

# Employment Practices Liability Coverage



AmTrust offers a single policy solution that is specifically tailored to protect financial institutions against employment related litigation.

## Employment Practices Liability

Covers the Insured for Loss resulting from Claims for actual or alleged Wrongful Employment Acts such as Discrimination, Sexual Harassment, Retaliation, Workplace Harassment, Wrongful Termination, breach of Employment Agreement, negligent hiring and other employment-related causes of action.

## Third-Party Liability

This optional coverage expands the policy to cover individuals outside the employment relationship. Third-Party Liability covers the Insured for Loss resulting from Claims by individuals such as customers, contractors, vendors, etc. who come into contact with the Employees or Executives of the Company and who allege sexual harassment OR discrimination (Third-Party discrimination is often excluded by other carriers).

## Other Provisions

- Covers suits brought by Employees, applicants for employment, Independent Contractors, the Equal Employment Opportunity Commission (EEOC) or similar governmental agency.
- Expanded Claim definition includes regulatory proceedings and proceeding commenced before the EEOC or any similar governmental agency.
- The term Executive extends coverage to HR Manager, in-house general counsel and risk managers.
- Coverage is written on a primary basis, except for Claims brought by temporary workers and Independent Contractors in which case coverage is written as excess of other insurance or indemnity.

## Available Enhancements

### Standard policy enhancements:

- Coverage written on a duty-to-defend basis

- No duty-to-defend available upon request
- Choice of separate or shared limit
- 80/20 Consent to Settlement Provision
- Ten percent reduction in Retention amount if the Insured consents to settlement within 30 days
- Coverage is written on a primary basis

### Available to qualified applicants:

- 12 month non-cancellation clause
- Multi-year term at discounted rate
- Full past acts coverage (no retro date)

## AmTrust Financial Institution Advantage

- Currently insuring over 1,000 financial institutions
- Coverage available in all states except NY
- Financial Institution industry expertise
- Underwriting strength
- Innovative product solutions

## Claims Examples

### Employment Practices Liability

A financial institution is opening a branch office near the local community college. Another branch manager goes to the institution's president and indicates he wants the opportunity to run the new branch. The bank president advises that he is looking to bring on a younger branch manager that would better attract youthful clientele in the area at a lower salary. The 55 year-old branch manager sues for age discrimination.

### Third-Party Liability

A female courier makes weekly deliveries to the institution. Each week the driver is subjected to sexual advances by the branch manager. The driver complains to the individual's supervisor who then notifies the president of the Company.

The complaint is not addressed and the harassment continues. Finally, the driver files suit against the financial institution claiming sexual harassment and wrongful infliction of emotional distress.

## Employment Practices Loss Prevention

AmTrust has partnered with Littler-Mendelson, the nation's largest employment law firm, to provide legal services, including defense and risk management services associated with Employment Practices Liability Insurance (EPLI). This valuable service is provided to our financial institution clients with EPLI coverage at no additional cost.

## Employment Law and Human Resources Website

- Sample employee handbooks and policies
- Respect in the Workplace handbook
- The HR Forms library
- Hire and Fire guide

## Toll-Free Hotline Advice

- Termination or discipline of employees
- Allegations or complaints of harassment
- Other employment-related problems or concerns

## Discounted Rates on other Loss Control Services

- Employment law audits
- Employment law training courses
- Harassment training
- Periodic seminars and briefings
- Unlawful Harassment guide
- National and State employment law reference manuals
- Employment law news alerts



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