

# Managing Risk, Insurance & Safety Stories & Strategies for Leaders & Flag Officers

**Presented By Gowrie Group & Burgee Program**

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# Seminar Overview

1. Overview & Introductions
2. Safety Plans, Check Lists & Safety Committee
3. Protecting & Valuing Docks
4. Junior Program Travel Team Safety
5. Electrocution Risks
6. Be Cyber Smart
7. Review Your Policy for Exclusions & Gaps
8. Using Tools & Resources
9. Q&A

# Meet the Gowrie Group Team



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# CASE STUDY: OSHA Inspector Asks to See Your Safety Plan...

## What is a Safety Plan?

- It takes EVERYTHING you do for safety (and/or should be doing for safety), and actually puts it in writing in an organized document

## Smart Tips:

- Keep it real, realistic, and **up-to-date**
- Use it as a **training tool**
- Use it as a **back up** when the “Safety Person” is not around
- Spend a little time at least **once a year** to review it
- **Get help** - have someone else review it to make sure you are not missing anything
- Remember, this is a fluid document, it needs to **change and evolve overtime**
- **A formal Safety Plan is the first thing an OSHA Inspector will ask to review**

A photograph of a safety data sheet (SDS) for gloves. The sheet is titled "TANT GLOVES" and lists various chemical hazards and their corresponding glove compatibility. The table has columns for "GLOVE TYPE", "GLOVE MATERIAL", and "GLOVE TYPE". The table is partially filled with "X" marks indicating compatibility. Below the table, there is a note: "Substrates may react with some gloves. Disposable latex gloves should never be used for prolonged handling of solvents or solvent soaked rags. If in doubt, always test a glove in the selected solvent. Chemical resistant gloves may be used."

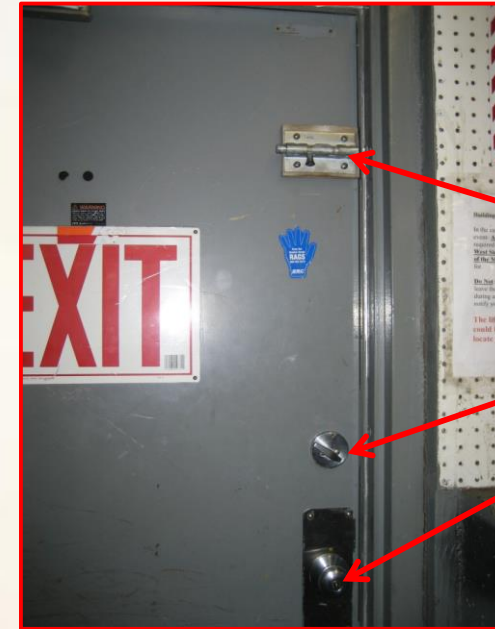
# CASE STUDIES: What does your Safety Plan say about Trespassing or Blocking Exits?

## Trespassing Tragedy:

- Club sued by non-member severely injured when trespassing to jump onto a rented water trampoline
- Trespasser severely injured – quadriplegic
- Multi-million dollar lawsuit
- **An organization can be sued and held liable for failing to warn people of trespassing risks:**
  - Trespassing Warning signs?
  - Attractive nuisances?
  - Unlocked doors after hours?



## OSHA Violation: Exit with too many locks!



Triple  
Locked!

*This slide covers just 2 of many possible Claims Stories we could talk about today related to Facility Safety and Safety Plans!*

# TAKE ACTION: Develop a Comprehensive Safety Plan

## Tackle it Now = Ready When You Need It

- **Invest the time upfront** – get it documented, reviewed, implemented
- **Evaluate and update annually** – fluid document, this is your annual “maintenance”
- **Review seasonally with staff** – hold an annual, in-person with all leaders, flags, and staff
- **Practice the Emergency Medical Action Plan** – make it part of pre-season training

## Safety Plans Cover Operations, Humans, Property & More

- On-land & On-water operations
- OSHA standards & inspections
- Record keeping & injury/accident reporting
- Facility safety
- Kitchen & restaurant safety
- Fuel dock safety
- Emergency response plans (medical, storms, crisis)
- Employee handbook
- SafeSport and MAAPP



