

**Basic Insurance and Other Risk Management Guidelines
for Travel to and from, and Attendance at,
Off-Campus Events**

Date: June 7, 2019

*****Note:** Care has been taken to ensure that the following information is as accurate as possible, but it is not comprehensive and definitive and is provided for general guidance only. It should not be relied upon as legal advice.***

- (1) If you are a faculty or staff member, you should first make sure that you have the approval of the University official to whom you report for your attendance at an off-campus activity or event. If you are a student, make sure that the academic department offering your program approves your representing the University at the event. Without this approval you will be on your own, and you will have no coverage under the University's insurance policies. These guidelines apply only to faculty, staff, and students whose attendance at off-campus events is approved by the University.
- (2) These guidelines do not apply to students who travel to events on behalf of the Lakehead University Student Union (LUSU) or LUSU clubs. They are covered by LUSU's insurance, not the University's – and should ensure that they have LUSU's approval for what they are doing.
- (3) These guidelines should be read in conjunction with Financial Services' **Travel Expenses** web page at <https://www.lakeheadu.ca/faculty-and-staff/departments/services/finance/accounts-payable/travel>, which provides detailed information relating to travel expenses and their reimbursement.
- (4) It is always preferable for employees and students who will be officially

representing Lakehead University at off-campus events (e.g. conferences, competitions) to use commercial transportation (e.g. buses, taxis, airplanes) with professional drivers/pilots to get to and return from the events. That way, all significant liability issues related to travel are avoided for both the University and its personnel and students. It is a reality, however, that rigid adherence to this preference would impose a heavy financial burden and inconvenience in many cases, so if, in the light of financial considerations, busing or flying would be out of the question, it is hoped that these guidelines will provide you with helpful information (note that the guidelines apply **only** to travel for University business):

- (5) University fleet vehicles that are owned by your Faculty, School, or Department may be driven off-campus
 - (a) for purposes covered under the University's automobile insurance (check with your academic/ administrative unit or the Administrative Assistant of the Vice-President (Administration & Finance) ("AA-VPAF") to ascertain these parameters), and
 - (b) by a driver officially authorized by your unit and registered with the AA-VPAF.
- (6) If you do not have authorized access to a University fleet vehicle, if possible you should rent a car rather than drive your own. If you drive your own car and you are involved in an accident and are even partially at fault, you may be personally liable for at least some of the resultant vehicle and property damage and injury to others.
- (7) Vehicle Rentals: Here are the main rules for renting a vehicle on University business in most circumstances (e.g. attending a conference, driving individuals to and from the airport / hotels, driving students to and/or from external events and field trips):
 - (a) Any employee or student who rents a vehicle for University purposes must have approval in writing for the rental from the University official supervising that employee or student. A copy of that approval should be emailed to the

AA-VPAF.

- (b) The individual driving the rental vehicle should send an email to the AA-VPAF
 - (i) summarizing the dates, destinations, and reasons for travel; and
 - (ii) including an attached photocopy of both sides of their driver's licence.
The photocopy needs to be made and supplied only once - until the driver's licence is replaced, but brief summaries of dates, destinations, and reasons for travel should be emailed to the AA-VPAF each time a rental takes place. All such emails and photocopies will be kept confidential and secure, to be shared with the University's insurer only in the event of an accident.
- (c) Every employee/student who drives the vehicle must have a driver's licence valid for operating that vehicle. For general vehicle use in Ontario the driver must have a full "G" Class licence.
- (d) To be eligible to rent and/or drive vehicles to carry out University business, an employee/student must have a good, accident-free driving record.
- (e) In Ontario the general rule is that every driver of the vehicle must be 21 or older – BUT check with the car rental agency about the legal age limit in the area where the vehicle will be operated (in the U.S. the minimum age is often 25). Even in Ontario agencies may charge an extra fee for drivers under the age of 25.
- (f) Only standard passenger and light commercial vehicles with a **gross vehicle weight of no more than 4500 kilograms or 10,000 pounds** should be rented; **under no circumstances may a 15-passenger vehicle be rented**; these vehicles are unstable and have a bad accident reputation.
- (g) **Lakehead University must be designated in the contract as the actual renter of the vehicle** – as in the following template: "Renter: **Lakehead University**, [Name of Academic Unit], [Name of Employee/Student actually completing and signing the contract on behalf of the University]".
 - (i) If there are other employees/students who will be driving the vehicle, they too should be identified in the contract - but only as secondary

drivers: the name of the principal driver should be included right after the entry designating Lakehead University as the vehicle renter (as in 7(g) above) – and note: the principal driver should be the one who does at least 50% of the driving.

- (i) If you (whether employee or student) are driving on the business of a University academic or administrative unit, the vehicle may not be rented for more than 30 days.
- (g) In the event of an accident involving loss or damage to persons or property, email the AA-VPAF as soon as possible with all available particulars, including any police accident report.
- (h) Third-Party Liability Insurance:
 - (i) It is essential that you have in place third-party liability insurance to protect you in the event that you are involved in an accident for which you are at least partly at fault if other individuals are injured or killed and/or another vehicle is damaged.
 - (ii) Provision of such insurance varies across Canada and the U.S. In many places you can purchase through your rental contract full third-party liability coverage. Under Ontario (and British Columbia, Alberta, and Nova Scotia, and many U.S. states) law, however, if you rent a car in your own name your personal automobile insurance may be called on first in the event that another person is injured or killed, or property damaged, due to your fault. Under Ontario law the car rental agency's insurance can be called on only second - and only to make up the difference between your own third-party liability coverage in your car insurance and \$1,000,000. So, if your injury of another person and/or damage to property results in the award of damages over \$1,000,000, you could be personally liable for the difference. To limit your exposure the University strongly recommends that you have third-party liability insurance coverage on your own personal automobile insurance of at least \$1,000,000 – and, ideally, given the size of damage awards these days, up to \$5,000,000.

