

MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

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BULLETIN MEL 23-24

Date: January 1, 2023

To: Fund Commissioners of Member Joint Insurance Funds

From: Underwriting Manager, Conner Strong & Buckelew

Re: Coverage FAQs

This coverage bulletin is intended to briefly discuss some unique and frequently asked about coverage topics in the MEL JIF's insurance program. Please note, some coverages discussed may not apply to all members, and not all coverage details will be discussed. Please see your policies for full terms and conditions.

Notaries

You may know from the standard insurance marketplace, Notaries need Professional Liability or Errors & Omissions insurance for their practice. The membership typically have notaries on staff performing notary duties for the members. In the MEL program, the professional liability / E&O coverage for notaries is included in the Public Officials Liability coverage. Please note, the notary must still meet the definition of "Insured" in order to receive coverage, meaning they are employed by and performing duties at the direction of the member entity.

Liquor Liability

While liquor liability is excluded from most General Liability policies, a carveback of coverage is sometimes provided for the giving, selling and serving of alcohol as long as it is not the Insureds primary business operation. The MEL provides that broad carveback to its members, extending liquor liability coverage for functions usual or common to the member entity; however, any for-profit catering operations of the member entity are excluded, such as owned by certain police or fire units.

Community Emergency Response Teams (CERT)

While CERT teams enjoy many immunities for their emergency response operations, the question of Workers' Compensation always comes up. The MEL extends Workers' Compensation coverage to CERT teams if the following requirements are met:

- Established by resolution or ordinance of the Governing Body;
- Members have completed any required certification course;
- Members are actively rostered;
- Roster is approved by resolution of the governing body; and
- Injury occurred while acting in the scope of member's duties with the team and at the direction of the Office of Emergency Management (OEM).

Shared Services

Please remember Shared Services are still services being provided from one entity to another, and can create additional liability. As such, appropriate insurance and indemnification should be requested, including Errors & Omissions Liability/Professional Liability coverage for Financial Injury caused to the receiving party.

Online Vehicle Registration with NJMVC

When asked for the 3-digit insurer code, use "000", which is the code for self-insureds. This is the appropriate code for JIFs.

Prosecutors

Prosecutors are included for Liability coverage under the Law Enforcement Liability coverage with the JIF.

Special Law Enforcement Officers (SLEO)

The Law Enforcement Liability coverage for SLEOs should stay with the providing town, not the school, unless otherwise specified in the agreement. Please carefully review the scope of services of such agreements against the SLEO regulations.

Volunteers

Volunteers acting at the direction of the member are largely covered by the JIF's insurances, except for Workers' Compensation. Only first responders are eligible for Workers' Compensation coverage.

If you have any questions, please contact your Risk Management Consultant, JIF Executive Director or the Underwriting Manager.

The above description is a general discussion of the coverage and limits provided by the FUND. However, the actual terms and conditions are defined in the policy document and all issues shall be decided based on the policy document.

cc: Risk Management Consultants
Fund Professionals
Fund Executive Directors