

Coverage

Community Insurance Corporation drafted its own policy to provide the total scope of liability protection needed by, and preserving, the public entity protections afforded by Wisconsin statutes. Under this policy, we provide the following liability coverage parts:

- » General Liability
- » Personal Injury Liability, including a broad definition and coverage for discrimination, civil rights violations, and employment related actions;
- » Automobile Liability, including uninsured/underinsured motorist coverage;
- » Public Officials Errors & Omissions

For the benefit of the insured, Community Insurance Corporation includes all of its coverage in ONE policy. This eliminates potential coverage gaps, coverage sub-limits, and reduces the potential for claims disallowance and multiple retentions.

Community has adopted the underwriting philosophy of protecting its insureds overall risk management cost and reducing "out of pocket" expenses by expanding the policy to respond to the changing needs of government and the litigation environment. For example, the policy was expanded to cover lawsuits seeking injunctive relief. Community defends its municipalities in all injunctive personal injury or errors and omissions suits. This practice not only protects a municipality's budget, but prevents a plaintiff's injunctive victory from leading to other lawsuits seeking monetary damages.

The Community policy features a broad definition of who is an insured: You, and Your past or present employees, while acting in the scope of their employment or authority, and authorized volunteers while acting for you or on your behalf, including all commissions, agencies, boards, districts, authorities, or similar entities when you retain the right to control the details of work of these individuals or entities. Anyone else is an insured while using, with your permission, an automobile you own, hire, borrow, except this insurance shall apply excess of any insurance of an owner of an auto you hire or borrow.

The following highlights the Community program coverage.

General Liability

ONE SINGLE POLICY PROVIDES COVERAGE FOR GENERAL LIABILITY, AUTOMOBILE LIABILITY, PUBLIC OFFICIALS ERRORS & OMISSIONS, AND FIRE/POLICE PROFESSIONAL LIABILITY.

A. Bodily Injury

Provides coverage for bodily injury, sickness, disability, or disease, sustained by a person, including death, alleged to be caused by the insured.

Property Damage

Provides coverage for physical injury to or destruction of tangible property which occurs during the policy period including the loss of use thereof, or the loss of use of tangible property that is not physically injured or destroyed, that is caused by the insured.

B. Personal Injury

Means injury, other than bodily injury, arising out of one or more of the following offense:

1. False arrest, detention, or imprisonment, defective service of process;
2. Malicious prosecution;
3. Wrongful entry or eviction, or other invasion of the right of private occupancy;
4. Libel, slander, or defamation of character;
5. Assault and battery; sexual harassment, including workplace harassment
6. Discrimination or other civil rights violation, including employment discrimination
7. Other civil rights violations, including employment discrimination

Coverage, continued

General Liability, continued

C. PUBLIC OFFICIALS ERRORS & OMISSIONS

Means any misstatement or misleading statement or act or omission or neglect or breach of duty including malfeasance and nonfeasance by an insured in their capacity as insured.*

*Coverage is included for Police and Fire Departments operated by the municipality

Automobile Liability

A. BODILY INJURY

Provides coverage for bodily injury, sickness, disability or disease, sustained by a person, including death, alleged to be caused by an insured vehicle.

B. PROPERTY DAMAGE

Provides coverage for physical injury to or destruction of tangible property which occurs during the policy period including the loss of use thereof, or the loss of use of tangible property that is not physically injured or destroyed, that is caused by an insured vehicle.

C. UNINSURED/UNDERINSURED MOTORIST

The policy will pay all sums the insured is legally entitled to recover as damages from the owner or driver of an uninsured motor vehicle. The damages must result from bodily injury sustained by the insured caused by an accident. The owner's or driver's liability for these damages must result from the ownership, maintenance, or use of the uninsured motor vehicle.

Coverage Limits

Community provides its insureds with limits of liability on a **NON-AGGREGATE BASIS**. This means that should the unfortunate happen and the municipality sustains a loss or number of losses that uses up the limits of liability, there is no annual aggregate amount for a policy year. For example, if the municipality were to sustain a full policy limits loss, the municipality would have a fresh set of limits to apply to the next claim. Most commercial carriers use policy forms with an annual aggregate that limits the total amount of dollars that they would have to pay on behalf of their insureds. Community has no such limitation.

OCCURRENCE vs. CLAIMS-MADE COVERAGE FORMS

Community provides all of its coverage forms on a municipal-friendly occurrence basis, versus the insurer-friendly claims-made basis.

Stability

It is the goal of Community to assist our insureds in stabilizing insurance costs. Since 2002, we have met our goal by not raising our base rates and maintaining a stable insurance environment. While our competitors ride the roller coaster of rate increases and decreases, Community understands the complexity of your budget process and is committed to bringing your stability for this line item.

Premium Cost vs. Cost of Risk

Community provides the majority of its coverage under the general liability section of its policy. In doing so, many claims subject to deductibles of other carriers are avoided. For example, all civil rights, employment practices, and other allegations (including administrative hearings) typically brought under an Errors & Omissions policy, are covered under Community's General Liability Policy. The application of these deductibles is in addition to premium and considered the cost of risk. Merely comparing premium does not show complete cost of risk for the municipality.

Pre-Claim Loss Control

Often a municipality's administration staff is aware of situation that may give rise to a potential, full-blown claim. Most insurers do not respond until AFTER a claim for monetary damages has been presented. Community provides legal assistance to the municipality on a "pre-claim" basis. This assistance provides the municipality with the assurance and support for their response to the situation BEFORE the claim is presented. In fact, in the majority of cases, a full-blown claim is avoided using this technique. Should a claim be presented, the municipality has already been preparing a defense in response to the allegations.

Monetary Damages

Many insurance carriers require that a claim for monetary damages be presented before coverage is 'triggered.' Community recognizes that often, claims are presented that request that an activity stop with no request for monetary damages. However, in most cases, these injunctive actions do request for plaintiff's attorney's fees as monetary damages and thus, 'trigger' coverage.

Claims

When the unfortunate occurs and a claim is filed, our six (6) member claims and litigation staff will be there to assist you in the field adjusting, consultation, and takes the claim right through the courtroom. Working closely with our approved defense firms, we have been extremely successful in defending many noteworthy cases in Wisconsin courts and federal actions, as well.

Community commits to a claimant contact within 24 hours to meet the needs of our municipal clients. This procedure is monitored by the claims management staff at Aegis Corporation.

Further, strive to work closely with our municipal clients, by setting review schedules to keep you informed.

Risk Management

Community provides a broad selection of training topics and risk management consultation directly to its insureds. In addition to on-site trainings, seminar-based group training, and "train-the-trainer" programs, Community offers web-based training with varied risk management programs, **at no cost**.