YOUNGS INSURANCE BROKERS INC.

PRESENTS

Insurance Handbook©

FOR CLUBS OF

Ontario Lacrosse Association

2016 - 2017

YOUNGS INSURANCE BROKERS INC. administers the Insurance Program Service. Youngs Insurance Brokers Inc. is a specialty insurance brokerage specializing in developing products and coverage to meet the diverse and complex needs of organizations from coast to coast.

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YOUNGS INSURANCE BROKERS INC. herein administer the Insurance Program. Youngs Insurance is a specialty broker in developing products and coverage's to meet the diverse and complex needs of organizations from coast to coast.

SECTION ONE:

OVERVIEW OF INSURANCE PROGRAM

"All I wanted to do was coach and have fun by being involved. In the past, I had to worry about liability insurance and protecting myself. It has taken the fun out of volunteering and being a part of a sports organization".

In the past and now more than ever, legal expense is a major concern to coaches, trainers, managers, umpires, directors of clubs, administrators plus other registered volunteers involved in our sport.

To aid us in this dilemma, the **Ontario Lacrosse Association** has entered into agreement with **YOUNGS INSURANCE BROKERS INC**. Our joint objective is to insure members in good standing with a Comprehensive General Liability Policy plus Sports Accident Package.

The limit of our liability coverage is as indicated by the policy. Coverage under this liability policy will insure the following participants while participating in the organizational activities and events.

1. Participants (ATHLETES)
2. Coaches
3. Instructors
4. Managers & Trainers
5. Club Officials
6. Volunteers
7. Administrators
8. Registered Officials but **ONLY** for **Ontario Lacrosse Association** sanctioned activities involving registered members only.

Coverage under this liability policy is for <u>members in good standing</u> with the **Ontario Lacrosse Association** and will insure the following participants and activities:

1. Elected Officials of CLUBS (Board of Directors)
2. All activities governed under the Constitution and By-Laws of **Ontario Lacrosse Association**
3. Registrants/members who are listed above

For details of coverage and responsibilities please refer to the designated section herein.

Clubs that own or rent their own facilities (buildings and training, etc.) should be aware that there will Be exposures beyond the scope of the Insurance Package (please review Optional Insurance Package).

SPECIAL NOTES:

1. In all cases, the master policy held by the **Ontario Lacrosse Association** will be the governing instrument for clarification of coverage details and deductibles.

2. To maintain insurance protection for clubs, members, teams, all members, participants, instructors, coaches, managers, trainers, etc., must be registered on designated sport named herein forms, irrespective of age or classification and be submitted to the **Ontario Lacrosse Association** with payment by the appointed deadlines.

3. In all cases, the master policy will **ONLY INSURE** those that are duly registered members with the **Ontario Lacrosse Association**; therefore, no coverage is implied or given for any registrant who does any public or private school teams or leagues including college, university or any other educational body not specifically agreed to in writing by the underwriters of this policy(ies).

SECTION TWO:

LIABILITY PROGRAM

Compulsory Policy:

This outline is not a contract of insurance. It is merely a brief description of the various coverage's. In all cases the provisions of the actual policy riders shall prevail.

The policy is issued to the **Ontario Lacrosse Association** as the named insured.

The following are included as additional named insureds as long as they remain members in good standing to the **Ontario Lacrosse Association**.

This coverage will pay on behalf of the insured (The Sport named herein, the additional named insureds and/or the additional insured persons) all sums which the insured(s) shall become legally obligated to pay as compensatory damages for actual bodily injury or occurrence property damage.

Limits:

The total limits of liability, exclusive of defence costs, for any one occurrence, no matter how many insureds are involved are outlined in your policy.

General Coverage Description for Clubs:

The Clubs and their members duly registered with the **Ontario Lacrosse Association** are protected against its legal liability for actual bodily injury or occurrence property damage to participants, spectators and other members of the public and to their property arising from organizational activities and events usual to the sport.

The Clubs and their members duly registered with the **Ontario Lacrosse Association** are also protected against such injury or damage caused by directors, participants, coaches, other club members and volunteers while acting on behalf of the Club.

Examples of situations that the policy would normally respond to are:

- suits by spectators and/or other non-participants should they suffer injury caused by negligence of any named insured and/or insured person

- suits by participants, coaches, instructors, officials, etc. against any insured and/or insured persons

- use of rented premises for meetings, practices and meets

Deductible: There will be a $1,000.00 deductible for any property damage caused by the negligence of the insured, the additional insureds or the additional insured persons.

