s Notes & Air Monitoring Results
 8. Clearance Information
 9. Waste Shipment Records
 - ◆ Storage of asbestos.
 - ◆ Transportation of asbestos.
 - ◆ Destination (licensed waste site) of asbestos.

- ◆ **Diagrams** – As the 6-month periodic inspections and the 3-year re-inspections are conducted, diagrams will be updated and inserted in the Management Plan book. Diagrams will also be incorporated for any additional areas or expansions for school use.

ASBESTOS Guidelines for NON-School Facilities

Asbestos is a naturally occurring mineral, very strong and heat resistant, which was made into nearly three thousand products ranging from pipe insulation to cement wallboard. Asbestos has been **PROVEN** repeatedly to cause cancer and needs to be treated with respect and handled by professionals under controlled conditions.

The Diocese policy requires that wherever and whenever possible, all buildings and other facilities in the Diocese must be environmentally safe and in compliance with current Federal and State regulations. Liability and health literature both stress the importance of maintaining asbestos containing materials (ACM) in good condition. Some materials in good condition, like flooring and siding, can be left alone until they will be impacted by renovation or demolition activities. The Diocese no longer allows encapsulation of asbestos and requires removal of the asbestos when it shows any sign of deterioration or when any asbestos containing materials are to be impacted by any renovation or demolition.

In Maine, improper demolition activities may be the greatest single source of asbestos exposure to trades people, the general public, and the environment. Demolition activities, whether complete or partial, of any building require proper notification, inspection, and removal.

Notification – The Designated Person of the Diocese (Director of Property Management) needs to be notified before any renovation, demolition or removal of any suspected asbestos materials.

Inspection - A Maine State Certified Asbestos Inspector and Designated Person will do a pre-renovation impact survey.

Asbestos Removal - If asbestos is detected, an abatement firm, licensed and insured with the State of Maine Department of Environmental Protection, will properly remove it. A copy of abatement records will be forwarded to the Director of Property Management to be kept on file. These records will include the following information:

- Certificate of Insurance; type and amount
- Notification of Demolition & Renovation
- Design Plan

10. Abatement Company / Person's Qualification

- ◆ License
- ◆ Certification
- ◆ Annual Respirator Training and Fit Test Record
- ◆ Asbestos Supervisor Certification

11. Abatement Company / Person's Notes & Information

- ◆ Daily Job Report

12. Hygienist's Qualifications

- ◆ Certification
- ◆ Licenses

13. Hygienist's Notes & Air monitoring

14. Visual & Clearance Report

15. Waste Shipment Records

- ◆ Storage of Asbestos.
- ◆ Transportation the asbestos.

- ◆ Destination (waste site) of asbestos.

LEAD PAINT – Renovation, Repairs, and Painting – State of Maine effective 6/2/2008

EPA final rule under section 402(c)(3) of the Toxic Substances Control Act (TSCA) relating to lead-based paint hazards created by renovation, repair, and painting activities that disturb lead-based paint in target housing and child-occupied facilities. "Target housing" is defined in section 401 as any housing constructed before 1978, except housing for the elderly or persons with disabilities (unless any child under age 6 resides or is expected to reside in such housing) or any bedroom dwelling. Under this rule, a child-occupied facility is a building, or a portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may be located in public or commercial buildings or in target housing. This rule establishes requirements for training renovators, other renovation workers, and dust sampling technicians; for certifying renovators, dust sampling technicians, and renovation firms; for accrediting providers of renovation and dust sampling technician training; for renovation work practices; and for recordkeeping. Interested States, Territories, and Indian Tribes may apply for and receive authorization to administer and enforce all of the elements of these new renovation requirements.

Minor repair and maintenance activities are activities, including minor heating, ventilation or air conditioning work, electrical work, and plumbing, that disrupt 6 square feet or less of painted surface per room for interior activities or 20 square feet or less of painted surface for exterior activities where none of the work practices prohibited or restricted by §745.85(a) (3) are used and where the work does not involve window replacement or demolition of painted surface areas. When removing painted components, or portions of painted components, the entire surface area removed is the amount of painted surface disturbed. Jobs, other than emergency renovations, performed in the same room within the same 30 days must be considered the same job for the purpose of determining whether the job is a minor repair and maintenance activity.

Property Owners have the ultimate responsibility for the safety of your family, tenants, or children in your care. This means properly preparing for the renovation and keeping persons out of the work area. It also means ensuring the contractor uses lead-safe work practices. Federal law requires that contractors performing renovation, repair and painting projects that disturb painted surfaces in homes, child care facilities, and schools built before 1978 be certified and follow specific work practices to prevent lead contamination. Make sure your contractor is certified, and can explain clearly the details of the job and how the contractor will minimize lead hazards during the work. • You can verify that a contractor is certified by checking EPA's website at epa.gov/getleadsafe or by calling the National Lead Information Center at 1-800-424-LEAD (5323).

It's recommended that before undertaking any work where lead paint may be present that you contact with the Director of Property or Risk Management to discuss.

PORTABLE FIRE EXTINGUISHERS

The majority of the Diocesan facilities are equipped with the right type and the right number of fire extinguishers due to the involvement of the local fire department and/or the original design of the building included them.

Generally speaking, the most common type of fire extinguishers provided at Diocesan facilities is the all-purpose, ABC type. The letters stand for what types of fires they are designed for. A Class **A** fire is ordinary combustibles, a Class **B** being flammable liquids, and Class **C** effective on electrical fires. There is one additional type of fire, metal, that the ABC cannot effectively be used on. ABC type extinguishers are recommended; older type A fire extinguishers may still be provided in some facilities and are only used on paper, wood, cloth, etc. This type of extinguisher sprays water and should not be used on electrical fires. As these units come up for service they should be gradually replaced with ABC's.

