Insurance, Immunity, and Where to Draw the Line

**Insurance, Immunity, and Where to Draw the Line**

**University Insurance**

- **Property Insurance:** Covers damage to UNC Charlotte property (both buildings and contents)

- **Liability Insurance:** Covers damage that we (UNC Charlotte and our employees) may cause to other people’s property or themselves

- **Other Insurance:** Narrowly tailored insurance policies intended to provide coverage for specific exposures

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**State Laws Providing Protection**

- **Defense of State Employees Act:** Protection for you as a State employee
  - Limitations: (1) Not within scope of employment
  - (2) Fraud, corruption, or actual malice
  - (3) Conflict of interest with the State
  - (4) Not in the best interest of the State

- **Tort Claims Act:** Protection for the University

- **Sovereign Immunity:** State governmental entities cannot be sued by a private individual unless the entity consents/allows itself to be sued
Insurance, Immunity, and Where to Draw the Line

Example 1: A Lunch Trip Gone Awry

Question: Will the University’s automobile insurance apply, and if so, to what parts of the injuries or damage?

Answer: No. The University’s automobile insurance does not provide protection for individuals driving their personal vehicles.

Options: (1) Rent from Motor Fleet
(2) Accept the risk
(3) Drive only yourself

Insurance, Immunity, and Where to Draw the Line

Example 2: Kickback Kerry

Question: Will the Attorney General’s Office provide coverage for Kerry?

Answer: Probably not. Remember the limitations of: (1) outside the scope of employment; and (2) actions involving fraud or actual malice.

Options: (1) Don’t commit crimes while at work
(2) If unsure, ask your supervisor

Workers’ Compensation

Angela Allen, Manager
What is Workers’ Compensation (WC)?

- A program that provides protection for North Carolina (NC) employees and employers against loss due to injuries or illnesses resulting from a work-related accident. This includes medical care and compensation payments for lost time.
- All employees are covered, except hires via a temporary agency.

Who is involved?

<table>
<thead>
<tr>
<th>Employees and Supervisors</th>
<th>Medical Providers</th>
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<tbody>
<tr>
<td>Medical Care Administrators</td>
<td>NC Workers’ Compensation Administrator</td>
</tr>
<tr>
<td>Third Party Administrator (CCMS)</td>
<td>Attorney General’s Office</td>
</tr>
</tbody>
</table>
What Injuries Does Workers’ Compensation Cover?

In NC to establish an injury as compensable (approved), these three criteria must be met:

- the injury was due to an accident, and
- the injury arose out of employment, and
- the injury occurred in the course and scope of employment.

Simplified: accidental injuries that are work-related

Workers’ Compensation (WC) Benefits

WC benefits include payment for:

- Initial medical treatment of injury or illness with authorized treating providers.
- Ongoing medical treatment (necessary follow up care, physical therapy, etc.)
- Wage loss during recovery if injury requires employee to be out of work.

Workers' Compensation?

Example: A Lunch Trip Gone Awry

Question: Will Workers’ Compensation apply, and if so, to what parts of the accident, injuries or vehicle damage?

Answer: WC does not provide coverage for damage to personal property nor for injuries that are not the result of a work-related accident.

Options: (1) Accept the risk
(2) Drive only yourself
(3) Eat on Campus
Let's Talk About Potential Situations

In the Event of an Accident

- All accidents, no matter how minor, must be reported to your supervisor.
- Employees must complete the Employee Incident Report form [https://safety.charlotte.edu/]
- Submit form to your supervisor for review and signature.
- Supervisor signature authorizes medical treatment as needed.

What if Medical Treatment is Needed?

Seek Treatment at an Appropriate Medical Provider

Life Threatening
Dial 911 - Campus phone 704-687-2200 - Cell phone

Non-Life Threatening
Dial 7-2200 - Campus phone 704-687-2200 - Cell phone

- Go to an authorized medical facility
- Take signed Employee Incident Report
- Report back to your Supervisor
Where are the Authorized Facilities?

<table>
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<tr>
<th>Treatment Levels</th>
<th>First Point of Treatment</th>
<th>After Hours &amp; Weekends</th>
<th>Life Threatening or Serious Injuries Only</th>
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</thead>
<tbody>
<tr>
<td>Campus Location</td>
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</table>

**Main Campus**
- Student Health Center: 9201 University City Blvd, Charlotte, NC 28223, 704-687-7400 / 7401
- FastMed of Charlotte at Mallard Creek: 2728 W Mallard Creek Church Rd, Charlotte, NC, 980-218-1860
- CMC Hospital - University: 101 WT. Harris Blvd, Charlotte, NC 28262, 704-548-6000

**Center City**
- Student Health Center: 9201 University City Blvd, Charlotte, NC 28223, 704-687-7400 / 7401
- FastMed of Charlotte: 3250 Wilkinson Blvd, Charlotte, NC, 704-319-5176
- CMC Hospital - Main: 1000 Blythe Blvd, Charlotte, NC 28203, 704-355-2000

**NC Research Campus**
- Student Health Center: 9201 University City Blvd, Charlotte, NC 28223, 704-687-7400 / 7401
- FastMed of Concord: 391 George W Liles Pkwy, Concord, NC 28027, 704-886-1780
- CMC Hospital - Northeast: 920 Church St N, Concord, NC 28025, 704-403-1331

Fall & Spring Hours:
- Mon - Thurs (8a - 6p); Fri (8a - 4p)
- Summer Hours:
  - Mon-Fri (8a - 4:30p)

Fall & Spring, & Summer Hours:
- 24 hours

What if an Injury Results in Leave of Absence

Seven day waiting period for WC payments (except...)

Compensation is based on 66 2/3% of the avg. weekly wage

- **Continuation of Benefits**
  - Health Insurance
  - NC Flex
- Vacation/Sick Leave
- Performance Increases
- Longevity

*Retirement service credit is not accrued while out on WC LOA*
Read All About It!

Our website [https://erm.charlotte.edu/](https://erm.charlotte.edu/) has information and resources to assist employees, managers/supervisors and departments on topics relating to Enterprise Risk Management.

Contact:
704-687-8271