

## Information for Race Officials About Changes to Liability Insurance

*We recognize that this development is worrisome for race officials, most of whom volunteer their services for the good of the sport. The purpose of this document is to provide clear and accurate information to officials to prevent misinformation from circulating. We hope this information will be helpful to you. We will keep you updated as this situation evolves. As always, if you have other questions, please don't hesitate to ask – questions can be emailed to [insurance@ussailing.org](mailto:insurance@ussailing.org).*

- US Sailing did not make this change. Chubb, our insurance underwriter, removed race officials and instructors from the named insureds on US Sailing's liability policy. US Sailing's vigorous attempts to reverse this decision and to negotiate coverage for race officials and instructors were unsuccessful.
- As it always has, primary coverage comes from the OA's insurance. Race officials need to understand how and to what extent they are covered by the OA's insurance. Please see the "Questions Race Officials Can Ask..." document following this.
- Chubb removed race officials as named insured from the \$20M excess liability policy, which was secondary to other policies.
- Gowrie's [Burgee Program](#) coverage, which many OAs carry, is not affected by this change. The Burgee program includes liability insurance that covers volunteers, including race officials, up to \$1M, and organizations may purchase more.
- As officials, we all need to understand the extent of our own personal liability coverage, if we carry it. This means a conversation with our own insurance advisors.
- US Sailing is working urgently with Gowrie and other brokers and underwriters to find a suitable source of insurance to replace the coverage that Chubb has withdrawn.

# Questions Race Officials Can Ask About Liability Insurance at Regattas

*The purpose of this document is to help race officials understand what type and amount of insurance coverage is provided by Organizing Authorities and their own personal policies.*

*US Sailing cannot give insurance advice. Ask the OA about the specifics of coverage and consult your own insurance advisor, attorney, and/or financial advisor. Only an insurance policy can provide the actual description, terms, conditions, and exclusions.*

## **1. What insurance questions could a race official (RO) or committee member ask of the club or regatta/event organizing authority (OA) when considering taking on a volunteer or paid position?**

- Who is covered by this policy?
  - Am I covered as a volunteer?
  - Am I covered if I am compensated? (See compensation considerations below.)
  - Am I covered if I am a member of the OA? If I am a non-member?
- What is the limit of liability of this policy? What is the deductible amount?
- What is excluded by the policy?
  - Does the coverage have exclusions related to the role, function or certification status of the official?
  - Does the coverage have exclusions related to how the boat is used?
  - Does the coverage have exclusions related to the size of the boat?
- Does the coverage extend to the use of borrowed boats or chartered boats if the boat being used by the RO is not owned by the club or OA?
- Please provide a certificate of Insurance (COI). A COI is a one-page document that describes who holds the insurance, the type and limits of the insurance, and who is covered by the policy. See the sample COI at the end of this document.

## **2. What constitutes being compensated or being paid for being a race official?**

ROs are advised to consult with legal counsel for specific answers about each unique situation. The following are meant to be guidelines only:

- Direct compensation - Considered as payment (paid position)
- Travel expenses paid by the OA - Could be considered remuneration
- Meals reimbursed by the OA - Could be considered remuneration
- Housing in a hotel/rental house that is paid for by the OA - Could be considered remuneration
- Meals provided by the OA - Could be considered remuneration
- Free host family housing - Most likely would not be considered compensation

**3. What questions could race official ask their personal insurance advisor about how their own coverage pertains to working as a paid or volunteer RO?**

- Confirm that the primary insurance is coming from the OA (club or regatta)
- Ask if your personal insurance and/or your personal excess liability (umbrella) policy provides liability coverage for your services as a race official or other volunteer
  - Does the coverage have exclusions related to your role, function or certification status?
  - Does the coverage have exclusions related to how the boat is used?
  - Does the coverage have exclusions related to the size of the boat?
  - Does the coverage have exclusions related to compensation? (see item 2)
- Ask what amount of coverage is appropriate for your situation. You may wish to consult your attorney and/or your financial advisor as well.

**4. What coverage does US Sailing's commercial insurance provide to certified race officials?**

- US Sailing's commercial insurance provides liability coverage for certified race officials when they are volunteering for US Sailing or working for US Sailing at US Sailing championships, US Sailing events, and US Sailing-run courses.
- For race officials to qualify for this insurance coverage, the individual must successfully complete one or more of the US Sailing certified race official course(s) and be current with all the required prerequisites and certifications, including, but not limited to, US Sailing membership, SafeSport training, and background checks. Other requirements may apply. Contact US Sailing with questions.

**5. What coverage does the Burgee Program provide an organization's race committee and race officials?**

- When an organization is insured with the [Burgess Program](#), coverage is provided for employees, volunteers, and members when running races, regattas, or clinics on behalf of the organization. These individuals are covered for their activities on behalf of the organization on the general liability, yacht (protection & indemnity) and marine general liability policies.
- US Sailing certification status does not impact coverage eligibility of covered individuals acting on behalf of the organization.

