



Administrative Directive

Title: Self-Insurance Liability Program Coverage		Index Number: AD 5.05
Date of Adoption: 09/02/92	Date of Revision: 01/27/10	Page 1 of 2

1.0 Purpose and Need

Sections 15.2-1518 and 38.2-227 of the Code of Virginia allow the city to defend and indemnify its officials, employees and volunteers for civil claims that may be made against them and arise out of the good faith discharge of their official duties while acting within the scope of their employment. The City of Virginia Beach has elected to provide such indemnification through its self-insurance and insurance programs. This indemnification is provided at the discretion of the City of Virginia Beach in order to ensure the willingness and ability of city officials, employees and volunteers to take the actions necessary to carry out their responsibilities.

2.0 Administrative Directive

It is the policy of the city that its officials, employees and volunteers be protected from civil claims which arise out of the good faith discharge of their official duties which are performed while acting within the scope of their employment. Such protection shall be afforded through programs of insurance or self-insurance as may be established by the Risk Management Administrator.

3.0 Procedure to Accomplish Administrative Directive

Elected and appointed officials, employees, volunteers, members of boards and commissions and incorporated or unincorporated volunteer fire departments and/or rescue squads operating under the Office of Emergency Medical Services (covered parties) shall receive both monetary and legal protection as defined herein. This protection shall be provided to the extent authorized by law and shall be limited in accordance with the exclusions which are hereinafter defined.

4.0 Responsibility and Authority

The Risk Management Administrator shall be responsible for the coordination and administration of this policy in accordance with the direction of the City's Director of Finance.

5.0 Definitions

1. Coverage Defined

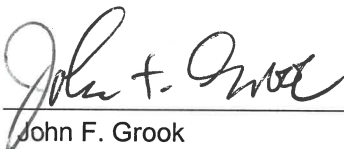
Coverage under this program shall include both defense and indemnification of covered parties for civil claims or suits that may be made against them which arise out of the good faith discharge of their official duties on behalf of the city and are within the course and scope of their employment. In such cases, indemnification shall include payment of monetary settlements or awards for compensatory damages and also for punitive damages to the extent authorized by law. Such coverage is conditioned on the covered party's timely notification to the Department of Finance, Risk Management Division, of any claims received and/or the services of process of any civil suits and cooperation with the investigation and defense of the claim or suit.

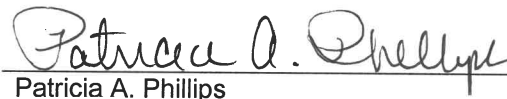
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5.0 Definitions (continued)


2. Exclusions Defined


Coverage shall not be afforded for actions: (a) which do not seek monetary damages (unless otherwise approved by the Risk Management Administrator); (b) which are outside the scope of an individual's official duties or employment; (c) which result from intentional violations of city policies, procedures or regulations; or (d) which indicate an intent to violate a claimant's rights. The city reserves the right to terminate coverage under this self-insurance program if it is determined by the Risk Management Administrator that the individual's actions are excluded from coverage for the reasons stated herein. Such termination of indemnification coverage may occur even if the city continues to provide legal defense for the individual.

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 Date

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Approved as to Legal Sufficiency:  2/4/10
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