SHYC Emergency Response Pick-Up Locations			
Name	Description	Address	Nearest Cross Street
A	Sachems Head Yacht Club	Enter between 2 stone pillars, between 59 & 66 Chimney Corner Circle, Guilford CT	Prospect Ave. and Falcon Rd.
B	Sachems Assoc. Dock/Ramp	Back of harbor. Dead End of Colonial Rd.	Between 538 and 600 Colonial Rd, Guilford CT
C	Sachems Head Assoc. Pier	First right after 219 West Uncas Point Rd.	Next to 219 West Uncas Point Road, Guilford CT
• IF IN THIMBLE ISLANDS: Stony Creek Ferry Dock, 4 Indian Point Rd, Guilford, Stony Creek Village			
• IF NEAR FAULKNER'S OR JACOBS BEACH: Guilford Town Marina, End of lower Whitfield Street			
Emergency Numbers		SHYC Main Numbers	
911		Clubhouse & Launch: 203-453-6207, VHF #12	
Guilford Police/Fire: 203-453-8000, 911		Sailing Director: Scott Leppert, 880-817-7505	
Guilford Town Marina: VHF #16, 203-453-8082		Commodore: Rob Wilber, 203-427-6699	
US Coast Guard: VHF #16, 203-488-4401		Fleet Captain: Peter Ginz, 203-425-7240	

# TAKE ACTION: Create a Safety Committee & Instill a Safety Culture

## Safety Committee & Check-List:

- Form a **Safety Committee**
- Designate a “**Safety Coordinator**” or “Safety Head”
- Schedule Quarterly Safety Committee **meetings**
- **Pre-season safety walk** through
- Pre-season **Emergency Drill Procedure Training**
- **Post-season safety walk** through
- Be watchful for **OSHA violations**
- **Implement weekly Safety Check Lists!**



## Instill a Safety Culture:

- **Communicate** to membership about safety standards and safety measures that are implemented
- **Post and share** copies of Emergency Action Plan
- **Train** staff on safety standards
- **Involve** JR Sailing kids and parents in safety planning
- **Use signage** to communicate safety rules
- **Publish and post safety rules**



# CASE STUDY: Protect your Docks from Severe Weather

## Fall Storm & Dock Damage

- Intense Fall Nor'easter storm – extreme wind, waves, tides
- Club had not secured or removed the docks for the winter (yet)
- Club closed for off-season – no staff or members around
- Club Officer stopped by on the way to work to “check the docks”
- Noticed dragging docks and a loose piling - and storm had just started
- **Emergency rally call for volunteer help!**
- **Dangerous, hours of volunteer work, paid pro and barge to triage**
- **Impact:** Expensive, time consuming, damaged piling, not in budget



# TAKE ACTION: Have Your Docks Appraised & Plan for Storms

## Do Not Be Underinsured and Out of Luck:

- It is not uncommon to discover in a claim situation that a dock system is way undervalued and underinsured
- **Understand your dock coverage** – what is and isn't covered (Ice damage, Replacement coverage, Transit Coverage, Wave-wash damage, Flooding?)
- Not all dock coverage is the same...

## Take Action:

- Appraise docks/piers **for replacement value every 3-5 years**
- **Dock systems includes more than the dock itself:** include floats, pilings, utilities, and ramps in the covered value
- Plan for **how to protect docks in severe weather and winter**
- Have a **maintenance and repair plan**
- Have a **winter storage plan with a timeline**



**Wrap-Dock = GONE!**

# CASE STUDY: Junior Travel Team - Trailer Towing Disaster!

## New Travel Coach – Towing in Rush-hour?

- Borrowing an unfamiliar truck and going somewhere new
- Loading a RIB and hitting the road early
- **Trailer axle breaks on I-95 (major highway in CT/NY) in rush-hour traffic**
- **How do we want our coaches to respond/react?**
  - Highway breakdown safety procedures?
  - Back-up plan for sailors on-site with no coach or RIB?
  - What to do with broken equipment?
  - Who can repair on a moment's notice?
  - Who to call/text to inform and ask for help?
- **HAVE A TRAVEL DISASTER PLAN & discuss it ahead of time**