- "ABC" Type extinguishers are suggested.
- Any special hazards such as flammable liquid storage, cooking areas, maintenance shops, etc. should also have a fire extinguisher provided nearby.
- Maximum distance to a fire extinguisher should be 75 ft. Any special hazards should have a fire extinguisher, as well (examples would be kitchen areas, maintenance rooms, boiler rooms, etc.).
- Each fire extinguisher should be unobstructed and should have a "fire extinguisher" indicator sign posted over the unit.

If you expect employees to use a fire extinguisher and fight a fire you must provide training at the point of hire and then on an annual basis. While some fire departments still provide this service, training videos are available to assist in this process. Due to the high level of risk involved, it is more desirable to evacuate than to stay and fight a fire unless human life is threatened.

- The Catholic Diocese strongly suggests that your policy be to evacuate safely and call the local fire department as opposed to remaining in the fire area and using a fire extinguisher.

Maintenance requirements for portable fire extinguishers include:

- Visual inspection is required on a monthly basis.
- Annual maintenance check must be completed and documented.
- Hydrostatic testing is required at intervals ranging from 5 to 12 years depending on the type of fire extinguisher. The vendor doing the annual maintenance should be able to determine proper test interval.

Call 911 or have someone else call and if the fire is small enough attempt the following:

How to use a standard fire extinguisher - PASS

*P*ull the pin

*A*im at the base of the fire

*S*queeze the top handle this releases the contents of the extinguisher

*S*weep from side to side until the fire is out.

If this attempt is not successful you need to leave the area and exit the building.

EXIT & EMERGENCY LIGHTING

The National Fire Protection Code, NFPA 101, Life Safety Code requires that emergency lighting be provided in **designated** stairs, aisles, corridors, ramps, escalators, and passageways leading to an exit.

- Designated emergency exits should never be locked to prevent occupants from opening the door from the inside. Deadbolts, crossbars, or any other locking mechanisms are not allowed on designated exit doors.

Emergency illumination should be provided for a period of 1.5 hours in the event of failure of normal lighting. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than an average of 1 foot-candle and a minimum at any point of .1 foot-candle measured along the path egress at floor level.

Periodic testing of emergency lighting equipment is required at 30-day intervals for a minimum of 30 seconds. An annual test should be conducted for the 1.5-hour duration. **Written records** of visual inspections and tests should be kept.

"The Code" requires that all means of egress shall be marked by an approved sign readily visible from any direction of exit access. Every sign must be suitably illuminated by a reliable light source (internally or externally). Every sign must also be continuously illuminated. All egresses are to be free of debris, obstacles and snow

An exception to this rule is that main exit doors that obviously and clearly are identifiable as exit doors do not need to be marked. Main entrances for the Churches are good examples of this exception.

ELECTRICAL HAZARDS

For many of the Parishes, electrically- related exposures seem to be a significant issue from a fire and personal injury standpoint. The age of the buildings and the limited maintenance resources available have contributed to the problem, but there are a number of focus areas for your consideration:

- A LICENSED / INSURED MASTER ELECTRICIAN must be involved in any wiring projects. Be extremely careful about using other contractors, even if offered for low/no cost. Many of the problems identified thus far have been created by well-intentioned volunteers.
- Many routine problems can be easily controlled there is an ongoing effort to identify and repair.
 - Any exposed or loose wires.
 - Any missing or broken cover plates for receptacles/switches.
 - Taped circuit breakers.
 - Anything other than a fuse in a fuseholder (pennies, wire, metal strip, etc.).
 - The use of extension cords instead of permanent wiring.
 - All bathrooms, kitchen areas, washrooms, etc. where a water source is within six feet of an electrical outlet must be equipped with ground fault current interrupters (GFCI's). Installed in all new construction, GFCI equipped receptacles reduce the chances of an electrical shock injury by sensing a ground fault before an injury occurs.

Every effort should be made to upgrade the electrical wiring whenever remodeling.

EMERGENCY EYEWASH

OSHA 1910.151 states that "where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use". Examples of where emergency drenching or eyewash equipment may be required:

- Boiler rooms (where chemicals are dispensed).
- Custodial closets.
- Maintenance Shops.

- Supply rooms where chemicals are dispensed.
- Chemistry, physical science, biology labs in schools where chemicals are handled.

Most of the exposures encountered across the organization can be handled by a standard eyewash arrangement as opposed to a full drench shower set-up.

Whether the unit is self contained or plumbed the eyewashes need to be:

- Capable of providing .4 gallons per minute for 15 minutes.
- Located so that it takes no more than 10 seconds to reach and no greater than 100 feet from the hazard.
- Located so that the employee does not have to pass through any doors or any other significant obstacle.

For Further Information: American National Standard Institute (ANSI) code Z358.1

SAFETY ORIENTATION & TRAINING DOCUMENTATION

Before an employee assumes the responsibilities of their job, they should be provided with the appropriate training; appropriate meaning training that addresses actual hazards and situations they will encounter on the job. Ideally, the orientation process should be completed within the first week or two and include all of the pertinent human resource, safety and risk management topics.

It's suggested that an orientation checklist (one is included in the appendix) be developed for each entity and used for every employee and when appropriate, every volunteer. By providing a simple list of topics with an employee sign-off column, the new employee receives all of the pertinent information and a permanent record of the training being completed is created.

Many of the refresher training required by OSHA standard must also be documented. Whenever employees are called together for any sort of training, regardless of topic, a sign off sheet should be completed and kept on file.

Training Resources - There are hundreds, if not thousands, of vendors who sell pre-packaged training presentations for occupational health & safety. However, studies have shown that a more comprehensive training effort is needed to assure the employee absorbs, retains and utilizes the target information. Whenever possible, supervisors should be used to provide or lead training sessions and perform individual follow-up.

