

Employer's Liability Insurance

The policy covers statutory liability of an employer for the death of or bodily injuries or occupational diseases sustained by the workmen arising out of and in course of employment.

Who can be insured?

Any employer whether as a Principal or contractor engaging "workmen" as defined in WC Act to cover his liability to them under statute and at common law. Employer can cover Employees who do not qualify as "Workmen" under separate table

Scope

- a. To pay all sums which the insured is legally liable to pay the employees in respect of personal injury by accident or diseases 'arising out of and in the course of the employment'
- b. Insured's liability arising either under common law or the laws set out in the schedule Workmen's Compensation Act 1923.
- c. Costs or expenses incurred by the insured with the consent of the company, to defend any claims are paid in addition

Exclusions

- i. Any injury by accident or disease directly attributable to war and nuclear risk
- ii. Insured's liability to employees of contactors to the insured
- iii. Any liability of the insured which attaches by virtue of an agreement.
- iv. Any compensation for diseases mentioned in Part 'C' of Workmen's Compensation Act-1923

Premium

Premium rating is governed tariff. It depends on the nature of work carried on by the insured.

Tariff prescribes 2 forms of insurance

Table-A: Indemnity against legal liability for accident to employees under

- i. Workmen's Compensation Act 1993
- ii. Fatal Accident Act 1855
- iii. Common Law

Table-B: Indemnity against legal liability

1. Fatal Accident Act 1855
2. Common Law

Table A policies may be extended to cover insured's liability for contractor's workmen