

Secondary Professional Liability Insurance

The Secondary Professional Liability Insurance Program assists the engineering and geoscience licensing bodies in their mandate to uphold and protect the environment and the safety and interests of the public. It enhances self-regulation for both the engineering regulators and individual engineers, and enables engineers and geoscientists to seek advice in whistleblower situations. All individual engineers and geoscientists in good standing with a participating provincial or territorial regulator are insured. They are also covered as mentors, helping other less-experienced individuals develop specific skills and knowledge that will enhance professional and personal growth.

Who is insured?

All members in good standing with the provincial and territorial professional associations participating in this program: APEGBC, APEGA, APEGS, Engineers Geoscientists Manitoba, Engineers and Geoscientists New Brunswick, Engineers Nova Scotia, Engineers PEI, PEGNL, NAPEG, APEY, APGO, OGQ and APGNS.

This program does not cover firms.

Coverage details

- Coverage per member: \$250,000 per claim plus defence costs
- Aggregate per project: \$500,000
- \$75,000 for legal advice related to whistleblowing and \$75,000 for loss of income related to whistleblowing action
- Deductible per claim: None

Program features

(Subject to the actual policy terms and conditions)

- *Worldwide coverage*
The program covers work done anywhere in the world as long as the claim is brought against the member in Canada.
- *Prior acts coverage*
Employees moving from one firm to another need assurance that their past liability for professional services is covered. This program provides such coverage on an individual basis to all eligible members. This includes coverage in cases of firms ceasing operations, firms going into bankruptcy and firms that merge with other companies subject to specific waiting periods. Most employees can have comfort knowing that if problems occur in connection with past professional services that they performed, they have insurance to defend them.
- *Pollution coverage*
If the Professional Services claim alleges that pollution has occurred, this program would respond
- *Copyright/patent infringement coverage*
If the Professional Services claim alleges that any copyright or patent infringements have occurred, this policy would respond.

- *Estate coverage*
If a member is deceased and their estate has a Professional Services claim, this program would respond.
- *Retirement coverage (prior work)*
Protection for claims arising from past work is of vital importance during retirement. This protection will usually be provided to individuals by firms that they worked for before retiring. When protection from previous employers is not available, this policy will provide coverage to eligible individuals.
- *Incidental professional consulting services (including retired members)*
The policy provides coverage for professional services that members may provide in their own name outside of their regular employment. The yearly amount of fees received for providing such services must not exceed \$15,000 per calendar year in order for coverage to apply.
- *Mentoring*
You are covered as a mentor helping another less-experienced individual develop specific skills and knowledge that will enhance the individual's professional and personal growth, as well as participation in outreach programs to students of all ages.
- *Whistleblower coverage including legal advice and loss of income coverage*
If a member is involved in a whistleblower situation or could be, they can get legal advice about how to proceed up to \$75,000. If they have a loss of employment income resulting from being a whistleblower, they may be entitled to up to \$75,000 for that loss of income.
- *Libel and slander coverage*
If a member is alleged to have engaged in verbal or written disparaging comments they may have coverage.

Timely reporting of claims

It is important that claims be reported in a timely manner. A claim must be reported in the policy period that it is first received. The policy periods run from March 31 to March 31 of the following year. An extended reporting period of 60 days to report matters from the previous policy year is provided to give members time to act on claims that have been received during that policy year.

Please consult your provincial or territorial regulator's website for specific policy information. The policy wording prevails for all coverage interpretations.

For additional information, contact the program hotline at 800-361-9080.