Risk Management
Program Manual
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The University of Houston-Downtown’s Risk Management Department wishes to acknowledge the use of the following as references in the production of this manual:

- The State of Texas Risk Management Manual  
- The State Office of Risk Management (SORM)-Claims Coordinator Handbook  
- University of Houston’s Risk Management Department’s Worker’s Compensation Manual
RISK MANAGEMENT STATEMENT

The University of Houston-Downtown (UHD) leadership recognizes the importance of prudently managing the public funds with which it is entrusted. While profit is not the motive for its existence, the University must strive to achieve the efficiency of a profit-oriented business in order to obtain maximum value for every tax dollar.

The Risk Management unit at UHD is responsible for providing the University of Houston System (UHS) Office of Risk Management with the information/data needed to identify, analyze and evaluate operational risk. This information/data is used in considering alternative treatments of risk related to ongoing programs, new undertakings being considered, and/or operations being considered for discontinuation.

Given to the need to protect the assets of the University of Houston-Downtown against catastrophic loss and the need to protect its employees and the public from injury or loss, UHD Risk Management shall be an integral part of the University’s management process. All levels of management shall cooperate with and, where necessary, participate in:

- Public safety (led by the Police Department),
- Loss prevention of tangible assets/property (led by Business Affairs),
- Occupational and environmental safety (led by Environmental Health and Safety), and
- Claims management (Employment Services and Operations for worker’s compensation and Risk Management for all others).

In recognition of the above, this RISK MANAGEMENT STATEMENT is adopted and is effective May 8, 2013.

David Bradley
Vice President for Administration and Finance
RESPONSIBILITIES

Vice President for Administration and Finance (VPAF)

The Vice President for Administration and Finance is responsible for establishing, implementing, and monitoring of the University of Houston-Downtown’s Risk Management Program. To accomplish this, the VPAF will:

1. Appoint a staff member as the University of Houston-Downtown (UHD) Director of Risk Management who will report directly to the Vice President for Administration and Finance on risk-related issues.
2. Promote risk management considerations as integral components in the planning and decision-making process across the University.
3. Ensure that employees are held accountable for risk exposures and losses within their areas of responsibility and control.
4. Hire a staff member as the UHD Director of Emergency Management (DEM) to update and maintain the Emergency Plan and Business Continuity Plan.

Director of Emergency Management (DEM)

The DEM is responsible for establishing, updating and administering the University of Houston-Downtown Emergency Management program. Specifically, the responsibilities of the DEM are to:

1. Develop and maintain of the UHD Emergency Plan.
2. Ensure that all necessary emergency preparedness training occurs.
3. Ensure that meaningful emergency preparedness exercises are conducted on a regular, ongoing basis.
4. Work with management to ensure the University’s Business Continuity Plan is updated/maintained.
5. Serve as a liaison with emergency planning personnel working at other local and state agencies.

This position will keep the VPAF informed on an on-going basis of the status of the Emergency Management program.

Director of Risk Management (DRM)

The DRM is responsible for establishing and administering the University of Houston-Downtown Risk Management program. To accomplish this, the DRM will:

1. Collect and provide data and information requested/required by the University of Houston System (UHS) Office of Risk Management for risk assessment purposes to make informed decisions regarding insurance requirements and claims management.
2. Serve as the UHD liaison with the State Office of Risk Management (SORM) to ensure compliance with SORM requirements.
3. Direct the activities of the UHD Office of Environmental Health and Safety.

4. Ensure information is provided to all new employees concerning employee safety.

5. Review and coordinate updates as necessary to the University of Houston-Downtown Risk Management Manual.

6. Keep the VPAF informed on an on-going basis of the status of the Risk Management program.

[Note: The administrative responsibilities for the UHD Worker’s Compensation Program reside in the Employee Services and Operations department.]

Managers

Managers are responsible for supporting and promoting the University of Houston-Downtown Risk Management program. To do this, section managers will:

1. Maintain a safe, healthful, and hazard-free workplace for employees.

2. Immediately report all on-the-job accidents or injuries, unsafe work practices, or unsafe work conditions to Risk Management, the Environmental Health and Safety Office or the Employee Services and Operations department as appropriate.

3. Complete appropriate paperwork regarding an incident or accident within 24 hours.

4. Cooperate with the Director of Risk Management in the execution of UHD’s risk management program.

Employees

Employees are an integral part of UHD’s Risk Management program and contribute to the program in important ways. All University of Houston-Downtown employees will:

1. Assist in maintaining a safe, hazard-free workplace.

2. Report on-the-job accidents or injuries, unsafe work practices, or unsafe work conditions to the Environmental Health and Safety Office. Complete appropriate paperwork within 24 hours.

3. Attend and participate in risk management and safety training as required.

4. Act reasonably and prudently to prevent accidents, prevent loss, and preserve agency assets within their jurisdiction.
PROPERTY CONSERVATION PROGRAM

Rationale

The purpose of the property conservation program is to identify, conserve, and protect the tangible personal property assets (“property”) of the University of Houston-Downtown (UHD). UHD assets are held in trust for the benefit of the state and its citizens.

The property conservation program consists of identification of exposures, loss control measures, loss reporting, and property monitoring.

Property Exposures

UHD has the following primary property exposures: physical location, personal property, financial assets, and consumable office supplies. Of these exposures, the most immediate concerns are personal property and consumable office supplies.

Property Inventory

The basis of an effective property conservation program is an accurate inventory. UHD conducts an annual physical inventory of property in compliance with §403.273(f) of the Texas Government Code (Vernon Pamphlet 1998) and the rules of the Texas Comptroller of Public Accounts (“Comptroller”). Following completion of the physical inventory, UHD certifies the inventory and submits documentation to the State Property Accounting (SPA) System in the Comptroller’s Office.

UHD has implemented the State Property Accounting System as its system of record for the maintenance of inventory records.

An inventory is conducted annually on Computer/Printer, Consumable Supplies and Postage. UHD has no central supply store.

Property Manager

The Texas Government Code (§403.273) makes UHD executive management responsible for the proper custody and care of state property. In accordance with the Texas Government Code, the Vice President for Administration and Finance has designated the Assistant Vice President for Business Affairs as UHD’s property manager. An Accountant II is the current assistant property manager. The property manager is required to maintain property records and be the custodian of property possessed by UHD.
Lost, Destroyed, or Damaged Property

The Texas Government Code (§403.275) holds UHD executive management, property manager, or UHD employee entrusted with the property, financially liable for UHD property that disappears or deteriorates if the loss is due to the failure of such person(s) to exercise reasonable care for the safekeeping and maintenance of the property. UHD, in accordance with the Texas Government Code (§403.276), must report to the State Auditor and the Texas Attorney General when there is reasonable cause to believe that any state property in UHD’s possession was lost, destroyed, or damaged through the negligence or fault of any state official or employee. If the Attorney General determines that the loss, destruction, or damage was the fault of a state official or employee, the Attorney General may take appropriate action to recover the value of the property.