There are a number of resources to contact for assistance:

- John Cavallaro
- MEMIC.com – Training resources
- Maine Safety Council
- National Safety Council

CONFINED SPACES ENTRY

The Catholic Diocese prohibits employees from entering any area meeting the definition of a confined space.

If you (or someone who works for you) are currently entering any closed in area such as tanks, pits, tunnels, vessels, boiler, etc., please stop the work and contact the Diocesan Risk Management Department immediately.

MACHINE LOCKOUT AND TAGOUT

OSHA's Machine Lockout Standard was created to prevent employees from being injured during maintenance operations when equipment is unexpectedly energized. While there are not a large number of situations in the Catholic Diocese requiring machine lockout, supervisors and managers should be aware of the exposure and the need for additional control measures.

In the most basic terms, lockout is required when an employee must work on a piece of equipment that he/she does not have complete control over. Examples include:

- Electrical work on systems currently in use
- Some boiler work
- Large, industrial size washing machines (clothes and dishes)
- Power equipment, table saws,

Once again, the Catholic Diocese doesn't have many (if any) of these exposures but the potential for injury is severe and worth some discussion. If you have any questions call Risk Management.

FALL PROTECTION: LADDERS / SCAFFOLDING / STAGGING / MANLIFTS

Employee / volunteers injuries from falls is an exposure associated with some of the activities performed throughout our facilities. Besides the obvious exposures encountered by DICON construction, parishes may encounter fall hazards as well. Cleaning out of gutters, changing lightbulbs, painting, etc. may involve working at heights.

Effective July 1, 2011 - Diocesan Policy relative to staging / ladders.

Parishes & Entities employees under the Diocese Corp Sole are not allowed to have or use staging of any type. If you have any staging equipment it is to be discarded. Any work requiring staging of any type must be performed by DICON or Contractor with proper insurance and qualified for the task there are no exceptions to this policy.

The Catholic Diocese requires the following guidelines with regards to fall protection;

- Employees are not allowed higher than an eight foot step ladder at ground level
- Ladders only used for their designed purpose
- Ladders must be kept in a safe condition
- No wooden ladders are allowed must be A1 approved
- Ladders must be used and inspected by a competent person before use
- Use the correct ladder for the job
- Use the correct angle, supports, treads, cross braces and rails
- Volunteers are not allowed higher than a five foot step ladder
- Extension ladders (employee's) limited to twenty feet, angel with proper secured footing.
- If a light fixture is not within the ladder heights noted above, DICON or contractor are required.
- Only qualified roofing contractors should perform roof repairs/inspections.

Roof Access - Employees are only allowed on flat roofs, all others require hired contractors. Any other roof access is prohibited.

Long handled rakes/shovels should be used instead of accessing roof(s) whenever possible.

Rental or use of Man-lift – In order to operate equipment of this kind a person needs to have had prior experience and be deemed a competent person. If not you need to contact the Risk Manager before renting, using of such equipment.

KITCHEN EXHAUST HOODS

Exhaust hoods located over fryolators, grills, or other cooking services can be a problem from a fire protection standpoint if not cleaned on a regular basis. As grease builds up, the potential for a fire increases making the preventative maintenance issue important in preventing fires.

- Exhaust hoods must be cleaned on a regular, scheduled basis. While annual cleaning may be acceptable in some situations, heavy use of a fryolator may require monthly or even weekly cleaning of filter systems.

SPRINKLER SYSTEMS

The best line of defense against fire is automatic sprinkler protection. In addition to automatically detecting and controlling or extinguishing a fire, sprinklers can also initiate and transmit an alarm.

There are few locations where sprinklers are not needed. Every area where there are materials, construction or processes that could start a fire, contribute fuel to a fire, help fire spread or be damaged by a fire is a candidate for automatic sprinkler protection.

The principal of installing automatic sprinklers is not allowing a fire to spread beyond a reasonable area of control. A fire in an unprotected area is as small as a few hundred square feet could, by the time it involves sprinklers elsewhere, be beyond the control of those sprinklers.

The Diocese requires that all new buildings and /or additions needs to be in compliance with The State of Maine Fire Marshall and Local 1 fire codes in reference to automatic sprinklers.

The maintenance of automatic sprinkler systems is extremely important. Most, if not all of the Diocesan entities contract with a local vendor to perform the required testing and preventive maintenance. Care should be taken that the service contract includes both testing the alarm systems **and** performing the sprinkler system flow/trip tests.

- Make sure the vendor servicing your sprinkler systems performs the tests as outlined in National Fire Protection Association's standard 13A (NFPA 13A).
- Keep a copy of the service contract on file and inspection reports.
- Is certified, experienced and insured in this field

SMOKE AND CO2 DETECTORS

For existing buildings or those that do not have sufficient water available for sprinkler systems, smoke detection is required in the following situations:

- Any building used to house occupants overnight.
- Any new or renovated building not equipped with automatic sprinkler system.
- All attic areas.
- All custodial closets (cleaning/janitorial equipment and supplies).
- CO and smoke detectors are required in each area giving access to bedrooms in each apartment in any building or multifamily occupancy, any addition or restoration that adds at least one bedroom to the dwelling, any conversion of a building to a single
- Dual power (battery power and electrical service power) units
- For smoke detectors, photo electric design is required when near (within 20 feet) a bathroom with a tub or shower or near (within 20 feet) a kitchen
- CO detectors must be powered by a battery and the electrical services (plugged in or hardwired).
- Upon the request of a deaf or hard of hearing occupant, the owner shall provide an approved CO detector within the dwelling.
- Any lease shall note that the tenant must keep the unit in working condition by keeping batteries in place and refrain from disabling them and report any problems to the owner.

