

JATC COVERAGE

from **Ullico Casualty Group, Inc.**

Unions provide important job and safety training to apprentices and continuing education to members with Joint Apprenticeship Training Committees (JATCs). This service can expose JATCs and their leaders to lawsuits alleging workplace discrimination, wrongful dismissal or failure to properly provide education. As the risk solutions provider for the union workplace, **Ullico Casualty Group, Inc.** has created a special endorsement for our already comprehensive **Union Liability** policy to provide for the educator's liability exposure that is unique to **JATCs**. If a training center has a Union Liability policy with the JATC endorsement in place, it can serve its members and students, knowing that Ullico Casualty Group, Inc. is helping cover its risk exposures.



Eberts & Harrison, Inc

Christian Phillips, Leanna Brewer & Dane Sutherland
1604 Ridgeside Drive - Suite 203
Mount Airy, Maryland 21771
(301) 596-3940
Christian@ebertsandharrison.com

EBERTS & HARRISON

Union Insurance by Union Agents

JOINT APPRENTICESHIP TRAINING COMMITTEE COVERAGE

ULLICO CASUALTY GROUP, INC.

Union Liability Insurance



Ullico Casualty
Group, Inc.

1625 Eye Street, NW
Washington, DC 20006

This document is descriptive only and does not constitute a part of, or endorsement to, the policies. The claim scenarios provided are for illustration only and are not a guarantee of coverage. Whether and to what extent a particular loss is covered depends on the facts and circumstances of the loss and the terms and conditions of the policies as issued. No warranties or representations of any kind are made to any party except as provided in the issued policies.

UCG-ILL-0614



10 FREQUENTLY ASKED QUESTIONS

1 WHAT DOES THE UNION LIABILITY – JATC POLICY COVER?

The Union Liability policy provides limits of liability up to \$5 million and covers broad areas of exposures such as **employment practices liability**, including wrongful dismissal and discrimination, **personal injury** and **financial management** of the entity. **Third party discrimination** coverage is available, which is important protection for JATCs during their selection of students process in case students or prospective students file charges. Our JATC endorsement provides additional coverage specifically for training centers, called **educator's liability**.

2 WHAT IS EDUCATOR'S LIABILITY?

JATCs have risk exposures when their graduates utilize their job and safety training in the workforce. If someone files a lawsuit against those graduates, that suit may name the entity which provided the initial training and claim that the JATC failed to properly educate its students. Educator's liability provides coverage such as reimbursement of defense costs, damages, judgments and settlements for that exposure.

3 IS THE UNION LIABILITY POLICY APPROPRIATE FOR JATCS?

Yes. JATCs have similar exposures to unions. They have operations exposures, which are covered under the wrongful acts definition. JATCs tend to have employees, which may lead to employment claims, covered under the wrongful employment practices definition. Personal injury (typically libel, slander or copyright infringement) claims may arise in any business, whether these arise from verbal, written or electronic statements. The policy provides competitive coverage for both the JATC and its board members. If the policy is issued directly to a JATC, then Ullico Casualty Group may simply change the definition of "union" to "entity" on the form.

4 CAN A JATC PURCHASE A UNION LIABILITY POLICY SEPARATE FROM A LOCAL UNION'S POLICY?

Yes. A JATC has two coverage options. First, it may buy a stand-alone policy with a JATC endorsement. Secondly, JATCs may be added onto the affiliated union's Union Liability policy as an additional insured. Please discuss the advantages and disadvantages of these options with your insurance broker. Relevant issues when making this decision include the structure of the entities, sharing limits of liability, commonality of the directors, officers and board members and allocation of premium costs.

5 IF I NEED A DEFENSE ATTORNEY, WHO WILL REPRESENT ME?

With Ullico Casualty Group, you may choose your own defense counsel, someone you can trust and who knows you and your JATC. You do not pick an attorney from a predetermined list of lawyers who may not keep your best interests in mind.

6 HOW LONG DOES A JATC HAVE EDUCATOR'S LIABILITY COVERAGE AFTER THE STUDENTS GRADUATE?

The Union Liability policy is a claims made and reported policy. Therefore it does not matter when the training occurred but instead when the claim is made against the JATC. If the claim is brought and reported to the carrier during the effective terms of the policy, coverage is afforded (subject to review by the carrier and the terms of the specific policy).

7 IF INSTRUCTORS ARE INDEPENDENT CONTRACTORS AND NOT JATC EMPLOYEES, ARE THEY COVERED?

Contracted instructors who are not considered employees are not considered insureds under the standard policy. However, if a JATC wishes to extend coverage to these contracted instructors, then these individuals may be added as additional insureds to the policy. If this is a concern for your organization, discuss it with your broker to make sure the policy is written to fit your needs.

8 IS A JOINT APPRENTICESHIP TRAINING FUND ("JATF") ALSO COVERED IN THE POLICY?

A Union Liability – JATC policy covers the financial management of the entity, but it does not cover the fiduciary liability of the JATF trustees. We suggest that JATF trustees discuss this question with their insurance brokers to verify if they need a Fiduciary Liability policy to cover claims of breaches of fiduciary duties. Please review Fiduciary Liability coverage information at www.ullico.com/casualty.

9 HOW IS THE PREMIUM DETERMINED FOR UNION LIABILITY – JATC POLICIES?

Rating for the JATC endorsement is based on a number of factors, including the annual number of enrolled students, the breakdown of how many students are in apprenticeship programs versus how many are continuing education and a review of the JATC's curriculum.

10 CAN JATCS AFFORD NOT TO HAVE THIS COVERAGE?

In today's litigious society, we are seeing an increase in Union Liability claims. Suits against JATCs including discrimination, selection of students, wrongful dismissal and educator's liability can create a crippling financial burden for JATCs simply trying to prepare and train apprentices and journeymen to perform quality work. **Do not take a chance. Protect your JATC with a Union Liability policy with our JATC endorsement.**