

STAFF REPORT

TO: Committee of the Whole MEETING: September 4, 2018

FROM: Wendy Idema FILE: 2470-01

Director of Finance

SUBJECT: Election Worker Liability Insurance Coverage

RECOMMENDATION

That the Board authorize the Director of Finance and the Manager of Administrative Services to enter into Service Provider Agreements with individual election workers for the provision of liability insurance through the Regional District's liability insurance held with the Municipal Insurance Association of British Columbia.

SUMMARY

Administration of the 2018 Election by the Regional District of Nanaimo (RDN) requires the engagement of both a Chief Election Officer and a number of election officials for election day plus advance voting days. As these workers are not RDN employees covered under the existing liability policy, and in order to ensure the RDN is adequately covered for third party claims in relation to the election, it is recommended that the RDN obtain Associate Member coverage from the Municipal Insurance Association of British Columbia (MIABC).

The cost of adding this coverage is minimal at \$250 annually. A copy of the Service Provider Agreement to be completed with MIABC is attached. The individual election workers will be required to sign a Service Provider Agreement and Oath with the RDN to ensure they are aware of the requirements under the insurance coverage and the *Elections Act*.

BACKGROUND

Administration of the 2018 Election by the Regional District of Nanaimo (RDN) requires the engagement of both a Chief Election Officer and a number of election officials for election day plus advance voting days. As these workers are not RDN employees covered under the existing liability policy, and in order to ensure the RDN is adequately covered for third party claims in relation to the election, it is recommended that the RDN obtain Associate Member coverage from the Municipal Insurance Association of British Columbia (MIABC).

Election workers engaged by the RDN will also be administering elections for Islands Trust, School District 68 and School District 69 as required and this coverage will ensure the RDN is adequately covered for any claims in relation to those elections as well. The individual election workers will be required to sign a Service Provider Agreement and Oath with the RDN to ensure they are aware of the requirements under the insurance coverage and the Elections Act.

Because this type of coverage is provided on a "claims made" basis (date the claim is presented) vs: actual date loss occurred (October 20 as it is election day), the coverage would

be extended through to the end of 2019 or 2020 in order to ensure potential losses discovered after the end of 2018 are covered. The coverage includes general liability as well as errors and omissions insurance.

The alternative to obtaining this Associate Member coverage is to essentially self-insure for any claims made as a result of the election that could be attributed to the actions of a temporary election worker. Although the risk is relatively low for such claims and the RDN's existing \$100,000 deductible would still be applicable, the cost to defend such an action could be significant without the MIABC coverage. As the cost of the additional coverage is only \$250.00, staff recommend proceeding with the Associate Member policy. A copy of the Service Provider Agreement to be completed with MIABC is attached.

ALTERNATIVES

- 1. Approve the purchase of Associate Member liability coverage from MIABC for RDN election workers.
- 2. Do not approve the purchase of Associate Member liability coverage from MIABC for RDN election workers and self-insure for any claims resulting from the actions of temporary election workers engaged for the 2018 election.

FINANCIAL IMPLICATIONS

The cost of adding this coverage is minimal at \$250 annually and it provides additional coverage to the RDN for those engaged as election workers on a temporary basis.

STRATEGIC PLAN IMPLICATIONS

Ensuring there is adequate liability insurance coverage in place for the 2018 Election is supported by a number of governing principles of the RDN's 2016 to 2020 Strategic Plan including:

Through enhanced financial planning, the Board will ensure long-term viability of the RDN through prudent use of tax dollars, delivering services expected by residents of the Region as cost effectively as possible.

As a proactive organization, we will monitor regional trends, access the best information available, and aim to prevent problems before they arise.

Wendy Idema, (widema@rdn.bc.ca)

August 14, 2018

Reviewed by:

- D. Wells, General Manager, Corporate Services
- P. Carlyle, Chief Administrative Officer

Attachments:

1. MIA BC Associate Member Coverage Service Provider Agreement