Corrective Actions and Consequences Framework / Guideline

INTRODUCTION
MIT’s EHS-MS is designed to improve performance while protecting the independence of research and teaching. The EHS-MS provides a framework and tools for improving operations, for identifying andremedying EHS issues, and for promoting Institute-wide accountability for meeting MIT’s EHS standards and compliance with regulatory requirements.

Generally, EHS issues will not result in consequences or disciplinary actions to an individual or DLC once they are addressed as long as they are not a result of individual or DLC performance issue(s). This document identifies the roles and responsibilities in the EHS-MS for those who need to address EHS issues, and provides guidelines for those who need to apply consequences and disciplinary actions in order to address these issues. It also identifies the roles and responsibilities in the EHS-MS for recognizing and rewarding exemplary EHS performance.

PRINCIPLES
1. All members of the MIT community: senior administrators, department heads, faculty, researchers, staff, and students, etc. are responsible for implementing the EHS-MS. This includes complying with MIT Institute EHS policies* and standards, and federal, state, and local EHS regulations, and good EHS practices for a safe, healthy and environmentally sustainable MIT at all times. EHS Coordinators and EHS Office Lead Contacts assist in these efforts.
2. MIT’s EHS organizational structure is both local in DLCs and central in the EHS Office. It consists of DLC EHS Coordinators and EHS Office Lead Contacts and DLC EHS Support Teams to support and provide assistance to DLC personnel with meeting EHS standards and complying with EHS regulations.
3. MIT conducts its research, teaching and operations in a safe manner and in compliance with EHS regulations and good practices. Major incidents should occur quite rarely.
4. EHS issues that arise that are not a result of individual or DLC performance issues should be addressed but will not result in consequences to an individual or DLC.
5. Consequences, when warranted, serve as an accountability mechanism and are the steps taken to discourage poor or encourage good EHS performance by individual(s) and/or groups.
6. An EHS issue will be evaluated based on its specific circumstances. Part of addressing issues includes making a determination about the severity of the issue using professional judgment.
7. A uniform framework for applying consequences to address EHS issues and incidents is sufficiently flexible to allow each DLC to apply the framework in a manner that works best for that DLC.
8. Consequences are administered through the existing supervisory chain, generally through PIs/Supervisors and their immediate supervisors, and in a manner consistent with MIT’s human resources and other policies and procedures.
ROLES & RESPONSIBILITIES
The responsibility for satisfying MIT Institute EHS policies* and standards, including regulatory requirements and MIT best practices is as follows:

(a) Principal Investigators and Supervisors are responsible for compliance with EHS requirements by members of their labs or groups.
(b) DLC Heads are responsible for their DLCs’ performance.
(c) Vice Presidents and Deans are responsible for their schools’ performance.
(d) Senior Officers of the Institute are ultimately responsible for MIT.

The Institute Council on EHS and other Presidential Committees are responsible for oversight of the Institute’s EHS performance and issues, in close consultation with the Environmental Programs / EHS Headquarters Office (EP/EHO). The DLCs’ EHS Coordinators, with support from MIT’s EHS Office (including its DLC Lead Contacts), provide first line of support to and oversight of EHS performance in their DLCs. The DLCs’ EHS Committees provide guidance to their EHS Coordinators and assist the DLC Head in overseeing the DLCs’ EHS performance. DLC Heads have discretion on the extent to which they employ their DLC EHS Committees to oversee EHS performance or elect to do so themselves.

The role of individual positions is described below:

**PI/Supervisor** is responsible for implementing corrective actions and for applying consequences to individuals within his/her laboratory or area of supervision.

- PI/Supervisors consult with the DLC EHS Coordinator or the DLC EHS Committee to determine corrective actions, and, when warranted, consequences for individuals within his/her laboratory or area for major incidents. Involving the DLC EHS Committee and the EHS Coordinator in the procedure helps to ensure consistency, and enables the EHS Coordinator to keep a record of the corrective actions and consequences information that needs to be provided to the EHS Office. The EHS Office and EP/EHO are also available for consultation and assistance.
- The PI/Supervisor’s regular periodic assessment of overall performance by members of a research or other group should include consideration of how well EHS requirements were performed.

