Insurance & Facilities Contracts

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Insurance Coverage

- <u>General Liability</u>: this policy covers claims and lawsuits alleging negligence against a USA Swimming party for injuries or property damage sustained during Covered Activities
  - Examples of Covered Activities: swim meets, swim practices, approved social and fundraising activities
  - Claim example: a meet volunteer is moving a timing mat and drops it on an athlete's toe
  - Facility maintenance issues not intended to be covered under this policy

- <u>Excess Accident Medical/Participant Accident</u>: this policy provides excess accident medical coverage to USA Swimming <u>members and volunteers</u> for <u>accidental</u> injuries sustained during Covered Activities
  - Examples of Covered Activities: swim meets (as well as travel to and from), swim practices, approved social and fundraising activities
  - A member or volunteer does not need to provide negligence to receive claim reimbursement
  - The policy reimburses costs above an individual's health insurance, or $100 deductible

Facility Contracts

- LSCs hosting a swim meet will generally need to sign a facility rental agreement. These are often one-sided in favor of the facility owner.

- Best practice to review these carefully to fully understand what is being agreed, negotiate with the facility, consider involving legal counsel

Language to Avoid	More Favorable
Requirements to indemnify or hold harmless the facility owner for THEIR negligence (including negligence of facility employees)	Indemnification or hold harmless limited to LSC/swim club's negligence
Requirement to indemnify/hold facility harmless for any costs, injuries, damages, etc. arising out of use of the facility	Similar to above, LSC should look to limit indemnification to instances where the LSC is negligent
Language accepting the facility "as is"	Removing this type of language as this means the LSC is accepting the risk of any existing facility problems