

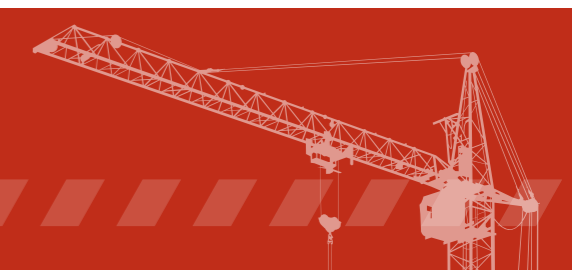
Professional Contractor **PROCON**



» Experts in **MOBILE PLANT PROTECTION** »

UAA

Professional Contractor PROCON



» Are your clients adequately covered?

Bridge the gap with ProCon

In an ever changing business landscape, with increased litigation, regular changes in legislation, tighter contractual obligations and a stronger focus on business regulation and accountability it's becoming increasingly harder to ensure that your clients have the level of cover required to protect them and their business.

Contractual obligations such as the need for Professional Indemnity cover as well as additional exposures relating to fines and penalties arising from breaches in legislation and costs associated with employment related claims are just some examples of the complexities of running a business in the 21st century.

How often have you had the situation where your clients enter into a contract without considering the impact on their insurance coverage often exposing their business to unnecessary risks?

UAA has developed 'ProCon' our professional liability product, specifically designed for non-traditional professional liability customers to cover such gaps.

The following are some real life examples of the exposures and potential claims your clients could face without the appropriate level of cover.

NEWS

'Electric' crane shuts down building site

WorkSafe ACT is investigating the cause of a malfunction which trapped a crane operator working at an inner-south Canberra construction site.

It is believed an electrical fault caused the problem which trapped the crane operator at Kingston on Wednesday.

Work safety commissioner Mark McCabe says the site has been shut down until a proper inspection is conducted.

"Before the crane goes back into service, we want to be exactly sure if there was an electrical fault, and what caused the electrical fault," he said.

"So we're being very cautious to make sure something further doesn't happen to operations."

Dean Hall from the CFMEU says the incident will be thoroughly investigated.

"The purpose of that is to ascertain whether there is a underlying issue with the structure of the tower crane, that it may have caused this electrical fault," he said.

"What we've got to eliminate now is whether there's a possibility that something has structurally gone wrong with the crane to cause this electrical fault."

Source: <http://www.abc.net.au/news/2011-07-21/electric-crane-shuts-down-site/2803998>

This incident relates to a Building Site having to be shut down as the tower crane suffered an electrical failure. In simplistic terms, because there was no third party damage and no third party injury, the Broadform Liability policy would not be triggered. A site having to shut down can result in financial loss to the head contractor, the owner and any potential tenants due to delays pushing out the completion date, as no work is able to be done until authorities have investigated and approved the re-opening of the site.

This is a great example of when the Broadform Liability will not trigger, leaving the business potentially uninsured and can result in the business being unable to survive.

Section 2. Professional Civil Liability has been developed to cover financial loss only claims, such as this one.

\$450,000 fine for "avoidable" excavator death

26 August 2010

A \$450,000 fine was handed down to a transport company today after the avoidable death of a 30 year-old worker in 2007.

A Transport Company was convicted and fined on two counts under the Occupational Health and Safety Act at the Melbourne County Court, following a 2007 incident at Narre Warren where a 20 tonne excavator slipped as it was unloaded from a trailer.

The court heard the worker was trying to drive a steel-tracked excavator off a steel-decked trailer when the excavator slipped and fell to the ground, killing the worker.

WorkSafe's investigation found the trailer was too narrow to support the excavator, and the method of unloading was unsafe. The worker was required to drive the excavator from the trailer with its treads

hanging over the sides of the trailer.

In addition, the investigation found the surface of the steel-decked trailer didn't provide enough grip, increasing the risk of the excavator slipping when the trailer was tilted.

Charges under the Occupational Health and Safety Act 2004:

- Count 1 is a rolled up charge under section 21(1), 21 (2)(b) and 21(2)(e)
- Count 2 is a charge under section 23(1).

Source: <http://www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/worksafe/sitetools/news/450000+fine+for+avoidabl+excavator+death>

This incident relates to a large fine being handed down due to breaches of the Occupational Health and Safety Act 2004, which resulted in an 'avoidable' workplace fatality. In addition to the fine, the legal fees associated with these types of cases can in many instances far exceed the fine itself, placing a huge financial burden on the business.

Section 4. Statutory Liability can help ease this financial burden. Please note fines and penalties resulting from intentional or criminal acts are not covered by this policy.

Sick child

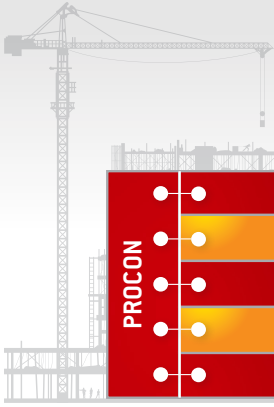
A complaint of discrimination on the basis of family responsibilities was successful after a man resigned his position when he was threatened with the loss of employment if he took his sick child to hospital.

The respondents subsequently refused to re-employ him. The Tribunal also found unlawful discrimination had occurred as the employer had previously ceased training him for promotion to a managerial position because he had taken some short notice leave because of family responsibilities. The Tribunal ordered an apology, \$17,500 in compensation for hurt and embarrassment and \$16,000 for economic loss.

Source: <http://www.adcq.qld.gov.au/Cases/Sex.htm>

This case highlights the need for any business that has employees to have the appropriate cover for employment related claims like discrimination such as the one in this example.

Section 5. Employment Practices Liability has been designed to consider such exposures.



» ProCon combines 5 Cover Options into one package providing general liability and financial loss cover, including:

- | | | | |
|---|---|---|---------------------------------------|
| ● | ● | ● | 1. Broadform Liability |
| ● | ● | ● | 2. Professional Civil Liability |
| ● | ● | ● | 3. Directors' and Officers' Liability |
| ● | ● | ● | 4. Statutory Liability |
| ● | ● | ● | 5. Employment Practices Liability |

<ul style="list-style-type: none"> • Section 1. Broadform Liability 	Full nominated activities cover which when taken in conjunction with Section 2, Professional Civil Liability, bridges the gap by providing additional benefits in respect of liability for bodily injury, property damage or advertising liability arising from the rendering of or failure to render professional advice and service.
<ul style="list-style-type: none"> • Section 2. Professional Civil Liability 	Provides financial loss only coverage and meets your clients' contractual obligations to have Professional Indemnity insurance.
<ul style="list-style-type: none"> • Section 3. Directors' and Officers' Liability 	Provides personal protection for Company Directors and Officers when allegations are made against them in the course of their duties.
<ul style="list-style-type: none"> • Section 4. Statutory Liability 	Provides coverage for fines or penalties arising from a breach of a business obligation under State or Commonwealth legislation such as OH&S, Workcover etc.
<ul style="list-style-type: none"> • Section 5. Employment Practices Liability 	Provides the business with the security needed to manage the costs associated with employment related claims such as unfair dismissal, discrimination and the like.

ProCon » » » » »



- » Providing insurance business solutions
- » Removes potential Claims handling disputes between different Insurers
- » Offers 5 Professional Liability Cover Options
- » Choose the covers that best suit your customers' business and its operations
- » One Insurer, One Policy, One Contact
- » Niche, tailored and exclusive to UAA customers

» Like to know more?

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