

# EH&S

## Risk Management & Occupational Health

### Field Trip Liability



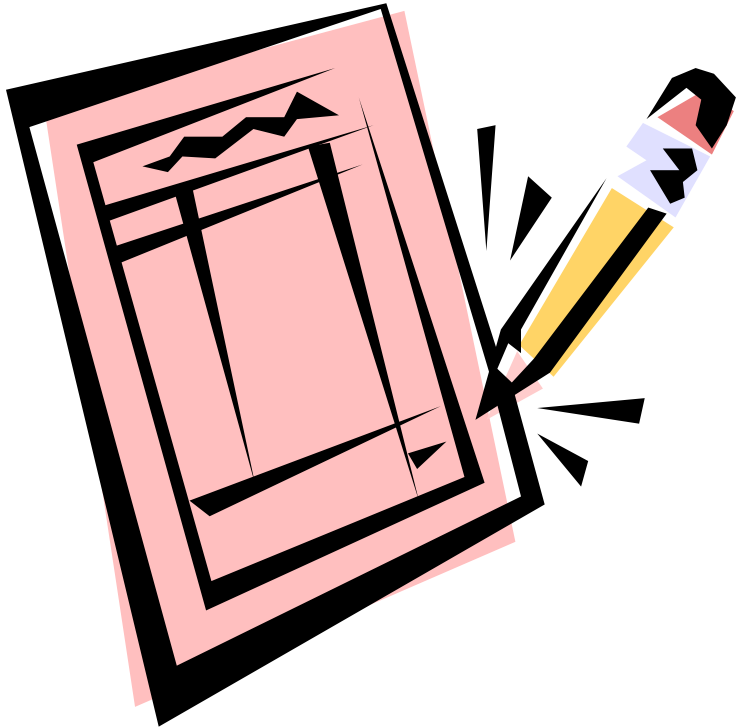
Jon Schmidt, Director Safety & Risk Mgmt  
Diana Olson, General Liability Manager

858-534-3820

Fax 858-534-5202



Please ask questions as we go.



Obtain a Contract or Agreement with Signatures of both parties.

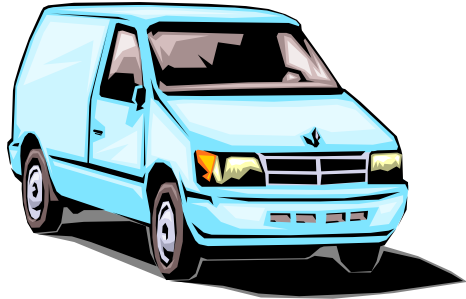
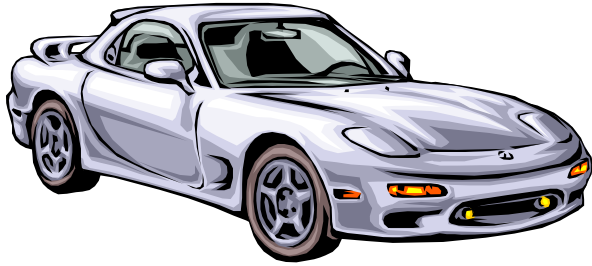
Purchasing needs to sign the contract or agreement. They are the authorized signers for the University.



- Besides Proof of Insurance wording, indemnification wording needs to be checked by the Purchasing Office.
- We need a mutual indemnification clause which basically states:  
**We will be responsible if we are negligent, and the other party will be responsible if they are negligent.**
- The Regents will not pay for someone else's negligence.



If the contract wording cannot be changed, Proof of Insurance from our office may not be able to be provided, which would mean your trip would have to be **cancelled** with that company or location **and rescheduled** somewhere else.



How do we get there?

