



# The State of Maryland

## Executive Department

### EXECUTIVE ORDER 01.01.2008.03

#### State Employee Risk Management Administration (Rescinds Executive Order 01.01.2003.51)

- WHEREAS, The State of Maryland honors and is committed to the health and safety of our employees and understands the value of an accident free, safe and healthy work environment. Further, there is evidence that implementing effective safety, risk management and loss control programs reduces or eliminates occupational injuries and illnesses;
- WHEREAS, All Executive Branch appointing authorities and managers are expected to assume personal responsibility and leadership in ensuring a safe, and healthy environment for all employees;
- WHEREAS, Due to the escalating costs of workers' compensation, economic loss to employees and the State, and operational impact on State services, State leadership shall develop exemplary employee safety, health, and risk management loss control programs; and
- WHEREAS, The Federal Occupational Safety and Health Act of 1970 (OSHA) and the Maryland Occupational Safety and Health Act of 1973 (MOSHA) provide job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the workplace.
- NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND HEREBY RESCIND EXECUTIVE ORDER 01.01.2003.51 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER EFFECTIVE IMMEDIATELY:

A. Program Established. There is a State Employee Risk Management Administration (SERMA) established that addresses workplace safety and workers' compensation risk management and loss control throughout Maryland State government. It shall have the following structure:

(1) SERMA is administered by the Injured Workers' Insurance Fund (IWIF), an independent State agency, as required by the Claims Administration Services Agreement between the Board of Commissioners of the Injured Workers' Insurance Fund and the State Board of Public Works.

(2) IWIF shall coordinate the administration of the SERMA program with the oversight of the Office of the Governor, and as needed with the State Treasurer as the Claims Administration Services Agreement administrator.

(3) IWIF shall compile, maintain, and make available as allowed by law all claims information on their Workers' Compensation database to carry out the intent of this Executive Order and provide reporting to support StateStat initiatives.

(4) IWIF shall house a unit of SERMA Risk Management Consultants, dedicated to the State to provide occupational and safety consultative services as described in Section C.

B. Responsibilities. Each State department or designated State agency shall, working with SERMA Risk Management Consultants:

(1) Establish and maintain a proactive employee safety and health risk management program that is effective, efficient, and measurable; that has the support and endorsement of the agency head with a policy statement, and written policy and procedure directives that are communicated to all employees.

(2) Maintain the designation or appointment of a Risk Manager to carry out the intent of this Executive Order; with full-time risk managers having a direct reporting relationship to the office of each department's secretary or agency head.

(3) Establish safety and health committees to review agencies' safety and health safety programs, review injury trends and advise the agency leadership on corrective measures needed.

(4) Establish annual goals, objectives and performance measures to address work place safety and health, reductions in work place illnesses, accidents, and injuries. Key measurements will be claims frequency, accident frequency, accident leave, cost analysis and reporting time frame to IWIF.

(5) Annually conduct an agency-wide safety and health risk assessment and program evaluation in accordance with guidelines established by the SERMA program.

(6) Conduct annual health and safety inspections of all facilities documenting the findings and corrective measures needed. These inspections will evaluate the use of personal protective equipment, preventive maintenance, unsafe work place behaviors, emergency evacuation procedures, and housekeeping issues.

(7) Conduct safety and health training for all employees that is focused and directed towards all known work place health and safety hazards and establish appropriate preventive procedural guidelines to protect the health and safety of employees.

(8) Promote occupational health and safety, within their organization, through the distribution of employee health and safety informational resources such as posters, pay roll stuffers, handouts, and Intra-agency Intranet.

(9) Conduct thorough and complete accident investigations that are timely and contain the highest level of detail possible. All investigations will be fact-driven and contain a root-cause analysis. Maintain all first reports of injuries, investigative reports and documents in accordance with OSHA, MOSHA, and the Maryland Workers' Compensation Act.

(10) Establish and communicate policy and procedures that enable all of its organizational units to be prepared for a variety of predictable and unpredictable emergencies.