Transfer of Personal Property

State agencies are authorized by the Texas Government Code (§403.278) to transfer property between agencies under certain reporting requirements. If the transfer involves a financial transaction, under current guidelines for interagency payments, the agency making the payment will initiate an Interagency Transaction Voucher (ITV) to reimburse the other agency. If the UHD property has value, it will not be transferred to other entities except in exchange for appropriate consideration.

Salvage and Surplus Property

Any salvaged or surplus property must have written authorization to remove it from UHD’s inventory. UHD must use the methods prescribed by the Comptroller to delete property from UHD’s property records. The UHD Executive manager or the property manager must provide authorization in writing prior to removal of lost, destroyed, or damaged property from UHD’s inventory.

Loss Control Monitoring

Monitoring the property conservation program provides the necessary information and understanding to assess the overall effectiveness of the program. Monitoring and awareness closely follow supervisory duties for loss control. Property conservation records will be maintained in an organized and up-to-date manner in order to allow for optimum evaluation of the program.

The Assistant Vice President for Business Affairs will, at least annually, evaluate property losses and identify the reason for the losses and the dollar value of all property involved.
Protection of Real Property

Real property includes unimproved land and buildings intended to be permanently attached to the land. The University of Houston System (UHS) owns real property for the UHD campus and it holds unimproved land. UHS owns the buildings and UHD is responsible for the proper use and care of that portion of the building it physically occupies. To fulfill that requirement UHD will:

1. Inspect and train in the use of fire safety equipment;
2. Observe and enforce good housekeeping procedures;
3. Observe security rules and cooperate with building management and security procedures;
4. Cooperate in proper and timely building maintenance; and
5. Institute and practice emergency procedures as they relate to the building and its administrative spaces.

References

The Property Manager should reference the following documents published by the State Comptroller’s Office:

- State Property Accounting Policies and Procedures Manual (Publication #96-416)
  Link: https://fmx.cpa.state.tx.us/mt/fmx/poliproc/systems_spap/index.php

  Link: https://fmx.cpa.state.tx.us/fmx/pubs/spaproc/index.php

University of Houston System Administrative Memorandum:

- 03.G.02 – Property Management (PDF)
  http://www.uhsa.uh.edu/sam/3FicsalAffairs/3E2.pdf

UHD Policy Statement:

- 07.A.01 – Property Management Policy (PDF)
  http://www.uhd.edu/about/hr/PS07A01.pdf

UHD Website:

- Property Management Accounting
  http://www.uhd.edu/facultyandstaff/busaff/PropertyManagementAccounting.html
MANAGEMENT AND SECURITY OF AGENCY RECORDS

Rationale

The records of UHD are vital assets that require a degree of protection commensurate with their value. Measures are required to be taken to protect these assets against accidental or unauthorized disclosure, modification, or destruction as well as to assure the security, reliability, integrity, and availability of information. Records determined to be essential to UHD’s mission and functions must be part of a contingency plan that will provide for the prompt and effective continuation of agency services in the event of a disaster.

Overview

The effective management and security of records is essential to the successful accomplishment of the mission of the University of Houston-Downtown. The Texas Government Code defines a record as “a document, book, paper, photograph, sound recording, or other material regardless of physical form or characteristics, made or received according to law or ordinance or in connection with the transaction of official business.” Records serve as the agency’s memory, providing evidence of past activities and may serve as the basis for future actions. When maintained and controlled systematically, records are an asset. When managed in a haphazard fashion, they are a liability and UHD’s exposure to risk is significantly increased.

Record Retention Schedule

The UH System is responsible for developing the records Records Retention Schedule. The Records Retention Schedule designates which records are vital records. Vital records are those that are essential to resume or continue University business; the records that are essential to preserve the rights of the University, its employees, and its customers. Vital records are also those records necessary to reestablish the agency’s legal identity, to reconstruct assets, and to restore the line of command within the agency.

Each department within UHD is responsible for the security, maintenance, and storage of its records.

The Preservation of Essential Records Act requires the duplication of all vital records regardless of medium.

System Back Up Procedures and Rotations

Full backups to disk are conducted on all major servers/systems nightly. Thirty days’ worth of backups is retained off-site in our Disaster Recover Data Center immediately upon the backup being taken. Monthly data is written off to tape and sent to a 3rd party off-campus location, where it is stored for a month. Upon return, it is stored in an on-site cage for one year. At the end of the Fall, Spring, and Summer III semesters, the most current full system backup is classified.
as the semester backup. The full system backups performed between January 1st and January 7th are classed as annual backups. The semester and annual backups with student data are retained for five (5) years. All backups are encrypted.

PeopleSoft (a major system used at UHD for Finance and HR) is administered by UH and backups for it are performed by UH.

References

[Note: Documents that were previously microfilmed are currently scanned and maintained electronically.]

University of Houston System Administrative Memorandum:

- [UH System Records Retention Schedule](http://www.uh.edu/finance/references/Record_Retention/Retention_Schedule.pdf) (PDF)
- [03.H.01 - Records Retention](http://www.uh.edu/af/universityservices/policies/sam/3FiscalAffairs/3H1.pdf) (PDF)
- [02.A.31 - Access to and Maintenance of Staff Personnel Files](http://www.uh.edu/af/universityservices/policies/sam/2HumanResources/2A31.pdf) (PDF)

Other helpful links include:

- [Chapter 441, Texas Government Code](http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.441.htm)
- [Texas State Records Retention Schedule](https://www.tsl.state.tx.us/slrm/recordspubs/state.html#RRS4)
OPERATION OF MOTOR VEHICLES IN CONNECTION WITH EMPLOYMENT

Overview

Vehicle safety is an integral part of the Risk Management Program for the University of Houston-Downtown (UHD). This aspect of risk management addresses safety concerns and risks associated with the operation of motor vehicles. It is necessary for certain employees of UHD to operate motor vehicles in connection with travel on official state business. At-fault automobile accidents resulting in personal injury or damage to property arising out of such travel subjects employees, the agency, and the state to liability.

The safety of drivers, passengers, and the public is of paramount importance, and every attempt should be made to reduce the possibility of an accident occurring. Responsibility for accident prevention includes more than careful observance of traffic rules and regulations. Drivers must drive to prevent accidents, regardless of faulty driving or non-observance of traffic laws on the part of others.

Policy

No employee, potential employee, student or volunteer is allowed to operate a university-owned or leased vehicle until a Motor Vehicle Report (MVR) has been completed and authorization has been obtained.

MVR checks are be conducted annually by Employment Services and Operations (ESO) on those employees whose jobs require driving a university-owned or leased vehicle as an essential part of their job, and on those employees who have used fleet vehicles during the previous year.

MVR’s may be requested more frequently on employees with accidents or moving violations reported on their MVR.