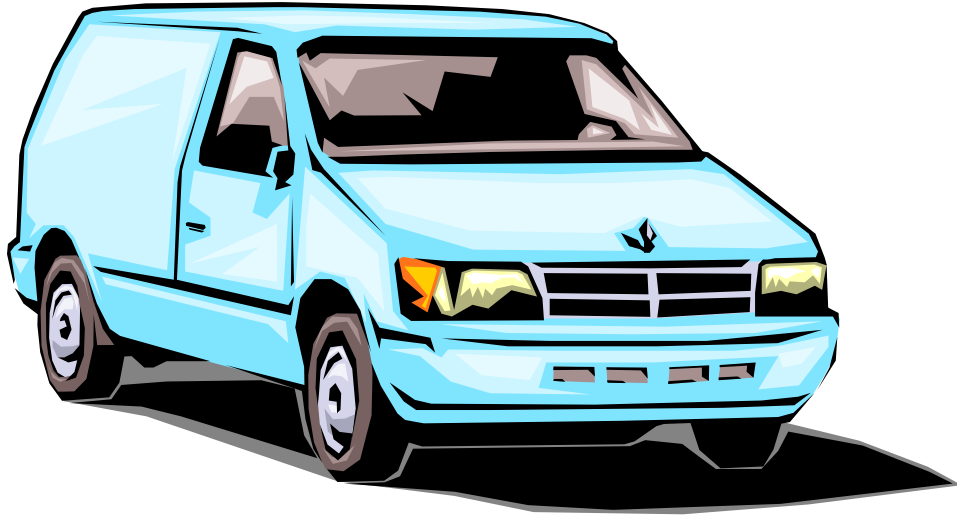
UC Cars

Personal Cars of Faculty and/or Staff

Rental Cars

Bus

Student Cars



When you rent a car for University business...

**YOU ARE NOT AUTOMATICALLY COVERED!**

If you don't follow proper UC Procedures, **you** may have to **personally pay** for the damages and/or Insurance if you purchase the rental agencies insurance.



- Please look at your enclosed University Car Rental Summary.
- Notice the Web Site Address to check **each time** you rent a car.
- Be careful of the size of the car, some agencies only rent certain sizes.
- Watch for the Special Conditions.
- You **must use** the **UC agreement number** on your Rental Agreement for the particular agency.

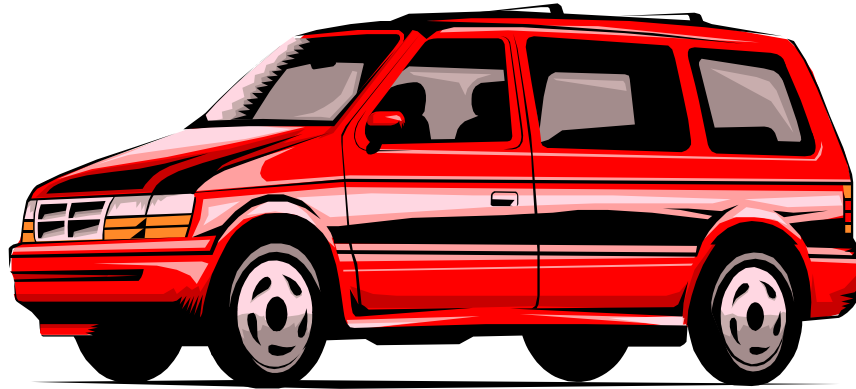




- When you use your personal car, **your personal liability car insurance** needs to be **used as primary coverage** since it is your own car.
- The University will provide secondary coverage if your policy exhausts.
- For the comprehensive coverage, the department can opt to pay up to \$500 in a deductible back to you.

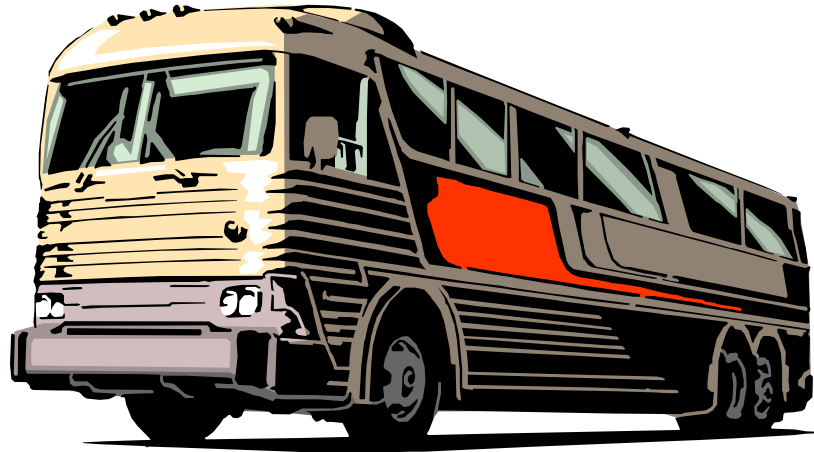


- If a Student Car is used, **let the Students arrange carpools themselves**, not the University.
- Their own car insurance only applies.**



When you use a van to carry attendees to an off campus location, it must be a 12 Passenger van or smaller. Only an authorized UCSD driver can drive. For 12 Passenger Vans, they must have a Class B License.