*Axle repaired on highway ramp by the Club Commodore!*

# TAKE ACTION: Set Junior Travel Teams up for Safety Success

## Key Action Items to Tackle:

- Service all trailers to **“road-safe” standards** (bearings, axle inspection, hitch inspection, light check, wheel check, etc.)
- Require coaches/sailors to **fresh rinse** all trailers after regattas
- Make sure **registrations are current/valid**, including license plates
- Have extra **copies of trailer documentation** stored in a central location (digital)
- Set-up **emergency travel procedures** (what to do, who to call/text)
- Use a **group texting** tool for communication (set-up different groups)
- Adopt **Safe Sport MAAPP** and Travel protocols/rules into your handbook
- Have a **trusted adult/supervisor** review/safety check ALL regatta logistic plans (days ahead)
- Assign a skilled parent to be **involved in loading, towing, and unloading**
- **Train parents/coaches on safe towing protocol** (hitching, unhitching, maneuvering, and loading/unloading)



# TAKE ACTION: Junior Travel & Auto Insurance Coverage...

	Driver	Vehicle	Trailer	Cargo	Insurance Considerations
#1	Parent/ Member	Driver Owned	Club Owned	6 Member Owned Opti	Member's car insurance is primary for liability. Club's auto insurance is excess for liability and primary for trailer damage (if scheduled & registered). Each member's own insurance covers their own Optimist.
#2	Instructor/ Employee	Driver Owned	Club Owned	Club Owned RIB	Instructor's car insurance is primary for liability. Club's auto insurance is excess for liability and primary for trailer damage (if scheduled & registered). Club's insurance covers RIB if hull insurance was purchased.
#3	Instructor/ Employee	Borrowed Member Car	Club Owned	Club Owned 420s	Member's car insurance is primary for liability. Club's auto insurance is excess for liability and primary for trailer damage (if scheduled & registered). Club's insurance covers 420s if hull insurance was purchased.
#4	Club Manager	Club Owned Van	None	Club Owned Gear	Club's insurance is primary, except for equipment which is limited to type of equipment and dollar enhancement limit of property policy.
#5	Instructor/ Employee	Club Owned RIB	Towing Over Water	Member Owned Opti	Club insurance is primary for liability and property damage to member owned Optimists.



- **Primary Insurance** always follows the auto insurance on the vehicle.
- **Club Owned Trailers** should be scheduled on commercial auto policy and have current registration (license plate) – laws/coverage varies by state.

# CASE STUDIES: Electrocutions are Preventable

## On-the-Water

- Freshwater sailing club
- Swimming off a powered dock



## On-the-Land

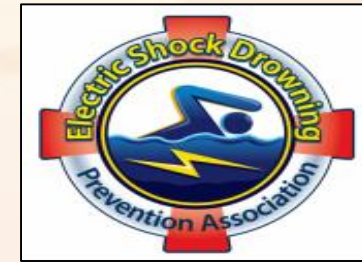
- Moving a boat in a dry-sail area surrounded by powerlines
- Moving rigged boats via dolly for loading or unloading



# TAKE ACTION: Steps to Minimize Electric Shock Drowning

## Action Steps to Prevent Electric Shock Drowning (ESD):

- **Post signs** and don't allow swimming in or near docks powered by 120v AC power
- Make sure **Ground Fault Circuit Interrupters (GFCI)** are installed on shore power pedestals and marina wiring circuits
- Have **powered docks inspected by qualified electricians** familiar with National Fire Protection Association Codes
- Have **boats inspected** by electrician with ABYC Electrical Certification or an ABYC Certified Technician
- Utilize **safe, alternate locations for Junior Sailing Swim Tests** (never on a powered dock!)
- Connect with the **Electric Shock Drowning Prevention Association**



(Source: ESD Association, <http://www.electricshockdrowning.org>)