Similar to automatic sprinkler systems, smoke detectors should be tested on a regular basis. For detectors "wired together" and linked to a central station monitoring system, a contract with a service vendor is advisable. Stand-alone smoke detectors should be tested regularly and have batteries recharged/replaced on a scheduled basis.

Visit: (Maine.Gov), Department of Public Safety for updates and requirements relating to detectors or Fire marshal's Office at 626-3873.

FIRE DOORS

The purpose of a fire door is to act as a barrier and limit the spread of a fire to one area. In order to work properly, the fire door must either be closed at all times or be designed to close when heat is detected. On doors normally held in the open position, the cable and pulley arrangement must be kept in good working order and the door kept free of obstacles.

- Fire doors serve an important purpose and should be carefully maintained and inspected on a monthly basis.

Certified Food Protection Management –CFPM – (Maine); A person who is Employed, or engaged by the management of that Establishment with the authority to implement food protection measures, and who meets the certification requirements of Maine’s Rules Relating to the Administration and Enforcement of Establishments Licensed by the Health Inspection Program, 10-144 CMR 201, Section 2(A) (Amended October 7, 2012).

In order to become certificate a person must pass the written examination offered by the State.

Who needs to be (CFPM) compliant;

- Local code enforcement officials may be more strict then the State therefore you may need to adhere to the local requirements
- If you currently have or planning on obtaining a license from the state to operate your kitchen you will need to have a person certified.
- If your facility operates 12 or less total prepared dinner events at your location where prepared meals are being served to the public you do not require a (CFPM). This would factor all dinner events where food is being prepared and served to the public by any group or organization within the parish.
- If you use a catering service they must have a person certified along with a certificate of insurance that should be obtain prior to hiring them for the event.

The Rules and Regulations can be found on Maine.gov. You should also check with your local code enforcement office to discuss the operation of your facility to determine if (CFPM) is required.

Appendix Attachment 1

RISK MANAGEMENT PRIMER

GENERAL RISK MANAGEMENT CONCEPTS

It is impossible to make a place totally risk free, however, the frequency and impact of these losses can be reduced if an organization follows best practices to manage risk and the ability to provide ministerial services is vulnerable to unanticipated loss.

“Risk Management is the process used to make and carrying out decisions to minimize the adverse effects of accidental losses upon an organization”.

As stated above, risk management is actually a decision making process to identify potential risks, and different best practices to possibly deal with potential exposures, and follows-up. For the Diocese, the risk areas are extremely diverse.

- Injury to employee, lost wages and medical costs.

- Direct damage to owned property, replacement or repair costs, possible loss of an irreplaceable piece of art or object of historical significance.
- Parishioner/staff/visitor/ volunteers being injured on owned property.
- Client incurring a loss as a result of service being provided.
- Client being injured while in custody/care of employee or volunteer.
- Volunteer causing a loss during an activity.
- Employee injuring or causing damage to another party while operating a diocesan-owned vehicle.
- Employee injuring or causing damage to another party while operating their own vehicle.

How Do You Deal With These Risks?

There are a number of different risk management options available, all with different costs and different levels of risk to the organization. The Diocese has purchased insurance coverage where appropriate (potential for catastrophic loss) and has self insured where it is financially advantageous to do so.

However, effective risk management is really the responsibility of each of the entities. Every effort should be made to provide a safe working environment for employees, volunteers, clients and parishioners. Diocesan properties should be properly maintained and equipped with automatic sprinklers, smoke detection and portable fire extinguishers. Relationships with service companies and/or community organizations should include an exchange of insurance documents and a clear communication of expectations with regard to safe work practices. These and the other risk management strategies outlined in this manual must become an integral part of the Roman Catholic Diocese of Portland.

Option 1 – Thought Process to Reduce the Frequency and Severity of the Losses

- Risk Avoidance. One way to eliminate the chance of loss is simply not to undertake activities that can result in loss-producing situations. The key to risk avoidance is the measurement of risk compared to the related measurement of benefit. If benefit exceeds risk, then the project becomes feasible.
- Loss Analysis. This technique provides a means of identifying problem areas and determining appropriate measures to be taken to reduce or eliminate these problems. It is also an important monitoring device for the purpose of evaluating the effectiveness of your risk management activities.

- Loss Prevention. These measures are aimed at reducing an organization's losses by lowering their frequency. Examples of this include self inspections, safety training, motor vehicle registration checks, etc.
- Loss Reduction. These are counterparts to loss prevention measures; however, they differ in that their aim is to lower the severity of losses that occur.

An example of this would be installing a fire door in between a residence connected to a church. The fire door does not prevent the fire from starting, but limits the spread of fire to the rest of the structure.

Option 2 - Risk Financing

Accepting that some sort of loss will eventually occur, an organization should determine the amount of loss that could occur and the best way to provide the funds to pay for such loss. Risk financing techniques can be classified into two groups, retention and transfer.

- Risk Retention. Retention includes all means of generating funds from within to pay for losses. An example of this is in the Diocese self insurance fund to pay for claims and contributes money each year to maintain proper funding levels. However, there are many situations where losses are simply expensed out of routine operating budgets.

An organization can also choose to blend retention with a transfer technique, having a deductible on an insurance policy being an excellent example. The organization pays their own losses up to a pre-determined level with the insurance company taking over when the loss exceeds the agreed upon loss level. The organization *retains* some of the loss and *transfers* the remainder.

- Risk Transfer. Two methods of transferring the burden of paying losses are purchasing insurance and using contractual indemnification agreements (hold harmless agreements). Most everyone is familiar with buying insurance coverage where for a fee, or premium, a company agrees to pay any losses incurred by the customer in a given time period.