The **DLC Head/Director** has ultimate responsibility for all corrective actions and consequences in his/her DLC. DLC Heads should have in place a process allowing prompt and decisive action in the case of Major EHS incidents.

- The DLC EHS Coordinator should promptly notify the DLC Head/Director of any Major incident.
- A DLC Head/Director may consult with the DLC EHS Committee, or subsequently, the Office of the Dean or Vice President for Research, any of the Presidential Committees related to EHS, the Institute Council on EHS, the Managing Director for Environmental Programs/EHS Headquarters Office, the Director of the Environment, Health, and Safety

An official hardcopy of this document exists in the EHS Office or on the EHS website. See Legal Disclaimer at:  [http://ehs.mit.edu/site/content/legal-disclaimer](http://ehs.mit.edu/site/content/legal-disclaimer)
Office, or others as appropriate, in determining and approving consequences, and in cases when the Head/Director has determined that the DLC EHS Committee should not make the final decision on corrective actions (as such committees typically do), in approving corrective actions.

**DLC EHS Committee** is a resource to the EHS Coordinator and DLC Head/Director, and typically oversees the DLC’s EHS performance on behalf of the DLC Head/Director, and the DLC Head may delegate any or all of the following to the DLC EHS Committee:

- Recommends consequences when warranted and decides most corrective actions for Major issues and incidents.
- Establishes a framework for addressing EHS issues that is generally consistent with the general framework outlined below (understanding that some flexibility for variations among DLCs is necessary).
- Receives the following notices of Major EHS issues (Note, some DLCs may choose to have its DLC EHS Committee Chair receive these notices and act on behalf of the Committee).
- Determines and oversees corrective actions and consequences for Major incidents and oversees the implementation of those corrective actions and consequences, as appropriate.
- Ensures that its actions are documented (e.g., by producing meeting minutes and/or through other means).

The **EHS Coordinator**, in consultation with the EHS Office Lead Contact, is a resource for the DLC, supports and monitors corrective actions and also makes an initial determination of whether an EHS issue is minor, moderate, or major.

- The EHS Coordinator assists and supports the DLC in its EHS efforts and staffs and participates on the DLC EHS Committee.
- The EHS Coordinator resolves minor incidents with the PI/Supervisor and their EHS Representative, or members of the laboratory or other group, as appropriate. The EHS Coordinator keeps track of trends that become evident in the existence of minor incidents that alone are not significant but together may indicate a need for corrective action.
- For each Major issue the EHS Coordinator promptly notifies the PI (or in instances where the performance of the PI/Supervisor is at issue, the DLC Head/Director) and DLC EHS Committee Chair, and also reports to the DLC EHS Committee (including the EHS Office Lead Contact) after such an issue.
- Using the DLC EHS Committee as a resource, the EHS Coordinator may recommend corrective actions and/or consequences for Major issues to the PI/Supervisor and/or DLC Head/Director, and assist in implementation of the corrective actions and consequences.
- In the case of Major issues, the EHS Coordinator will promptly notify the PI/Supervisor, DLC Head, and the DLC EHS Committee (including the EHS Office Lead Contact).
- The EHS Coordinator maintains a record of the DLC’s Level II Inspections, Major issues, and significant trends in Minor issues.
• The EHS Coordinator will escalate issues that are not resolved satisfactorily, including to the DLC Head/Director, the EHS Office, and the Environmental Programs / EHS Headquarters Office.

The EHS Office Lead Contact is a resource who is available to support and assist EHS efforts and corrective actions of individuals and the DLC. As a member of the DLC’s EHS Committee, the Lead Contact attends Committee meetings, provides Institute-wide perspective and works to ensure consistency in rating incidents across DLCs, and also assists the DLC EHS Coordinator to monitor corrective actions.

