



# Employment Practices Liability — Professional Liability

Employment Practices Liability with Third Party Discrimination and Harassment coverage options. This product targets for-profit companies with fewer than 500 employees.



## The HIT ZONE – *Our highest hit ratio*

- 🎯 Up to 500 employees
- 🎯 No employment practices, third party discrimination or third party sexual harassment claims or circumstances in the past five years
- 🎯 The following classes of business:

Accounting firm	Country club*	Manufacturer
Advertising firm	Credit operation*	Nursing home*
Air/Heat contractor	Day care center	Plumber
Ambulance service	Doctor/Dentist*	Printer/Publisher
Architect	Drug rehab center	Property Manager*
Artisan contractor	Employment agency	Real estate agency*
Assisted living	Engineer	Rental car agency*
Auto dealer*	Fitness center	Restaurant - fast food
Bank*	Foster care	Restaurant - full service
Bowling lane	Furniture rental*	Retail store
Camp	Garment maker	Sales/Distributor
Car wash	Hair salon	Security guard firm*
Caterer	Hotel/Motel	School
Cemetery	Insurance agents	Supermarket
Church	Insurance company*	Transportation/Trucking
Condo/Homeowner associations	Janitorial	Travel agent
Consultants	Landscaper	Veterinary clinic
Convenience store	Law firm (< 25 employees)	
Counseling center	Maintenance	

ELIGIBLE RISKS – Includes all of the above characteristics except where amended below

- ▶ Past or future plans for downsizing, layoff, merger or acquisition activity
- ▶ One or two employment practices claims or circumstances in the past five years

\*Not eligible for Third Party coverage option

## PRODUCT ADVANTAGES

- ▶ Fair Labor Standards Act (FLSA) - \$100,000 sub-limit for defense costs and loss (available to most accounts in most jurisdictions)
- ▶ Defense and Settlement Provision (“Hammer Clause”) softened to cover 75% of defense costs and loss after insured’s final refusal to consent to settle a claim
- ▶ Defense Outside the Limit up to 200 employees if a \$500,000 limit or higher is chosen (does not apply to violations of FLSA)
- ▶ Full Prior Acts coverage for claim-free accounts in most states and for most classes
- ▶ Punitive Damages with most favorable venue wording included in the definition of Loss (available in most jurisdictions)
- ▶ Front and Back Pay included in the definition of Loss
- ▶ “For” wording applies to Bodily Injury/ Property Damage exclusion



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## PRODUCT ADVANTAGES (CONT'D)

- ▶ Wrongful Act definition expanded to include coverage for the negligent violation of the Uniformed Services Employment & Reemployment Rights Act (USERRA)
- ▶ Independent Contractors are included in the definition of Employee
- ▶ Modified Severability
- ▶ Spousal Liability extended to Domestic Partners
- ▶ Final Adjudication wording for fraud exclusion
- ▶ Defense costs coverage for breach of express employment contract
- ▶ Retaliation carve backs for many exclusions
- ▶ Defense costs coverage for claims involving the modification of real property
- ▶ Free Human Resources (HR) consultation HELPLINE service with unlimited calls and no time limits plus an online HR Resource Center

## INELIGIBLE RISKS

- ▶ Over 500 employees (part time and seasonal count as half each)
- ▶ More than two employment practices claims or circumstances in the last five years
- ▶ Applicants located in Louisiana
- ▶ The following classes of business:
  - Adult entertainment
  - Aviation
  - Bars/Tavern
  - Casino
  - Coal mines
  - Colleges & Universities
  - Construction companies
  - Entertainment industry (radio, television, film)
  - General contractors
  - Government agencies
  - Hospitals
  - Municipal (police, fire, ...)
  - Stock Brokerage & S.E.C. firms
  - Unions
  - Venture Capital Management

## AVAILABLE LIMITS

- ▶ Up to \$5,000,000

## RETENTIONS

- ▶ Retentions start at \$1,000 and vary by state, city, and class

## SUBMISSION REQUIREMENTS

- ▶ Any new business Employment Practices Liability application