

Domestic Workers

If you have a domestic employee, such as a gardener, housekeeper, or nanny – there are obviously potential risk considerations.

Domestic Worker Injury

It is possible to arrange for an enhancement of your Homeowners policy to include coverage for suits for bodily injury brought by domestic workers. As long as they perform work for you among others, your policy may include a form of voluntary disability payment. If they work exclusively for you, special disability coverage would have to be arranged, if you so choose – like an employee benefit plan. If you employ these workers through an actual company, your Homeowners insurance may not react as hoped and you should be examining the provisions of the Employment Safety Act and WSIB. (http://www.labour.gov.on.ca/english/es/factsheets/fs_domestics.htm)

Damage or Theft of Property

Your policy likely covers theft or damage by a domestic worker subject to its normal limitations. Special enhancement is required to cover the possessions of your domestic worker.

Driving your vehicle

Your worker is covered under your auto policy while driving your vehicle with your permission. They are not covered if they drive “under the influence”.

Ask any workers or prospective workers to provide you a current copy of their driving record. This can be ordered on-line through <http://www.mto.gov.on.ca/english/dandv/driver/record.htm>

If they do not have a good driving history, do not allow them to run errands for you.

Driving their vehicle for your purposes

If your worker negligently causes an accident while working for you, you as the employer can be drawn into the lawsuit and held liable. Your worker’s own insurance, if any, will protect you up to its policy limits, but you are on your own after that. And your personal auto policy may not respond to cover the difference.

Consider examining a personal umbrella policy to manage this gap.

If the domestic worker has a good driving record and you ask them to occasionally use their own car to run errands, ask for a copy of their current auto policy and verify that it has at least moderate liability limits.

If the domestic worker has an excellent driving record and a sterling employment history with you, consider having them use your vehicle to run errands to avoid any question that your policy will protect you if they negligently cause an accident while working for you.

If you are in doubt – call HUNTERS – 416-645-3777.

