



ALBERTA WHITEWATER ASSOCIATION

Why should your club join the AWA ?

The Alberta Whitewater Association (AWA) is a non-profit society devoted to promotion and development of whitewater decked boat canoeing and kayaking for recreation and competition in a safe and responsible manner. As the recognized Provincial Sport Governing Organization for recreational whitewater paddling, slalom racing, downriver racing, freestyle and canoe polo, we set and maintain standards for participation, instruction and coaching. Our aim is to support the development of clubs within the province as the base from which paddling activities will evolve and grow.

2015 Membership Rates	
Club Fee	120.00
Club Member Fee, per member	3.50
Non-paddler volunteer member	0.00
Pool activity participant	0.00
Special Events per person	5.00
Individual Fee for non-club members	15.00

This year the AWA added on extra insurance protection for your club leaders and volunteers. Please see attached document on how our insurance program will better cover your club's volunteers.

The AWA is also very involved with the work on reconstructing the Kananaskis River, Harvie Passage on the Bow River, Boulder Run on the Oldman River and creating opportunities for other whitewater training facilities. Joining the AWA shows your support for our continued involvement in facility development around Alberta.

The AWA is now managing the Canoe Meadows campground. Member clubs get a special discounted rate for camping in the Meadows and get a priority booking ahead of other groups and the general public.

The services listed below are a compilation of the various programs available to AWA members and member clubs.

⇒ **CLUB BENEFITS**

- * Online Membership registration
- * Summer Coaching Support Program
- * Liability insurance coverage
- * Worldwide contact via web page
- * Passport for Paddlesports skill development checklist cards
- * Training & Certification for club leaders, instructors and coaches
- * Facility Development planning
- * Assistance with grants & fundraising
- * AWA promotional material
- * Camping at Canoe Meadows

⇒ **MEMBER BENEFITS**

- * Regular paddling news updates
- * Reduced fees at AWA events
- * Access to AWA facilities and programs
- * Insurance coverage at AWA events
- * Camping at Canoe Meadows
- * Training & Certification for club leaders, instructors and coaches
- * Attendance at National / International events and competitions
- * Access to athlete development grants

⇒ **RECREATION**

- * Skills development clinics
- * River trips
- * River Festivals & Rendezvous'
- * Whitewater facility development
- * Environmental concerns program
- * Canoe Meadows Whitewater Sport Centre

⇒ **EDUCATION**

- * Levels I to IV skill development courses
- * Passport to Paddlesports toolkit
- * Course supplements
- * Trip Leader certification program
- * Instructor certification program
- * Coach development program
- * Swiftwater Rescue program
- * Officials certification program
- * Sport Outreach program

⇒ **COMPETITION**

- * Skills development clinics
- * Training camps
- * Coaching
- * Elite International coach camps
- * Competition newsletters
- * Alberta Summer Games
- * Provincial competition series
- * National Championships/Trials
- * International Championships/Cups
- * National/International sport affiliations

Directors & Officers Liability and Errors & Omissions Coverage

Although Directors' and Officers' liability insurance (D&O) often is associated with large for-profit companies, they are not the only ones that need it. Nonprofit directors and officers may have an even more demanding job than their for-profit counterparts, because the affairs of the organization may be less familiar to the individual and may be conducted under less efficient conditions than in business corporations. Damages recoverable from directors and officers of even a relatively small nonprofit organization can easily exceed the net worth of many individuals.

Because nonprofit directors and officers are frequently subjected to less external scrutiny than their for-profit counterparts, a greater tendency may exist to become complacent, reactive and perhaps careless in the fulfillment of their fiduciary role. The potential for inadvertent misconduct is further heightened by the director's and officer's commitment to the nonprofit agency. For many, service as a nonprofit director or officer is a part time activity with little or no compensation. **As a result, decision-making may be hindered by incomplete information, insufficient time and inability to carefully investigate and document relevant factors.**

A common misconception is that general liability insurance and umbrellas take care of D&O liability lawsuits. Typically, a nonprofit organization's general liability policy provides coverage for loss arising from bodily injury, property damage and such forms of personal injury as libel and slander. Losses arising out of suits alleging such things as discrimination or wrongful termination are often excluded by these policies. Such allegations, particularly those involving wrongful termination and other employment issues, are common in suits against nonprofit directors.

D&O liability insurance indemnifies directors and officers of nonprofit organizations for damages and defense costs arising from lawsuits alleging various "wrongful acts." The policy also reimburses nonprofit corporations for any indemnification that their bylaws or state laws require them to provide to the directors and officers. Many people are reluctant to serve as directors or officers of nonprofit organizations if the organization does not provide this much-needed insurance, since they otherwise could be forced to pay damages out of their personal assets.

In today's litigious society, nonprofit organizations and their board members commonly face lawsuits for an extended list of alleged wrongdoings most common lawsuits against directors tend to be related to punitive damages and the following: Discrimination (age, race, sex, employment, membership), Harassment, Wrongful termination of employees, Inefficient administration or supervision, Waste of assets, Misleading reports or other misrepresentations, Libel and slander, Failure to deliver services, Acts beyond the granted authority.