*A **Hold Harmless Agreement** is where one party to a contract agrees to pay all losses that the other party suffers arising out of the activity or property covered by the contract.*

Appendix Attachment 2

DIOCESE SELF-INSPECTION

Person Completing Form: _____ Title: _____

Location: _____ Phone: _____

Address: _____ City/Town: _____

Description of Entity: Church Office Group Home
 Shelter School Rectory Other

Church/City	Yes	No	Don't Know	Comments
BUILDINGS				
<i>Fire Protection:</i>				
Is the local fire department familiar with your facility?				
If you have a fire alarm system is it certified?				
If you have a fire alarm system is it tested annually?				
In battery operated fire alarm systems are the batteries tested and replaced on a routine basis?				
Do you have an automatic sprinkler system?				
If you have interior pipes for the sprinkler system, are they inspected regularly?				
Are automatic sprinkler systems inspected by an outside vendor?				
Are sprinkler heads protected by metal guards when exposed to physical damage?				
Is 18" of clearance maintained below sprinkler heads?				
Are portable fire extinguishers provided throughout the facilities?				
Are fire extinguishers inspected monthly and noted on the attached tag?				
Are employees instructed annually on the proper use of a fire extinguisher?				
Are hood exhaust/filters cleaned regularly?				
Are all hydrants accessible and unobstructed?				
Are "No Smoking" policies enforced?				
Are flammable liquids stored away from ignition sources, i.e. boiler rooms?				

Church/City	Yes	No	Don't Know	Comments
Are people at your location trained in the use of fire extinguishers?				
Is kitchen maintained in a clean and safe manner? <input type="checkbox"/> Floors <input type="checkbox"/> Knives <input type="checkbox"/> Fryers <input type="checkbox"/> Appliances				
<i>Housekeeping:</i>				
Are all aisles clear?				
Are all floors/steps clear of tripping/slipping hazards?				
Are all floors in good condition?				
Are suitable containers provided for waste materials and trash?				
Are washing facilities clean?				
Are floor openings properly guarded with handrails and midrails?				
Are stairs in good physical condition?				
Do all exits have signs?				
Is emergency lighting provided throughout the facility?				
Is emergency lighting operational?				
Is emergency lighting trip tested monthly?				
Is emergency lighting operated for ninety minutes annually?				
Are all exits clear?				
Are exiting doors able to be opened without the use of keys or special knowledge?				
Is sacristy kept locked and tabernacle key secured?				
<i>Electrical:</i>				
Are extension cords inspected for frays or exposed wiring?				
Are smoke & CO detectors installed and do they meet the State / Federal requirements				
Do extension cords being used have a grounded conductor?				
Are multiple plug adapters prohibited?				
Is the taping of circuit breakers in the on/off position prohibited?				
Is all electrical work conducted within the facility performed by a licensed / insured electrician?				

Church/City	Yes	No	Don't Know	Comments
Are all disconnecting switches and circuit breakers labeled to indicate their use?				
Are electrical enclosures such as switches, receptacles, etc. covered properly?				
<i>Building Integrity:</i>				
Are the regular inspections of the roofs for damage caused by weather conditions?				
Are broken or damaged windows repaired in a timely manner?				
Are items that could be stolen properly secured (PA system, tools, equipment, AV equipment)?				
Are locks in proper working order?				
Are locks properly used?				
Do you limit access to your facility to prevent vandalism?				
Do you use a snow rake to remove snow from roofs?				
GROUNDS				
<i>Walkways</i>				
Are holes in sidewalks repaired properly, covered or otherwise made safe?				
Are there procedures for prompt removal of snow and ice from walkways?				
Are precautions taken during construction/repair to eliminate employee/visitor exposure?				
Are curbs and steps properly marked to avoid trips and falls?				
Are exterior stairs in good physical condition?				
Are hand rails available and secure where needed?				
Are walkways well lit?				
Are areas that may be "high risk" for security well lit?				
Are treads in good repair and of nonskid material?				
Are ramps provided with nonskid surface and in good condition?				
<i>Parking Lots:</i>				
Are holes in parking lot repaired properly?				

Church/City	Yes	No	Don't Know	Comments
Is adequate lighting provided in parking lot area?				
Are there procedures for removal of snow and ice?				
OPERATIONS				
<i>Equipment</i>				
Types of equipment on site: <input type="checkbox"/> Power saws <input type="checkbox"/> Welding Equipment <input type="checkbox"/> Power Tools <input type="checkbox"/> Other				
Are power tools used with the correct shield, guard or attachment recommended by the manufacturer?				
Are portable fans provided with full guards or screens?				
Are power cords on electrical equipment in good condition?				
<i>Program:</i>				
Is there a hazard communication program instituted at your location?				
Is there a medical emergency response policy at your location?				
Do you have fire drills at your location?				
<i>Contractors:</i>				
Are insurance certificates for workers' compensation and general liability obtained before a contractor begins a job?				
Do you have personnel trained in first aid?				
Do they use standard precautions as required by OSHA				
Do you have a select number of approved contractors?				
ACTIVITIES				
Is the facility utilized by outside organizations (i.e. Boy Scouts, thrift stores, voting, etc.)?				
If yes, are measures taking to ensure that the building and grounds are not damaged?				
Do you transport parishioners/students in Diocese-owned vehicles?				