• The EHS Office Lead Contact assists supports individuals and DLCs in their EHS efforts.  
• The EHS Office Lead Contact assists the EHS Coordinator as appropriate in making an initial determination if corrective actions and / or consequences may be necessary.  
• The EHS Office Lead Contact will receive notice of all Major issues and any significant trends evident from an accumulation of Minor issues from the EHS Coordinator, and communicate this information to the EHS Office and Environmental Programs / EHS Headquarters Office as appropriate.  
• The EHS Office Lead Contact is responsible with the EHS Coordinator for supporting the implementation of appropriate corrective actions and, when warranted, making recommendations on consequences.

The EHS Office, through the Lead Contact and the expertise within its five programs (Biosafety, Environmental Management, Industrial Hygiene, Radiation Protection, and Safety), is a resource available to the DLCs and individuals to assist in supporting good EHS performance and mitigating incidents.

• The EHS Office maintains records of all major incidents, and of any significant trends in minor incidents, including corrective actions and consequences. These records will form the central management system repository of incidents.  
• MIT’s EHS Office maintains central records of inspection findings and audit findings (as well as significant trends in less formal inspections). The Director of EHS also monitors major EHS issues and gathers information on how major EHS issues are addressed using appropriate consequences in the DLCs.  
• The EHS Office monitors MIT’s EHS performance, reporting issues that are not being resolved adequately to the Environmental Programs / EHS Headquarters Office (EP/EHO) and supporting such reporting to the Institute Council on EHS, and staffing the Institute Council on EHS.  
• Working with DLC EHS Coordinators and Committees, the EHS Office assists the EP/EHO to provide an annual summary report of the nature of serious incidents as well as significant trends and how they were resolved to the Institute Council on EHS.  

The Environmental Programs/EHS Headquarters Office (EP/EHO) provides resources and assistance to DLCs and individuals primarily through the EHS Office to assist in their EHS
efforts, works with the Institute Council on EHS to oversee the effectiveness and implementation of the EHS management system, reports to the Institute Council on EHS annually on MIT’s EHS performance, participates in EHS policy-making, becomes involved in addressing and resolving issues as appropriate, and may bring issues to the Institute Council on EHS and/or Senior Officers of the Institute when necessary.

The **Institute Council on EHS**, with the Senior Officers, has the ultimate responsibility for developing and endorsing MIT Institute EHS policies and for overseeing the Institute’s EHS performance, working closely with the Environmental Programs/EHS Headquarters Office (EP/EHO). When appropriate, the Council will be promptly notified of very serious incidents through the EP/EHO.

**MIT Presidential Committees** are responsible for reviewing, providing feedback on, and/or endorsing new MIT Institute Policies.

**MIT Academic Council** has ultimate authority to adopt new, or change existing MIT Institute EHS Policies.

**GENERAL FRAMEWORK**

The Institute has high standards for EHS performance as reflected in MIT’s EHS Policy and other policies and procedures. Based on these standards and the application of the general principles described in this summary, each DLC will over time develop its own body of experience on what incidents and conditions should be considered “Minor”, “Moderate”, and “Major”, and also what will constitute excellent performance worthy of recognition. EHS Office Lead Contacts will function to provide Institute-wide perspective and work to ensure that Institute minimum standards and a degree of consistency apply in evaluating the severity of EHS issues across DLCs.

Some faculty, students, or staff are appointed or hired in one DLC and perform research or work in the space of one or more other DLCs. Each person is accountable to his or her appointing supervisor. At the same time, each person must be accountable to the supervisor in whose space s/he works. The heads of all of the involved DLCs and their EHS Coordinators will have to coordinate responses to EHS performance issues. In rare circumstances of extremely poor performance, the appointing or hiring supervisor may need to take action affecting a person's position at MIT and the space supervisor may need to take action affecting the person's use of space or equipment. While working in a DLC’s space or with its equipment, an individual must follow that DLC’s plan for complying with MIT’s EHS standards, including complying with EHS regulatory requirements.

