

REGIONAL GUIDELINES FOR MULTIPLE USE OF FACILITIES

As a result of the last RVA Assembly meeting, ESIX has been asked to prepare suggested regional guidelines regarding mixed play and the use of the same facility at the same time by multiple groups. Our suggestions and guidelines are listed below. One common thread to making this work will be a change in procedures to have all incident report forms flow through the Regional Volleyball Associations (RVA) to verify the event in question was sanctioned by the RVA.

SCENARIO 1 – USAV Sanctioned Event & Other Sport Activities at Same Facility

A USAV/RVA sanctioned event is taking place in a facility where other non-volleyball events are taking place (for example, basketball, swimming, etc). USAV has provided proof of insurance for the volleyball activities to the facility owner.

How would an injury to a volleyball participant or a spectator be handled?

Comments

The volleyball participant must be a USAV member and thus, would be covered under the Participant Accident and General Liability coverage. A *spectator attending this event as a USAV spectator* would be covered under USAV’s general liability policy. A spectator claim will most likely be tendered back to the facility operator who will in turn, tender this back to USAV. It will be up to the claim adjuster to make sure this is a USAV related claim.

Recommendations

1. USAV would provide proof of insurance per the contract with the facility owner for USAV/RVA activities only. Other facility users would be responsible for providing proof of insurance for their activities.
2. This scenario demands that the USAV/RVA event director makes sure an incident report is completed on any incident involving the sanctioned event and submits this to the sanctioning RVA.

SCENARIO 2 – Shared Facility / Separate Volleyball Groups

Two volleyball events are taking place in the same facility on separate courts sanctioned by USAV and another volleyball organization. Each organization has provided proof of insurance to the facility owner per their contractual obligation.

A participant or a spectator is injured. How will the pending claim be handled?

Comments

In this situation it is easy to separate and identify the responsible party for a participant claim since there are two separate organizations and USAV does not allow the comingling of participants during a sanctioned event. Each participant will look toward his/her respective organization for the reimbursement of medical expenses.

In the event of a spectator claim (slip/fall, being struck by a ball, etc), it will be up to the claim adjustor to **try** and determine if the spectator is there for a USAV/RVA event or for the other organization's event. If, in this scenario, the claim adjustor is not able to identify the responsible party, there **could be** a claim paid by USAV for non-USAV activities.

What happens if there is damage to the facility that is being rented?

Comments

Due to the fact there are two separate and distinct organizations utilizing the facility and there is damage, the event director must try and verify which event caused the damage to the facility. If it is unclear which party caused the damage, USAV's insurance may be required to pay all or part of the claim.

Recommendations

1. The contract between the event director or USAV/RVA and the facility owner should specify that only USAV/RVA activities are covered by the USAV's insurance.
2. This scenario demands that the USAV/RVA event director makes sure an incident report is completed on any incident involving the sanctioned event and submits this to the sanctioning RVA.
3. If a claim arises from damage to the premises it is important for the event director and RVA to make sure the claim is the result of and the responsibility of USAV/RVA. If not, the event director should notify the facility owner to transfer responsibility of the claim to the other organization utilizing the facility.

SCENARIO 3 - Mixed Play

A USAV/RVA sanctioned practice is occurring at a facility which has been rented or secured using USAV's insurance. A player from another organization is allowed to participate in the practice as there are not enough players to scrimmage.

The non-member player is injured. How will USAV's insurance policies respond?

Comments

Since the injured participant is not a member of USAV, USAV's participant accident policy will not respond to the participant's injury.

If the participant brings forth a lawsuit against the club, region and/or USAV, then USAV's general liability coverage might be forced to respond to protect USAV and the RVA even though it is for a non-member participant.

The club's failure to comply with sanction requirements (i.e. all participants must be members) may result in penalties from the sanctioning RVA and/or USAV and may cause denial of the claim by the insurance company for the club, the event director and/or coach.

Recommendations

Non-members will not be allowed to participate in any USAV sanctioned activity.

SCENARIO 4 – Third Party Court Rental

A USAV/RVA tournament director/event organizer has secured a facility for use (tournament, clinic, etc) and the event is sanctioned and insured by USAV's insurance. USAV has provided the insurance certificate necessary to secure the use of the facility. There are open courts in the facility not being used.

Can the tournament direct rent these courts out to a "third party" not participating in the sanctioned event?

Comments

USAV/RVA does not allow any event to be sanctioned unless all participants are members of USAV/RVA. Both participant accident and general liability coverage are hinged on this rule. In order for the courts to be "sub-rented" to a third party all of the participants must be USAV/RVA members and the event must be sanctioned by USAV/RVA.

Recommendations

Event organizers will not be allowed to sublet a facility unless all participants are USAV members and the event is sanctioned through USAV/RVA.

This document is meant only as a general understanding and should not be construed as a legal interpretation of USA Volleyball's insurance policies. Coverage will respond according to the insurance policy terms and conditions.