

# A Side-by-Side Comparison of Small Business and Standard Employment Practices Liability

## Small Business EPL<sup>1</sup>

**This product addresses the specific needs of small to midsize businesses — those with 100 or fewer employees. This limited product is available for accounts that do not have prior or pending claims, and is intended for first time buyers.**

- One to 100 employees
- Limits of liability \$250,000 to \$1,000,000
- Claim free applicants
- Minimum deductible \$2,500
- Worldwide coverage
- Full prior acts coverage
- Coverage form EPL (2)4360
- A+ Rated Carrier
  - Carolina Casualty Insurance Company (Admitted)
- Online application and quote
- Defense expenses are included in limit of liability
- Minimum premium \$750

### *Optional Coverage Provided by Endorsement<sup>2</sup>*

- \$10,000 costs of defense for claims alleging violation(s) of the Fair Labor Standards Act (FLSA)
- \$25,000 costs of defense for criminal investigations brought by any government agency for alleged hiring or harboring of illegal aliens
- \$100,000 sublimit for third party liability coverage for claims brought by customers for discrimination (including costs of defense for Americans with Disabilities Act (ADA) and public accommodation claims) and/or harassment

<sup>1</sup>This coverage overview is not part of an insurance contract and does not supersede the policy. Please read the policy form for complete terms, conditions and exclusions. Premiums and terms depend on the size and type of organization and other factors. <sup>2</sup>Subject to underwriter approval.

## Standard EPL<sup>1</sup>

**This comprehensive product targets small to midsize businesses — up to 5,000 employees.**

- One to 5,000 employees
- Limits of liability up to \$5 million
  - Primary or excess coverage available
- Will consider applicants with prior claims activity
- Minimum deductible \$2,500
- Worldwide coverage
- Full prior acts coverage
- Coverage form BEL CT(3)2400 & EPL (3)4400
- A+ Rated Carriers
  - Berkley Insurance Company (Admitted)
  - Admiral Insurance Company (Non-Admitted)
- Modification of settlement clause (80%/20%)
- Definition of insured person includes independent contractors where indemnified
- Third party liability coverage for claims brought by customers for discrimination (including costs of defense for Americans with Disabilities Act (ADA) and public accommodation claims) and/or harassment

### *Optional Coverage Provided by Endorsement<sup>2</sup>*

- \$100,000 costs of defense for claims alleging violation(s) of the Fair Labor Standards Act (FLSA)
- \$25,000 costs of defense for criminal investigations brought by any government agency for alleged hiring or harboring of illegal aliens
- Costs of defense in addition to the limit

## What is Employment Practices Liability (EPL) Insurance?

EPL Insurance provides coverage for a broad range of employment-related risks such as discrimination, harassment, wrongful termination and retaliation. It safeguards businesses against claims brought by past, present and potential employees.

## Why is This Insurance Critical?

Lawsuits against employers for hiring and firing decisions, discrimination, retaliation and other employment-related matters continue to rise. These cases are often expensive and difficult to win.

### Consider these 2016 facts. The EEOC:

- Recovered more than \$482 million from employers
- Continues to list retaliation as its most frequently filed charge
- Saw a notable increase in charges related to gender discrimination, disability discrimination and equal pay
- Resolved 97,443 charges
- Will focus more of its efforts on discrimination, harassment, youth at work and ensuring equal pay in 2017

With the average cost of an EEOC lawsuit more than \$100,000, can your client afford to be without Employment Practices Liability Insurance?

## MyHRHelp Risk Management Services

From the day the policy premium is paid, Monitor policyholders receive complimentary access to:

- Toll-free helpline calls that provide basic workplace issue consultation
- MyHRHelp™ website with employment resources
- Free monthly risk management webinars and an archived webinar library
- Two free California AB 1825 compliant online sexual harassment awareness trainings annually

All services are provided by Gordon Rees Scully Mansukhani LLP, a national law firm with extensive experience in employment law.

## About Monitor Liability Managers

Monitor is a member company of W. R. Berkley Corporation specializing in executive and professional liability insurance.

We have provided insurance to middle market risks on a nationwide basis since 1992. Experienced leadership, comprehensive insurance knowledge and a well-established reputation for solid underwriting standards allow us to provide coverage unsurpassed in the marketplace.

## Claim Management

Monitor's claim management services are the cornerstone of the insurance coverage we offer to our policyholders. We strive to resolve claims promptly and to provide the best possible outcome for our policyholders and their agent or broker.

## Why Agents Like Working with Monitor

Monitor provides our distribution partners with new and innovative tools to make doing business with us easier.

- **MyWay** — Allows you to transact business efficiently by selecting custom options for quoting and binding resulting in a hassle-free process.
- **MyMonitor Producer Portal** — Enables you to streamline the submission, quotation and binding process.

### Contact Us

**Lynette M. Lyngaas**  
Senior Vice President  
(312) 800-6254

### Submissions

Email: [eplisubmissions@monitorliability.com](mailto:eplisubmissions@monitorliability.com)