C. Responsibilities of the SERMA program and the SERMA Risk Management Consultants, administered by IWIF are to:

- (1) Support State department and agency efforts to establish and maintain a proactive employee risk management program that is effective, efficient, and measureable;
- (2) Provide guidelines for implementing a model risk management program in all agencies that are based upon best practices in both the public and private sectors;
- (3) Provide technical assistance, program consultation, education and training, and statistical analyses that support State departments and agencies in meeting their responsibilities under the provisions of this Executive Order and achieving their risk management performance goals;
- (4) Make recommendations to improve department-specific and agency-specific programs that are not effectively reducing risks and containing workers' compensation costs;
- (5) Communicate and coordinate as needed with the Maryland State Employee Risk Management Committee; and
- (6) Provide an annual report (fiscal year basis) to the office of the Governor and the Secretaries of the Maryland State Employee Risk Management Committee agencies.

D. Risk Management Committee Established. There is a Maryland State Employee Risk Management Committee (Committee).

- (1) Membership. The Committee is comprised of the following:
  - (a) A representative from IWIF, appointed by its President, who shall serve as Committee Chair;
  - (b) A representative from the Office of the Governor, appointed by the Governor;
  - (c) The supervisor of the SERMA Risk Management Consultants;
  - (d) A representative from the Office of the Treasurer;

(e) Department risk managers of the following State Departments as named by the Department Secretaries:

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| Management;             | (i) Department of Budget and             |
|                         | (ii) Department of the Environment;      |
|                         | (iii) Department of General Services;    |
| Hygiene;                | (iv) Department of Health and Mental     |
|                         | (v) Department of Human Resources;       |
|                         | (vi) Department of Juvenile Services;    |
| Regulation;             | (vii) Department of Labor, Licensing and |
|                         | (viii) Department of Natural Resources;  |
| Correctional Services;  | (ix) Department of Public Safety and     |
|                         | (x) Department of Maryland State         |
| Police;                 | (xi) Department of Transportation;       |
|                         | (xii) Maryland Transit Administration;   |
| Park;                   | (xiii) University of Maryland, College   |
|                         | (xiv) University System of Maryland;     |
| Health Administration;  | (xv) Maryland Occupational Safety and    |
| Real Estate Office; and | (xvi) Department of General Services,    |
| Governor                | (xvii) Any other unit designated by the  |

(2) Staffing. IWIF shall provide staffing for the Committee as necessary.

(3) Duties. The Committee shall work in partnership with the SERMA program in IWIF to:

(a) Share with other State departments and agencies best practices in the public and private sectors for risk management and loss control;

(b) Identify available resources that would assist State departments and agencies to continuously improve their risk management programs;

(c) Identify workers' compensation issues, and offer recommendations to the Governor's Office;

(d) Recommend initiatives to the Governor's Office that will improve workplace safety and reduce the costs of workers' compensation;

(e) Ensure that the SERMA program is responsive to the risk management and loss control needs of State departments and agencies as defined in Section C of this Executive Order;

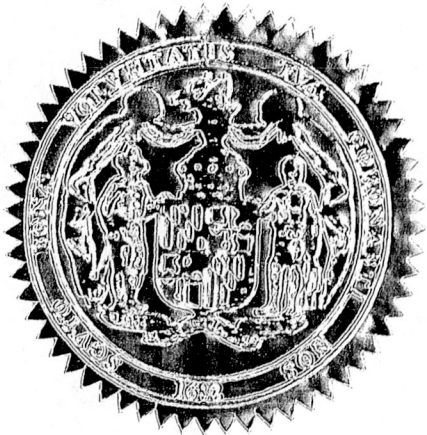
(f) Plan and conduct the annual statewide State Employee Risk Management Conference; and

(g) Coordinate with and provide support to the Governor's Office and State agencies in addressing workplace safety and loss control issues.

(4) Meetings. The Committee shall meet at least quarterly.

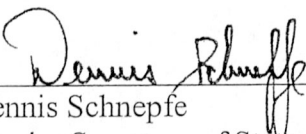
E. This Executive Order on managing occupational injuries and illnesses in Maryland State Government shall be interpreted and implemented in a manner consistent with the efforts of established State health and safety regulations. Department and agency heads shall utilize existing management functions and programs to expand and improve management of risks within their respective units.

GIVEN Under My Hand and the Great Seal of the State of  
Maryland, in the City of Annapolis, this 15th day of  
February, 2008



  
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Martin O'Malley  
Governor

ATTEST:

  
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Dennis Schnepfe  
Interim Secretary of State