



University Insurance Coverage Update

This memorandum is a brief description of the University's Insurance coverage for those perils which are of general interest to the faculty and staff. The purpose is to provide a general understanding of points of principal interest about the University's various insurance coverages. This information should not be considered as a final reference to relate to a specific risk or loss situation under our coverage or to determine whether a valid claim does or does not exist. For information about a specific insurance situation, please call the Insurance Coordinator located in the Department of Environmental Health and Safety, Building 90, Extension 7440 or the Office of Human Resources, Building 20 East, extension 2602 (For Workers' Compensation Claims Only).

A. AUTOMOBILE INSURANCE COVERAGE

1. There is no "collision" or "comprehensive" insurance on UWF-owned vehicles. Damage to UWF vehicles (scrapes, dents, single vehicle wrecks, etc.) are NOT insured. Repairs or losses are the responsibility of the department using the vehicle when the damage occurs. Damage caused by a wreck involving another public or privately owned vehicle - that is properly insured - will be repaired, as appropriate.
2. Drivers or passengers of UWF-owned Vehicle should make sure they are adequately insured for medical injury and other losses, such as income loss. UWF employees (including student employees and official registered volunteers) are covered by Workers' Compensation while on University business. Non-employees (students) may be covered by the "Day Camps/Field Trip policy" **IF** they are officially registered with the comptroller's office
3. Fleet Liability Insurance coverage is provided pursuant to Chapter 284, Part II, and Section 768.28, Florida Statutes, the Florida Vehicle No-Fault Law rules promulgated thereunder.

Automobile Liability Coverage Limits:

General Liability	\$100,000 each person \$200,000 each occurrence
Personal Injury:	\$10,000 each person \$10,000 each occurrence

Automobile Liability Insurance provides financial protection against any claim for damage to property and/or bodily injury of others arising from a collision with a university vehicle. Please note that this insurance coverage applies **only** to University vehicles. It does not cover rental vehicles or your personal vehicle even if the use of such vehicle is University related.

4. Medical Payments – This coverage is not provided. University employees, including student employees, are covered under Workers' Compensation Insurance. Students or other persons not employed by the University must rely on personal or parental insurance for this coverage. These individuals should be advised by the person responsible, before a University vehicle is used for a trip, that this coverage is not available.

6. A Health and accident Policy is available through the University Health Center, Building 63, or the Office of Student Affairs, Building 21. This coverage is made available for students and others participating in University approved trips who do not otherwise have any insurance coverage or wish to supplement existing insurance coverage. There is a charge for the additional Health and Accident Policy which is remitted directly to the insurance provider by the insured.

B. WORKERS' COMPENSATION INSURANCE

1. Coverage A – Workers' Compensation – To promptly pay all compensation and other benefits required of the insured by the Workers' Compensation Laws.
Coverage B -\$100,000 each person
\$200,000 each occurrence

2. All claims which the insured shall become liable to pay as damages because of bodily injury by accident or disease, including death, at any time resulting therefore, which are sustained by an employee of the insured and which arise out of and in the course of employment.

3. Workers' Compensation benefits is a Managed Care Program administered by the Office of Human Resources. It is therefore important that employees contact the Office of Human Resources, prior to seeking medical care. Emergency notification to the Office of Human Resources can be made through the University Police Department.

4. The University provides coverage for injury to employees incurred in the course of their employment through a state self-insured trust fund administered by the Division of Risk Management in Tallahassee. The responsibility for local administration of workers' Compensation insurance is assigned to the Office of Human Resources, Building 20 East (Extension 2602). It is most important that the Office of Human Resources be promptly notified of any employee injury. "Volunteers" [as defined and provided for under Florida Statute 440.02(d)(6)] who are officially registered with the Office of Human Resources are included as "employees" in the Workers' Compensation insurance program.

5. Once a claim has been established, employees' medical expenses are covered by this fund. Should the injury render the employee unable to work, compensation for loss of wages up to 2/3 of regular salary, not to exceed a maximum preset amount, per week is provided. In addition, should the injury cause permanent impairment, certain amounts are provided to the employee on a continuous basis.

C. FIDELITY BOND

The fidelity bond provides \$500,000 coverage for any loss sustained by the University as a result of fraudulent or dishonest acts committed by any employee (including student

employees), acting alone or in collusion with others. A deductible of \$500 applies to each loss.

D. GENERAL LIABILITY COVERAGE

Liability coverage (other than Automobile Liability) is provided through a state self-insurance trust fund administered by the Department of Financial Services, Division of Risk Management in Tallahassee. The responsibility for local administration is assigned to the University Controller's Office. Limits of coverage are \$100,000 per person/claim and \$200,000 per occurrence. Claims in excess of this amount must be approved by the legislature. This coverage excludes Professional Medical Liability and Nuclear Energy Liability.

Section 768.28(9), Florida Statutes, provides in part that, "No officer, employee, or agent of the state or any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of his/her employment or functions, unless such officer, employee or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human, rights, safety or property."

