

HOW TO REQUEST

WAIVER OF INSURANCE REQUIREMENTS IN UI CONTRACT:

The request for a waiver of insurance requirements is a collaborative process among UI Risk, the department, Purchasing Services, and UI Counsel. UI Risk thanks departments for their role in gathering information about independent contractors and assessing risk.

Please read the following information, and answer the questions at the end of the information.

Department's responsibilities:

STEP 1	REQUEST CERTIFICATE OF INSURANCE from independent contractor <i>Where do I get a University of Idaho Request for Certificate of Insurance?</i> See attached (Form is updated periodically)
INSURANCE →	<ul style="list-style-type: none">Independent contractor has insurance, sends certificate of insuranceSend certificate to Purchasing Services, proceed with contract process.
NO INSURANCE →	Independent contractor has no insurance, proceed to STEP 2

STEP 2 Independent Contractor with no insurance	REQUEST WAIVER OF INSURANCE REQUIREMENTS FROM UI RISK By reply to this email, ANSWER QUESTIONS AT END OF THIS EMAIL <ul style="list-style-type: none">Provide information from independent contractor about reasons for no insurance (i.e., sole proprietor with no employees)Provide information about scope of work, and assess riskUI Risk will advise on whether or not insurance requirements should be waived <p><i>See BACKGROUND INFORMATION below for more information for departments about the waiver of insurance requirements.</i></p>
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UI Risk's responsibilities:

- Review information gathered by department, and **determine whether or not to grant the waiver** of insurance requirements.
- If appropriate, **negotiate insurance terms** with the independent contractor.

BACKGROUND INFORMATION about obtaining a waiver of the insurance requirements for an independent contractor:

- The University of Idaho’s insurance requirements are standard for U.S. companies. Independent contractors usually get a Certificate of Insurance with 24 – 72 hours from their insurance agent or broker. Should issues arise, UI Risk is happy to talk with the independent contractor or their insurance agent / broker. Sometimes a small negotiation results in the independent contractor still being able to substantially meet the University’s insurance requirements.
- The University of Idaho waives insurance requirements based on the assessment of risk. Insurance requirements of independent contractors should not be waived unless the risk to the university is minimal. Please note questions below.
- If an independent contractor does not currently have insurance, but the risk to the University is not minimal, the department should not seek a waiver of the insurance requirements. Instead, the independent contractor should be asked to get the appropriate insurance, and to name the University as an Additional Insured. Use University of Idaho Request for Certificate of Insurance that outlines the basic insurance requirements of the University of Idaho. As the risk increases, different types of coverage and higher limits may be required. Please consult with University of Idaho Risk Management if your department encounters higher risk scenarios.
- Waiving the insurance requirements does not mean an independent contractor may not need appropriate insurance. Waiving the requirement for insurance means that the University of Idaho is not requesting the independent contractor to provide the University with evidence of insurance for this contract. It is up to the independent contractor to determine what is or is not appropriate to provide protection to the independent contractor, given the contract scope of work. Only the independent contractor’s attorney, agent/broker can provide appropriate guidance to the independent contractor regarding corporate status and insurance.
- Please note that without insurance from an independent contractor, there may or may not be an effective source of funding should a loss arise from that independent contractor. Ultimately, if unfunded occur, this impacts availability of money for the university.
- As a self-insured employer, the University of Idaho is periodically audited on all contracts with all independent contractors. It is important to collect accurate information about independent contractors, including available insurance information.

UI Risk appreciates the help of the departments to assess risk regarding the waiver of the insurance requirements.

To request a waiver of the insurance requirements in a UI contract if the independent contractor does not have insurance, please answer the following questions:

1. Name of your department:

2. Name of independent contractor:

3. Department has requested Certificate of Insurance (using attached Request Form) from this independent contractor.

State reason given by Independent contractor for not providing Certificate of Insurance:

4. Scope of work to be performed for the University of Idaho:

5. Dollar amount of work to be performed for the University of Idaho:

6. Department's risk assessment of the scope of work to be performed for the University of Idaho:

NOTE: Please explain why the risk to the University is minimal, and why your department considers it a safe risk to waive the insurance requirements for this independent contractor. This information will be used by UI Risk to assess whether a waiver of the insurance requirements can or cannot be granted to this particular independent contractor. Focus on risk arising from activities (i.e., white water rafting instruction for 2 days is still high risk, even if of limited duration). Please note that no waiver of insurance requirements will be granted for any programs where minors are involved. Even if the University has waived the insurance requirements in the past, the University may not grant a waiver of the insurance requirements in the current year. Circumstances can change from year to year, and the risk should be assessed annually by the department.

Please contact me if you have any questions. I would be happy to discuss this with you.