The standards for determining whether a person can be granted driving privileges are as follows:

Acceptable Driver

- Valid Texas driver’s license;
- No at-fault accidents within the past three years;
- Fewer than two moving violation convictions within the past three years;
- No Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) convictions within the past three years;
- No driving under revocation;
- No involuntary manslaughter convictions;
- No hit-and-run convictions; and
- No felony with a vehicle conviction
Probationary Driver

- Valid Texas Driver’s license;
- No more than one at-fault accident within the past three years; and
- No more than two moving violation convictions within the past three years.

Unacceptable Driver

- Any conviction for DWI, DUI, driving under revocation, involuntary manslaughter, hit and run, felony with a vehicle, or vehicular homicide;
- More than three moving violations; or
- Two or more at fault accidents.

Drivers classified as “Probationary” are required to complete a defensive driving course within sixty (60) days of issuance of citation or within period of time required by court.

The cost of the defensive driving course must be paid by the employee;

The defensive driving course must be taken on the employee’s own time;

The driver must produce proof of successfully completing the defensive driving course; and

MVR’s will be done on the Probationary driver every six months for a period of two (2) years.

Procedures

The employee, potential employee, student or volunteer completes the [Security Sensitive Position Questionnaire](#) at least 48 hours before needing to drive a University owned or leased vehicle.

The Security Sensitive Position Questionnaire is forwarded to Employment Services and Operations (ESO).

ESO is responsible for processing the background check.

Following the guidelines specified in the previous section entitled “Policy”, ESO will evaluate MVRs and determine an employee, potential employee, student or volunteer as:

- Acceptable Driver;
- Probationary Driver; or
- Unacceptable Driver.

ESO will contact the supervisor with the results of the MVR verification and file the original MVR for one year.

ESO is responsible for running MVRs every six months for a period of two years on those drivers classified as “Probationary”.
Supervisors are responsible for assuring that “Probationary” drivers have successfully completed a defensive driving course and forwarding proof to ESO.

Current employees transferring to a position that requires operation of a university-owned or leased vehicle are required to complete an MVR.

The cost for running an MVR is charged to the department for whom the employee, potential employee, student or volunteer will be driving.

ESO is responsible for requesting MVR’s every August for those employees whose jobs require driving a university-owned or leased vehicle as an essential part of their job, and on those employees who have used fleet vehicles during the fiscal year.

References
University of Houston System Administrative Memorandum:

- 01.C.13 - Business Use of Vehicles (PDF)

- 03.E.07 - Fleet Management Plan (PDF)

- 03.E.08 - Travel by Students to Component University Funded Activity (PDF)

University of Houston-Downtown Policy Statement:

- 02.A.16 - Motor Vehicle Record Evaluation Policy (PDF)
  http://www.uhd.edu/about/hr/PS02A16.pdf

Other helpful links include:

- Motor Vehicle Record Evaluation Request (PDF)
  http://www.uhd.edu/about/hr/forms/MVR.pdf
EMERGENCY EVACUATION PROCEDURES

General

The purpose of this plan is to establish procedures for the orderly evacuation of UHD facilities with minimum risk of injury to personnel.

This plan will be activated in case of fire, bomb threats, hazardous chemical release situations, natural gas leaks, natural disaster situations, and other circumstances as directed by appropriate personnel.

Safety is Everybody’s Responsibility

In the event of a fire or other emergency, every second counts. The safe, orderly and prompt evacuation of building occupants depends on having the physical safety features of a building in operating condition as well as having an emergency evacuation plan.

The cooperation and participation of every building’s occupant is essential. Every person who works in a building on campus has an individual responsibility to know how to evacuate in an emergency and to accomplish the evacuation when the fire alarm device sounds or when directed by an official authority.

This following information will help everyone to prepare for emergency situations that might arise within buildings on the UHD campus.

Preplan Your Escape

- Know the location of at least two stairways/exits. The alarm pull stations are located at each stairway/exit. Know where fire extinguishers are located on your floor.

- Make sure your area has at least two unobstructed ways out.

- Do not use the elevators. Use is reserved for the Fire Fighters and Emergency Response Teams.

- Become familiar with the sound of your building’s fire alarm. (More details are below.)

- Know where your department’s outside Assembly (Muster) Point is located and go to the area if a total building evacuation is required.

- Take personal items with you, such as keys, purses, briefcases and backpacks.
In the Event of an Alarm

1. Step out into the hallway.
2. Listen and follow the announcer’s instructions.

The Automatic Alarm

One continuous whooping tone is heard with the following message:

“This is the University Police. We have an alarm on your floor. The Fire Department has been notified. If the alarm is sounding on your floor, please proceed to the nearest stairwell and prepare to exit. If there is evidence of a fire on your floor, please evacuate the floor using the exit stairwells."

DO NOT USE ELEVATORS!

Fire/Smoke Reported Alarm

Two short tones are heard followed with a live message:

“This is the University Police. We have an emergency on the (Floor of Incident) floor. The Fire Department has been notified. Floors (Floor of Incident), (Floor Above) and (Floor Below) must evacuate immediately"

DO NOT USE ELEVATORS!

All Clear Alarm

Two short tones followed with a live message:

“May I Have Your Attention Please? This is the University Police. The situation is clear. You may return to your offices and classrooms. The elevators are now in service (provided they were taken out of service) and you may move about the building. Thank you for your cooperation.”

If No Visible Fire or Smoke

Proceed to the nearest stairwell and wait for further announcements or an official authority (Police, EHS, or Facilities Management).
If There is Visible Fire or Smoke

**Immediately EVACUATE THE BUILDING!**

- When you discover a fire or smoke condition:
  1. Sound the building alarm by activating the nearest pull station.
  2. Immediately make a follow-up call to UHD Campus Police at x8911 (713-221-8911) or from a Yellow Emergency Call Box to verify UHD Police received the alarm and to give more information. [Note: Put the number in your cell phone.]

- Whenever you hear the fire alarm sound, LEAVE YOUR AREA IMMEDIATELY! Don’t assume the fire alarm is false or a test and wait to see what others do. In a fire, seconds count.

- Take personal items with you, such as keys, purses, briefcases and backpacks.

- Try to help others, if you can do so safely.

- When leaving, close (do not lock) the door behind you. If the door locks automatically, take your key with you in case you need to get back in for refuge.

- Unless unusual conditions dictate otherwise, the best evacuation route is the nearest stairway and out the nearest exit.

- Once outside, meet at your designated Assembly (Muster) Point and report to your supervisor so he or she can take a head count to make sure everyone is out of the building and accounted for. Never attempt to re-enter the building to search for someone missing. Let fire or police officials know where they were last seen.

- **Is the Door Hot?** During an alarm, check for fire on opposite side of your door by using the back of your hand to touch the door, door knob, or door frame. If anything feels hot, don’t open it, there’s probably fire on the other side. If cool, open the door slowly, leave the area, and close the door behind you.