**15 Passenger Vans are no longer allowed to be used per Office of the President. They are a rollover risk.**



If you want to rent a bus, you **must go** through **UCSD's Purchasing Department**.

The Purchasing Department has the current listing of companies that have the proper insurance coverages **and a Purchase Order must be used** rather than a contract with the bus company to ensure proper indemnification language is stated.



Some Precautions:

At least two faculty/staff should attend.

Remember to suggest:

- sun lotion, hats,etc.



Remind of Dangers present:

- Animals
- Poison Ivy
- Etc.



Out of Country Considerations:

- Passports
- Water
- Medical Care



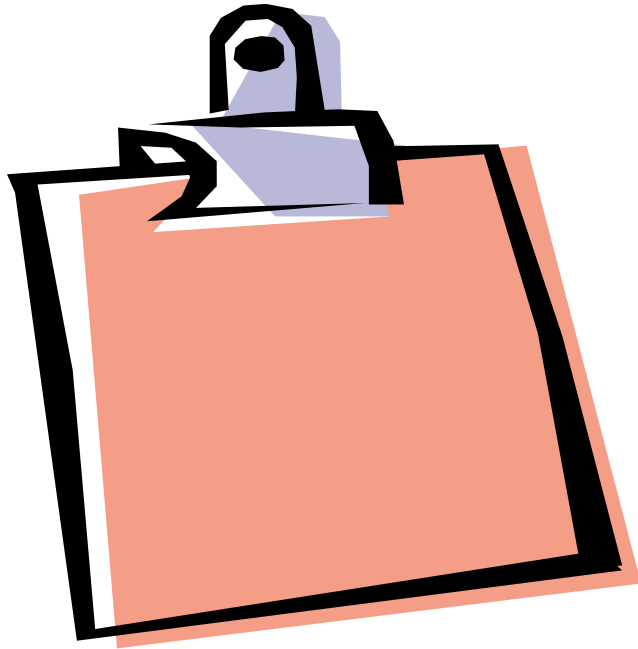
Deductibles may need to be paid by the department if there is gross negligence.

This is determined on a case by case basis.





A monthly charge for the General Liability Program per FTE is assessed to each department to pay the general costs for claims.



## Individual Project Assignments:

There is some liability to the University if not enough information is given to the students.





A Waiver needs to be signed by each student attending a field trip before the trip.

There is either a Volunteer Waiver or a Required Waiver.

The **department needs to keep the original** in the department file for **two and a half years** after the field trip in case a lawsuit is filed.

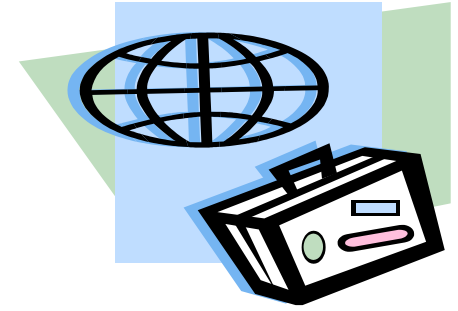


The waiver will only tell the student they are responsible for their own actions.

The University is still responsible for it's negligent actions.



Please see attached samples of the Waivers.



# Apply for the Business Travel Insurance for Employees & Students

- This provides protection to employees/students designated by UC while traveling at the direction and approval of the UC



- Train all departmental personnel to register every **out of state/foreign** business trip **BEFORE** departure

# Steps for Business Travel Insurance

- Apply for coverage through

[www.uctrips-insurance.org](http://www.uctrips-insurance.org)



- If you go through UCSD travel, coverage should be automatic and prompt you with additional questions
- All departmental personnel need to register their international travel with I-Jet Security Services



Please check out our new Blink Site for information on some of our 32 different insurance programs.



Give us a call if you have any Questions.

Thank you