Coverage:

The basic liability policy has been enhanced to include:

Elevator coverage, owners protective liability, products and completed operation, voluntary medical payments, blanket written contractual liability, cross liability, incidental medical malpractice, pollution liability exclusion endorsement, advertising injury liability endorsement, non-owned automobile, blanket tenants legal liability, personal injury endorsement, broad form property damage endorsement, world wide liability protection as well as legal liability for bodily injury or death to spectators and other members of the public and accidental damage to their property arising from any sanctioned activity.
Some examples of liability coverage as added by endorsement:

Voluntary Medical Payments: Reimburses others for their medical expenses if they are injured as a result of club or Provincial Association activities even when not legally responsible. Limits are $10,000. per person.

Incidental Medical Malpractice: Protection for rendering "first aid" to an injured person in the course of your activities.

Personal Injury: Protection if someone sues for such happenings as false arrest, defamation of character, wrongful eviction, violation of the right of privacy or occupancy, false advertising.

Non-Owned Automobile: Protection against legal liability arising from an accident when someone is driving his or her own vehicle on behalf of the Provincial Association, Club or team. Coverage is for the **legal entity** not the person driving the vehicle. NOTE: We strongly recommend the individual person purchase additional coverage to protect him or herself. If renting a vehicle, we strongly recommend that additional coverage be purchased through the rental agency (minimum of $2,000,000 Liability Coverage).

Liquor License Liability: Protection against legal liability imposed by the Liquor License Act of the province when hosting an event that includes serving alcoholic beverages however, our coverage is only for annual banquets and a special Liquor Permit is required for coverage to be effective.

Cross Liability: Protection if one insured person sues another for injury or property damage. i.e. a participant can sue a club or The Provincial Association. This clause will not increase the amount of insurance payable for any one occurrence.

Blanket Tenants Legal Liability: All insureds are protected on an all risk basis, should they damage any premises that they temporarily rent for related activities, such as a hall for year end banquet, or that you rent or lease office space or a facility for your own use only, or exhibition and/or booths.
There is a $500.00 per loss deductible that applies to this coverage.

Territorial: You must check the Territorial Classification (Canada or Worldwide).
World Wide Liability Protection: You are protected if you or any other insureds decide to take a team or group of teams off the North American Continent except the suit must be filed in Canada. NOTE: This coverage is limited, therefore we strongly recommend the group or team purchase additional travel insurance, which is offered by YOUNGS INSURANCE BROKERS INC.

SECTION THREE:

SPORTS TEAM GROUP ACCIDENT

(TERRITORIAL LIMITS OF POLICY – CANADA ONLY)

Compulsory Policy:

This outline is not a contract of insurance. It is merely a brief description of the various coverage's. In all cases the provisions of the actual policy riders shall prevail.

Should a member of your Club become injured while participating in a sanction activity ... you could feel seriously obligated.

We want to help remove this worry by providing a sports group accident insurance policy, which provides injury protection during competitions, practices and team travel. The plan covers all participants, managers, managers, coaches, officials and others who are active members of the **Ontario Lacrosse Association** and participating in the sport at the time of accidental event.

Under the plan there is no limit to the number of accidents covered per member or team and for each separate accident the plan pays the following:

Schedule of Benefits Section

Up to $20,000.	In the event of Accidental Death occurring within 52 weeks of the accident.
Up to $20,000.	In the event of Accidental Dismemberment (Scheduled) occurring within 52 weeks of the accident The schedule includes Quadriplegia, Paraplegia, Hemiplegia, Loss of Speech or Hearing, Loss of use of hands or arms or one arm or leg.
Up to $1,000.	For dental treatment resulting from injury to whole and sound natural teeth and received within 52 weeks of the accident.
Up to $20,000.	For accident medical expense, including cost of prescription drugs, ambulance, physiotherapy, private duty nurses (R.N.) - crutches, splints, braces, trusses, wheel chairs and iron lungs, incurred within 52 weeks of the accident. **(WHILE IN CANADA**)

Extension of Coverage Section

The following coverage's are payable in addition to those indicated above:

Up to $500. Fracture coverage	For fractures (scheduled) incurred while participating in an individual or team activity.
Special Treatment	When injuries covered by this policy result in loss of life of a participant outside of 200 km from their permanent city of residence and within 365 days of the date of the accident, the Insurer shall pay the actual expenses incurred for preparing the deceased for burial and shipment of the body to the residence of the deceased but not to exceed $5,000. When the attending physician recommends the personal attendance of a member of the immediate family, the Insurer shall pay the actual expenses incurred by the immediate family member for transportation by the most direct route by a licensed common carrier to the confined Insured Person but not to exceed $5,000.

