

FOCA ASSOCIATION INSURANCE Cottage, Lake, Land & Road Groups



CadeAssociates
Insurance Brokers Limited

FOCA
Federation of Ontario Cottagers' Associations

INSURANCE COVERAGE HIGHLIGHTS

The FOCA Association Insurance Program is available to all member organizations of FOCA, with hundreds of cottage, lake, land and road associations already participating. The protection provided under your FOCA insurance program was developed to provide a broad range of insurance protection, anticipating most of your association's activities and the risks arising out of your operations.

As organizations grow and board members change, it is important that your executive understands the insurance protection they carry and the options offered by the FOCA Association insurance program. While exact coverages are subject to the limits, terms, conditions, and exclusions of the Policy and your Certificate of Insurance, the following reviews some of the standard protections provided.

COMMERCIAL GENERAL LIABILITY

What protection does this policy provide?

This policy responds to investigate claims of "bodily injury" and "property damage" to third parties, providing coverage for legal costs to defend your Association against those actions for which the policy provides coverage. The policy provides a limit of insurance which responds to pay those sums for which you become legally liable to pay as compensatory damages to a third party. The FOCA Association insurance program offers limits of up to \$10,000,000 per occurrence with an available \$10,000,000 aggregate limit.

The intention is to protect your Association from actions taken against it by third parties for allegations of negligence on the part of your Association.

Who is Protected?

Under the definitions of the Commercial General Liability policy, "Who is an Insured" defines who is protected under the policy. In part, this reads as follows: Your 'organization', your 'executive officers' and 'directors', 'trustees' if a trust. In addition your 'employees' and 'volunteer workers' are insured with respect to acts within the scope of their employment or work by you or while performing duties to the conduct of your business.

The FOCA Association insurance program includes a specifically designed clause which adds "Members in Good Standing" as insureds to the policy. Your members in good standing and volunteers, including the board members, are insured for liability arising out of their activities on behalf of the organization.

The Commercial General Liability policy also provides:

Medical Payments

A \$10,000 limit is automatically extended under "Medical Payments" for medical expenses such as first aid administered following an accident and necessary medical, surgical, x-ray, and/or dental services for injuries to a third party or volunteer. Coverage is excluded for participants of physical exercises, games, sports, or athletic contests.

Tenants Legal Liability

Provides limit of up to \$500,000 for claims where you become legally liable for 'property damages' to premises rented or occupied by you, where such property is not owned by your Association. Examples include rented town halls or community centres.

Abuse Limited Liability

Coverage is provided up to a limit of \$250,000 per occurrence for sums that you become legally obligated to pay as compensatory damages due to "bodily injury" arising out of "Abuse". Abuse is defined as any act or threat involving molestation, harassment, corporal punishment or any other form of physical, sexual or mental abuse. It is important to understand that this coverage protects you against the allegations of third parties only and does not cover actions alleging abuse to employees or volunteers while performing duties related to the conduct of your business.

Personal & Advertising Injury

Coverage is afforded to your Commercial General Liability limit for claims arising out of "personal injury", meaning injury arising out of false arrest, detention or imprisonment, malicious prosecution, wrongful eviction or entry and oral or written publication that slanders or libels a person, or violates privacy copyright infringement in advertisements.

DIRECTORS & OFFICERS LIABILITY

What protection does this policy provide?

Directors & Officers Liability insurance coverage responds to investigate and defend against those claims to protect the organization, its Directors and Officers or employees and volunteers (acting on their behalf), for claims made for a “wrongful act” committed within and reported within the policy period. This coverage is intended to provide protection for those listed above for claims alleging wrongful management acts while performing their duties. Typically they can include actual or alleged errors or omissions, misleading statements and/or neglect or breach of duty.

It is important to note that unlike the Commercial General Liability coverage, the Directors and Officers Liability coverage does not provide coverage for bodily injury, personal injury or property damage. It is intended to protect against allegations of financial loss such as loss of use, loss of income or other incurred loss where no bodily or personal injury or property damage to tangible property takes place.

This coverage is offered separately from Commercial General Liability and is written on a “claims made” basis. This type of policy does not respond to any wrongful act or claim which is presented that occurred outside of the policy term, except in those cases where the Directors & Officers had no knowledge of any incident which may give rise to a claim and then only if reported during the policy term.

ACCIDENT COVERAGE

What protection does this policy provide?

This coverage provides a limit of up to \$25,000 for accidental bodily injuries to Directors, Officers and Full Time employees sustained while the Accident Coverage is in force. Coverage applies 24 hours a day, 7 days per week based on a schedule of injuries listed in the policy wordings. FOCA Members benefit from this coverage bundled with their Directors & Officers Liability insurance at no extra cost.

FREQUENTLY ASKED QUESTIONS

1. I have been asked to provide ‘proof of insurance’ to a group our Association is working with. Can this be provided?
Yes! Upon request, our office will provide a Certificate of Insurance to satisfy landlords, owners of buildings, municipal or park authorities or other third parties with whom your group works. Certificates are available at no extra charge.
2. We hold picnics, barbecues and annual meetings. Will my policy provide coverage for these activities?
Yes! All of these activities and many others are anticipated under your FOCA Association insurance program policy and are covered. If your Association is beginning any new activities that you have questions about, please call our office.
3. My Association arranges for the marking of rocks & shoals on our lake. Can coverage be provided for liability arising out of these activities?
Yes! If your Association is actively engaged in the marking of water hazards, be sure to advise our office. Coverage under the CGL policy can be extended for a nominal charge. For recommendations regarding the placement of hazard markers, visit www.foca.on.ca.
4. Can Directors & Officers coverage be provided to non-incorporated Associations?
Yes! While the structure of the organization may differ, the risk of lawsuits and coverages remain the same.
5. Our Association maintains a private road. Are we eligible for the FOCA Association Insurance Program?
Yes! Volunteer groups engaged in maintaining their private access roads should seriously consider a Road Association insurance policy. We can work with your group to provide you with a cost-effective policy that will respond to defend the Association or a volunteer acting in its direction if a claim arises alleging negligence in the maintenance of the road.

NOT CURRENTLY INSURED?

Coverage under the FOCA Association insurance program is available to all associations who are members of FOCA, but it is not automatic. For more information about the program or to download applications to request a quote, please visit

www.cadeinsurance.com/foca

Our office will be delighted to speak with you to discuss the insurance needs of your Association! Feel free to give us a call at
1-844-CADE-1ST

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