Church/City	Yes	No	Don't Know	Comments
Do you have a vehicle maintenance program?				
Do personnel who are driving receive training?				
Do you have a seat belt / cell phone policy?				
Are drivers of non-Diocesan vehicles required to present proof of insurance				
Are drivers required to provide a copy of a valid driver's license?				
?				
<i>Special Events – Rental of Diocesan Facilities to General Public</i>				
Special Events coverage purchased?				
Guidelines for types of events allowed?				
Record of name and telephone number for sponsor of event?				
Valuables locked up during use of facilities?				
Facilities checked by someone from the Diocese after the event?				
Is there a check for damage to facilities while the sponsor of event is still present?				
Emergency evacuation procedures in place and communicated?				
Emergency exits free of obstruction and allow for easy exit?				
Is there a written safety checklist (for Diocese & Sponsor of event) to assure:				
<ul style="list-style-type: none"> ❖ Windows closed/locked ❖ Heat thermostat – debris near heating elements ❖ Kitchen facilities – electric/gas stoves off ❖ Electrical appliances off ❖ Faucets left running? Kitchen & bathroom ❖ Lights ❖ Are cigarette butts/ashes put out with water before disposing ❖ Facilities locked up 				

Church/City	Yes	No	Don't Know	Comments
Do you have an incident reporting procedure in place for: <ul style="list-style-type: none"> <input type="checkbox"/> Security <input type="checkbox"/> Visitor Injury <input type="checkbox"/> Employee Injury <input type="checkbox"/> Motor Vehicle Accident 				
PLAYGROUND SAFETY				
(Please Complete if Applicable)				
Are there any loose nuts, bolts or clamps?				
Are there any broken, bent or damaged hangers, hooks, frames, connections or suspensions?				
Does the equipment have any rusted or worn parts?				
Is the equipment well maintained?				
Does the playground lot surface have any holes? Is proper surface used?				
Do children use equipment that is safe and appropriate for their age group? (i.e. preschoolers should use low slides)				
Do too many children use one piece of equipment at a time?				
Are fences in good repair?				
Comments/Concerns: Please note any issues that you would like to comment on:				

Appendix Attachment 3

DIOCESE OF PORTLAND

Form 01002 Insurance Requirements for Contractors / Subcontractors / Independent Contractors / Providers / Third Parties

Before any outside third party PERFORMS ANY WORK under the contract, it shall furnish or have previously furnished a Certificates of Insurance documenting that insurance is current and meets the minimum requirements set forth below.

WORKERS' COMPENSATION

Statutory Requirements for the specific state in which the work will be performed, including (where applicable) coverage under the Federal Long Shoreman's and Harbor Workers Act, Jones Act, or similar employee benefit acts as required by law.

-AND-

Employer's Liability \$500,000

COMPREHENSIVE AUTO LIABILITY

Owned, Non-Owned, and Hired – including coverage for bodily injury and property damage.

Split Limits - \$500,000 each person
Bodily Injury - \$1,000,000 each person
Property Damage - \$500,000 each occurrence

Or

Combined Single Limit B.I. & P.D. \$1,000,000

COMPREHENSIVE GENERAL LIABILITY

Bodily Injury & Property Damage
Combined -- \$2,000,000 aggregate
Coverage shall include:

- Contractual Liability Coverage
- Broad Form Property Damage
- Products and Completed Operations
- Explosion, Collapse & Underground Hazards
- Independent Contractor/Contractor's Protective
- Personal Injury-

-OR-

COMMERCIAL GENERAL LIABILITY

General Aggregate	\$2,000,000
Products – Completed Operations	\$2,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence	\$1,000,000
Fire Damage	\$50,000
Medical Expense	\$5,000

Coverage shall include:

- Coverage Provided on a Per Occurrence Basis
- Contractual Liability Coverage

PROFESSIONAL LIABILITY

If it is applicable to the work under the contract, provide Professional Liability Insurance (i.e., Engineers, Architects, Surveyors) Errors and Omissions Coverage, with a combined single limit of \$2,000,000

1. The following items must be included as part of the policies described above and shall be so evidenced on the Certificates of Insurance:
 - a. Diocese of Portland and the Project Owner (as well as any other parties named in the General Contract) shall be named as Additional Insureds under all liability insurance policies, which shall include a cross-liability and severability of interests clause. Each such liability policy shall be endorsed to provide a waiver of any and all of each insurer's rights of subrogation against the Contractor, Owner, and their corporate affiliates, officers, employees and agents.
 - b. The insurance provided shall include a "Per Project General Aggregate Endorsement" for specific project as stated in the agreement between Diocese of Portland and the Subcontractor, Consultant or Supplier.
 - c. Certificates of Insurance evidencing insurance coverages shall state that no material change or cancellation can be effective without (30) thirty days prior written notice to Diocese of Portland.
 - d. Insurance coverage provided by the Subcontractor, Consultant, or Supplier to Diocese of Portland shall be, and shall be endorsed to confirm that it is, primary insurance and shall not be reduced by the amount of any other insurance maintained by the Project Owner or Diocese of Portland insuring the same risks.
2. The following requirements shall be a part of any agreement between Diocese of Portland and the Subcontractors, Consultants, or Suppliers working for Diocese of Portland.
 - a. Contractor's Protective Liability shall cover all Subcontractors, Vendors and Sub-contractors.
 - b. Products and completed Operations Liability including Broad Form Property Damage coverage which shall be maintained for (2) two years after final acceptance of the work.
 - c. In the event any work under a Subcontract is performed by a Sub-contractor, the Subcontractor shall require all it Sub-contractors to procure and maintain similar coverage as required by this Attachment in an amount equal to the requirements of the Subcontract.
 - d. The provisions of the various insurance policies are subject to Diocese of Portland's approval.

Appendix Attachment 4

VOLUNTEER DRIVER'S STATEMENT OF DRIVING RECORD

I, _____, have submitted the following documents to
(Prospective Volunteer)

_____ Staff:

_____ A Copy of my Driver's License

_____ A Copy of my Certificate of Insurance

I certify that I have maintained a good driving record.

