Employment Practices Liability Insurance

**Comprehensive Protection**

Employment Practices Liability (EPL) Insurance provides coverage for a broad range of exposures such as discrimination, harassment, wrongful termination and retaliation. EPL Insurance protects businesses against liability for claims brought by employees who allege employment-related wrongful acts.

**Coverage Features**

- Employment practices liability protection for claims made by current, former and potential employees
- Protection extends to the company, employees and directors
- Coverage includes full-time, part-time, leased, seasonal and temporary employees
- Covered claims include administrative charges filed with the Equal Employment Opportunity Commission (EEOC)
- Covered losses include damages and defense costs
- Full prior acts coverage

**Optional Coverage Provided by Endorsement**

- $100,000 sublimit for defamation, libel and invasion of privacy against a third party resulting from the use of social media; workplace bullying and social media defined; expanded definition of wrongful act to include workplace bullying
- Third party liability coverage for claims brought by customers for discrimination (including costs of defense for Americans with Disabilities Act (ADA) and public accommodation claims) and/or harassment
- $100,000 costs of defense for claims alleging violation(s) of the Fair Labor Standards Act (FLSA)
- $25,000 costs of defense for criminal investigations brought by any government agency for alleged hiring or harboring of illegal aliens

**Program Specifics**

- Limits of liability up to $5 million, and as low as $250,000
- Premiums start as low as $2,500 annually
- Minimum deductible of $2,500

**Target Market**

- Companies employing up to 2,000 employees

**About Monitor Liability Managers**

For more than two decades, Monitor Liability has provided comprehensive executive and professional liability insurance at competitive prices. Our consistency of leadership, outstanding customer service and industry expertise enable us to provide insurance products unsurpassed in the marketplace.

Monitor Liability is a member company of W. R. Berkley Corporation with full underwriting and claims settlement authority for its insurance products.

**A+ Rated Insurance Carriers**

- Admiral Insurance Company (Nonadmitted)
- Berkley Insurance Company (Admitted)
- Carolina Casualty Insurance Company (Admitted)

- Rated A+ (Superior) by A.M. Best Company

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1 This coverage overview is not part of an insurance contract and does not supersede the policy. Please read the policy form for complete terms, conditions and exclusions. Premiums and terms depend on the size and type of organization and other factors. 2 Subject to underwriter approval.

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**Contact Us**

Lynette M. Lyngaas
Vice President
(800) 446-2100, ext. 557
Email: eplisubmissions@monitorliability.com
Employment Practices Liability Insurance

Consider the Facts

The number of employment-related lawsuits brought against businesses continues to increase.

In 2012, the EEOC:

➤ Recovered more than $365 million from employers – the largest amount in the agency’s history
➤ Listed retaliation as its most frequently filed charge – nearly 40 percent of all charges
➤ Saw a notable increase in charges related to gender discrimination, disability discrimination and equal pay
➤ Received 99,412 charges
➤ Will focus more of its efforts on discrimination, harassment and ensuring equal pay in 2013

With the average cost of an EEOC lawsuit more than $156,000, can your client afford to be without Employment Practices Liability Insurance?

Protect Your Client’s Business

Most business owners carry a standard Business Owners Policy (BOP) or General Liability (GL) policy. Many of them don’t know that Employment Practices Liability exposures are not covered by these types of policies. Business owners are often unaware of gaps in coverage leaving them exposed to substantial business and personal asset losses.

Risk Management Services

From the day the policy premium is paid, Monitor Liability policyholders receive complimentary access to:

➤ Unlimited calls to a toll-free helpline that provides expert advice about employment-related workplace matters – (877) 503-4595
➤ A risk management website, MyHRHelp, with employment resources and templates – myhrhelpweb.com
➤ Quarterly online sexual harassment prevention training
➤ A subscription to the newsletter, Employment Law Updates

All services are provided by Gordon and Rees LLP.

Claim Expertise

Monitor Liability is proud of its exceptional in-house claim management services and regards them as an important part of our coverage. Recognized for their in-depth claim handling experience, our dedicated attorneys and professionals strive to promptly resolve claims and provide the best possible outcome.

Claim Examples

Gender Discrimination/Retaliation

The EEOC filed a gender discrimination and retaliation lawsuit against a large restaurant chain on behalf of a former female employee. According to the suit, the restaurant paid the female employee significantly less than a similarly qualified male employee who performed the same duties. She alleged that she was subject to different terms and conditions of employment based on her gender. She spoke to management multiple times about her concerns, but no action was taken. After her last complaint, she was terminated. The case went to trial and the jury concluded that the restaurant acted with malice and reckless indifference to her federally protected rights. The female employee was awarded more than $100,000 in compensatory damages and $2.1 million in punitive damages.

Racial Discrimination

A software developer at a web design firm alleged racial discrimination when he was denied a promotion to a senior-level position. He alleged that after interviewing twice, he was told that there were no available positions. The developer also claimed that following his interviews, the firm advertised for the same position he was told was unavailable. The firm denied his allegations and stated that after the software developer was interviewed, they made a business decision not to hire for the senior-level position. Defense costs exceeded $50,000.

Wage and Hour

Two employees at a furniture manufacturer filed a lawsuit alleging they should have received overtime pay. The employees alleged that they routinely worked up to 70 hours per week, but were not paid at the overtime rate. The U.S. Department of Labor investigated the case and found that the furniture manufacturer violated the Fair Labor Standards Act (FLSA) by failing to pay overtime wages for all time worked beyond 40 hours. In addition to being heavily fined, the furniture manufacturer incurred defense costs of $100,000.

Learn More

For more information about Monitor Liability’s Employment Practices Liability Insurance and the many EPL programs we offer, contact your insurance agent or broker or:

Visit: monitorliability.com
Email: contactus@monitorliability.com

3Claim scenarios are for informational purposes only, do not constitute legal advice and are not a confirmation or acceptance of coverage under any policy.