This is a clear assumption of responsibility by the state for actions taken by University employees in the course of their employment. Since the cost of professional insurance for most University occupations is small, this type of personal coverage should also be considered by each of us.

E. BUILDING AND CONTENTS INSURANCE

Losses to buildings and contents owned by the University or required insurance under the terms of an existing lease are covered for the perils of fire, extended coverage, and flood through the Florida Fire Insurance Trust Fund administered by the Department of Financial Services, Division of Risk Management in Tallahassee. The responsibility for local administration is assigned to the University Controller's Office.

Please be advised that this coverage does not include loss by theft. Such losses must be replaced from current appropriations. This coverage also does not extend to personal property, such as books, radios, plants, etc., which might be in your office.

In the event of a loss from a covered peril, the University Property Records are the basis for a claim for contents. It is therefore, important that property transfer forms be filed promptly with the University Property Manager when equipment or furniture is moved from one location to another. It is also very important to notify the University Police Department and the University Property Manager in the event of known or suspected stolen University property.

Equipment that is checked out and removed from campus by university employees is not covered. Employees may obtain insurance coverage for such equipment through certain personal homeowners insurance coverages. Employees should contact their insurance carrier to inquire about such coverage.

F. SPECIFIED MEDICAL PROFESSIONAL LIABILITY OCCURRENCE INSURANCE

Professional Liability Coverage is provided for students enrolled in specified Allied Health Specialty programs including Athletic Trainers, Biofeedback Technologist, Medical Technologist, psychologist, Registered nursing and Social Work. The University's coverage is under Plan 2 and provides the following limits of liability:

Professional Liability Insurance	\$1,000,000 each person
\$3,000,000 each occurrence	

G. COURT AWARDED ATTORNEY FEES

General Liability Coverage – Bodily and Property Damage Coverage is provided for all sums which the University shall become legally obligated to pay as damages for injury or loss of property, personal injury, or death caused by the negligent or wrongful act or omission of any officer, employee, agent, or volunteer of the University, as such terms may be further defined by administrative rule, while acting within the scope of his/her office or employment, pursuant to the provisions and limitation of Chapter 248, Part II and Section 768.28, Florida Statutes.

H. FEDERAL CIVIL RIGHTS

Federal Civil Rights Coverage - Coverage is provided for all sums which the University shall become legally obligated to pay, subject to the stated exclusions, arising from federal civil rights actions filed under 42 USC 1983, and other similar federal statutes. The coverage includes payment of claims and awards for plaintiff attorney fees where so provided by the federal statutes.

Employment Discrimination Coverage – Coverage is provided for all sums which the University shall become legally obligated to pay, subject to stated exclusions, arising from employment discrimination actions filed under 42 USC 2000e, Title VII of the 1964 Civil Rights Act, the Rehabilitation Act of 1973 (handicap discrimination), the Age Discrimination in Employment Act of 1967, the Vietnam Era Veteran's Readjustment Act of 1974, and other similar employment discrimination acts and statutes.

I. INDEMNIFICATION OF OTHER HOLD HARMLESS AGREEMENTS

Governmental agencies and other organizations sometimes request that the University agree to indemnify and/or hold the agency or organization harmless from liability in connection with a lease agreement or contract. The University does not have legal authority to agree to these clauses as they are generally written. Hold harmless and indemnity clauses are allowed in contractual agreements as long as a qualifying statement is added to the hold harmless/indemnity clause which state, "...to the extent provided by Florida Law." Please contact the General Counsel at extension regarding these clauses.

J. RENTAL CAR INSURANCE

The State contract with Avis Rent-A-Car provides primary coverage as follows:

Bodily Injury	\$100,000 each person
\$300,000 each occurrence	
Property Damage	\$25,000 each occurrence

Avis Rent-A-Car assumes all fire, accident, and collision losses. Collision damage is assumed by Avis Rent-A-Car and payments of the daily CDW (Collision Damage Waiver) or LWD (Loss Damage Waiver) fee is not authorized to be paid from state funds and should be rejected by the employee at the time the rental car contract is signed.

The state's rental car contract includes an insurance override agreement that covers licensed drivers other than the individual who rented the vehicle that use the vehicle with the permission of the renter with all insurance and benefits provided under the rental agreement. This coverage is provided to business associates and spouses and children above the age of 18 who are living at home.

When taking advantage of any special rates other than the State Contracted Rental Car rates, none of the above coverage applies. In such cases, all insurance must be purchased by the renter.

K. OTHER INSURANCE

There are several other kinds of insurances utilized by the University that are purchased through the State, such as: Day Camp Insurance, Fine Arts Property Insurance, Marine Insurance, Inland Marine Insurance, and Electronic Data Processing Insurance. In addition, the EH&S coordinator can assist departments in purchasing other insurance coverage required by contractual agreements.

In summary, all inquiries regarding insurance coverage should be directed to the following offices:

Workers' Compensation Insurance – Office of Human Resources, Extension 2602

All other types of insurance coverage – coordinator at Environmental Health and Safety, Extension 7440.