



STATE TORT & GENERAL LIABILITY

This is being supplied for information purposes only. To get more details, you should visit the University of Georgia website: www.busfin.uga.edu/administrative/liability.html .

State Tort and UGA Policy

There is no guarantee of medical coverage for state or university staff or volunteers. Each individual should carry their own medical coverage to protect them from injury while on the job or while performing a requested volunteer duty, such as master gardener.

The state's policy protects only against liability for torts (wrongful acts) committed by employees while acting within the course and scope of their official duties of employment. The limits of liability are statutorily set at \$1,000,000 per person or \$3,000,000 per occurrence. In 2009, state entities will be responsible for the first \$500 of each property damage claim involving property of others in their care, custody or control.

Volunteers (master gardeners) - whether or not receiving compensation - have liability coverage under the General Liability, State Tort Claims Act, and Auto Liability Policy while participating in a structured volunteer program organized, controlled and directed by the University of Georgia for the purpose of carrying out the functions of the University of Georgia. Education and outreach are a primary function of the university.

What this says is...

If we ask you to take on a certain function such as an activity, event or project and we are aware that that is what you are doing (and it is so documented by our records - emails, year end reports, etc.), then you are covered under this state policy. This does not mean you can be negligent and not be held accountable personally. Also, you should not act without planning and guidance to be sure that the job is done well and that there is no waste of resources. We want to be models for how projects should be done so that people learn from our sites.

Also, it means that if you take on a project or an activity without our guidance or approval you are on your own if there is any damage and a lawsuit is filed due to damages incurred. Remember also that these types of activities do not go away and they reflect on our total program and what we are trying to accomplish. Poorly planned and/or poorly installed projects become eyesores and destroy the public perception that we are trying to build. The perception that we are doing a project to the best of our ability - a project that reflects good plant selection, good design, good maintenance and a good use of available resources.

Example of a Possible Liability Issue

You take on a project at your church (without our request, our guidance and our knowledge of what you are doing) and while completing the project your ladder comes down and goes through a valuable stained glass window. Who is liable for this property damage? Unfortunately you

would be held personally liable and you would be responsible for handling damages out of your own money. This is not a situation most of us want to get into!

Any incident or event resulting in an injury or property damage that could potentially be a liability to the University of Georgia must be reported to the University of Georgia police immediately. Report all incidents within 24 hours via email to Judy Baxter via email at jbaxter@uga.edu or by telephone at 706-425-3083.

Master Gardener Assignment Forms

All assignments and activities must be on record at the county extension office. Unless the DeKalb County Cooperative Extension assigns you an activity/event, you are not working under the auspices or approval of DeKalb County or the University of Georgia.

Contact Information

Report these kinds of incidents to your county extension coordinator as soon as they occur.

- **First Contact:** Gary Peiffer, County Extension Agent
Phone: 404-298-4084
E-mail: grpeiffe@co.dekalb.ga.us
- **Second Contact:** Jessica Hill, County Extension Coordinator
Phone: 404-298-4080
E-mail: jehill@co.dekalb.ga.us