

# UF General Liability

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EH&S 7.19.23

# EH&S Summer Series

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July 12th: Property Insurance

July 19th: General Liability

August 2nd: Auto Liability

August 9<sup>th</sup>: Certificates of Insurance (COIs)

# General Liability

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## **Intended Audience:**

- UF employees, supervisors, others managing risk for their college, department or unit

## **Goals:**

- Learn who and what our general liability insurance covers
- How does the coverage apply
- Loss experience
- Loss prevention
- What happens when there is a claim or lawsuit



**DEPARTMENT OF FINANCIAL SERVICES**  
*Division of Risk Management*

**STATE RISK MANAGEMENT TRUST FUND  
GENERAL LIABILITY  
CERTIFICATE OF COVERAGE**

In consideration of the provisions and stipulations contained herein or added hereto and for the premium charged, the State Risk Management Trust Fund, hereinafter referred to as the "Fund", certifies that the State department or agency named in this certificate is hereby provided general liability coverage. Coverage shall be effective on the inception date at 12:01 a.m. standard time.

This certificate is comprised of the foregoing provisions and stipulations, together with such other provisions and stipulations as may be added hereto by the Fund in the future:

**I. COVERAGES**

**General Liability Coverage--Bodily and Property Damage**

To pay on behalf of the insured all sums which the insured 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 named insured, as such terms may be further defined herein or by administrative rule, while acting within the scope of his office or employment, pursuant to the provisions and limitations of Chapter 284, Part II and Section 768.28, Florida Statutes.

- (2) maintained for use exclusively on premises owned by or rented to the named insured, including the ways immediately adjoining, or
- (3) designed for use principally off public roads, or
- (4) designed or maintained for the sole purpose of affording mobility to equipment of the following types forming an integral part of or permanently attached to such vehicle; power cranes, shovels, loaders, diggers and drills; concrete mixers (other than the mix-in-transit type); graders, scrapers, rollers and other road construction or repair equipment; air-compressors, pumps and generators, including

Coverage

# Who is covered?

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## Employee

- Negligence during the course and scope of their employment/responsibilities

## Volunteer

- Any person who of his own free will, provides goods or services to the named insured, with no monetary or material compensation as defined in Chapter 110, Part IV, Florida Statutes.
- <https://hr.ufl.edu/manager-resources/volunteer-coordination/>

## Students

- Not covered unless an employee or volunteer

# What does it cover?

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Injury, death, or loss of property caused by the negligence of employees and volunteers while acting within the course and scope of their employment or responsibilities.

**Premises and operations:** liability for injury or damage arising out of the insured's premises or out of the insured's business operations.

**Personal injury:** Libel, slander, defamation, invasion of privacy.

**Professional liability:** protects traditional professionals (e.g., accountants, attorneys) and quasi-professionals (e.g., real estate brokers, consultants) against liability incurred as a result of errors and omissions in performing their professional services. (Physician liability is excluded and covered by the SIP).

# Coverage details

**Policy number:** GL-0171

**Limits:** \$200K per person's claim / \$300K per claim

**Dates:** July 1 to July 1

**Premium:** Rated on reported FTEs and volunteers

**Territory:** Worldwide

**Defense Costs:** Included (outside of liability limits)

**Certificates of coverage:**

<https://www.ehs.ufl.edu/programs/insurance/certificates-of-insurance-coverage/>

Cannot add anyone as Additional Insured

# What is excluded

- We can't be liable to ourselves (property damage)
- Auto liability – exceptions for boat, drone, golf cart, mobile equipment
- Liability assumed by the insured under any contract or agreement
- Punitive damages
- Actions committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property





# Events

# Event Liability

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UF events: Course and scope of employment (Performing Arts, O'Connell Center, etc.)

UF events off-premises: The “insurance bubble”: but may need additional insurance

Third-party events: Need to show proof of insurance or purchase a TULIP event policy

# Department-Sponsored Events, On or Off Campus

## Department Sponsored Events

Departmental events are covered by the University's self-insurance programs as long as they are directly supervised on-site by a University employee acting within the course and scope of employment.

University insurance coverage applies only to the extent an event is scheduled, organized, and supervised by University employees acting in the course and scope of employment, and only to the extent the University is liable for any damage or loss.

Other entities that schedule, organize, or supervise a campus event (such as Registered Student Organizations or non-profit organizations) are not covered by the University's insurance, and must provide their own proof of coverage.

## Insurance Documentation

If your department holds an off-campus event, the host facility may ask you for proof of insurance. Risk Services is the only campus unit authorized to issue proof of such coverage. To obtain the necessary documentation, please log onto <https://www.ehs.ufl.edu/forms/risk-management-forms/request-a-certificate-of-coverage>.

## Request of Increased Insurance Limits

In some cases, a non-UF facility may ask for Increased limits of Liability over and above the State's Limits of liability. We will reach out to an insurance broker requesting a quote for the coverage limits that the facility is requesting. It is up to the department requesting the coverage quote to submit payment via chartfield to EH&S to pay for the coverage premium.

