

Employment Practices Liability Insurance

Product Highlights

Standard Coverage

Common Terms

- Continuity of coverage considered when previous coverage was maintained
- Full prior acts coverage
- Bilateral discovery
- Duty to defend policy language
- Enhanced severability of the proposal form
- Worldwide coverage
- Modification of settlement clause (75%/25% co-insurance)

Employment Practices Liability Coverage Section

- Covers the insured entity and all employees, including leased, seasonal and temporary individuals as well as indemnified volunteers, interns and independent contractors
- Broad definition of claim includes written demand for monetary or non-monetary relief or administrative or regulatory investigations (including EEOC charges)
- Damages include pre- and post-judgment interest, punitive, exemplary, liquidated and multiplied damages up to the limit of liability, where insurable; most favorable jurisdiction language applies
- Spousal coverage
- Broad definition of wrongful act(s) includes but is not limited to discrimination, harassment, wrongful demotion, failure to hire or promote, hostile or offensive work environment that interferes with work performance, termination and retaliation
- Bodily injury exclusion includes carve-out for emotional distress, mental anguish, defamation, invasion of privacy or humiliation
- No exclusion for fraudulent or intentional acts
- Automatic coverage for subsidiaries created or acquired during the policy period whose assets are less than 25% of the consolidated assets of the insured entity

Coverage Enhancements²

- Co-defendant liability
- Costs of defense in addition to limit of liability
- Third party liability
- Waiver of deductible (if a ruling of no liability is obtained)
- Partnership coverage including failure to make partner language
- Sublimit for costs of defense for claims alleging violation(s) of the Fair Labor Standards Act
- Sublimit for franchisor if named in a claim along with the named insured (franchisee)

¹Please note that this is not a part of an insurance contract and does not supersede the policy. Please read the policy form for complete terms, conditions and exclusions.

²Available to selected risks at the discretion of the underwriter. Additional information may be required and additional premium charges may apply.

- ▶ Sublimit for costs of defense for criminal investigations brought by any government agency for alleged hiring or harboring of illegal aliens
- ▶ Modification of settlement clause (80%/20% co-insurance)
- ▶ Reduction in deductible upon consent to settle

Limits

- ▶ \$5 million on primary or excess

Deductibles

- ▶ As low as \$2,500
- ▶ Minimum retentions for certain classes such as law firms, construction and health care

Additional Information

Target Market

Monitor Liability Managers will consider any size account and most types of companies; however, our target market can best be described as follows:

- ▶ Companies employing up to 2,000 employees

Coverage is not currently available to risks in the following industries:³

- ▶ Credit reporting or collection agencies
- ▶ Professional employer organizations
- ▶ Hospitals, HMOs, PPOs or nursing homes
- ▶ Governmental entities
- ▶ Labor organizations
- ▶ Schools/Universities

Insurers Available

The following insurers are member companies of the W. R. Berkley Corporation:

- ▶ Admiral Insurance Company
(A nonadmitted carrier rated "A+" (Superior) by A.M. Best Company)
- ▶ Carolina Casualty Insurance Company⁴
(An admitted carrier rated "A+" (Superior) by A.M. Best Company)

Risk Management Services

- ▶ Unlimited access to a toll-free Employment Practices Liability Helpline that provides expert EPL advice
- ▶ An interactive CD, "Guidelines for Reducing Exposure to Employment Lawsuits," provided to each policyholder

³While these types of accounts are not currently eligible, they may be considered in the future.

⁴May not be available in all states. Please contact your underwriter for details.

Strength and Stability

Monitor Liability Managers, LLC underwrites professional liability insurance on behalf of W. R. Berkley Corporation member companies. A Fortune 500 company, Berkley has annualized revenues of \$4.7 billion, total assets of \$16.1 billion and stockholders' equity of \$3 billion.

Claims Expertise

With over 100 years of combined experience, Monitor's claims professionals are prepared to respond and manage claims effectively. Our experts know how to handle the wide range of claims that can occur with the most sophisticated risks in the market. Their experience provides reassurance to insureds when a claim arises.

Additional Products

- Accountants Professional Liability Insurance
- Directors and Officers Liability Insurance
- Independent Director Liability Insurance
- Lawyers Professional Liability Insurance
- Management Liability Insurance (for privately held companies, combines Directors, Officers and Corporate Liability Insurance and Employment Practices Liability Insurance with optional Fiduciary Liability coverage)
- Nonprofit Management Liability Insurance

Send Us Your Submission

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We invite you to let us know other ways that we can serve you.

Employment Practices Liability Insurance coverage is offered through Monitor Liability Managers, LLC. Monitor is a member company of W. R. Berkley Corporation operating nationally as an underwriting management company specializing in professional liability insurance. Monitor issues policies through several W. R. Berkley Corporation member companies, including Admiral Insurance Company, rated "A+" (Superior) by A.M. Best, and Carolina Casualty Insurance Company, rated "A+" (Superior) by A.M. Best. W. R. Berkley is traded on the New York Stock Exchange (symbol: WRB).

