

*Protect your Directors' and Officers' personal assets*

# Liability Insurance Including Employment Practices Liability & Company Coverage **For-Profit Companies**



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# Management Liability Insurance for For-Profit Companies with 250 employees or less

The number of claims filed against employers is staggering, and the number of employment-related lawsuits has been steadily increasing. 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:

### • Who's covered

Includes coverage for the Company, Directors, Officers, Board of Managers, General Partners, Management Committee Members, employees, volunteers and independent contractors when indemnified by the Insured. This includes full time, part time, temporary and seasonal employees.

### • Spousal and Domestic Partner Liability Coverage

### • Full Prior Acts Coverage

No retroactive date stipulation for any unknown circumstances.

### • Broad Definition of a Claim

Includes enhanced including written demands, civil, criminal, regulatory proceeding, requests for extradition, and request to toll a statute of limitation. This can be monetary and nonmonetary.

### • Broad Definition of Loss

Including investigative costs for derivative demands and UK Bribery Act penalties now built in the base policy language.

### • Amended Insured vs. Insured exclusion

Exclusion with material carvebacks for cross- claims of indemnity, debtor in possession, former D&O's for 1 year lookback and removes the security holder from the preamble of the exclusion.

### • Policy Written on a Duty-to-Defend Basis

Carrier assigned attorneys will defend the Insured in the event of a claim, which spares the Insured from hiring attorneys to manage the litigation process.

### • Costs of Wage and Hour Cost of Defense

Included for no additional charge. Used for defense costs only up to a sublimit of \$ 100,000.

### • Cost of Defense

Included in the within the Limit of Liability. Available to most private companies for the limits of \$ 500,000 and higher for no additional charge for most qualified insureds. NOT all classes with qualify.

### • No Hammer clause

### • Broad Definition of Employment Practices Wrongful Acts

Includes a broad list of named employment practices perils including the new additions of employment- related invasion of privacy, workplace bullying, "quid pro-quo",

sexual harassment, hostile work environment, negligent supervision, negligent training, negligent hiring or negligent retention with the policy

### • Third Party Coverage

Now built into the base policy wording for most private companies for no additional costs with a specific retention clearly displayed on the dec page. Does not apply to all classes of business.

### • Definition of Third Party Wrongful Act

Updated in definition to include discrimination, harassment or violation of a person's civil rights brought by a third party built in the basic policy language

### • Crime Coverage Option

Insuring agreements available including options for theft of client property, theft of employee benefit plan property, funds transfer fraud and claim expense.

### • Cyber Coverage Option

Separate coverage parts providing First Party Cyber Risk and Third Party Cyber Liability. First Party insuring agreement including broad coverage including coverage for data breach, PCI assessments, network disruption, restoration costs, cyber crime and reputational harm. Third Party insuring agreement including broad coverage for privacy liability, network security liability, media liability and regulatory actions.

### • Fiduciary Coverage Option

Including a broad definition of a claim including settlor coverage and pre-claim investigations along with a broad definition of loss including coverage sublimits for HIPAA, 502©, PPACA penalties and voluntary compliance program payments where insurable.

### • Labor or Grievance Proceedings

NOT covered under a collective bargaining agreement.

### • Terrorism Coverage

Included for no additional charge.

### • Risk Management Program

Available through an outside law firm, Jackson Lewis, which includes a toll-free hotline to answer basic questions.

### • Retention for Liability Coverage Parts

Enhanced provision providing coverage for all loss incurred by the insured persons without payment of retention in event of financial insolvency of the company.

Please Note: We cannot write the EPL Stand-Alone Product for any class in the State of California. Also excluded classes: law firms, financial institutions, and temporary agencies/employment firms.

Coverages features described here are summarized. Refer to the actual policy for a full description of applicable terms, conditions, limits and exclusions. Admitted coverage is underwritten by Great American Insurance Company, a licensed insurer in 50 states and DC. Great American Insurance Company is the owner of the following registered service marks: the Great American Insurance Group eagle logo, and the word marks Great American®, and Great American Insurance Group®. ©2012 Great American Insurance Company. All rights reserved. 1950-ELD (11/12)