

Alberta Basketball Association



Insurance Program Overview + FAQs

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Who is HUB International HKMB?

HUB International HKMB is the insurance broker responsible for arranging the insurance program for the ABA and its members. For more information about HUB International, visit www.hubinternational.com.

What type of insurance is provided by the ABA to its members?

- Commercial Liability Insurance
- Accident Insurance
- Directors' & Officers'– Wrongful Acts

This insurance is arranged by the ABA for its registered members and the cost is included in the registration fee paid by each member.

What is the purpose of the General Liability and Accident Insurance Coverage?

The primary purpose of the General Liability policy is to protect against lawsuits from individuals alleging that the sports organization and/or its members have negligently caused bodily injury to a player or spectator. The policy also covers other types of lawsuits such as property damage, personal injury (libel and slander) and Non Owned Automobile liability. The policy does not cover expenses related to criminal charges brought against a member of the association regardless of the nature of the charge(s).

The Accident Policy is designed to reimburse a member in good standing who suffers a covered injury/ death while participating in an ABA Sanctioned Activity. The Accident Policy is designed to provide coverage to those members who do not have access to another health insurance plan or to supplement existing health insurances.

Directors' & Officers' Liability covers the organization and membership from "wrongful acts" in executing the administration and oversight of the various clubs.

Who is considered an "insured" under the General Liability policy?

Coverage is provided for the association itself and members registered in good standing with the ABA, but only while participating in activities sanctioned by the ABA. Members are required to sign a Participant Waiver as part of the registration process for coverage to be applicable.

Also considered "insureds" under the liability program are coaches, managers, officials, administrators and volunteer workers, but only for acts within the scope of duties performed on behalf of the ABA.

What activities are covered?

Coverage is provided for all ABA sanctioned basketball activities. See page three (3) for a list of sanctioned basketball activities. ALL sanctioning decisions are made by Alberta Basketball Association

Are Club / League fundraisers covered under the General Liability Policy?

Yes, but only those activities sanctioned and approved by the ABA.

Our club has been asked to provide Proof of Insurance or a Certificate of Insurance. What is the process for obtaining this document?

Step 1:

Complete a Certificate of Insurance Request Form.

Step 2:

Upon completion, forward to info@basketballalberta.ca for approval and issuance of the Certificate.

Step 3:

Alberta Basketball Association will e-mail the Certificate of Insurance back to the Club Contact Person listed on the form. If possible, provide the contact name and email for the facility or school board that is to be named on the Certificate so that a copy of the Certificate of Insurance can be sent directly to the contact as well as the club.

Step 4:

Ensure that the certificate issuance program, “CertExchange”, is white listed in your email program so that your Certificate is not sent to your Junk mail folder or blocked by your email security.

IMPORTANT NOTE: INSURANCE CERTIFICATES WILL NOT BE ISSUED TO CLUBS WHO HAVE BEEN SUSPENDED OR HAVE OUTSTANDING FEES.

Is a parent covered if they are driving his or her own children to an event?

No. The program does not provide coverage for parents driving their children to the game/practice because they are, in that circumstance, exercising their parental responsibility not a team duty.

However, coverage is in place for volunteers of the association while performing volunteer duties. Therefore, parents associated with a team or performing a specific duty assigned by the team (coach, assistant coach, or other authority) do have insurance coverage under this program.

What is defined as sanctioned?

Sanctioning definition/guidelines are as follows:

Sanctioned Game: A game between two registered Alberta Basketball teams that is officiated by two referees assigned by the local officials board.

Sanctioned Tournament: An event approved by Alberta Basketball that consists of four or more registered Alberta Basketball teams participating in a competitive structure that results in a team playing three or more games on the dates submitted by the host club.

Exhibition Game/Controlled Scrimmage: A game or scrimmage between two registered Alberta Basketball Teams

End of Season Banquet: The insurance will extend to Banquets, however, there is no primary coverage for liquor exposure. The liquor service must be provided by the licensed venue.

Does the policy provide coverage for lawsuits alleging sexual abuse/molestation?

Yes. There is Limited Abuse/Molestation coverage of \$2,000,000.* *Subject to terms of the policy.* Member clubs are to follow abuse/molestation protocols as outlined by Alberta Basketball's Maltreatment Policy.