(Signature of Driver)

(Date)

Appendix Attachment 5

Secretary of State
Motor Vehicle Division
Driving Records
State House Station #29
Augusta, ME 04333

Dear Sir or Madam:

I would like to request copies of the six year driving record(s) of the individual(s) noted below. I have enclosed a check in the amount of \$_____ (\$5.00 for each record).

1. Name: _____ D.O.B. _____

Thank you for your assistance.

Sincerely,

Encl.

Appendix Attachment 6

ROMAN CATHOLIC DIOCESE OF PORTLAND
SAFETY ORIENTATION CHECKLIST

Employee / Volunteer Name: _____ Date: _____

Location: _____

- 1. Diocesan Safety Policy _____
- 2. How to Report a Hazard _____
- 3. How to Report an Accident _____
- 4. Hazard Communication
 - Written Policy _____
 - MSDS Review _____
 - Chemicals in the Workplace _____
- 5. Emergency Response
 - Medical _____
 - Fire _____
 - General Evacuation _____

Employee / Volunteer: _____

Date Completed: _____

Appendix Attachment 7

SAMPLE HAZARD COMMUNICATION PROGRAM

HAZARD COMMUNICATION FOR EMPLOYEE'S WORKING WITH CHEMICALS

I. Introduction

The goal of this program is to provide information to all employees about the hazards of the chemicals they are working with and the precautions that they can take in order to minimize injuries and illnesses caused by these chemicals. This program is required by the Occupational Safety and Health Administration's standard 1910.1200

This program outlines how to manage this program to achieve the goal. The program components are as follows:

- 1.) Outline of personnel responsible for the development and management of the program.
- 2.) Hazard Determination
- 3.) Training
- 4.) Labeling
- 5.) Material Safety Data Sheets
- 6.) Inventory of hazardous chemicals
- 7.) Non-routine tasks involving the use of hazardous chemicals
- 8.) Procedures for contractors performing on-site work
- 9.) Evaluation of the Hazard Communication Program
- 10.) Documentation/Recommendations

II. Program Components

1.) **Outline of personnel responsible for the development and management of the program.**

- A.) Hazard Communication Coordinator
Identify the Hazard Communication Coordinator. His/Her responsibilities include:
 - a) administers the program
 - b) maintains proper documentation
 - c) provides Hazard Communication training to all employees
 - d) receives copies of material safety data sheets when a new shipment is received
 - e) maintains a current inventory of material safety data sheets based on the chemicals used in the plant
 - f) requests MSDS from suppliers when they are not provided with shipment of a new product
 - g) assures the MSDS are readily available to all employees on all shifts
 - h) assures that all containers of chemicals are properly labeled

- i) Determines if the chemical is hazardous and must be included in the Hazard Communication Program.

B). Supervisor's Responsibility

- a) assures that all employee's in the department have received hazard communication training
- b) notifies the Hazard Communication Coordinator when new employees are hired to the department
- c) assures that personal protective equipment is available for the employees

C). Receiving Department

- a) forwards all MSDS to the HCC upon receipt
- b) assures that all shipments received have the appropriate labeling
- c) notifies the HCC if the shipment does not have the appropriate labels

2). Hazard Determination

The manufacturer of the chemical must determine if the chemical is hazardous. This information is described on the MSDS.

3). Training

All new employees will receive General Hazard Communication Training. This training will be coordinated by the Hazard Communication Coordinator. This training includes the following:

- 1) The introduction of the Hazard Communication Program with information about the Hazard Communication Standard, information about the Hazard Communication Program and information about the availability and access to this program.
- 2) Information about the labeling system.
- 3) A description of the use and purpose of Material Safety Data Sheets
- 4) Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.
- 5) An explanation of the routes of entry of hazardous chemicals
- 6) Emergency procedures during spill and fires
- 7) Steps that the company has taken to lessen exposure such as appropriate work practices, emergency procedures and personal protective equipment.
- 8) An overview of the personal protective equipment available for use and the proper use, maintenance, storage as well as the strengths and limitations of the PPE.

Departmental Training will be done by the supervisor of the department at the time the employee is initially assigned to the new work area. This training will include the following information:

- 1) The physical and health hazards of the chemicals located in the department.
- 2) A review of the MSDS for the department
- 3) An explanation of the appropriate procedures to use to minimize the risk of exposure
- 4) An explanation of the appropriate personal protective equipment to use to minimize the risk of exposure.
- 5) Explanation of the employee's role in the event of a departmental emergency such as a spill, release, fire or employee injury or illness (i.e. an ammonia release).
- 6) Review of the labeling system as it applies to the department
- 7) Methods and observations that may be used to detect the presence of hazardous chemicals
- 8) Explanation of the location of material safety data sheets

Employees may be given a quiz at the end of the training to evaluate their understanding of the Hazard Communication Program and information. If a passing grade is not obtained then the employee should receive more training.

Training will be updated when new chemicals or procedures that affect the exposure of chemicals are introduced into the workplace.

An annual refresher training of the Hazard Communication Program will be conducted with all employees. The training content will be determined by the training needs of the employees.

4.) Labeling

Containers of chemicals that are entering or leaving the facility must have the following information on the labels:

- Identity of the hazardous chemical
- Appropriate hazard warning
- Name and address of the chemical manufacturer, importer or responsible party
- Supervisors must ensure that each container of hazardous chemicals that is not intended for immediate use in their department is labeled with
- Identity of the hazardous chemical contained therein; and,
- Appropriate hazards warnings.