The variety of potential incidents and the unique circumstances surrounding each incident make it difficult, if not impossible, to specify every potential finding and assign it to a category. Also, such assignment would abrogate the important role that the EHS Coordinator, the DLC EHS Committee (including the EHS office Lead Contact), and the DLC Head have in making determinations based upon all of the relevant facts. The severity of the incident will be
considered in conjunction with mitigating factors and frequency of occurrence in determining the corrective action and/or consequences that will be applied.

**Guidelines for Corrective Action**

In the event that an adverse condition or incident occurs, appropriate and timely corrective action measures are to be taken to remedy the incident and its root causes to meet MIT’s EHS Requirements. Examples of corrective actions include re-labeling a container, moving equipment that was partially blocking a hallway, and taking annual retraining that is past due.

**Guidelines for Consequences for Poor Performance**

In the event that a PI/Supervisor or DLC Head/Director determines that any individual at MIT has failed to fulfill his or her responsibilities regarding MIT’s EHS Requirements, appropriate consequences will follow, consistent with the severity of the incident and MIT’s policies and procedures (including if appropriate, human resources policies and procedures).

When applying consequences for poor EHS performance, all aspects of performance of an individual must take into consideration. Depending on the severity of the incident, in conjunction with other mitigating factors, consequences for Minor issues may involve intervention by the DLC EHS Committee or Department Head, obtaining required training, etc. For more serious incidents, examples of consequences may include: oral/written warnings, suspensions of lab activities, etc.

**Rewards for Excellent Performance**

MIT has two recognition programs to recognize excellent performance of academic and administrative employees in a particular area or project in addition to the Periodic Performance Review process: Appreciation (spot) awards and “Infinite Mile” awards. These awards apply broadly; not only for EHS performance, but exemplary EHS performance qualifies for these awards. As of October 2008, EHS Coordinators can note areas of exceptional performance in the “Best Practices” section of the Level II Inspection.

Appreciation awards are small awards – including thank you notes, gift certificates, lunches and other small prizes – given at the time of a specific achievement to provide immediate and spontaneous recognition of an exceptional contribution by an individual and team in connection with a particular project or action. These are meaningful ‘Thank You’ awards to academic and administrative employees.

Infinite Mile awards are somewhat larger financial or non-financial awards – luncheons, dinners, gifts or event tickets – that support each organization’s strategic objectives and recognize excellent contributions to the objectives of each strategic area within the Institute. The Institute has been organized into a number of clustered groups to enable each area to customize and implement an Infinite Mile Awards program that reflects the work, values and/or behaviors specific to their own areas.
MIT also has an Institute-wide Rewards and Recognition Program (MIT Excellence Awards) to recognize excellent contributions to the values and goals of MIT’s mission statement. These awards are chosen annually by an appointed Selection Committee, consisting of a cross-section of MIT employees with award categories such as “Making a Difference…in the Workplace.” EHS contributions qualify for this award as well.

MIT has a specific Institute-wide EHS Performance Award which is given to a particular DLC. EHS training and Level II Inspection metrics are reviewed over the previous year to determine the highest performing large and small DLC. For training, an average of completion rates for core courses is calculated. To be considered, a DLC’s completion rates for each core course must be 90% or higher. For inspections, having inspected at least 80% of the total DLC spaces during the last round is used as the performance metric.

*MIT Institute Policies
MIT Institute EHS policies include the MIT EHS Policy, the MIT Chemical Hygiene Plan, the MIT Personal Protective Equipment Hazard Assessment Policy (included in the Chemical Hygiene Plan), and the MIT Working Alone Policy. It also includes the authorizations, protocols and procedures required by the following Institute Presidential Committees: the Radiation Protection Committee, the Reactor Radiation Protection Committee, Biological Research Registration (approved by the Committee on the Assessment of Biohazards & Embryonic Stem Cell Research Oversight), the Committee on Toxic Chemicals, and the Committee on Animal Care. (For more information…)