

UPDATE FOR CLUBS

WCB Coach Coverage Responsibility and Potential Liability for Clubs

Dear Clubs

The following is information on the responsibility and potential liability that figure skating clubs have regarding Workers' Compensation / WorkSafeBC (WSBC) coverage for coach employees and for freelance coaches. I understand that some situations have occurred in the recent past which have focused attention on this issue. See the attached links to view information from the WSBC Assessment Manual.

Comments:

Figure Skating Clubs are employers under the Workers' Compensation Act when they hire / employ coaches or any other staff to perform a function. As a result the clubs are responsible to register with WSBC as an employer and pay assessments for any employment related payments to coaches and other hired employees. This will include, but is not limited to, club coaches.

Freelance coaches, who work independently, but under the authority of a club or a number of clubs and are paid by students and/or parents of their athletes, may register independently with the WSBC and obtain "Personal Optional Protection" or POP. POP with the Board operates much like any other personal disability insurance coverage, except the coverage will only be for injuries which result from employment activities.

If a freelance or independent coach sustains an injury and does not have POP coverage, that coach could file a claim with the WSBC and the WSBC could / would investigate to determine if the worker was an employee of the club at the time of the injury. If the WSBC determined that the coach was an employee and not independent (subject to POP), the club could be charged with the actual cost of the claim and a fine or penalty for not having coverage for the coach. The resulting claim and penalty costs could be a major financial burden, particularly in the case of a serious injury and/or a permanent disability.

For the above reasons, my advice is that:

WCB Document Links

[WCB Assessment Manual Reference for Figure Skating Clubs](#)

[WCB Coach Coverage Responsibility and Potential Liability for Figure Skating Clubs](#)

[WorkSafe Membership Memo](#)

[Worksafe Rules, Regulations and Definitions](#)

- all figure skating clubs be registered with WSBC as employers and that assessments are paid to the WSBC as required
- any figure skating club which has freelance coaches, who are truly independent contractors, be required to show proof of POP coverage in effect for the duration of the coaching relationship with the skating club or clubs.

I'm pleased to provide additional information, but for a specific response and registration advice, clubs should contact the WSBC Assessment Department at:

http://www.worksafebc.com/insurance/registering_for_coverage/register_with_worksafebc/default.asp
Employers and assessment

- 604 244-6181 in the Lower Mainland
- 1 888 922-2768 toll-free in Canada.