5) Material Safety Data Sheets

The manufacturer of the chemical must provide the SDS. A file of up-to-date SDS for each chemical that is currently in use must be maintained. Each MSDS is in English and contains the following information:

- 1) The identity of the chemical, unless the chemical is a trade secret;
- 2) Physical and chemical characteristics of the hazardous chemical;
- 3) The physical hazards of the hazardous chemical, including the potential for fire, explosion, and reactivity;

- 4) The health hazards of the hazardous chemical, including signs and symptoms of exposure, and any medical conditions which are generally recognized as being aggravated by exposure to the chemical;
- 5) The primary route(s) of entry;
- 6) The OSHA permissible exposure limit, ACGIH threshold limit value, and any other exposure limit used or recommended by the chemical manufacturer or importer preparing the SDS;
- 7) Whether the chemical is considered to be a carcinogen by the National Toxicology Program Annual Report of Carcinogens or has been found to be a potential carcinogen by International Agency for Research on Cancer Monographs, or by OSHA;
- 8) Any generally applicable precautions for safe handling and use;
- 9) Any generally applicable control measures;
- 10) Emergency and first aid procedures;
- 11) The date of preparations of the SDS or the last change to it; and,
- 12) The name, address and telephone number of the responsible party for preparing or distributing the SDS

Every SDS that is received should be reviewed by the Hazard Communication Coordinator using the SDS Review Checklist in Appendix A. If a SDS does not contain the required information then notify the manufacturer or the party responsible for the documentation on the SDS.

SDS are maintained in the office and are accessible to all employees on all shifts.

6) Inventory of Hazardous Chemicals

An up-to-date inventory of hazardous chemicals is maintained by the Hazard Communication Coordinator. The inventory is listed in Appendix B of this program. It lists the identity of the chemical that is referenced on the SDS and is categorized alphabetically by department.

7) Non-Routine Tasks Involving the use of Hazardous Chemicals

Before undertaking a non-routine task, such as entering a confined space or performing maintenance work, the employee must receive information about the hazards of the exposures associated with the tasks and the precautions that are required to minimize exposure.

8) Procedures for Contractors Performing On-Site Work

All contract employees must be aware of the potential hazardous chemical exposures while working on site. The person who is responsible for coordinating the work of contractors on site must notify the Hazard Communication Coordinator before the contract is finalized. The Hazard Communication Coordinator will then provide the contract manager with the information about the hazardous chemicals and recommended precautions for the contractors. The contractor will then be responsible for training their own employees. Before starting work on site the contractor will read and sign the Contractor Notification Form as seen in Appendix C.

9) Evaluation of the Hazard Communication Program

Program review and evaluation will be conducted in order to assure that the program is accomplishing its purpose. This is done by performing safety audits of the Hazard Communication Program. These audits will include assessment of the labeling, training and other policies established by this program. The results of this audit will be reviewed by management and changes will be implemented as indicated.

10) Documentation/Recordkeeping

Records related to the Hazard Communication will be maintained by the Hazard Communication Coordinator. These records include:

- a) Training records
- b) Exposure monitoring
- c) Contractor Notification
- d) Inventory of Hazardous Chemicals

III. CONCLUSION

This Hazard Communication Program enables employees to acquire the information they need to work with chemicals safely and eliminate injuries and illnesses from hazardous chemicals.

SAFETY DATA SHEETS (SDS) – REVIEW CHECKLIST

Product Name: _____

- _____ Name, address & telephone number of manufacturer or other responsible party
- _____ Date of SDS preparation
- _____ Identity of material used on label
- _____ Chemical name(s) and CAS number(s)
- _____ ACGIH TLV and OSHA PEL
- _____ Physical properties
 - Vapor Density_____
 - Specific Gravity_____
 - Vapor Pressure_____
 - Solubility_____
 - Evaporation Point_____
 - Appearance & Odor_____
 - Melting Point_____
 - Boiling Point_____
- _____ Fire & Explosion
 - Flash Point_____
 - Auto Ignition Temp_____
 - Flammable Limits_____
 - Fire Extinguishing Materials_____
 - Special Fire Fighting Procedures_____
 - Unusual Fire/Explosion Hazards_____
- _____ Potential routes of exposure
- _____ Symptoms of overexposure
- _____ Health effects (acute and chronic)
- _____ Emergency & First Aid procedures
- _____ Carcinogen (cancer causing) determination
- _____ Medical conditions aggravated by exposure
- _____ Reactivity Data
 - Stability_____
 - Conditions to Avoid_____
 - Incompatibility_____
 - Decomposition Products_____
 - Polymerization_____
- Spills/disposal procedures
- Ventilation and engineering controls
- Respiratory protection and protective clothing
- Work practices

OUTSIDE CONTRACTOR NOTIFICATION

TO:

FROM: Branch Manger

SUBJECT: Federal Hazard Communication Standard

According to the Federal Register Chapter 1910.1200, Section (e), Paragraph III, Hazard Communication of the Federal Hazard Communication Standard, we are obligated to notify you of chemical products use by _____.

_____ is in full compliance with the above named laws. Hazard Communication Standard reference books are located in the administrative offices. Contained therein are complete details on our written chemical hazard program, Material Safety Data Sheets (SDS), an interpretation guide and a list of chemical products used in that department.

When in any department, you, your supervisor, foreman, and/or working personnel are encourage to familiarize yourselves with the information contained in each department. If you wish, a complete copy of a reference book can be made available for you for your on premises use. Or, if a copy of any particular SDS is desired, it will be furnished.

Each contractor, before work is started, **SHALL** disseminate information concerning chemical hazards that the contractor is bringing to our workplace.

As evidence of our fulfillment to the notification obligation to an outside contractor, please sign and date this memo. A copy is available for your records.

I acknowledge on behalf of myself and my company that, I have read and understand the above memo concerning the notification to outside contractors of the Federal Hazard Communication Standard as it applies to_____.

COMPANY: _____

BY: _____

TITLE: _____ DATE: _____

HAZARDOUS MATERIAL INVENTORY
