



## GETTING YOUR SCHOOL READY FOR BILL 168

*By: Deborah Gibson, Program Manager, CCV Insurance & Financial Services*

### CONTACT US

**TELEPHONE:**  
**905-459-6066**

**TOLL-FREE:**  
**1-877-422-8467**

**CLAIMS:**  
**1-877-422-8123**



June 15<sup>th</sup>, 2010 is the deadline by which the law requires employers to comply with Bill 168. Employers need to understand their duties with respect to all workplaces covered under the Occupational Health and Safety Act amendments to prevent workplace violence. Once your protocols and procedures are refined, your insurance protection should respond to defend you too but beware – specific coverage does need to be purchased or your school will now have a major exposure that could become YOUR major problem!

Workplace violence is defined as the “exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker”. It also can be a statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker and, or, also engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Harassment can also include bullying, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls.

Abuse “limitation endorsements” coverage attached to the commercial liability section of commercial policies does NOT include coverage for this! These endorsements, whether claims made or occurrence, typically refer to your behavior management policies towards the children in your care and the protocols you have in place training your teachers in managing children – in other words, child abuse coverage for CIVIL defense and award settlement. Most, if not all, commercial liability policies also include an “intentional acts” exclusion which harassment and violence typically falls under by definition. What do you need to do to protect yourself as an employer?

Employment Practices Liability is an extension of coverage that insures against “wrongful acts” alleged or that have been committed by any “insureds” where the “insured person” or “corporation” shall be legally obligated to pay.

*(Continued on Page Two)*

**[www.ccvinsurance.com](http://www.ccvinsurance.com)**



**MySchool**

**GETTING YOUR SCHOOL READY  
FOR BILL 168** (continued from Page One)

**CONTACT US**

**TELEPHONE:  
905-459-6066**

**TOLL-FREE:  
1-877-422-8467**

**CLAIMS:  
1-877-422-8123**



This coverage is usually purchased as an endorsement to Directors & Officers Liability which also includes broad coverage for wrongful acts. Harassment, discrimination, humiliation, defamation or invasion of privacy are included in the definitions as well as other employment issues. The **MySchool** product not only now allows this coverage endorsement as part of the Directors & Officers Liability but now, NEW for 2010, provides this as an extension of Errors & Omissions Liability coverage for those organizations not run by a Board of Directors.

With the new Human Rights Tribunals “overwhelmed” with caseloads and providing a mechanism whereby employees can easily launch a lawsuit without the detractor of legal fees, your organization needs all the defense coverage it can get, as well as the best coverage that can respond.

Check the CCV website for more **MySchool** information at [www.ccvinsurance.com](http://www.ccvinsurance.com)

Further, please obtain further details Workplace Violence Legislation (Bill 168), News Release and Backgrounder – [http:// news.ontario.ca/mol/en/2009/12/new-protections-for-people-at-work.html](http://news.ontario.ca/mol/en/2009/12/new-protections-for-people-at-work.html)

To learn more about these new insurance options, please contact me at [dgibson@ccvinsurance.com](mailto:dgibson@ccvinsurance.com).

NOTE: The information in this document is only an outline of the coverage available, and is subject to the terms, conditions and exclusions of your policy.

**[www.ccvinsurance.com](http://www.ccvinsurance.com)**