Does the policy provide coverage against liquor liability claims?

Yes. There is coverage under the Liability program for defense of liquor related claims but only if:

- They arise in connection with a banquet or awards ceremony
- The ABA has approved or sanctioned the event in advance

Not Sanctioned: Not Covered

IMPORTANT NOTE: Fundraising events involving the sale/distribution of alcohol **ARE NOT COVERED** under this Liability program. To obtain separate coverage, contact ben.rossington@hubinternational.com.

Are players insured when trying out for a team if they are not registered with that club?

Yes, players are covered when participating in ABA club approved tryouts, training camps and practices whether or not they are registered with that team as long as they have completed and submitted the Alberta Basketball membership form (that includes a waiver). They are not, however, covered if they play in a sanctioned game with a team with which they are not properly registered.

COMMUNICABLE DISEASE

Does the policy provide coverage for lawsuits alleging injury due to COVID-19 or other communicable diseases?

No. The insurance excludes any claims alleged by a registered member, coach, volunteer or spectator with respect to communicable disease.

This extends to Sports Accident & Directors & Officers Coverage

Does the policy provide coverage for out of province/international travel?

Coverage will extend to teams who participate in a sanctioned event and have appropriate team travel insurance. Visit the following site to obtain coverage

<https://shop.tugo.com/store/HUNOB837>

Travel Medical coverage is required for ALL International Travel as well as any Travel within Quebec

Travel Medical Coverage is worldwide. The insured person is covered once they leave their home province. **Please note that COVID-19 excluded for international travel but is covered within Canada at this time**

Does the policy provide coverage for the club's sports equipment & contents?

No. The insurance excludes any claims alleged for damage to club equipment and contents, including jerseys and basketballs. Coverage must be arranged independently by the club for a club property policy.

Does the policy provide coverage premises liability for a rented office space?

If the rented space is adjacent an approved basketball activity venue or facility then yes it will cover. However, if the office is in a rented or leased space away from the regularly used sports venue, the coverage needs to be obtained by the club through an office/club property policy.

ACCIDENT (AD&D) POLICY

Who is covered?

"Persons Insured" is any person, including volunteers working on behalf of the Named Insured, who is participating in a sanctioned activity.

When are they covered?

Persons Insured are covered during sanctioned activities of the ABA, such as practice sessions, games or activities approved by and under the supervision of proper authority of the team, club, organization or the Named Insured and for which coverage has been declared and purchased.

What is not covered?

The policy does not cover losses directly or indirectly caused or contributed to by:

- Injury sustained while in any of the armed forces (land, sea or air) of any country or international authority;
- Intentional self-inflicted Injury or attempted suicide;
- Being under the influence of alcohol or having taken drugs or narcotics unless prescribed by a legally qualified physician or surgeon;
- Injury occasioned or occurring while the participant is committing or attempting to commit a criminal act or to which a contributing cause was the participant being engaged in an illegal occupation or activity;
- Pregnancy, childbirth, miscarriage or abortion;
- Sickness or disease of any kind;
- Injury as defined in this policy, arising out of a pre-existing medical or mental condition. However, an Injury, for which the treatment has not been rendered or treatment medically recommended for the past thirty consecutive months shall not be considered a preexisting condition unless otherwise specifically excluded;
- Neuroses, psychoneuroses, psychotherapies, psychoses or mental or emotional disorders of any type;
- Rest cures, sanatorium or custodial care or periods of quarantine or isolation;
- Cosmetic or plastic surgery not necessitated as a result of accidental bodily Injury;
- Dental examinations, X-rays, extractions, fillings and general dental care except as a result of accidental bodily Injury;
- Routine medical examinations; and,

- Costs incurred more than one hundred and eighty (180) days after the date of the event giving rise to them.
- Resulting from, or in connection with any of the following regardless of any other cause or event contributing concurrently or in any other sequence to the loss or expense:
 - War, hostilities or warlike operations (whether war be declared or not);
 - Invasion;
 - Act of an enemy foreign to the nationality of the insured person or the country in, or over, which the act occurs;
 - Civil war;
 - Riot;
 - Rebellion;
 - Insurrection;
 - Revolution;
 - Overthrow of the legally constituted government;
 - Civil commotion assuming the proportions of, or amounting to, an uprising;
 - Military or usurped power;
 - Explosions of war weapons;
 - Utilization of nuclear, chemical or biological weapons of mass destruction howsoever these may be distributed or combined;
 - Murder or assault subsequently proved beyond reasonable doubt to have been the act of agents of a state foreign to the nationality of the insured person whether war be declared with that state or not; and,
 - Terrorist activity.

