

Northwestern State University

Water Vessel Program

October 24, 2018

Introduction:

The Water Vessel Safety Program is part of the overall NSU Loss Prevention Program, as required by R.S. 39:1543. Its purpose is to provide a systematic method of screening, training, and accountability for employees and supervisors required to assign or operate state owned/leased/hired water vessels in the scope of their employment as required by LAC Title 37.

Components of the Water Vessel Program

Responsibilities and Program

Northwestern State is responsible for implementing a Water Vessel Program which shall include rules concerning who shall be permitted to operate vessels under the agency's control. Policies shall outline the roles and responsibilities of the department/agency heads/program designee, and employees in the water vessel safety program. These policies shall be issued to all applicable employees and form the basis for the agency's Water Vessel Program.

The Loss Prevention Unit

Upon request, the Loss Prevention Unit shall provide guidance and direction to agencies in the development of the effective water vessel safety policies.

Department Heads or Designees

Department Heads are responsible for implementation of the Water Vessel Program and shall stress the importance of the department's Water Vessel Program to all affected employees. The Environmental Health & Safety Office is responsible for reviewing operator records and identifying employees (e.g., via an annually signed and dated list) who shall be authorized to operate state vessels.

Department Heads should ensure that ONLY state-owned/leased/hired vessels are used on state business. NO personal vessels are to be used on state business. Private vessels commandeered in an emergency situation will be included in the definition of a water vessel.

If a Department Head designates another person the responsibility of the Water Vessel Program, that designation should be made in writing and a copy of the Letter of Designation shall be provided to the EHS Office.

Water Vessel Designee shall be the EHS Office at NSU

Water Vessel Operators' Supervisors:

- Shall provide time for each employee needing authorization to operate a water vessel to attend the "Boat Louisiana" course or other necessary training.
- Shall ensure that all vessels and vessels' accessories are inspected and fit for their intended purpose.
- Shall ensure that all water vessel policies and procedure are followed.
- Shall submit reports in a timely manner.
- Shall allow only authorized employees to operate water vessels on state business.
- Shall assist in conducting accident investigations.

Water Vessel Operators:

Employees and/or Students

- Shall operate state-owned/leased/hired water vessels for state business if authorized through the NSU Water Vessel Program which is administered by the NSU EHS Office.
- Shall complete the "Boat Louisiana" safety course and provide the certificate of completion to the EHS Office and their immediate supervisor.
- Shall only operate the type of water vessel for which they are authorized, licensed and insured.
- Shall be responsible for the safe operation of those vessels.
- Shall report any unsafe condition, accident, or citation received involving a state owned/leased/hired water vessel to their supervisor or the Water Vessel Designee.

Authorization Process:

The authorization process shall include:

- A review of the employee's or prospective employee's water vessel operating record obtained from the LDWF and/or The Coast Guard.
- Verification of completing the "Boat Louisiana" training course.
- Determining when operator responsibility shall be taken away from an employee because of reckless operation of a vessel or being cited for boating violations.

Procedures for Enrolling Operators:

Within the first 90 days of hire, or upon recognizing the need for an employee to operate a state-owned/leased/hired vessel by their supervisor,

- The employee/student shall complete the Authorization History Form (DA 2066). The information on this form shall be used to acquire the Water Operator Record (WOR) from the LDWF or the U.S. Coast Guard.

- The boat Louisiana Safety Course Certificate, Authorization History Form and the WOR shall be submitted to the Water Vessel Safety Designee, who shall review the operator record and sign the Authorization History Form.
- Employees/Students shall complete the “Boat Louisiana” course. A copy of their certificate of completion shall be retained on file at the EHS Office.

High Risk Operators

- High Risk Operators are those individuals having three or more convictions, guilty pleas, and/or nolo contendere pleas for moving vessel violations, or having a single conviction, guilty plea, and/or nolo contendere plea for operating a vessel while intoxicated, careless operation, reckless operation, negligent homicide, or similar violation including any civil case for which negligence has been proven within the previous twelve-month period.
- Individuals designated to be High Risk Operators shall be notified in writing that they are not authorized to operate state-owned/leased/hired water vessels from the date of discover for a minimum of twelve months and they shall be required to retake the “Boat Louisiana” course within ninety days of discovery.
- The High-Risk Operator’s immediate supervisor and the individual in charge of water vessels shall also be notified in writing that the unauthorized employee shall not be given authority or access to operate a vessel on state business.

Preventive Maintenance

The appropriate agency designee shall ensure that preventive maintenance is performed on all required engines/motors/vessels and that documented corrective actions are taken within the applicable time frame.

