

# LESSONS LEARNED FROM LOSSES MONTHLY NEWSLETTER – OCTOBER 2021

## INDEMNITY AGREEMENTS



TO PROTECT AGAINST FUTURE LIABILITIES, PLEASE KEEP THE FOLLOWING IN MIND;

- Consult with your town's Solicitor.
- Consult with your RMC as they have an excellent understanding of identifying exposures and the transferring of risk.
- Check current indemnification agreements and contracts to ensure that they clearly indicate where responsibilities lie and that they have been signed by all parties.
- If your town was to be named as an additional insured in a Certificate of Insurance or Contract, confirm that the Insurer has your town named as an additional insured. Do not assume the other party carried through with the promise.
- Confirm receipt of Certificates of Insurance and keep them where they can be easily located.

Example: a private citizen tripped and fell on a wooden plank sticking out from under jersey block placed as a barrier during a political rally. The claimant sustained 3 fractures and had 2 surgeries from the fall. The Hold Harmless Agreement the Member had with the event planner was not signed and the Certificates of Insurance, which would indicate what insurance coverage was in force and what dates and times the event would occur, could not be located.