- **Stay Low if There is Smoke.** If you encounter smoke while escaping, crawl or get as low as you can until you enter a clear area or are outside. The cleanest air will be within 1 to 2 feet off the floor. If the main exit is blocked by fire or smoke, you should use your alternate route.
If you cannot escape, return to your room and do the following:

- Close all doors between you and the fire.
- Seal cracks around doors with cloth (wet, if possible) to keep the smoke out.
- Call the UHD Campus Emergency Number at x8911 (713-221-8911) to notify them of your location.

**Additional Planning for Persons with Physical Disabilities**

If you have a temporary or permanent disability that might prevent your safe, orderly, and prompt evacuation during an emergency, you need to do some additional planning.

You should plan to:

- Complete and turn in an Emergency Evacuation Assistance Request form as instructed on the form. ([Employees](#) or [Students](#))
- Identify primary and secondary routes out of an area to the exits or a safe area of refuge. Stairwells are designed to provide protection from smoke and fire; however, doors to these areas must be kept closed in order to afford you this protection.
- Locate communication devices (phones, call boxes).
- Talk to your supervisor and establish a Buddy System with individuals who are familiar with your disability to obtain assistance during an evacuation.
- Be prepared to call University Police (x8911, 713-221-8911) and describe where you are located within the building. (Put the number in your cell phone.)
- When the alarm sounds, proceed to the nearest exit and evacuate the building with assistance from your buddy.
- If no one is able to assist you down the stairs, proceed to the stairwell or designated area of refuge and inform other evacuees that you need immediate rescue. Ask individuals to inform rescuers of your whereabouts.
- Some individuals can plan for a horizontal exit from an operational elevator to a floor that connects to another building (Main One to Academic Bldg.) or to the ground floor.
Keep Exits Clear

All stairwells, exits, corridors shall be kept free of all obstructions at all times. No furnishings, decorations, other combustible objects or flammables shall obstruct exits. Corridors and other portions of the means of egress are required to be a certain width so that the expected numbers of people in the building can quickly exit or evacuate in a fire situation.

Any time there are obstructions, the possibility of people becoming trapped or slowed down in a fire, increases greatly. Since the prime function of corridors is to allow people to escape during a fire, these areas should not be the origin of fire, or a means to allow fire to spread. This can very easily happen if combustibles are stored and allowed to accumulate in corridors.

Fire Drills

Every building occupant should know what to do in case of fire. Fire drills are conducted to provide the opportunity for all building occupants to practice the fire evacuation plan. Every building occupant is expected to participate in drills occurring within their building. Each drill should be treated as if it were the real thing by showing a sense of urgency, immediate evacuation, and following the instructions of the Evacuation Coordinators conducting the drill.

Laboratory/Hazardous Operation Procedures

All areas that have hazardous operations, including laboratories, must have an emergency plan that details the emergency shutdown procedures. If the equipment requires numerous steps for emergency operation or shutdown, this plan must be in writing.

In the event of an emergency evacuation, hazardous operations and equipment must be shutdown. This would include:

- Turning off flames and other ignition sources.
- Unplugging electrical equipment that cannot be shut down or secured, for example, a coffee pot.
- Securing all process equipment and hazardous materials, including compressed gases.
- Closing the fume hood sash.
Shelter-In-Place

Remaining indoors, restricting ventilation, and sealing outdoor access may be necessary in situations where harm can come to you by evacuating through the hazard area outside your office, the building, or campus. Bio-terrorism or leaking hazardous chemicals from a laboratory, rail car or tanker truck on the street or highway may involve sheltering in place.

- Notify Facilities Management to shut down all ventilation.
- Shut all doors and windows.
- Seal cracks around doors and windows as best as possible (e.g., duct tape, wet paper towels, etc.).
- Do not move until an official authority has made the all-clear announcement.

Accidents and Injury

- For Major Medical Emergencies immediately CALL UHD Campus Emergency Number at x8911 (713-221-8911). The UHD Police will coordinate the arrival of Emergency Medical Technicians.

  If you use a personal phone to directly dial 911 (i.e. any phone other than a UHD phone), you will also need to contact the UHD Police Department.

- Work related Medical Emergencies involving employees must immediately be reported to:
  1. The supervisor of the injured person and
  2. The Environmental Health and Safety Office @ x8040 (713-221-8040).
  3. The supervisor should then contact ESO @ x8060 (713-221-8060).

- An accident, “near miss” or hazardous situation not involving an injury should be reported to the Environmental Health and Safety Office @ x8040 (713-221-8040).

  Near misses will be tracked to identify areas of concern.

- Please ensure the injured person receive proper medical care as soon as possible.

  After hours, please call the UHD Campus Emergency Number at x8911 (713-221-8911).
References

University of Houston-Downtown Policy Statement:

- **01.D.04 – Emergency Closing** (PDF)  
  Link: [http://www.uhd.edu/about/hr/PS01D04.pdf](http://www.uhd.edu/about/hr/PS01D04.pdf)

- **02.A.25 - Workers' Compensation Policy - (02.A.25)** (PDF)  
  Link: [http://www.uhd.edu/about/hr/PS02A25.pdf](http://www.uhd.edu/about/hr/PS02A25.pdf)

Other helpful links include:

- **New Employee General Safety Orientation Video**  

- **Emergency Evacuation Assistance Form - Employees** (PDF)  

- **Emergency Evacuation Assistance Form - Students** (PDF)  

Accident Reporting Forms:

- **Employer's First Report of Injury or Illness (DWS-1S)** (PDF)  
  [http://www.uhd.edu/about/hr/forms/TWCC1S.pdf](http://www.uhd.edu/about/hr/forms/TWCC1S.pdf)

- **Employee's Report of Injury (SORM-29)**  

- **Authorization for Release of Information Form (SORM 16)** (PDF)  

- **Report of Safety or Health Hazard Form** (PDF)  
WORKERS’ COMPENSATION PROGRAM

(Claim Coordinator: Employment Services and Operations – Compensation & Benefits Administrator)

<table>
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<tr>
<th>Workers’ Compensation Helpful Resources – Effective September 1, 2014</th>
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<tr>
<td>List of Network Providers</td>
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<tr>
<td>Network Service Areas</td>
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<tr>
<td>General Network Questions</td>
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<tr>
<td>Network Complaints</td>
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<tr>
<td>Questions about a Claim</td>
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<tr>
<td>Prescription Drug Services</td>
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<td>RMIS Connectivity Issues</td>
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<tr>
<td>Office of Injured Employee Counsel (OIEC)</td>
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<tr>
<td>Always free to contact SORM at (877) 445-0006 or 512-475-1440 with any network questions</td>
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UHD Contacts

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<th>UHD Contacts</th>
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<td>Claims Coordinator (Compensation &amp; Benefits Administrator in Employment Services and Operations)</td>
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<tr>
<td>Environmental Health and Safety</td>
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<tr>
<td>Police Department</td>
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What is Workers’ Compensation Insurance?