- (i) Collision Insurance: Car renters must have collision insurance (to give financial protection if the rented vehicle is damaged). There are two ways to obtain this coverage:
- (i) If you are a faculty or staff member with a Lakehead University VISA Corporate Credit Card (the "Card"), you should use the Card to rent a vehicle so that you can take advantage of the collision/loss damage insurance offered by the Card (use of the Card also gives you access to Travel Accident Insurance, Flight Delay Insurance, Hotel/Motel Burglary Insurance, Emergency Purchases Insurance, and Travel Assistance) – without additional payment. To learn all the terms, conditions, and restrictions of this insurance, you should read carefully the U.S. Bank Canada Visa* Commercial Card information brochure – which you can obtain from the University's Office of Financial Services. Following are the salient points to remember when you use the Card to rent a vehicle:
1. You must have yourself named in the rental agreement as the primary driver (note: driver, not renter; the actual renter should be only the University) for the car. Secondary drivers are normally allowed but must be identified in the rental agreement (they must also, of course, have valid driver's licences).
 2. For your Corporate Card coverage to apply, you may rent only standard passenger cars (including SUV's) or mini-vans, but NOT mini-buses, trucks, or vans (i.e. any vehicle that carries more than 8 persons – e.g. 12-passenger vans).
 3. The insurance attaching to the Corporate Card covers collision/loss damage to or theft of the vehicle you rent, so, if you use the Corporate Card, you must decline the rental agency's "Collision Damage Waiver" (CDW) option on the rental contract, either by responding to the related question or, if there is no space to respond, writing somewhere on the contract, "I decline CDW provided by this merchant." Otherwise your Corporate Card

collision coverage will be invalidated.

4. If the car you have rented with your Corporate Card is damaged or stolen, you must report the loss to the Corporate Card company within 48 hours for the Card's insurance to apply.

5. Towing is not covered by the Card's insurance.

- (j) If you are renting a vehicle not covered by the Corporate Card's collision insurance, purchase the collision insurance offered by the rental company.
- (k) Don't
 - (i) leave the rented vehicle unlocked;
 - (ii) operate the vehicle under the influence of alcohol or drugs;
 - (iii) exceed the speed limit;
 - (iv) drive off public roads;
 - (v) continue to drive a vehicle which has become damaged.
- (l) Be sure to let the rental company know where the vehicle will be used. If it is to be driven out-of-province, this must be noted in the rental agreement.
- (m) If you wish to tow a trailer, make sure that the rental company will permit this.
- (n) Individuals are responsible for their own and University property left in the vehicle. Ensure that all valuables are safely secured out of sight – ideally, locked in the trunk.

(8) Driving Your Own Vehicle:

- (a) An employee or student may use their personal automobile on University business if
 - (i) it is legally registered and
 - (ii) in safe, roadworthy condition.
- (b) The employee/student must inform their insurance company when a personal vehicle is being used for business purposes and pay (if any) associated increased costs in the premium. Lakehead University is not responsible for these additional premium costs.
- (c) Lakehead University accepts no liability for any loss, damage or injury that may result from the utilization of a personal vehicle for business purposes.

Employees/students driving their own vehicles must rely on their own personal automobile insurance for coverage for both collision and liability. In consequence they should, ideally, carry third-party liability insurance of up to \$5,000,000 or, at a minimum, \$1,000,000. Moreover, Lakehead University is not responsible for deductibles owing under the employee's/student's personal auto insurance policy.

- (9) Students under 18 years of age must have the permission of their parents to travel on University business.
- (10) **Students should be advised in writing before the trip of any risks or hazards, and that they travel at their own risk.** If the trip will involve any significant risk, or travel outside Canada and the U.S., a formal waiver should be considered for signature by the students and Lakehead personnel involved. Note that the University does not authorize travel to areas specifically covered by travel advisories issued by the Canadian Government at <https://travel.gc.ca/travelling/advisories>.
- (11) The address(es) and phone number(s) of your accommodation should be left with your University office for emergency contact AND Lakehead University Security Services should be provided with a copy of the itinerary of your trip.
- (12) While at the event, provided that you're on University business, you will be covered by the University's general liability and errors and omissions insurance policies for any accidental third-party injury or property damage for which you are at fault (note, though, that every policy has exceptions to coverage – e.g. for liability arising out of war, pollution, operation of specified types of vehicles, cost of repairing/replacing defective materials, etc.).
- (13) Traveling employees and students should check to see if they need to supplement the health and travel benefits available under their, respectively, University Green

Shield or LUSU plans. You may wish to look into personal accident insurance as well (but, again, check your University benefits plan). It is imperative to ensure that you have adequate medical coverage if you will be travelling outside Canada.

- (14) Employees and students planning to travel abroad for any University related reason should contact Lakehead University International for advice.