Rehabilitation Indemnity	For up to 156 weeks after an accident, up to $3,000.00 in total is available to cover retraining costs (except living and/or travelling expenses) made necessary because the insured can only work at a special job because of the injuries he suffered.

Special Limitations

- all amounts are payable in Canadian Funds only
- Endorsement No.1 (attached)

Exclusions

Losses excluded include:

- sickness or disease, aircraft travel unless a fare-paying passenger, repair or replacement of artificial teeth, dental x rays, masseur fees, professional athletes, war risks, radio active risks.

- benefits payable under Provincial/Federal Hospital plans or losses payable under Workmen's Compensation.

- benefits payable under Provincial/Federal Hospital plans

- disability unless under treatment by a qualified physician

- no coverage is afforded to any professional athlete.

NOTE: THIS IS NOT A WAGE OR SALARY REPLACEMENT PROGRAM.

SECTION FOUR:

CLAIMS PROCEDURE

For Compulsory Policy

Liability Section:

1. All Clubs will report all claims to **Ontario Lacrosse Association** who in turn will submit them to YOUNGS INSURANCE BROKERS INC.

2. You will have to give the legal name of your Club in the event of a claim.

3. The **Ontario Lacrosse Association** will inform YOUNGS INSURANCE BROKERS INC. that you are covered under a Master Insurance Policy.

4. All Liability Claims must be reported to the **Ontario Lacrosse Association** within 48 Hours of receiving notice of potential legal action. Give all details and documentation regarding the claim to the **Ontario Lacrosse Association.**

5. Do not seek legal counsel or give out any information except to authorized agent of the Insurance Company of **Ontario Lacrosse Association**

Sports Accident Section:

1. The **Ontario Lacrosse Association** will have distributed copies of this form to all of their Clubs. All members who wish to submit a claim under the Sports Accident section of the policy and who do not have a claim form will contact the **Ontario Lacrosse Association** and obtain a claim form or package to submit the claim.

2. The Club will have the claimant complete this form as required and send it directly to the **Ontario Lacrosse Association** office.

3. Attention: INSURANCE CO-ORDINATOR OF SPORTS PROGRAM

   Ontario Lacrosse Association
   3 Concorde Gate, Suite 306

   Toronto, ON, M3C 3N7

   (416) 426-7066

SECTION FIVE:

OTHER RELEASES

5:1 COACHES/PARTICIPANTS DATA SHEET (FOR CLUB USE ONLY).

This is a form that team/club representatives and/or club coaches have found to be an important part of their athlete's file. In the event of an injury while participating in events, the information provided can be of assistance to attending medical staff.

5:2 WORDS OF ADVICE FOR COACHES.

General information regarding the standard of care required of a coach while supervising athletes under his/her control.

5:3 ACCIDENT REPORT FORM.

One mandate of the YOUNGS INSURANCE BROKERS INC. is to maintain a long-term research study with regards to injuries.

The co-operation of the athletes, coaches, administrators of clubs in completing and submitting the Accident Incident Report Form will allow us to assess areas that might jeopardize your safety programs and assist us in working towards a safe participation for your athletes.

5:4 SPORTS ACCIDENT CLAIM FORM.

This form will be distributed by the clubs to injured participants on request. Please note it is very important that this form be completed correctly, to prevent any delays in the settlement of a claim. Should you have any problems or questions in regards to the form, please contact the **Ontario Lacrosse Association** office.

5:5 CERTIFICATE OF INSURANCE

When necessary the **Ontario Lacrosse Association** office will provide the member club with a Certificate of Insurance. In some cases a member club requires proof of liability coverage for the temporary leasing or use of a facility for club activities or other club functions.

For more information contact **YOUNGS INSURANCE BROKERS INC.** office at 905-374-7000 or 1-800-565-8552

Contact YOUNGS INSURANCE BROKERS INC. office for advice on:

1) Additional available coverages.

2) Information with regards to Travel Insurance while travelling outside of Country or Province and the need for this coverage

3) Information with regards to Directors & Officers Liability and the potential requirement for this coverage by clubs. A package of information is available for those clubs that may think that they require this coverage.

Contact Persons:

Gord Fergusson
905-335-6925 ext. 2115
(800) 789-0096
gfergusson@youngsinsurance.ca

or

Sharon VanVolkenburg
905-374-7000 ext. 2167
(800) 565-8552
sharon.vanvolkenburg@youngsinsurance.ca
Web site: www.youngsinsurance.ca

PARTICIPANTS DATA SHEET FOR COACHES

Name of Coach		
Address - # & Street	City, Province	Postal Code
Phone Number ( )	E-mail address	

The following information is important to help your son or daughter have an enjoyable time and also allow the coach to be more knowledgeable about your son or daughter.