Workers’ compensation laws are based on the theory that the burden of on-the-job injuries should be shifted from the worker to the employing business, and ultimately to the consuming public, as a cost of doing business. The intent of these laws is to protect and benefit the employee by providing prompt, simple, effective, and inexpensive relief without regard to the fault of the employer, the employee or third parties.

Prior to the enactment of such laws, injured workers were often totally denied any compensation for work-related injuries. In those situations where they were granted relief by the courts, it was usually only after a lengthy and expensive process.

In 1913, the Legislature passed Texas’ first Workers’ Compensation law, but it did not apply to state employees. It was not until 1973 that a Workers’ Compensation Statute was passed that is applicable to most state employees (Texas Civil Statutes, Article 8309g, now recertified as Chapter 501 of the Texas Labor Code). Under this statute, the state is self-insuring.

Who is Covered?

A UHD employee who sustains an injury or occupational disease in the course of employment is entitled to receive compensation under the State Workers’ Compensation System. In the case of a fatality, the deceased employee’s legal beneficiaries are entitled to benefits.

Generally speaking, a UHD employee is a person who is in the service of the University and is on payroll. However, the following people are not considered employees for purposes of workers’ compensation:

- Independent contractors
- Volunteers, except during a Governor-declared State of Emergency
- Members of the state military forces, except while on active duty
- Persons covered by federal workers’ compensation
- Offenders
- Consumers or patients of a state institution or agency
- Non-employed students receiving a scholarship stipend

In most cases it is easy to determine if an on-the-job injury has occurred. Some cases, however, may require further investigation. It is not the responsibility of the Claims Coordinator or the supervisor to make this determination. If the injured employee feels that the injury or illness is work-related, then it should be reported. The determination of compensability is made by the State Office of Risk Management, whose decisions may be disputed before the Texas Department...
of Insurance–Division of Workers, Compensation (TDI-DWC). Supervisors may include any additional information they feel is appropriate with the injury report.

What Does it Pay For?

Medical Services Payments

The SORM will pay only for those services or prescriptions that are determined to be reasonable and necessary and related to the injury.

- Medical providers should bill on the prescribed forms and according to the medical fee guidelines established by the Division of Worker’s Compensation.

- A Preferred Prescription Drug Service is also available to injured employees.

Income Benefits

- Payment of compensation for time lost from work due to an on-the-job injury is made directly to the employee on a weekly basis, unless the monthly Temporary Income Benefits election is chosen.

- Only those employees who are physically unable to perform their usual job task for more than seven days following the date of injury are eligible to receive weekly/monthly compensation payments.

- The first seven consecutive or cumulative days following the injury date are called the waiting period and no weekly compensation payment is due for the time lost for that period. However, if an employee is off work for more than 14 calendar days, the weekly/monthly compensation for the waiting period is paid retroactively.

- An injured employee may elect to use sick and/or annual leave instead of receiving lost-time benefits. While sick/annual leave is being used, lost-time benefits will not be paid.

- These benefits continue until maximum medical improvement has been reached or 104 weeks have elapsed (whichever comes first). At that time, Impairment and/or Supplemental Income Benefits may become available. Lifetime Income Benefits and Death Benefits may also be available in some cases.

Compensation Due in Fatal Cases

- Beneficiaries of a deceased employee are due weekly compensation payments equal to a percentage of the employee’s average weekly wages subject to a maximum amount and a minimum amount established by the Texas Worker’s Compensation Act.

- Weekly payments to the surviving spouse are payable for life or until the spouse remarries.

- Weekly payments to a child shall continue until:
  - the child reaches the age of 18; or
– beyond such age if the child is actually dependent (disabled at time of the injury); or
– until 25 years of age if enrolled as a full-time student in an accredited educational institution.

- All other beneficiaries (where there is neither a surviving spouse nor child) are due weekly payments for 364 weeks.

**WORKERS’ COMPENSATION RESPONSIBILITIES**

The university is required to fully cooperate with SORM to properly administer the state employee workers’ compensation program.

**Supervisor’s Responsibilities**

The supervisor has a key role in the Workers’ Compensation claim process. The supervisor must be familiar with University policies and procedures related to workers’ compensation, including those forms for which the supervisor’s and employee’s are responsible. Responsibilities include:

First Things First – Medical Attention and Notification

- Ensure proper medical attention is provided for the employee should it be required.

  Find a medical provider on the IMO Provider Search Directory website.

- Immediately report to the Claims Coordinator (713-221-8443) any serious injury to an employee, incidents, or work-related illness or injury resulting in the death of an employee.

  The ESO Compensation and Benefits Administrator serves as the Claims Coordinator for Workers’ Compensation.

  In addition, immediately contact the EHS manager at 713-221-8040 to investigate the accident/incident to ensure needed safety processes are identified and implemented to prevent future incidents/accident from occurring.

  Contact Police Dispatch at 713-221-8065 if neither the Claims Coordinator nor the EHS manager is available.

Reports and Investigation

- Work with the Claims Coordinator to assist in completing the Employer’s First Report of Injury or Illness (DWC-15) within 24 business hours to meet stipulated deadlines. The
Claims Coordinator submits the Employer’s First Report of Injury or Illness on-line to SORM.

d. Ensure all witnesses for the accident complete the Witness Statement(s) (SORM-74) and forwards the statements to the Claims Coordinator.

e. Assist with the proper investigation of claims by documenting any additional information regarding the circumstances that are known or reported by coworkers. This is crucial for the denial of fraudulent claims.

f. Work with Environmental Health & Safety (EHS) to determine actions to prevent similar accidents from reoccurring in the future.
Inform Employee(s)

- Inform employees that work status information must be provided if they lose time from work due to the work-related injury or illness. The employee must submit a doctor’s excuse/slip/release from their treatment to cover each day off work, and call the supervisor and the Claims Coordinator weekly to give updates on work status.

Supervisor’s Responsibility

- Notify the Claims Coordinator immediately upon receipt of notification that an employee has reported on-the-job injury or occupational exposure.
- Notify the Claims Coordinator if an employee loses time for an on-the-job injury or occupational exposure.
- Notify the Claims Coordinator immediately if an employee gives notice of retirement or resignation, or is terminated while on Workers’ Compensation Leave.
- Notify the Claims Coordinator and ADA Coordinator for assistance when modified/light duty can be provided to employees on work restriction release to work.

