Q4 HOT TOPIC:
Commercial General Liability: CGL insurer has duty to defend third-party claim arising from workplace injury

The Alberta Court of Queen’s Bench recently ruled that there is at least the possibility that a Third Party Claim for contribution and indemnity against a door installation company, Creative Door Services Ltd, may be covered under that company’s commercial general liability policy triggering the insurer’s duty to defend. A sub-contractor hired by Creative Door was injured and commenced an action against the occupier of the premises who brought a Third Party Claim against Creative Door Services. Creative Door Services’ CGL policy, written by AXA Pacific Insurance (acquired by Intact Insurance company in 2014), covers sums that the insured “shall become obligated to pay by reason of the liability imposed by law upon the Insured or assumed by the Insured under contract for compensatory damages.”

While there is no allegation in the Third Party Claim that Creative Door Services caused the sub-contractor’s injuries, resolution relies on the interpretation of the Third Party Claim against Creative Door Services based on the context of all pleadings, “and whether, by virtue of that claim, Creative may become obligated to pay by reason of liability imposed by law upon it or assumed by it under contract for compensatory damages because of bodily injury or personal injury,” wrote Justice Doreen Sulyma.

DID YOU KNOW?
Trisura has recently launched a commercial package policy with enhanced property and liability coverage. The policy offers comprehensive protection with flexible coverage options that can be customized with property capacity of $7.5MM and liability limits of up to $10MM. The commercial package policy is available in conjunction with Trisura’s Specialty Professional Lines and on a stand alone basis for certain classes of business.

CONTACT US TO LEARN MORE:
Click Here.

A recent audit from enterprise security solutions provider, Positive Technologies, revealed a highly detailed outline of web application security vulnerabilities. Of the 73 web applications tested, 94% contained five of the ten most common security vulnerabilities. Telecommunications companies contain the highest percentage of high-severity vulnerabilities at 74%, but when classifying the severity of consequences, manufacturing and e-commerce were rated as “extremely poor”.

The study notes that there has been a 12% decrease in “high-severity vulnerabilities” since 2015, however, the percentage of web applications in this category remains high.