# TAKE ACTION: Steps to Minimize On-Land Electrocution

## Take Action - Prevent Electrocution of Sailors:

- Conduct an **annual walk-through inspection** of all dry-sail areas, parking lots, and launching areas for overhead wires, transmission lines, and power lines
- **Post signage and implement safety measures** to identify and mitigate any electrical safety hazards
- Remind instructors and sailors to **look-up for overhead wires and hazards** every time when unloading, rigging, launching, and de-rigging



Image of safe rigging area: 2018 USODA, Ventura, CA

# CASE STUDY: Could an Employee or Flag Officer be Cyber Scammed?

## Wire Fraud is Happening in the Marine & Yacht Industry:

- Massachusetts boat dealer sold a boat to a US customer
- Boat was manufactured overseas
- Email invoice sent to US customer was intercepted = wire instructions changed to fraudulent account
- Customer wired almost \$100,000 to fraudulent account
- **No Insurance Coverage:** Neither the boat dealer, nor the manufacturer, had insurance coverage
- **TRIPLE IMPACT:** Manufacturer not paid, dealer not paid, customer out a lot of money



# TAKE ACTION: Be Cyber Smart about Social Engineering Fraud



**Social Engineering Fraud:** A type of scam that uses psychological manipulation to convince a person or employee into willingly providing sensitive information/data, sending money, or diverting a payment/funds

**Most Common Types:** Phishing, Vishing (voice), Pretexting, Baiting, Tailgating, Quid-Pro-Quo, Business Email Compromise

**Startling Statistics - attackers target the most vulnerable channel, humans:**

- 98% of cyber attacks rely on Social Engineering
- 83% of companies reported experiencing some type of Social Engineering based Phishing attack in 2018
- 77% of successful Social Engineering attacks started with a Phishing email
- 43% of cyber attacks target small business (many are non-profits)
- In 2018 hackers made an average of 80,000 attacks/day, and successfully stole 500 Million personal records (126% increase over 2017)
- Cybercrimes cost businesses over \$2 trillion total in 2019
- Average cost of a data breach in 2020 estimated to exceed \$150 million

# TAKE ACTION: Action Steps to Minimize Cyber Risks & Exposures

## Train Employees, Volunteers, Officers:

- Awareness of the common scams
- Think before clicking; be suspicious
- Double check before changing payment addresses or banking #'s
- Lock up devices and laptops
- Store data and financial info securely
- Don't use free/open WiFi
- Watch for suspicious fraud activity
  - Wire Transfer Requests
  - Invoices not getting paid
  - Payroll Direct Deposit changes

## Implement Controls:

- Evaluate and improve your internal controls, network controls, network protection, data security
- Implement multifactor
- Use the designated storage for information
- Passwords – change often, don't use the same one, require strong passwords, store securely, never send by email

## Consider Insurance Solutions:

- Not every crime can be prevented
- Consider insurance solutions through crime and/or cyber policies and endorsements
- Know what is and isn't covered



# CASE STUDY: Scary Exclusions Exist in Many Policies

**Marine Liability Exclusions:** *This insurance does not apply to loss, damage, liability or expense directly or indirectly caused by or contributed to or resulting from...*

2.7. Any liability, loss, damage, or expense arising out of **swimming**, snorkeling, diving, or similar activities

2.8. Any liability, loss, damage, or expense arising due to the failure of the Insured to have **a competent employee** of the Insured at all times in charge of any watercraft being navigated

2.9. **Towing** of boats



# TAKE AWAY: Review Your Policy Annually



## Annual Insurance Check-Up

- **Read your policies** cover to cover
- **Contact your agent** at least once a year to discuss your insurance and needed changes (they are your trusted advisor!)
- **Find out if you have any exclusions or warranties**
- Make sure your **coverage aligns with what you own today and current** valuations/appraisals
- Review/update your **schedule of vessels** annually
- Consider **additional insurance coverage** you may need: D&O, umbrella, Drone, EPLI, Cyber, Flood, etc.
- Conduct a thorough, **strategic insurance review once every 3 to 5 years**