Employee’s Responsibility

An injured employee has clear responsibilities in order to establish a claim for compensation. These include:

**Work Related Injury/Illness Exposure Reporting and Notification**

- All work-related injuries, illnesses or exposures should be reported to their immediate supervisor immediately, even if there is no medical treatment or lost time anticipated. The Employee’s Report of Injury (SORM-29) should be completed within 24 business hours and submitted to the Claims Coordinator. No benefits can be paid until a first report of injury is received and processed by SORM.
- The employee is the key to ensuring his/her claim is processed properly through prompt and accurate notification to the supervisor. Submitting notice is solely the responsibility of the employee and neither the University of Houston-Downtown nor SORM has any legal responsibility in the matter.
- The injured employee is required to notify the Claims Coordinator prior to seeking non-emergency treatment for injury, illness or exposure.
- If the injury is an occupational disease, the employee must report the disease no later than five (5) days after the employee knew or should have known that the disease was related to the employment.
e. The employee should notify the Claims Coordinator when released by the doctor to return to work. The Claims Coordinator will review and approve the release, then coordinate with the supervisor for the return to work date.

Medical Treatment and Reports and Notification

f. If medical attention is necessary, the employee should seek treatment at a doctor’s office or medical facility within the Workers’ Compensation Health Care Network and request that his/her doctor file a medical report of the injury or illness promptly with SORM. The doctor’s bills may not be paid until a report of the employee’s condition is filed with SORM.

If the employee seeks medical care:

- The Authorization for Release of Information (SORM 16) must be signed by the employee and forwarded to the Claims Coordinator within twenty-four (24) hours of the medical care, and
- The employee should provide the Claims Coordinator with the name and address of the health care provider(s) who has treated them.

g. A Request for Travel Reimbursement must be completed by the injured/ill employee for travel expense reimbursement if it becomes reasonably necessary for him or her to travel more than thirty (30) miles in order to obtain appropriate and necessary medical care. This form must be received by SORM no later than the 30th calendar day after the date of travel.

Lost Time Reports and Notifications

h. Employees who are losing time must contact their immediate supervisor and the Claims Coordinator on a weekly basis. However, they must also submit a doctor’s excuse/slip/release from their treating doctor to cover each day off work. This contact is mandatory, failure to maintain contact with their immediate supervisor and the Claims Coordinator regarding work status could result in disciplinary action up to and including termination.

If lost time is anticipated, the employee must complete the Employee’s Election Regarding Utilization of Sick and Annual Leave (SORM-80). This form provides the employee options for using all accrued sick and/or annual leave before receiving weekly compensation benefits or using only portions of accrued sick and annual leave.

i. If the employee remains at work after an injury/illness but is absent at a later date due to the injury/illness, he or she must notify the immediate supervisor and the Benefits Coordinator at the beginning of the first day’s absence.

j. Upon returning to work, an employee must provide his/her supervisor a copy of the Physician’s Release to Work prior to resumption of normal duties.
FILING A CLAIM FOR WORKERS’ COMPENSATION

k. File a claim for compensation with the Texas Department of Insurance-Division of Workers’ Compensation (TDI-DWC), no later than one year after the date of injury. If the injury is an occupational disease, filing must take place not later than one year after the employee knew (or should have known) that the disease was related to the employment. Forms are sent to the employee directly by TDI-DWC.

l. To qualify for workers’ compensation benefits, the law requires that an employee who claims work-related exposure to HIV infection must provide a written statement of the date and circumstances of the exposure. According to 25 Texas Administrative Code 97.17 (b), by reference to 25 Texas Administrative Code 97.10 (a) (2), the following conditions constitute a possible exposure to HIV: needle stick or other penetrating puncture of the skin with a used needle or other contaminated item; or either a splatter of aerosol into the eye, nose, or mouth or any significant contaminated item; or either a splatter of aerosol into the body or body fluids. The law also requires the employee to document that, within 10 days after the exposure; the employee had a test result that indicated an absence of HIV infection (Section 85.116(c) Health and Safety Code).

Family and Medical Leave

m. Family and Medical Leave is an additional option available to eligible employees for continuing insurance benefits (except disability insurance plans) and receiving the premium sharing from the state or the university toward the cost of health insurance. In the event of lost time resulting from an on the job injury or illness, the Claims Coordinator will provide the employee with information and forms necessary to apply for Family and Medical Leave, if the employee is eligible for leave benefits. The injured employee must be employed in a position that accrues sick leave to be eligible to apply for Family and Medical Leave. Student and temporary employees who are injured on the job or have a work related illness are not covered under Family and Medical Leave. Employees should advise their supervisor of their intent to use Family and Medical Leave.

Claims Coordinator’s Responsibilities

The Claims Coordinator is required to:

- Work with the supervisor to complete and process the first report of injury,
- Notify the Environmental Health and Safety Office of an employee’s work-related injury, illness or occupational exposure,
- Notify the employee of his or her rights under the Family and Medical Leave Act and provide information on PS 02.A.11, Family and Medical Leave Policy,
- Maintain frequent contact with the employee on workers’ compensation leave,
- Serve as the liaison between an injured employee and SORM,
Submit the required injury reports and notices to SORM,

Maintain all workers’ compensation claims filed by UHD employees for at least two years after the claims become inactive,

Prepare personnel actions for paid/unpaid leave and return from leave,

Coordinate Worker’s Compensation with FMLA leave, unpaid leave, and other leave programs available to the employee,

Advise ERS of the employee’s leave status,

Coordinate the reporting of leave on timesheets for payroll purposes,

Provide administration of the group insurance including, premium billing, filing of disability claims, and death claims if the employee dies.

Clear the employee to return to work with the supervisor and approve the return to work date.

Provide Environmental Health and Safety Office with any additional information on the injury or illness that is received in ESO.

Prompt Reporting

Once an injury occurs, it is important the injury be reported to the Claims Coordinator promptly. The Claims Coordinator works with the supervisor to remind them that early reporting of injuries is crucial to investigate the accident, evaluate the claim and manage the employee’s medical care appropriately. Promptness ensures that proper medical care starts quickly and allows the claims adjuster to start benefits in a timely manner. It is equally important that the Claims Coordinator reports to SORM in a timely manner, when an injured employee returns to work. Supervisors must relay this information promptly to prevent overpayment of income benefits. Early personal contact may also help to determine the possibility of third-party liability.

Liaison

The Claims Coordinator is the primary point of contact between the SORM claims adjuster and the UHD. Upon receiving the first report of injury, the adjuster will contact the Claims Coordinator to verify the information provided and investigate the claim.

