

The purpose of this fact sheet is to explain the coverage provided by the University of Massachusetts for 4-H volunteers. Information is provided for two areas: “insurance coverage” and “contracts.” Contact your local 4-H Educator if you have questions about any of the information on this sheet.

INSURANCE COVERAGE

Volunteers involved with 4-H Clubs and Program and Advisory groups, which are chartered by UMass Extension, are covered by the liability insurance of the University of Massachusetts. The insurance coverage is currently \$2,000,000 per occurrence and \$4,000,000 aggregate.

GENERAL LIABILITY COVERAGE

Liability coverage protects adults in the event that they are sued for damages or negligence.

- 1. Third Party Injury & Property:** Liability insurance is generally provided for all enrolled volunteers at 4-H sponsored events for property damage or bodily injuries to third parties due to actions of the 4-H volunteer on behalf of 4-H, UMass or UMass Extension. **All** bodily injuries and/or property damage caused to third parties by a Volunteer should be reported to your local Educator as soon as practical.
- 2. Personal Injury & Property:** By signing the volunteer waivers, volunteers release the University for damage done or losses to their own personal property or for their personal injury. Volunteers are responsible for personal injury, beyond the limits of medical coverage noted in accident coverage described below, as well as personal property damage.

AUTOMOBILE COVERAGE

4-H, UMass and UMass Extension, is not liable for any damages or losses, regardless of fault, a volunteer causes, to their vehicle or to other vehicles or third party property while in their own personal vehicle, rental vehicle or third party vehicle, while acting on behalf of Massachusetts 4-H Youth Development Program, UMass or UMass Extension. Volunteers should verify that they have appropriate auto insurance in place before using any vehicle for 4-H activities. You should still notify your local Educator if you are involved in an auto accident while participating in 4-H activities.

ACCIDENT COVERAGE

Limited medical insurance (up to \$3500) is provided for all enrolled 4-H members, 4-H Club leaders and Advisory and Program Council members for participation in 4-H events. Claim forms are available from your local Educator.



UMass Extension is a unit of the Center for Agriculture in the College of Natural Sciences. UMass Extension is an equal opportunity provider & employer, United States Department of Agriculture cooperating. Contact your local UMass Extension office for information on disability accommodations or the UMass Extension Director if you have concerns related to discrimination, 413.545.4800 or refer to www.extension.umass.edu/civilrights

CONTRACTS

Periodically, chartered 4-H Advisory and Program Councils may enter into a contract for use of a fairground or facility. This will be the case when the facility rental charge is paid with funds from 4-H Councils or clubs. In these cases the contract should be signed by the volunteer in charge of the council/club/event. The contract must adhere to the following guidelines:

1. Insurance Coverage: Requirements for liability insurance cannot exceed the \$2 million per occurrence/ \$4 million aggregate limits set by the university's insurance. Certificates of insurance can be provided via a request to the Extension Educator when required by the venue; the certificate is proof, coverage exists without it.

2. Indemnification: Requires one party to relieve the other party from any and all claims or reimburse the other party for claim expenses. The Massachusetts constitution prohibits indemnification of a third party by the university. ***Thus all clauses related to indemnification must be excluded from a contract. If they will not remove this clause, you may not use the facility.***

Some third parties accept the fact that the university can't indemnify or hold them harmless and others will not enter into contracts with the university because of the removal of the language. 4-H volunteer groups do not have the option to obtain separate liability coverage for indemnification by purchasing it separately.

3. Property Coverage: Some contracts may require 4-H to secure a property policy. The University, as an entity of the Commonwealth cannot insure property (Massachusetts General Law Chapter 29 sec. 30). Any property insurance requirement in a contract must be removed.

CERTIFICATES OF INSURANCE

A certificate of insurance is documentation, provided upon request, to a third party (e.g. fairground, building owner), naming them as insured under the university's liability policy. A certificate of insurance can be provided upon request to your Extension Educator. The request for the certificate must include the date, time and location of the 4-H activity. **Liability insurance is provided to the facility regardless of whether a certificate is issued.**

ADDITIONAL MEASURES TO MINIMIZE LIABILITY

Liability exists regardless of whether a contract has been signed and the large majority of 4-H events occur without a financial charge or corresponding contract. Liability can be minimized by implementing safety best practices. Safety guidelines for use in conducting animal related events and events where food is served are available on the 4-H website in the volunteer resource section and volunteers are expected to be familiar with these.