

*Protect your Directors & Officers' personal assets*

# Director and Officers Liability & EPLI Insurance **For Organizations**

*Excluding New York & Alaska*



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# Directors & Officers Liability Insurance Including Employment Practices Liability Insurance for Organizations—excluding New York and Alaska

The Employment Practices Liability coverage from ISM Insurance Inc. is critical to protect your company and employees from the potentially catastrophic costs of employment litigation. This comprehensive Employment Practices Liability insurance, specially designed for businesses, covers the spectrum of employment-related claims and offers a loss-prevention program to minimize the rest of those claims.

## Policy Highlights:

- **Broad Definition of Insured**  
Includes coverage for all past, present, and future Directors, Trustees, Officers, employees, volunteers, Executive Board Members, Committee Members, and Leased Employees. Also includes spousal and domestic partner coverage.
- **Broad Definition of Employment Practices Wrongful Acts**  
Includes wrongful termination, harassment, discrimination, misrepresentation, failure to promote or employ, wrongful discipline, deprivation of career opportunities, failure to grant tenure, negligent evaluation, retaliation, mental anguish, emotional distress, invasion of privacy, libel, and slander.
- **Broad Definition of Claims**  
Includes written demands and administrative proceedings which can be monetary and non-monetary Relief. Our Definition also includes Arbitration Proceeding (excludes collective bargaining disputes). The form also includes front/back pay for pre/post-judgment interest.
- **Full Prior Acts Coverage**  
Full prior acts coverage for any unknown circumstances. Our form does not have a retroactive date. Our form carries a prior/pending date.
- **Claims-Made Policy**  
The policy is written on a duty-to-defend basis which means company attorneys will be appointed by the carrier to defend the insured in the event of a claim.
- **Cost of Defense Outside the Limit of Liability**  
Cost of defense is provided in addition to the limit of liability. The Insurer assumes the duty to defend the claim and the expenses will not diminish the limit of liability. (In some cases, the retention may apply. Not available for every class.)
- **Cost of Defense for Hour/Wage Claims**  
A \$150,000 sublimit is provided for defense costs only to defend the wage and hourly claims. This is built into the wording of our form.
- **Discovery or Extended Reporting Period**  
Choice of a one-, two- or three-year option built into the wording.
- **Outside Directorship Coverage**  
Included in the wording to cover non-profit 501© 3 organizations for the Directors that are on multiple boards.
- **D&O/EPL Risk Management Program**  
Available through the outside Law Firm of Jackson Lewis which includes a toll-free hotline for all your Directors and Officers/Employment Practices Liability basic legal questions. The hotline service number is 888-544-8320.
- **Enhancements available for an additional premium**  
Fiduciary coverage is available with the review of the fiduciary application and the IRS 5500's for either a shared limit or separate limit; Workplace Violence Coverage with a \$100,000 sublimit; and cyber coverage endorsement.
- **Third-Party Coverage**  
Coverage for mental anguish and emotional distress to customers, clients, or members of the organization for discrimination, sexual harassment, or violation of civil rights related to discrimination or sexual harassment. (Not available in all classes of business.)
- **Personal Injury Coverage**  
Provides coverage for mental anguish and emotional distress caused by invasion of privacy, wrongful entry, eviction, false arrest, false imprisonment, malicious prosecution, and libel and slander. (Not available in all classes of business.)
- **Independent Contractors Coverage**  
Coverage that provides employment practices for qualifying independent contractors within the policy wording.
- **Entity Coverage**  
Includes coverage for ALL non-profit organizations and their non-profit subsidiaries in which the organization has 50% or more control automatically.
- **Punitive, Exemplary, or Multiplied Damage Awards**  
Covered by the policy within the policy language with the most favored venue wording where allowed by the State. (Not available in all states.)