Claims Processing

The Claims Coordinator is responsible for supplying SORM with the appropriate information and forms so that their adjusters can properly process claims. There are various forms that the Claims Coordinator must file with SORM to ensure that the adjuster can manage the claim appropriately and remain in compliance with TDI-DWC rules. There are important time guidelines that must be adhered to when filing these forms.
<table>
<thead>
<tr>
<th>Form</th>
<th>Review for Completeness and Submit to SORM no later than:</th>
</tr>
</thead>
</table>
| **Supervisor’s Report of Accident** | *(Forwarded from Supervisor within twenty-four (24) hours of the injury)*  
For Injury – No later than the 5th calendar day after the date of injury.  
For Occupational Disease – No later than the 5th calendar day after the employee knew or should have known that the disease was related to the employment.  
*(Forward to Claims Coordinator and EH&S Office Representative immediately upon completion)* |
| **Employee’s Report of Injury (SORM-29)** | *(Forwarded from Employee within twenty-four (24) hours of the injury)*  
Forms are sent by Claims Coordinator to SORM within 24 hours of receipt.  
*(Forward to Claims Coordinator and EH&S Office Representative immediately upon completion)* |
| **Employer’s First Report of Injury or Illness (DWC-1S)** | The Claims Coordinator submits the First Report of Injury or Illness on-line to SORM immediately upon receipt of the report from the supervisor. Information for the on-line submission is taken from the Supervisor Report of Accident and/or the Employee’s First Report of Injury or Illness. |
| **Authorization for Release of Information (SORM 16)** | *(Signed by and forwarded from Employee within twenty-four (24) hours of the injury)*  
Employee Signed Form – No later than the 5th calendar day after the injury. |
| **Witness Statement(s) (SORM-74)** | No later than the 5th calendar day after the injury, and a copy to EHS Office Representative.  
*(Forward to Claims Coordinator and EH&S Office Representative immediately upon receipt)* |
| **Employer’s Wage Statement (DWC-3)** | SORM Online Report - no later than the 5th calendar day after the injury.  
Completed by the Claims Coordinator upon request by SORM. |
| **Employee’s Election Regarding Utilization of Sick and Annual Leave (SORM-80)** | *(Inform the employee of their options to use or not sick and annual leave)*  
No later than the 5th calendar day after the first full day of lost time  
*(Forward to Claims Coordinator immediately upon receipt)* |
| **Supplemental Report of Injury (DWC Form 6)** | Claims Coordinator completes and files online no later than the 3rd calendar day after the event occurred, and as requested by SORM |
Environmental Health and Safety Office’s Responsibility

Once notified of an accident, the Environmental Health and Safety Office Representative will secure the site, if possible, and begin the investigation to determine cause and other factors that contributed to the incident/accident. This will include:

- An Interview of all witnesses and if available, the injured person
- Pictures taken of the scene and diagrams drawn as required
- A report of the investigation findings submitted to the Claims Coordinator and to SORM if requested

Based on the investigation findings, recommendations should be made to correct or eliminate contributing factors. A follow-up investigation should be conducted to ensure contributing factors have been corrected.

References

Laws and Regulations

- Texas Worker’s Compensation Act

State Office of Risk Management

- Worker’s Compensation Overview
  Link: [http://www.sorm.state.tx.us/Workers%27_Compensation/overview.php](http://www.sorm.state.tx.us/Workers%27_Compensation/overview.php)

University of Houston System Administrative Memorandum:

- 01.C.10 Return-to-Work Program; On-the-Job Injuries
  Link: [http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C10.pdf](http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C10.pdf)

- 01.C.03 - Reporting Work Related Injuries and Illnesses
  Link: [http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C3.pdf](http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C3.pdf)

University of Houston-Downtown Policy Statement:

- 02.A.18 – Return to Work Policy
  Link: [http://www.uhd.edu/about/hr/PS02A18.pdf](http://www.uhd.edu/about/hr/PS02A18.pdf)

- 02.A.25 - Workers' Compensation Policy
  Link: [http://www.uhd.edu/about/hr/PS02A25.pdf](http://www.uhd.edu/about/hr/PS02A25.pdf)

Workers' Compensation Forms:

- Authorization for Release of Information (SORM-16)
- **Employee’s Election Regarding Utilization of Sick and Annual Leave (SORM-80)**
  Link: [https://www.sorm.state.tx.us/Claims_Coordinator_Handbook/forms/SORM_80.pdf](https://www.sorm.state.tx.us/Claims_Coordinator_Handbook/forms/SORM_80.pdf)

- **Employee's Report of Injury (SORM-29)**

- **Witness Statement (SORM-74)**
  Link: [https://www.sorm.state.tx.us/Claims_Coordinator_Handbook/forms/SORM_74.pdf](https://www.sorm.state.tx.us/Claims_Coordinator_Handbook/forms/SORM_74.pdf)
RETURN-TO-WORK PROGRAM

When an injury occurs, it is incumbent upon the university to help the injured employee to return to work as soon as possible.

The university structures the return-to-work program around each individual case. This program involves maintaining frequent contact with the employee and the treating doctor, to ensure that the employee is allowed to return to work without restrictions at the earliest possible time.

Return-to-Work Provisions

The return-to-work program provides opportunities for any University of Houston-Downtown (UHD) employee covered by workers’ compensation insurance who sustains a compensable injury or illness during the course and scope of employment, to return to work at full duty. UHD does not have provisions for returning to light duty.

If the employee is not physically capable of returning to full duty, the employee will be granted leave time as needed for their condition to improve so that they can return to regular duty. Assignment of any employee to a transitional position or modified regular position in accordance with the return-to-work program, including determination of the pay rate for the transitional position, requires the approval of the Benefits office. In the case of a faculty member who is released to regular duty but because of timing may not resume normal teaching duties, ESO will work with the Department Chair to determine other administrative or non-teaching duties that the faculty member may perform until the start of the new semester.

Return-to-Work with Disabilities Provisions

This return-to-work program shall not be construed as recognition by UHD, its management, or its employees that any employee who participates in the program has a disability as defined by the Americans and Disabilities Act as Amended. If an employee sustains an injury or illness resulting in a possible disability under the Americans with Disabilities Act As Amended, it is the employee’s responsibility to inform his or her supervisor, the ADA Coordinator or an employee in a management position that a condition may be impacting his/her ability to complete his/her job functions and that a reasonable accommodation may be necessary to perform the essential functions of his/her job.

Prohibited Actions

The UH System complies with the Americans and Disabilities Act as Amended, which prohibits discrimination against qualified individuals with disabilities.
- The System complies with the Family and Medical Leave of Absence (FMLA) Act of 1993. The System policy on FMLA is detailed in System Administrative Memorandum 02.D.06 - Family and Medical Leave Policy.

It is a violation of the return-to-work policy, procedures, and state or federal law for any employee, supervisor, or manager of the System to discharge or in any other manner discriminate/retaliate against an employee of this agency because the employee:

- Files in good faith a workers’ compensation claim;
- Hires a lawyer to represent the employee in a workers’ compensation claim;
- Institutes or causes to be instituted in good faith a proceeding under the Texas Workers’ Compensation Act; or
- Testifies or is about to testify in a proceeding under the Texas Workers’ Compensation Act.

Temporary Assignments

If an employee is unable to return to regular duties, the employee may request a temporary assignment. Performance of a temporary job assignment is intended to return an injured employee to work at less than his or her full duties when a compensable injury or serious medical condition prevents the employee from working full duty. Two types of temporary assignments are modified duty and alternate duty.

