



## Travelers Wrap+ Non-Profit Primary & Secondary Schools Employment Practices Liability Checklist

### Protects against potential catastrophic litigation costs

In today's litigious world, the chances of being sued by an employee are greater than ever. Just consider that in 2008 alone, the Equal Opportunity Commission received over 95,000 charges\*. That's in addition to the hundreds of thousands of employment claims filed with state and local agencies. Your educational institution clients are not immune. Even if they have solid employment practices that put them in an excellent position to defend themselves if a charge is brought, the cost of mounting a defense can still be enormous. It's not uncommon for legal fees associated with winning an employment lawsuit to exceed \$250,000. Moreover, the national jury-award median for employment practice liability cases was \$250,000 in 2007.\*\*

You can help your clients guard against potentially catastrophic costs of employment litigation with employment practices liability (EPL) coverage through Travelers Wrap+. It offers a broad range of coverage not always found in other EPL policies. Use the checklist below to compare and see the Travelers difference.

	Wrap+ <sup>®</sup>	Their Policy		Wrap+ <sup>®</sup>	Their Policy
<b>Broad definition of insured</b> Includes insured organization and its subsidiaries; members of board of directors and officers; members of board of trustees; members of board of regents; members of board of governors; natural person partners; LLC managers; functional equivalents	✓		<b>Defense submit</b> for violations of wage and hour law	✓	
<b>Definition of employee</b> Includes in-house general counsel; part-time, temporary and seasonal workers; volunteers; leased workers	✓		<b>Definition of employment claim</b> Includes a notice of violation or order to show cause as a result of an audit by the Office of Federal Contract Compliance Programs	✓	
<b>Independent contractor</b> coverage for claims made	✓		<b>Employment claim</b> Includes written request to toll or waive statute of limitations	✓	
<b>Outside position coverage</b> for claims brought by outside claimants • Includes coverage for insured persons who serve as director, officer, trustee, etc. for a Section 501 (c)(3) organization at the request of the insured organization	✓		<b>Coverage for failure to grant tenure</b>	✓	
<b>Foreign parent corporation coverage extension</b>	✓		<b>Loss includes multiplied damages and punitive damages</b> where insurable by law and most favorable venue wording	✓	
<b>Spousal and domestic partner liability coverage</b>	✓		<b>Coverage for damages measured</b> by the value of stock options or other employee benefits	✓	
			<b>Coverage for liquidated damages</b> awarded under the Equal Pay Act and the Age Discrimination in Employment Act	✓	
			<b>Carveback for claims alleging retaliation</b> in connection with COBRA, ERISA, WARN, OSHA, workers compensation and unemployment laws	✓	

\*The U.S. Equal Employment Opportunity Commission, Charge Statistics, <http://www.eeo.gov/stats/charges.html>

\*\*According to Jury Verdict Research

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<b>Defense coverage for claims seeking property modifications</b> to accommodate disabled employees and other suits seeking injunctive relief	✓		<b>Amended settlement provision</b> Provides named insured with coverage for 70 percent of loss in excess of settlement offer rejected by named insured	✓	
<b>No fraud exclusion or intentional acts exclusion</b>	✓		<b>Worldwide coverage</b> Applies to claims made and wrongful acts occurring anywhere in the world	✓	
<b>No Office of Federal Contract Compliance programs exclusion</b>	✓		<b>Retention</b> Only one retention must be satisfied when one claim triggers coverage under two or more liability coverages	✓	
<b>Defense option</b> Option to select duty to defend or reimbursement coverage at policy inception	✓		<b>Acquisitions</b> Includes automatic coverage for majority owned subsidiaries formed or acquired during the policy period with assets that do not exceed 25 percent of the total assets of the insured organization	✓	
<b>Duty to defend</b> 100 percent pre-determined allocation of defense expenses for claims against any insured consisting of loss that is and is not covered by policy	✓		<b>Representations</b> Only knowledge and representations of signer of application are imputed to the insured organization	✓	
<b>Extended reporting period:</b>			<b>Non-cancelable by insurer</b> except for non-payment of premium	✓	
• Bi-lateral extended reporting period option available if insurer or named insured cancels or fails to renew	✓				
• Run-off extended reporting period option available for a pre-determined premium upon change of control of named insured	✓				
• Ability to report potential claims during extended reporting period or run off extended reporting period	✓				
<b>Duties in the event of claim</b> Only triggered by knowledge of an executive officer	✓				

**Travelers Wrap+**  
**Help your clients get the protection they need, today and tomorrow**



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