# Insurance for Third Party Users of Campus Facilities

Non-UF individuals/organizations (3rd party users) requesting the use of UF facilities and/or grounds for an event must carry event liability insurance in the amount of \$1M per occurrence and provide evidence of such insurance (an insurance certificate or an Event Policy).

## **Certificate of Liability**

Third party users (including private individuals, private corporations, non-profit organizations, and unincorporated associations) may hold events at campus facilities provided they provide PRIOR TO the event: A Certificate of Insurance (COI) that names UF Board of Trustees (BOT) as both the Certificate Holder and as an Additional Insured.

Limits must reflect:

General Liability with a \$1 million per Occurrence Limit and a \$2 million per Aggregate Limit.

If you are bringing a vehicle onto campus, the policy must include Automobile Liability coverage of at least \$500,000.

If you are bringing employees onto campus, the policy must include evidence of Workers' Compensation coverage.

The policy start and end date must encompass the date of your event.

## **Tulip Event Policy**

Alternatively, renters can purchase Tenants' and Users' Liability Insurance Policy (TULIP). The policy protects both the renter and the institution against claims by third parties who may be injured or experience damage to property as a result of participating in an event. UF makes the TULIP program available through our membership with the university risk management insurance association (URMIA).

<https://tulip.aig.com/>

Premium costs will be paid by the tenant user independently or via the venue coordinator. The costs will vary based on the following criteria:

- Nature of the event
- Duration of the event
- Number of participants
- Level of the risk of the event

For questions regarding TULIP, problems with its website or to cancel coverage, please see the contact information below.

**ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC.**

6399 S. Fiddlers Green Circle, Suite 200

Greenwood Village, CO 80111

844.226.6097

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Division of  
**Risk Management**

Fiscal Year 2022 Annual Report

Loss  
experience

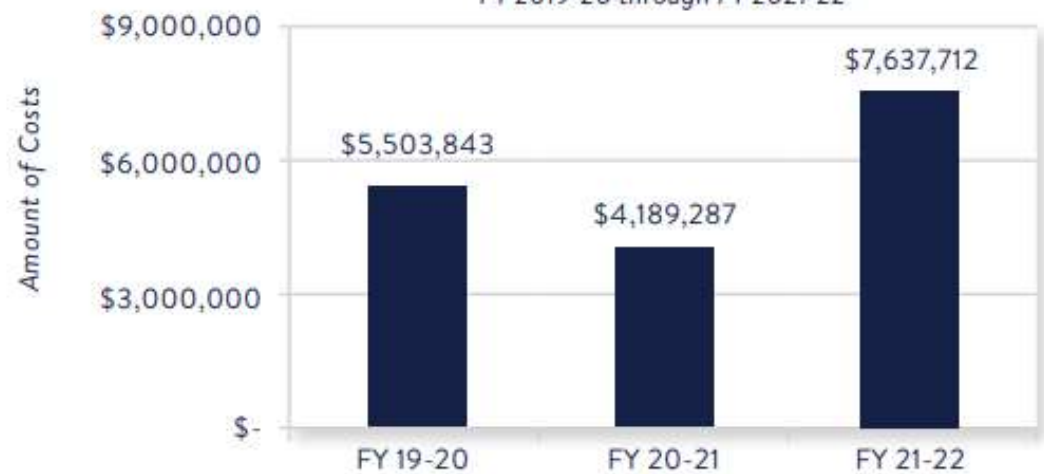
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# State Claims Data

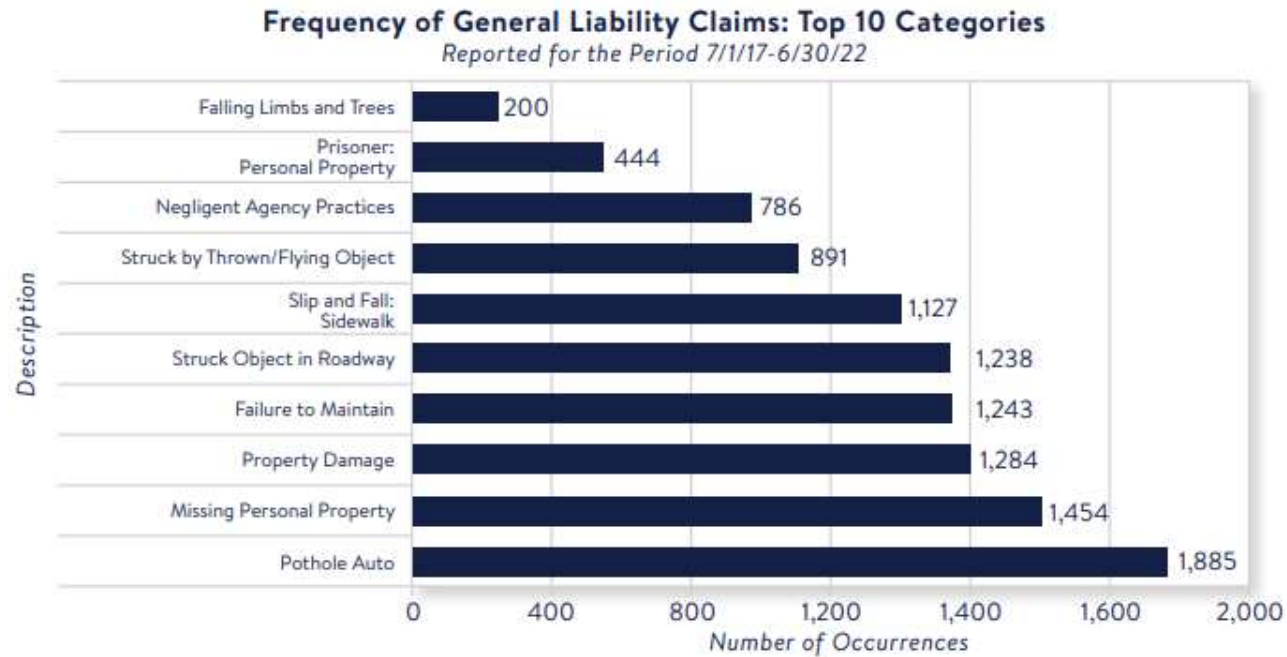
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**Florida General Liability Claims Cost Comparison**  
(Excludes Adjusting and Defense Costs)  
FY 2019-20 through FY 2021-22



