



Office of Finance and Administration
Environmental Health and Public Safety

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MEMORANDUM

TO: NC State Campus Community

FROM: Robert Hoon, Interim Vice Chancellor and General Counsel
Steve Olmstead, Director, Insurance and Risk Management

DATE: October 11, 2018

SUBJECT: Employee Excess Liability Insurance

Effective 10/1/2018, the Excess Liability Insurance policy, which provides liability insurance for University employees (including volunteers and agents in certain situations), has been placed with BRIT Global Specialty USA. The policy limits are \$2,000,000 per occurrence, \$10,000,000 annual aggregate with a \$1,000,000 retention per claim. The premium for this coverage is paid by the University with no individual cost to the employees of NC State.

The policy is an excess liability policy, written on an occurrence basis. It provides coverage for civil errors, acts and omissions committed by state employees in the performance of their job duties, which result in bodily injury, property damage or other losses. The policy pays judgements in excess of the Defense of State Employees Act (\$1,000,000 tort claims limit) subject to the policy terms, conditions, exclusions and policy limits. For more information related to the policy, contact the Director of Insurance and Risk Management, extension 5-6122.

Article 31, Chapter 143 of the North Carolina General Statutes, the Defense of State Employees Act, is designated to provide coverage up to a maximum of \$1,000,000 per claimant for damages awarded in lawsuits or settlements against State employees. This law recognizes that State employees, while in the course and scope of employment duties, may be named as defendants in their individual capacities, as well as their official capacities, and allows the State to pay damages on their behalf, at the discretion of the Attorney General.

At NC State, the General Counsel is responsible for providing notice to the Attorney General regarding all potential claims falling under the Defense of State Employees Act and the Excess Liability Policy. Potential claims should be reported to the Office of General Counsel (extension 5-3071) as soon as individuals are aware of them. For more information on the legal aspects of this protection, contact the Office of General Counsel.