So why a Non-Profit Sports Organization should purchase a "proper" D&O policy?

Below is a comparison of a General Liability policy with the new D&O Policy:

Coverage	General Policy	D&O Policy	Definition	Examples
E&O	Yes	Yes	provides protection for your professional services business from claims of negligence or failing to perform your professional duties	A member guide of AWA is providing advice to participant's prior going out for their excursion. A participant is seriously injured and holds the individual instructor liability for his advice and communication
Broad definition of Insured	Yes	Yes	Owners protective, blanket contractual, all members, volunteers, etc.	N/A
Side A coverage for D&O	No	Yes	coverage to individual directors and officers when not indemnified by the corporation / organization as a result of state law or financial capability of the corporation	A disgruntled member is not happy with Jim Smith (ie. the individual), the director for the displacement of funds for the upcoming fiscal year, so he holds Jim Smith personally responsible

Side B coverage for D&O	No	Yes	coverage for the corporation (organizations) when it indemnifies the directors and officers	A disgruntled member is not happy with the mismanagement of resources for the association, so he holds board of directors & the organization responsible
Employment Related practices	No	Yes	Comprehensive protection against errors and omissions in the management and admin. Of human resources. (EPL) insurance is specifically designed to respond to specific employment exposures including: discrimination against any Director or Officer, former Director or Officer or applicant for employment whether because of race, color, age, sex, disability, pregnancy, marital status, sexual orientation, sexual preference or otherwise;	AWA terminated a long-time guide for alienating employees and participants and disinterest in his job. The manager was 59 years old when the termination took place, and AWA checked off "other" instead of "poor performance" on the termination form as the reason for the termination. The manager filed a charge of discrimination with the Equal Employment Opportunity Commission, alleging he was terminated because of his age.
Wrongful dismissal	unknown	Yes	act of terminating an employee in a manner that is against the law. In recent years, erosion of the employment-at-will doctrine has been the factor most responsible for the increase in claims alleging wrongful termination. Coverage for this exposure is provided under employment practices liability (EPL) policies	During a session, a volunteer / members or employee's performance is not satisfactory and termination is required. The association advises the member that he/she is terminated. <i>The right to terminate employees anytime and for any reason, subject to specific legislation or contractual provisions which may be in place.</i>
Harassment, Sexual Abuse allegations	No	Yes	Conduct involving unwelcome sexual advances, requests for sexual favors, and verbal, visual, or physical conduct of a sexual nature. There are two types of sexual harassment: quid pro quo sexual harassment, in which sexual contact is made a condition of employment, and hostile environment sexual harassment, in which such conduct creates an intimidating, hostile, or offensive working environment	According to a female volunteer, an organizer allegedly made abusive and sexually explicit comments to her. The former claimant later brought a suit against AWA and two directors, alleging sexual harassment, intentional infliction of emotional distress, wrongful termination, retaliation, and sexual discrimination.
Compensatory Damages Coverage	Yes	Yes	A sum of money to which a plaintiff/person is entitled that, so far as is possible, makes amends for the actual loss sustained	AWA sells a club a membership and obtains insurance. The club assumes injury to participants is covered and shortly thereafter has a claim, which is denied by the insurance company. AWA is sued for breach of contract and sued.
Wrongful Acts Coverage	unknown	Yes	breach of duty, breach of trust, neglect, error, misstatement, misleading statement, omission, breach of warranty of authority or other act done or attempted by the Directors or Officers or any of them in the discharge of their duties solely in their individual or collective capacity as Directors or Officers of the association	such as negligent hiring or termination practices
Occupational health & safety, Human Rights or Tribunal Coverage?	No	yes	N/A	A board of director is dismissed for allegations of sexual abuse. His claim is subsequently thrown out and he seeks reconciliation through the Human right commission.
Defense Cost Outside the primary policy limits?	No	Yes on the liability policy	In a CGL, if E&O / D&O is included a claim against a board of directors goes against the CGL master policy, thus reducing the coverage for the remainder of the policy term	A D&O claim is presented for \$1,000,000 coverage against a policy which is included within the CGL policy. Subsequently, \$4,000,000 liability coverage is remaining for claims for the fiscal / policy term
Libel & Slander	yes	Yes	oral statement of untrue, defamatory remarks that lower a person's esteem in his or her	If the nonprofit publishes a newsletter, marketing materials etc. the D&O policy includes <i>publishers' liability</i> and <i>personal injury</i> . This provides broader

			community that gives rise to a legal cause of action against the speaker	coverage for libel, defamation, copyright or trademark infringement than the CGL
Spousal Coverage for D&O	Unknown	Yes	Insurer agrees to pay on behalf of the lawful spouse of a Director or Officer all Loss in respect of a Wrongful Act by the Director or Officer. Provided always that the Insurer shall only indemnify the spouse of the BOD association	The Executive Director of a Club is sued for allegations of mismanagement of funds, the claimant holds the Executive Director, the Club and his wife liable.