

CLUB LEADER TOWN HALL SESSION
RISK MANAGEMENT PART 1: GALLAGHER INSURANCE PRESENTATION
MONDAY OCTOBER 23, 2023

LIST OF SUBMITTED QUESTIONS:

1. Who is covered by the OVA insurance policy?

Ontario Volleyball Association (OVA) Members are covered while participating in sanctioned OVA events. Coverage includes clubs, athletes, coaches, officials and volunteers.

2. What is a sanctioned event? If it's a required team activity, are we covered? I.e. strength training session as a team? A yoga team outing with the coaches?

Generally, any activity run by an active OVA member Club is considered a sanctioned activity. There are some exceptions though (e.g., events involving alcohol). To be safe, Clubs should check with the OVA regarding the specific coverage for events outside of Club training and OVA sanctioned competitions.

3. What does misrepresentation mean and how does it relate to OVA insurance?

Misrepresentation in this case would refer to providing false information on an insurance application or failing to inform one's insurance provider when important information changes. If the OVA represents to their insurance provider that they have policies in place to protect members or limit liability, the insurance provider relies on these representations when determining coverage. If OVA Clubs are not following these policies, the insurance company can deny coverage as the OVA "misrepresented" that certain safeguards were being followed by the Clubs. It is therefore imperative that Clubs follow OVA Policies to ensure that they will be covered by OVA insurance in the event of a claim.

4. What is a social activity that we'd be covered for? Awards Banquet? End of year club banquet?

Yes, the Game Day policy includes coverage for Awards Banquets and any other Club run social activity. There are some exceptions though (e.g. events involving alcohol). To be safe, Clubs should check with the OVA regarding the specific coverage for events outside of Club training and competitions.

5. What is covered under the Game Day General Liability policy?

Any event or activity that is sanctioned by the OVA, which includes competitions, training, social and fundraising activities.

6. What are we covered for as OVA members?

OVA Clubs and members have *General Liability coverage*, which protects the clubs/individuals in the event that someone sues in a civil action for bodily injury or property damage of others. All OVA members also have *Sport Accident coverage* which provides reimbursement for certain out of pocket expenses (eg. physiotherapy) related to an injury at an OVA sanctioned event. Officers and Directors of active OVA member Clubs also have *Errors & Omissions Liability coverage*. This protects the Club Directors, Officers, Executives, Employees and Volunteers against professional liability for damages resulting from a negligent act, error or omission arising out of the conduct of your business. Please note: This coverage is not as robust as a Directors & Officers policy would provide.

7. Does the OVA insurance cover US events? If so, how does a team/club get insurance which is often required to register for US events?

General Liability and Sport Accident coverage is still in effect for any sanctioned event in the USA. If your Club obtains a VC Letter of Good Standing, this means that the OVA has sanctioned this event. Please note: Out of country medical insurance is not covered so Clubs must purchase their own travel medical insurance. The Sport Accident Policy will only cover out-of-pocket expenses that would not have otherwise been covered by OHIP. To obtain out of country medical insurance, please contact insurance@ontariovolleyball.org.

8. What do I do if my Club has been served papers in a lawsuit?

If your club receives a letter from a lawyer stating they are investigating on behalf of an injured party or a statement of claim, do not respond to the lawyer directly and do not provide them with any requested information or documentation. Please send a copy of the correspondence / documentation to OVA immediately at info@ontariovolleyball.org.

9. How do I access the sport accident coverage for one of our athletes?

A Club Rep must complete and submit the OVA Accident Report Form within 30 days of any injury incurred at an OVA sanctioned event. The OVA must notify the insurer of any injury within 30 days of it occurring or coverage could be denied. Please note: even if the family has private medical coverage, the Club still needs to submit the OVA Accident Report Form. Once the family's private plan runs out of benefits, they may want to access the Sport Accident insurance to cover any additional expenses. If an OVA member wants to access Sport Accident coverage, they should contact the OVA at insurance@ontariovolleyball.org to request a copy of a Sport Accident Claim Form. Once the OVA receives this form, they will submit the Claim Form to the insurance company. An Adjuster will then contact the injured party's parents/guardians directly. The Sport Accident Claim Form must be submitted to the OVA, along with copies of invoices from treatment within 90 days of the date of the injury.

10. What if I'm a ball tosser for triple ball and get concussed and need therapy? Is that covered? Is that under General Liability?

This will depend on whether the ball tosser is a member or not. All members are covered by OVA Sport Accident insurance for injuries sustained while participating in an OVA sanctioned event. If the ball tosser is a non-member volunteer, they will not be covered for any out-of-pocket medical expenses. The Club would be covered for liability under the OVA's General Liability policy if the volunteer initiated a lawsuit against the Club. The tournament host/Club must make sure to file an OVA Accident report if anything like this happens so that we can advise the insurance company accordingly. Please contact insurance@ontariovolleyball.org for clarification on a particular situation.

11. My glasses got broken when I was scorekeeping at an OVA event when I ball hit me – does the OVA insurance policy provide coverage for new glasses?

See #10. Above.

12. Is sport accident only for athletes? Or for coaches and club leaders that are injured during practice, competitions, etc?

The Sport Accident policy applies to all OVA members participating in an OVA sanctioned event.

13. We're a volunteer-based organization with contract coaches that receive a stipend. We are not a for profit with employees? Do these employment lawsuits even affect me and our board? Do we need to be concerned that we do not have Director's and Officers coverage?

It depends on whether it can be proven that an employee relationship existed with the contract coach even though they were considered to be only contractors by the Club. It also depends how far a terminated coach wants to go with respect to pursuing legal action. The Club may end up having to defend against a wrongful dismissal lawsuit just to prove that no employee relationship actually existed.

14. I assume additional Directors & Officers (D&O) coverage is available through Gallagher? Would clubs contact you directly or go through the OVA?

Please contact the OVA at insurance@ontariovolleyball.org if you are interest in D&O coverage through Gallagher. Once we know the interest level of the Clubs, Gallagher can put together a proposal for coverage and pricing for D&O insurance for OVA member Clubs.

15. If my board of directors at the Club are not OVA members, are they covered by OVA insurance?

No. If Club Executives and/or Board members are not registered members of the OVA and have not completed the Club Leader Eligibility policy requirements, they are personally liable and have no liability coverage under the OVA's insurance policy.