## Questions to Ask in a Review

1. Does our policy exclude swimming?
2. Do we have full liquor liability coverage, and is it under our umbrella?
3. Do we have coverage for flood and wave wash damage to our docks/piers?
4. Would a dock claim be depreciated?
5. Is Regatta Liability built into our policy?
6. Does our umbrella policy go over our MOLL and Marine GL policies?
7. Do we have flood insurance coverage on each building?
8. Do we have restoration coverage on our clubhouse?
9. Does our yacht policy have a navigational limit?
10. Are there seaworthiness warranties on our boats?
11. Do we have Jones Act coverage for coaches, launch drivers, and dock hands?
12. Does our policy cover sexual molestation and abuse?
13. Are member, employees, and volunteers included as “additional insureds”?
14. Do we have hull and liability coverage on borrowed boats?
15. Do we have coverage for race management errors?
16. Do we have coverage for accidental fuel spills?
17. Do we have volunteer accident coverage?

# TAKE AWAY: Utilize Available Tools & Resources

## Use Available Safety Resources:

- US Sailing safety resources
- Accident reports/studies
- SafeSport MAAPP & Policies
- State Forms & Waivers
- Burgee Program Check-Lists:
  - Weekly Inspection
  - OSHA Self-Check List
  - Pre-Season Self Evaluation
  - Sailing Director Weekly Check-List
- Burgee Program Safety Templates
- Safety Committee Meeting Templates



### Burgee Program Safety Resources: by Gowrie Group




URL to download resources: [www.gowrie.com/BurgeeSafety](http://www.gowrie.com/BurgeeSafety)

Gowrie Group and The Burgee Insurance Program are proud to offer a comprehensive suite of safety materials and safety resources to our clients and associates. You can download the documents below.

- **Emergency Card Template:** Template to create a custom Emergency Card for a specific program/location. Designed to be posted in sailing facilities and laminated for use in safety boats. Includes steps to take in an emergency, who to contact, what to tell 911, map, and addresses.
- **Six Steps to Optimize Your Emergency Action Plan:** These 6 tips will enable you to optimize your program's EAP and empower your team to respond to an emergency as quickly, safely, and effectively as possible.
- **Junior Sailing Safety Guide:** Manual to help clubs and sailing organizations develop and grow safe, successful junior sailing programs. Content includes class ratio recommendations, safety recommendations, emergency response template, media release forms, general forms & logs, discipline policy, walk around inspection check-lists, and more.
- **Club & Sailing Organization Safety Manual:** Comprehensive safety manual covering topics related to safe operation of a sailing organization including incident reporting, chemical storage, electrical safety, motor vehicles, PPE, liquor, and more.
- **Drone Safety:** Risk Report detailing the safety best practices, FAA regulations, industry requirements, and insurance recommendations for drone usage by Sailing Organizations and sailors.
- **Dock Safety Guidelines:** Dock safety guidelines for sailing programs. Smart, simple recommendations and solutions to keep members and guests safe.
- **Safety Check List:** Check-list to be used for weekly safety walk-around inspections.
- **Hurricane Plan Template:** Template to create a custom hurricane preparation and response plan.

If you have questions or are interested in learning more about The Burgee Program, please contact us at [burgess@gowrie.com](mailto:burgess@gowrie.com) or 800.262.8911. If you are interested in an editable Word version of any of these documents, email us at [burgess@gowrie.com](mailto:burgess@gowrie.com). Make sure to include the name of your club/program and where you are located.

The Burgee Program is managed by the marine experts at Gowrie Group, underwritten by Chubb, and endorsed by US Sailing.



# A SENSE OF CALM: Brought to you by Burgee Program



## The Burgee Program - Leading insurance solution since 1988

- Majority of sailing organizations in US insured by the Burgee Program, including:
  - 1100+ US sailing organizations
  - More than 150 class associations
  - 200+ community based sailing programs

## Team behind the program is best in class:

- Managed by the sailors and marine insurance experts at Gowrie Group
- Underwritten by CHUBB
- Endorsed by US SAILING

## Learn more:

- Visit us at [www.burgeeprogram.com](http://www.burgeeprogram.com)
- Call us at 800.262.8911
- Email us at [burgee@gowrie.com](mailto:burgee@gowrie.com)

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*Thank you for attending this session.*