# State Claims Data

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# State Claims Data

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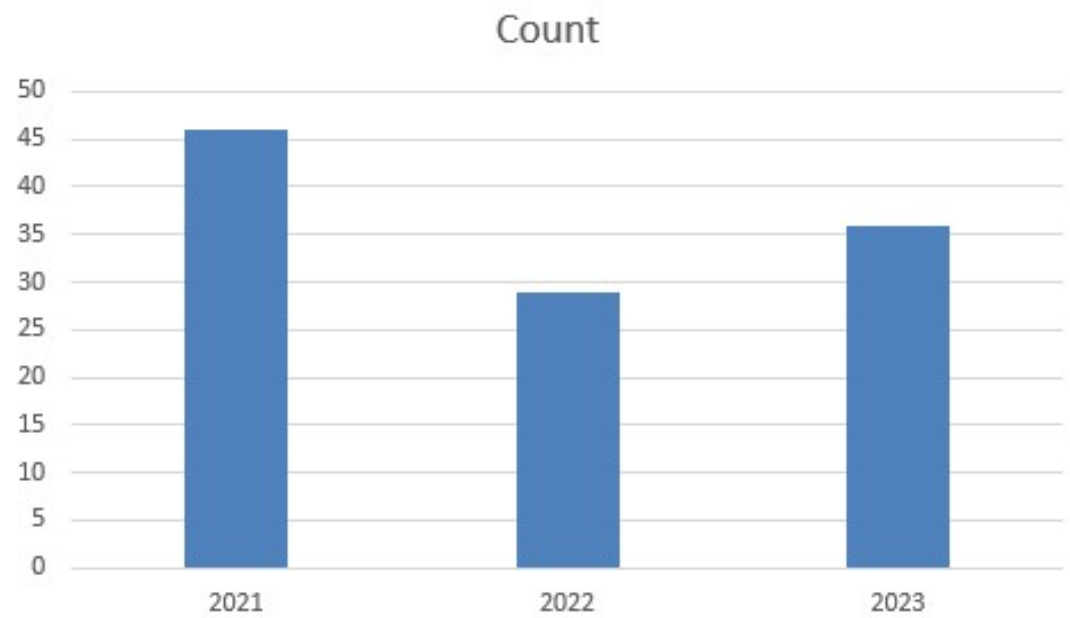
**Cost of General Liability Claims: Top 10 Categories**  
For the Period 7/1/17-6/30/22





# UF Claims Data

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# UF Claims Data

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# UF Claims Data

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<b><u>Cause</u></b>	<b><u>Count</u></b>
PROPERTY DAMAGE	40
TORT/FCR SUSPENSE	28
SLIP AND FALL-SIDEWALK	14
FALLING LIMBS AND TREES	8
NEGLIGENT AGENCY PRACTICES	6

# Loss Prevention

- Premises – EH&S safety report and FS Work Management, Housing, TAPS, etc.
- Risk Management:
  - Identify exposures: buildings, classes, security, public facilities (museums, stadiums, pools, streets and roads)
  - Avoidance, retention, transfer (insurance), general loss prevention and reduction
  - Frequency and severity
  - Loss prevention measures – training and procedures, inspections, internal controls, communication, supervision, culture of safety, proactive

# Claims Process

- Claimant files a claim with the State within 3 years of incident.
- Our duties after a loss
- An assigned adjuster reviews/investigates the claim and if negligence is found, attempts to settle the claim.
- Hire an attorney if disputed.
- Discovery process.
- Mediation.
- Trial.

# Resources

<https://www.ehs.ufl.edu/programs/insurance/general-liability/>

## EH&S Risk Management

Erin Brewer – 392-0371 – [ebrewer@ehs.ufl.edu](mailto:ebrewer@ehs.ufl.edu)

Brian Hunt – 273-2146 – [bhunt@ehs.ufl.edu](mailto:bhunt@ehs.ufl.edu)