A system of preventive maintenance shall be developed and implemented for all vessels, of any size.

Vessel Inspections and Repairs

A monthly documented inspection shall be performed on all powered and non-powered vessels, regardless of size. Corrective actions for all deficiencies found shall be corrected and documented.

Vessels’ safety features should be checked daily, before the vessel is used.

Claims Reporting/Accident Investigation:

Accident Reporting-General

A boating/water vessel accident is defined as a collision, accident, or other casualty involving a state water vessel, other water vessel or individual.

A water vessel is considered to be involved in a boating accident whenever the occurrence results in damage by or to the water vessel or its equipment, results in injury or loss of life to any person, or results in the disappearance of any person from on board, under circumstances that indicate the possibility of death or injury.

A boating accident also includes, but is not limited to capsizing, foundering, flooding, fire, explosion or the disappearance of a water vessel other than by theft.

- All accidents shall be reported to University Police, in person or by phone on the day of the accident, or as soon as possible after the accident. This includes any accident of any type, whether there are injuries or not.
- All accidents shall be reported to the employee's/student's supervisor by the water vessel operator having the accident on the day of the accident or as soon thereafter as possible.
- Water Vessel Operators shall complete a Boating Incident Form (DWF-BIR-005) and turn it in to their supervisor.
- The NSU EHS Office should be notified on the day of the accident, or as soon as possible after the accident.
- EHS Office will report all accidents involving a water vessel that results in death or injury to the LA DWLF within 48 hours. Those accidents with property damage in excess of \$200.00 must be reported within 5 days to 1-800-442-2511. A wildlife agent will respond to investigate the accident.
- The supervisor of the water vessel operator involved in the accident shall review the accident report within two working days of the accident and verify the completeness of the report. Incomplete reports shall be returned for missing information. It may be necessary for the supervisor to aid the individual in completing the report.

Accident Investigation:

- The supervisor shall request assistance when appropriate, from the agency EHS Office or the Office of Risk Management.
- Forms should be submitted to the EHS Office by the supervisor. The EHS Office will submit the appropriate accident report forms to ORM, LDWF and/or the U.S. Coast Guard. For any non-commercial vessel involved in an accident in any waters, a Louisiana Department of Wildlife and Fisheries Boating Accident/Investigation Report (DWF-BIR-005) shall be completed for each accident and submitted to LDWF.
- After gathering all available information about the accident, the supervisor of the individual involved in the accident shall attempt to decide if the accident was preventable.
- The supervisor shall consider what corrective action(s) is appropriate, which may include: temporary suspension of operating privileges, special training, physical examination, etc., and make a recommendation, in writing, to the EHS Office.
- The EHS Office shall review the accident report, the Authorization/Operating History Form (DA 2066), and the Water Operator Record (WOR). The need for

corrective disciplinary action may be considered for each accident where there was improper use of a vessel.

- Agencies shall forward a copy of the Authorization/Operating History Form (DA 2066) and Water Operator Record to the appropriate Office of Risk Management Claims Unit Supervisor. This shall be completed within the time required by the type of claim being files.

****NSU does not own any vessels 26 feet or longer in length.****

For vessels under 26 feet in Length:

- The State of Louisiana provides insurance coverage for bodily injury and property damage.
- An agency shall complete an Employer First Record of Injury (LDOL0WC-1007) and forward it to ORM's Worker's Compensation Unit when an employee is injured.
- Property and/or General Liability Claims shall be submitted in writing to the appropriate claims unit supervisor of ORM. A completed copy of the accident report, Authorization/Operating History Form (DA 2066) and Water Operator Record shall be submitted with the claim.
- If a loss is serious in nature, it is to be reported by telephone to ORM for review to determine if coverage is applicable.
- Claims made against a state agency by a third party shall be submitted to ORM for review to determine if coverage is applicable.
- All lawsuits, demands, notices, summons, or other legal documents pertaining to a claim against a state agency shall be forwarded immediately to ORM's Claims Unit for further handling.
- Any objects and/or products that may have cause, contributed to, or that are suspected of causing an accident shall be retained and preserved as evidence.
- If a loss occurs or a claim arises, the agency shall not assume any obligation or incur any expenses without authority from the Office of Risk Management.

Safety Audits and Record Keeping:

- The Office of Risk Management's Loss Prevention Unit shall assist agencies in reviewing and analyzing their water vessel policies and procedures to determine if the agency's program is complying.
 - Data concerning the number, type frequency and loss amount of claims shall be provided to the agency. All program records shall be available at a location designated by the Water Vessel Designee.
 - All records must be kept for a period of 3 years for review by ORM's Loss Prevention Unit.