

UEA/NEA LIABILITY INSURANCE COMPARED TO THE UTAH COUNCIL OF EDUCATORS' INSURANCE PLAN

UEA members are covered by the NEA/UEA/Lexington Insurance Company professional protection plans and the Utah State Risk Management insurance program. Those coverages are described and compared in another document. This document compares the NEA/UEA/ Lexington Insurance Company plans with that offered by the Utah Council of Educators, an affiliate of the Association of American Educators. (The AAE is a “conservative” think tank that generally supports vouchers and tax credits while complaining about the amount of money wasted on public education.)

| Feature | NEA/UEA/LIC Insurance | UTCE Plan |
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| Legal representation of Members in cases of accident, death or injury to others job-related | Yes, except in cases of intentionally causing injury to another | Yes, except intentional infliction of bodily injury |
| Maximum liability amount third party liability (non-civil rights) | \$1 million per person, \$3 million per occurrence with no aggregate for all claims | \$2,000,000 per occurrence, \$3,000,000 aggregate for all claims by all members in a policy period ¹ |
| Liability in case of a civil rights claim | Up to \$300,000 for costs and damages | Up to \$2,000,000 damages plus defense costs |
| Represents Members in adverse personnel actions initiated by District | Yes—no limit. UEA’s policy is, if the member has paid his/her dues, s/he’s entitled to our best representation to and including a final level hearing. It’s the member’s decision, not ours. UEA pays all costs of representation win, lose or draw. | Then plan pays up to \$250 for initial consultation, up to \$750 for a formal hearing in terminations, suspensions, reassignments or demotions. Plan pays up to “\$4,000 subject to a \$100 deductible if insured decides to sue the district <i>and wins!</i> Otherwise you’re on the hook for attorneys’ fees in excess of \$750. All payment are “subject to the payment by the Insured of the first \$100.” Several coverages provide for reimbursement of the insured for 90% of the costs of the attorney. |
| Represents Members in demotions, involuntary transfers, reductions in force | Yes | Yes, but see limitations above |
| Files Grievances against District to enforce the collective bargaining agreement or board policy | Yes | Not discussed in policy, but see limitations above ² |

¹ The “UTCE’s definition of aggregate means “the total limit of . . . liability arising out of all **Occurrences, Claims** or **Suites** brought or to which [the] policy applies within the **Policy Period** . . . for all members . . .” That means the total limit for all insureds is \$3,000,000 per year. One claim could wipe out coverage limits for all insureds for one year!

² “Not discussed in policy” generally means not covered.

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| Represents Members accused of assaulting students | Yes | Excluded: Intentionally inflicting bodily injury (except corporal punishment). |
| Defends Members in job-related criminal charges | Up to \$35,000 attorney's fees if found not guilty; UEA handles most of these cases no cost to members and up to \$5,000 up front no questions asked | Reimburses the Insured for 90% of attorney's fees up to \$10,000, with a \$100 first pay, in defense of corporal punishment charges; criminal charges, except for corporal punishment are not covered |
| Maximum total personal property damage in case of a job-related assault | \$500 | \$0 |
| Represents Members threatened, harassed, or assaulted by students, parents or others | Yes | Not discussed in policy |
| Assists Members obtain workers' compensation | Yes | Not discussed in policy |
| Represents Members in Personnel file disputes | Yes | Not discussed in policy |
| Represents Members in licensing disputes with the Professional Practices Advisory Commission | Yes | Not discussed in policy |
| Bail Bond | \$1,000 per bond | \$1,000 per bond |
| Assists Members in salary disputes with District | Yes | Not discussed in policy |
| Assists Members with medical insurance claims and disability | Yes | Not discussed in policy |
| Represents Members investigated and accused of child abuse by Division of Child and Family Services | Yes | Not discussed in policy, but contains a provision related to assault |
| Assists Members obtain unemployment insurance | Yes | Not discussed in policy |
| Works with the District to ensure fairness of the District's evaluation program | Yes | Not discussed in policy, except as described above in suspensions or terminations |
| Helps Members improve employment performance | Yes | Not discussed in policy |
| Files actions against people who libel or slander Members | Yes | Not discussed in policy |
| Negotiates protection for teachers | Yes | No |
| Represents Members in retirement disputes with the district | Yes | Not discussed in policy |
| Represents Members in retirement disputes with the Utah Retirement Office | Yes | Not discussed in policy |
| Assists Members obtain benefits under the district's insurance policies | Yes | Not discussed in policy |
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