

## COMMERCIAL MANAGEMENT LIABILITY

# Primary Employment Practices Liability Coverage



*Employers of all sizes have obligations to their workforce which can create significant exposure, particularly in today's rapidly changing business environment. Sompo International's Commercial Management Liability team has the experience to provide tailored solutions to protect your company.*

Sompo International offers primary Employment Practices Liability (EPL) products and related services to clients across the U.S. We offer companies of all sizes significant capacity and exceptional financial strength (group rating of A+ from A.M. Best in XV size category and A+ from Standard & Poor's) through a modular, customizable policy form that makes it easy to identify and address coverage gaps.

### TARGET MARKET

- Large Insureds (1,000 to 20,000 employees)
  - Indemnity based contract, without a panel counsel requirement
  - Best effort allocation language
  - Minimum retention of \$100,000
- Private Company or Middle Market
  - Duty to defend policy
  - 100% defense cost allocation with exceptions for certain matters

### CAPACITY

- Up to \$25M for each line of business, \$15M capacity for primary coverage
- Ability to share limits across coverages
- Workplace violence coverage: Up to \$250K
- Immigration violation defense costs protection: Between \$25K and \$100K
- Sensitivity and diversity training cost coverage: \$250K

### VALUE-ADDED SERVICES

- Underwriting and claims professionals who continuously monitor changes in the market to provide responsive service and solutions that meet each insured's unique needs
- A single point of contact with our in-house team of claims professionals who are attorneys with specialized management liability expertise
- A range of risk mitigation services and training offered in partnership with leading law firms and specialty consultants
  - Loss Control Services through Jackson Lewis, a pre-eminent employment and labor law firm, including a complementary EPL hotline, access to a wide range of topical seminars and preferred rates.
  - Pay Equity Audit services through Charles River Associates, a worldwide leader in economic, financial, and management consulting services. Offered to Sompo International policyholders at a discounted rate, the Pay Equity Audit includes a comprehensive pay gap analysis by race/ethnicity and gender controlling for company specific compensation factors. Policyholders completing the audit receive a 5% premium credit which will be applied toward the renewal premium, subject to a maximum of \$15K.

## MARKET LEADING TERMS & CONDITIONS

- Coverage for spouses, domestic partners, legal representatives, and estate planning vehicles for acts of an insured person
- Bilateral extended reporting period
- 90-day automatic coverage for subsidiaries
- Policy fully non-rescindable
- Reinstatement of limits for recovery in subrogation (less costs)
- Policy is primary with respect to personal umbrella policy of insured persons
- Admitted in most U.S. states
- Worldwide coverage

## POLICY FORM & COVERAGE ENHANCEMENTS

- Broad definition of Employment Wrongful Act that includes:
  - Violation of public policy including genetic identity or expression, genetic information, military status, or any other protected class
  - Other employment related or harassment torts including deprivation of career opportunity, invasion of privacy, infliction of emotional distress and workplace bullying
  - Employment related invasion of privacy including unauthorized use or disclosure of medical information in violation of HIPAA, credit information in relation to the FCRA, or information obtained through a background check
  - Expressly includes claims committed by an Insured Person through the use of the Internet
- Workplace Tort include false imprisonment, negligent hiring, and humiliation
- Full settlement authority within the retention
- Mass or class retention applies to five or more plaintiffs
- Severability of the Application is construed as separate for each Insured Person
- 90-day post-policy reporting
- Subrogation provision does not apply to an Insured Person unless the conduct exclusion applies to that Insured Person in connection with a Claim
- No personal profit exclusion

## U.S. Insurance

We partner with insureds who seek committed long-term relationships with a carrier offering breadth and depth of expertise, exceptional financial strength and global reach. Servicing clients ranging from small businesses to multi-nationals, Sompo International's U.S. insurance team offers a diversified set of specialty insurance products through our network of wholesale and retail brokers. By carefully monitoring changes in the market and truly understanding clients' risk exposures, we offer tailored solutions and responsive service.

## FOR MORE INFORMATION, CONTACT:

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