

Fall 2009 ISSUE 13

Swim Club NEWS



A publication
by The Swim Club
Insurance Program

The Virginia Graeme Baker (VGB) Pool and Spa Safety Act... Final Word

Now that the swim season has ended, it's a good time to look back on all of the work and preparation that was required to bring your pool in to compliance with the VGB Pool and Spa Safety Act. And, now is the time to ask yourself two very important questions:

Did we receive all of the necessary paperwork from our contractor(s) which clearly states that the equipment utilized and installation performed was done in full compliance with the VGB Act?

Have we made certain that all of our records, regarding our compliance with this federal law, will be kept in a safe place and be readily available to future board members?

There is no question that when it comes to pool safety, your club has very definite responsibilities under both civil and common laws. If actual or alleged injuries should occur at your swim club in the future that are in any way related to the anti-entrapment features of your pool drain equipment or system, you will want and need this documentation to defend your club against claims or lawsuits that may arise from such injuries.

And, one final word- according to the National Swimming Pool Foundation, The Consumer Product Safety Commission (CPSC) has begun inspecting pools in multiple locations throughout the U.S. to verify compliance with the VGB Act. If your club is notified of such an inspection you will most certainly need to make your compliance certificates, receipts, invoices and other documentation available to verify that your pool(s) have been brought into compliance with the VGB Act.

Workers Compensation Payroll Audits

Each and every year, shortly after your club's workers compensation policy renews, you are asked by your insurance company to provide employee payroll information. This audit of your expired policy is done to adjust the premium, either up or down, based on the actual payroll for the policy term.

Every state permits insurers to compel employers to supply this payroll information to make certain everyone is paying their fair share in to the workers compensation system. If you have any questions about these payroll audits or anything else regarding your club's workers compensation insurance, please contact us for assistance.

It is important to respond promptly to the insurance companies request for this information. Otherwise, the company will issue an *estimated* audit, which will likely result in an over-charge.



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I'm Not Afraid

Gil Fried, J.D., our resident professor and expert on sports and recreational safety has written an excellent article for us about the need for Directors and Officers (D&O) Liability Insurance. No inane insurance or legal jargon here! Just good practical advice on why you and your fellow board members need the protection of D&O insurance.

To read Gil's article in its entirety, visit our website at www.swimclubinsurance.com and click on Risk Management and Pool Safety.



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