

Product Profile

# Not-for-Profit Risk Protector<sup>SM</sup>

## Flexible professional and management liability coverages for not-for-profit organizations

**Not-for-Profit Risk Protector** is a flexible insurance package policy that allows not-for-profit organizations to obtain precisely the protection they need for the risks that threaten their organization, management, employees, volunteers, boards of directors and others.

### Coverage Highlights

Allows companies to choose Directors & Officers Insurance (D&O) and/or Employment Practices Liability Insurance (EPL) in combination with one or more of the coverages listed below to create one comprehensive program – with shared or separate limits:

- Fiduciary Liability Insurance
- Crime and Fidelity Insurance\*
- Employed Lawyers Professional Liability Insurance
- Kidnap and Ransom\*

### Value-Added Services

These highly-sought services are included with all Not-for-Profit Risk Protector policies:

- **CrisisFund® Insurance:** A coverage enhancement which offers up to \$25,000 to hire top public relations consultants to aid in managing negative events that can threaten an organization's reputation and financial viability
- **EPL Pak® Premier:** Premier services from Jackson Lewis, LLP, a premier employment law firm with offices throughout the United States; includes Title VII harassment and discrimination training, Internet-based HR Compliance reference system, and a Recruiting, Retaining and Terminating Employees Manual
- Access to the nation's premier attorneys to defend management and professional liability lawsuits
- Specialized services designed to mitigate ultimate damages and optimize claims recovery

### Unique Coverage Details

- Coverage for employment practices perils such as claims of wrongful termination, discrimination, sexual harassment, negligent hiring, retention, training and supervision, as well as third-party discrimination lawsuits
- Coverage for insureds including the organization, past, present and future directors, officers and trustees, employees, leased employees, committee members, volunteers, staff, faculty members and department heads, as well as spouses and domestic partners of individual insureds
- Coverage for risks including defense costs for claims related to Internal Revenue Service intermediate sanctions, a portion of any Excess Benefit Penalty sanctions imposed on directors and officers, and multiple damages awards under the Americans with Disabilities Act and the Equal Pay Act<sup>1,2</sup>
- Support in litigated claims through the defense services of leading law firms from our Not-for-Profit Panel Counsel

### We transform what's possible.

At Growth Enterprises, we're about transforming what you think is possible – boldly, effectively, distinctively.

Burgeoning enterprises of all shapes and sizes benefit every day from our insightful people, innovative products and industry-leading platforms. Help ensure your business keeps growing by placing our products and services with your clients.

\*Separate Limits Only

<sup>1</sup> Available by endorsement only

<sup>2</sup> IRS fines coverage not available in NY

# Not-for-Profit Risk Protector

## Claims Scenarios

### Directors & Officers Liability Insurance

- A show animal breeder sued the insured credentialing organization alleging that the insured misapplied its rules regarding whether a particular animal was certified and able to compete in specified shows. The breeder alleged that the insured interfered in his trade or business by not permitting his animals to compete and damaged his reputation in the show animal community. The matter eventually settled on a non-monetary basis and the policy paid defense costs in excess of \$100,000.

### Employment Practices Liability Insurance

- An insured social services organization was sued by four employees alleging sexual harassment by the same supervisor at various bingo parlors owned by the insured. Although the insured claimed that the plaintiffs were poor performers about to be terminated, there were no personnel records to this effect and evidence existed that the insured was aware of prior complaints against the supervisor. The matter was ultimately settled in excess of \$100,000 and defense costs were also in excess of \$100,000.

### Fiduciary Liability Insurance

- A social services insured was the subject of a Department of Labor investigation and subsequent lawsuit for allegedly failing to monitor the performance of its 401(k) plan, which suffered substantial losses. Among the claims was that the insured should have diversified the plan's assets when the plan's performance began to suffer. The claimants sued for hundreds of thousands of dollars in damages.

### Fidelity and Crime Insurance

- An insured youth services organization held a carnival fund-raiser. The employee entrusted with taking the cash proceeds to the bank night deposit box was robbed at gunpoint at the bank entrance. More than \$10,000 in cash is stolen. The policy paid the loss substantiated by the insured.

### Employed Lawyers Professional Liability Insurance

- An attorney failed to disclose a potential conflict of interest between his employer and the other party when negotiating a transaction. The other party sued the attorney resulting in over \$250,000 in legal defense costs and damages.

## Available on iWorks®

- You can easily quote, bind and issue Directors & Officers Liability Insurance, Employment Practices Liability Insurance, Fiduciary Liability Insurance and Miscellaneous Professional Liability Insurance on our newest broker self-service platform, iWorks. For more information, contact us at [geinfo@chartisinsurance.com](mailto:geinfo@chartisinsurance.com).

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The claims scenarios summarized herein are offered only as examples. Coverage depends on the actual facts of each case and the terms, conditions and exclusions of each individual policy. Anyone interested in the above product(s) should request a copy of the policy itself for a description of the scope and limitations of coverage.

Platform/online system availability and response time are subject to maintenance and possible unscheduled outages. Any and all use of, and access to platforms/online systems may be subject to a signed eCommerce Password and Site Use Agreement.