

Nonprofit Liability Insurance

Product Highlights

Standard Coverage

Common Terms

- Continuity of coverage considered when previous coverage was maintained
- Full prior acts coverage
- Bilateral discovery
- Deductible applies to costs of defense only
- Costs of defense outside the limit of liability
- Duty to defend policy language
- 70%/30% settlement clause
- Full severability of the proposal form
- Noncancelable except for nonpayment of premium
- Worldwide coverage

Directors, Officers and Corporate Liability Coverage

- Covers the insured entity and insured persons including any past, present or future duly elected director or officer as well as foreign equivalent positions
- Damages include pre- and post-judgment interest, punitive, exemplary, liquidated and multiplied damages up to the limit of liability, where insurable; most favorable jurisdiction language applies
- Spousal coverage
- Definition of insured(s) expanded to include estates, heirs or legal representatives of deceased persons
- Automatic outside directorship coverage for directors and officers serving as directors, officers, trustees or governors of an outside entity at the specific request or direction of the Insured Entity

- Final adjudication language applies to the fraud, personal profit and remuneration exclusions
- Personal injury definition includes defamation, malicious prosecution, infringement of copyright or trademark and plagiarism
- Automatic coverage for subsidiaries created or acquired during the policy period whose assets are less than 35% of the consolidated assets of the insured entity

Coverage Enhancements²

- Co-defendant liability
- Priority of payments
- Domestic partner
- Excess benefit
- Identity theft expense
- Kidnap expense supplemental
- Donation assurance
- Key executive replacement expense

Limits

- Limits of liability up to \$5 million

Deductibles

- As low as \$0 for Individual Directors and Officers and as low as \$500 for Corporate Entity Liability

¹Please note that this is not part of an insurance contract and does not supersede the policy. Please read the policy forms for complete terms, conditions and exclusions.

²Available to selected risks at the discretion of the underwriter. Additional information may be required and additional premium charges may apply.

Employment Practices Liability Coverage

- Covers the insured entity and all employees, including leased, seasonal and temporary individuals as well as volunteers, interns, committee or staff members and independent contractors
- Broad definition of claim includes written demand for monetary or nonmonetary relief or administrative or regulatory investigations (including EEOC charges)
- Damages include pre- and post-judgment interest, punitive, exemplary, liquidated and multiplied damages up to the limit of liability, where insurable; most favorable jurisdiction language applies
- Spousal coverage
- Third party liability
- Broad definition of wrongful act(s) includes but is not limited to discrimination, harassment, wrongful demotion, failure to hire or promote, hostile or offensive work environment that interferes with work performance, termination and retaliation
- Bodily injury exclusion includes carve-out for emotional distress, mental anguish, defamation (libel and slander), invasion of privacy or humiliation
- No exclusion for fraudulent or intentional acts
- Automatic coverage for subsidiaries created or acquired during the policy period whose assets are less than 35% of the consolidated assets of the insured entity

Coverage Enhancements²

- Co-defendant liability
- Waiver of deductible (if a ruling of no liability is obtained)
- Domestic partner
- Sublimit for costs of defense for claims alleging violation(s) of the Fair Labor Standards Act
- Sublimit for costs of defense for criminal investigations brought by any government agency for alleged hiring or harboring of illegal aliens
- Sublimit for loss arising from allegations of employee privacy violations

Limits

- Limits of liability up to \$5 million

Deductibles

- As low as \$1,000 for Employment Practices Liability

Fiduciary Liability Coverage

- Automatic coverage for all employee benefit plans (as defined by ERISA)
- Broad definition of claim includes written demand for monetary or nonmonetary relief (including civil or criminal proceedings), formal administrative or regulatory proceedings and formal investigations (including PBGC)
- Damages include pre- and post-judgment interest, punitive, exemplary and multiplied damages up to the limit of liability, where insurable; most favorable jurisdiction language applies
- Damages also include up to 5% of the civil penalties imposed under section 502(i) or up to 20% of the civil penalties imposed under section 502(l) of ERISA
- Severability of all exclusions
- Automatic coverage for newly created or acquired plans
- Includes coverage for sold or terminated plans

Limits

- Limits of liability up to \$5 million

Deductibles

- As low as \$0 for Fiduciary Liability

Crime Coverage

- Employee theft
- Forgery or alteration
- Computer fraud
- Money orders and counterfeit money
- Inside the premises — theft of money and securities
- Robbery or safe burglary of other property
- Broad definition of claim includes written demand for monetary or nonmonetary relief (including civil or criminal proceedings), formal administrative or regulatory proceedings and formal investigations (including PBGC)

Additional Information

Target Market

Monitor will consider any size account and most types of companies; however, its target market can best be described as follows:

- Organizations that qualify as a not-for-profit organization under Section 501(c) of the Internal Revenue Code of 1986 (as amended)

Coverage is not currently available to risks in the following industries:³

- Bar associations
- Fraternities/sororities
- Governmental entities
- Hospitals
- Homeowner and property owner associations in CA, FL, LA, TX and New York City
 - Nonstandard terms may be available for homeowners associations in these areas
- Nursing homes
- Civil liberties organizations
- Labor organizations
- Political organizations

Insurers Available⁴

The following insurers are member companies of the W.R. Berkley Corporation:

- Admiral Insurance Company
(A nonadmitted carrier rated "A+" (Superior) by A.M. Best Company)
- Carolina Casualty Insurance Company⁵
(An admitted carrier rated "A+" (Superior) by A.M. Best Company)

Risk Management Services

- Unlimited access to a toll-free Employment Practices Liability Loss Prevention Helpline that provides expert EPL advice
- An interactive CD, "Guidelines for Reducing Exposure to Employment Lawsuits," provided to each policyholder

Ease of Doing Business with Monitor

- Multi-year policies
- Auto renewals
- Online quoting and binding
- Direct bill available
- Installment plans available

³While these types of accounts are not currently eligible, they may be considered in the future.

⁴These insurers are member companies of of the W.R. Berkley Corporation.

⁵May not be available in all states. Please contact your underwriter for details.

Strength and Stability

Monitor Liability Managers, LLC underwrites executive and professional liability insurance on behalf of W. R. Berkley Corporation member companies. A Fortune 500 company, Berkley has annualized revenues of \$4.7 billion, total assets of \$16.1 billion and stockholders' equity of \$3 billion.

Claims Expertise

With over 100 years of combined experience, Monitor's claims professionals and attorneys are prepared to respond and manage claims effectively. Our experts know how to handle the wide range of claims that can occur with the most sophisticated risks in the market.

Additional Products

- Accountants Professional Liability Insurance
- Directors and Officers Liability Insurance
- Independent Directors Liability Insurance
- Lawyers Professional Liability Insurance
- Management Liability Insurance (for privately held companies, combines Directors, Officers and Corporate Liability Insurance and Employment Practices Liability Insurance with optional Fiduciary Liability coverage)

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We invite you to let us know other ways that we can serve you.

Nonprofit Management Liability Insurance coverage is offered through Monitor Liability Managers, LLC. Monitor is a member company of the W. R. Berkley Corporation (NYSE: WRB), operating nationally as an underwriting management company specializing in executive and professional Liability. Monitor issues policies through W. R. Berkley Corporation member companies, including Admiral Insurance Company and Carolina Casualty Insurance Company. Both are rated "A+" (Superior) by A.M. Best Company.



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