Name	Nick Name	Health Card #
Address - # & Street	City/Province	Postal Code
Phone Number ( )	E-mail address	
Birth Date (mm / dd / yyyy)	Weight	Height
Family Doctor		Phone Number ( )

Has your doctor given permission for your son or daughter to participate in this sport? YES ____ NO ____

If No, Why _____

_____

Any other health problems or allergies, please explain:

_____

NOTICE OF WARNING:
There is a potential risk for injury involved in training and participating in any sport. The **Ontario Lacrosse Association** has tried to create a safe and controlled environment for safe participation. The Club and officials have established rules in conjunction with the governing body for participation and conduct on and about the area that should be followed.

Waivers of Liability are recommended and we have attached a sample for your use.

_____ _____
Signature of Legal Guardian or Parents Date Completed

_____
Print Name of Legal Guardian or Parents

WORDS OF ADVICE FOR COACHES

Risk is a natural part of life and therefore a part of many sports. There is always a risk of injury when participating in sports. Because of this risk of injury there is also a risk of a lawsuit. The lawsuit in many cases will have to be proven on an unintentional tort (negligence) against you or the club. If so, in order to prove that negligence occurred, the injured party must establish three facts:

- damages were sustained
- duty relationship existed between the parties
- the conduct of the negligent party was below an acceptable standard of care

Here in Canada we do have a defence in sport called the "Volenti Doctrine". The courts have recognized and understand that in any sport there are risks, which are "obvious", i.e. "foreseeable" and "necessary". In other words, the risk of minor injury or injury is both foreseeable and necessary if one is to learn the sport. The risk of receiving blows to the body are both foreseeable and necessary to boxing, football, soccer, rugby, hockey or any other bodily contact sports if one is to accomplish the end result of the sport.

Nevertheless, in the case of an accident or injury you must understand and conduct yourself in the standard of care required by the situation. Therefore if your participant is injured, then:

- secure proper medical attention immediately
- if injury is serious, notify or transport individual to the nearest hospital
- make sure you have coaches/participants data sheet
- notify parents and follow-up on condition

The Last Word:

Since Williams v. Eady (1893), the legal precedent was set that an individual (coach) owed a duty to act as the "careful parent of a large family", a concept adopted almost universally since then to present day.

The ruling was, "Once a youngster had become hurt, would not a prudent father want to know how and why his child had become hurt in order to avoid the same kind of risk to another child? I think he would have."

Therefore, as a coach it is paramount that supervision of activities under your control are directly related to the complexity of the training session at hand. The rule of thumb is how much supervision would you give, if it were your child?

Your answer to this question should dictate your actions.

SPORT ACCIDENT PROGRAM
OVERVIEW

Eligibility:

To be eligible for insurance all members shall be participating as players, managers, coaches, trainers, executives, officials or volunteers in practice or competition in the sport under the supervision and direction of the **Ontario Lacrosse Association** and it's sanctioning of the activity.

Notice of PROOF of CLAIM:

Furnish to the **Ontario Lacrosse Association** or its representatives on forms provided, Sport Accident claim form within 90 days from such date of accident. This form will give the nature and cause of the accident and completed by legally qualified Medical or Dental Practitioner, if required by the insurance company.

Benefits:	Sum Insured:
Loss of life, dismemberment or loss of sight (as per Table)	up to $20,000.
Permanent Loss/disablement	up to $20,000.
* Blanket Accident Reimbursement	up to $10,000.
Rehabilitation	up to $ 3,000.
Out of Province Medical Accident (Inside Canada)	up to $10,000.
Blanket Dental	up to $ 1,000.
Fractures	up to $ 1,000.

* - Physiotherapy expenses are limited to 3 visits for any one accident.
- Knee Braces (Orthotic or otherwise) – the Insurer will reimburse the Participant for the actual, necessary, reasonable and customary expenses incurred within 180 days from the date of the Accident for such treatment or services.
subject to a $250 deductible.

NOTE: All claims must be approved by the **Ontario Lacrosse Association** prior to being paid by the Insurance Company (Insurer). As well this is a second payer program, this means that if you have an employee benefits program at work it pays first, if not, then this program pays first or the differences between the two plans.

Forms: Sport Accident Claim Forms (included in this package)
Other Insurance Declaration Form (included in this package)

Additional Information: Please refer to the "Insurance Handbook" on file with the Club or Team.