Is the coverage under this policy considered “excess”?

Yes. The Medical Expense coverage is “excess” or the “second payer” and requires other collectable insurance (group medical plan, group blanket plan, governmental plan or program, or coverage provided or required by any law or statute, including automobile “fault” and “no-fault” coverage and Workplace Safety and Insurance Board) to respond first before the “excess” Accident policy will pay any benefits.

Does this policy contain a deductible?

Yes. There is a \$100 deductible with respect to Accident Reimbursement Expense and Accident Dental Expenses.

How does a participant submit a claim in the event that a participant is injured?

Refer to the [Accident Claim Procedure document](#).

Basketball Camps/Training Camps/Tournaments

Are camps and other basketball related events covered under the ABA Insurance Policy?

Camps and other basketball related events are covered when they meet the specific requirements indicated below:

1. **The organization running the camp/event must be a registered organization in good standing with the ABA.**
 - If not, the camp/event and those participating in will not be covered under the ABA policy.
2. **All participants in the camp/event must be registered with the ABA.**
 - Players that are not registered will not have coverage, jeopardizing the insurance coverage of the organizing club should something happen to the non-registered player.
3. **The ABA Policy does not extend to camps/events operated outside of ABA jurisdiction.**
 - Camps/events must be operated by a club or other member group in good standing with the ABA.
 - If a volunteer or coach of a club is running a camp/event, the club must sanction the camp/event in order for it to be covered under the ABA Policy. It is strongly recommended that before running a camp/event, the coach or volunteer get written confirmation from the club that the camp/event is approved.
4. **Only basketball related activities are covered for camps.**
 - Neither the participants nor the organizing club would be covered under the ABA policy for non-basketball related activities at the camp/event including, but not limited to, overnight stays and other sporting activities. The club is responsible for purchasing additional insurance for non-basketball related activities at their camp/event.
 - Instructors at camps/events are covered when instructing/participating in basketball related activities at the camp/event. **EXCEPTION:** Professional instructors, ie., instructors who derive the majority of their salary from instructing basketball, are not covered under the ABA policy.

Directors' & Officers' – Wrongful Acts

What is the purpose of Directors' & Officers' Liability Coverage?

The Directors' & Officers' (D&O) policy is designed to insure non-profit organization against law suits alleging wrongful acts. A wrongful act is any actual or alleged error, omissions, breach of duty of an insured person in the discharge of their duties (individually or collectively) within the scope of the Alberta Basketball

In today's litigious society, nonprofit organizations commonly face lawsuits for an extended list of alleged wrongdoings: Discrimination (age, race, sex, employment, membership), wrongful termination of employees, Inefficient administration or supervision, misleading reports or other misrepresentations, libel and slander, failure to deliver services, acts beyond their granted authority.

Who is considered an "insured" under the Directors' & Officers' policy?

The D&O policy for the ABA identifies the following as insured persons:

Alberta Basketball Association including all clubs, players, coaches, executives, directors, officers, officials, employees, managers, trainers registered in good standing with the ABA.

What is the limit of insurance under the D&O Liability policy?

The limit of insurance is \$2,000,000 per occurrence. This limit is "shared" across the organization.

The most the insurer will pay in any one year is \$2,000,000 (aggregate)

The limit of insurance "includes" costs and expenses related to defending the claim

What is not included under the policy

Claims arising prior to the policy's inception date or from:

- Securities Liability
- Professional Services
- Falsity of Documentation
- Third Party Body Injury/Property Damage
- Employment Practices Liability
- Fiduciary Liability
- Criminal or Dishonest Behavior
- Wages/Severance & Benefits Liability & Superannuation
- Pollution