The Claims Coordinator, ADA Coordinator and supervisor will determine if work in a temporary assignment may be approved according to the following criteria:

1. **Modified Duty**

   Modified duty allows the employee to return to current employment in his or her regular job, and perform those duties and tasks that are within the capabilities of the employee, given the restrictions to duty imposed by the health care provider. Modified duty is a temporary arrangement until the injured employee can resume full duty.

2. **Alternate Duty**

   Alternate duty allows the employee to temporarily perform other duties and tasks that are within the restrictions to duty imposed by the health care provider. Such alternate duty may be physically located in the same department or in some other department. Alternate duty is a temporary arrangement until the injured employee can resume the full activities of his/her regular job.

Once the employee’s health care provider certifies that the employee can return to work, the supervisor must adhere to the employee’s medical/work restrictions.
Supervisors/managers are responsible for providing the Claims Coordinator with a copy of the employee’s position description with any required modifications to accommodate the temporary assignment. An employee:

- Who returns to work in a temporary assignment may be assigned to another work site within UHD, depending on the availability of vacant positions or the limitations or abilities of the employee.
- Will not be placed in a temporary assignment/position if such assignment would displace another current employee.
- In a temporary assignment is responsible for providing periodic reports from his/her health care provider during the period of the temporary assignment.

**Bona Fide Offer of Employment**

A temporary assignment to any of the types of positions described in the previous section will be documented in a “bona fide offer of employment” letter to the employee. The bona fide offer of employment letter shall include the following information:

- The type of position offered and the specific duties.
- A statement that the agency is aware of and will abide by any physical limitations under which the health care provider has authorized the employee to return to work.
- The maximum physical job requirements.
- The wage rate of the job.
- The assignment location.
- The expected assignment duration.
- That training will be provided, if necessary, for the position being offered.
- The consequences of not accepting the assignment, in terms of duration and any income benefits payable under the Texas Worker’s Compensation Act, and any other relevant leave provisions. The letter is to state that the component university cannot guarantee that a position will be available should the employee fail to accept the assignment.
- The contact person if the employee has questions regarding the assignment, job modifications, or other relevant leave provisions.

The employee may accept or reject this bona fide offer of employment. The employee should be informed that rejection of the bona fide offer of employment will result in workers’ compensation temporary income benefits (if applicable) being stopped or reduced by the Workers’ Compensation Division as the state’s insurance carrier. If the employee accepts the bona fide offer of employment, then the employee shall perform the duties of the position for the term of the assignment or until the employee is able to return to full duty, whichever is sooner in the case of a temporary assignment. If the employee rejects the bona fide offer of
employment, then the employee remains off work until the end of any approved leave period or until the employee is certified by the health care provider to return to full duty.

In the case of a temporary assignment, if the employee is unable to return to full duty by the end of the assignment period and/or by the end of the employee’s approved leave period, then the employee’s continued employment with the component university shall be considered based on the business necessity of filling the employee’s position.

References

Laws and Regulations

- **Americans and Disabilities Act of 1990**
  Link: [http://www.ada.gov/pubs/ada.htm](http://www.ada.gov/pubs/ada.htm)

- **Texas Worker’s Compensation Act**
  Link: [http://www.tdi.state.tx.us/wc/act/index.html](http://www.tdi.state.tx.us/wc/act/index.html)

- **Family and Medical Leave Act**

University of Houston System Administrative Memorandum:

- **01.C.10 Return-to-Work Program; On-the-Job Injuries**
  Link: [http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C10.pdf](http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C10.pdf)

- **01.C.03 - Reporting Work Related Injuries and Illnesses**
  Link: [http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C3.pdf](http://www.uh.edu/af/universityservices/policies/sam/1GenAdmin/1C3.pdf)

- **02.D.06 - Family and Medical Leave Policy**
  Link: [http://www.uh.edu/af/universityservices/policies/sam/2HumanResources/2D6.pdf](http://www.uh.edu/af/universityservices/policies/sam/2HumanResources/2D6.pdf)

University of Houston-Downtown Policy Statement:

- **02.A.18 – Return to Work Policy**
  Link: [http://www.uhd.edu/about/hr/PS02A18.pdf](http://www.uhd.edu/about/hr/PS02A18.pdf)

- **02.A.25 - Workers' Compensation**
  Link: [http://www.uhd.edu/about/hr/PS02A25.pdf](http://www.uhd.edu/about/hr/PS02A25.pdf)

Workers' Compensation Forms:

- **Authorization for Release of Information (SORM-16)**

- **Employee's Election Regarding Utilization of Sick and Annual Leave (SORM-80)**
  Link: [https://www.sorm.state.tx.us/ClaimsCoordinator_Handbook/forms/SORM_80.pdf](https://www.sorm.state.tx.us/ClaimsCoordinator_Handbook/forms/SORM_80.pdf)
SAFETY AND HEALTH PROGRAM

Reference the Environmental Health & Safety Website – the “Occupational Safety and Industrial Hygiene” tab in the left column.

Reference:  http://www.uhd.edu/facultyandstaff/environmental_health_and_safety/
HAZARD COMMUNICATION PROGRAM

Reference the Environmental Health & Safety Website – the Environmental Affairs tab in the left column.

Reference: http://www.uhd.edu/facultyandstaff/environmental_health_and_safety/
LIABILITIES

Introduction

Government officials who have final policy-making authority within any given agency may, by their actions, subject their agency to liability. This is true for University of Houston-Downtown officials. Certain topics of concern in this area are addressed below in general terms.

Workers’ Compensation

University of Houston System employees who suffer a work-related, compensable injury are afforded workers’ compensation coverage pursuant to Vernon’s Texas Codes Annotated, Labor Code, Chapter 501.

Reference sections on “Workers’ Compensation Program” and “Return-to-Work Program. Return-to-Work Program”.

Contractual Liability

All contracts must have all applicable administrative and legal reviews prior to execution of the contract.

Open Public Meetings

Open meetings of the University of Houston System Board of Regents are conducted in compliance with the Texas Open Meetings Act (see Vernon’s Texas Codes Annotated, Government Code, Chapter 551).

Reference: Quarterly/Special Called Board of Regents Meeting website
Link: http://www.uhsa.uh.edu/board-of-regents/meetings/index.php

Executive (Closed) Sessions

Closed executive sessions of the University of Houston System Board of Regents are conducted in compliance with the Texas Open Meetings Act (see Vernon’s Texas Codes Annotated, Government Code, Chapter 551).

Sovereign and Official Immunity

The doctrines of sovereign and official immunity are asserted by the University of Houston System Board of Regents and its employees to the fullest extent allowed by law.
Figure 1: UHD Business Continuity Plan.
Double click anywhere on the letter below to open the full plan.