

Not for Profit Liability Highlights

Management Liability

Directors and Officers

Employment Practices

Fiduciary

Professional Liability

Media

Miscellaneous

Network Security and Privacy Injury

Technology and Telecommunications

Crime

Not for Profit

Epack Extra is a package policy that provides flexibility and key benefits.

- The following coverages can be combined on one policy form:

- Management Liability
 - Not for Profit Directors and Officers Liability
 - Employment Practices Liability
 - Fiduciary Liability
- Professional Liability
 - Miscellaneous Professional Liability
 - Media Liability
 - Technology & Telecommunications Liability
 - Network Security and Privacy Liability
- Crime (Employee Theft)

- Policy limits can be shared among coverages or provided on a scheduled limit basis

CNA provides:

- Duty to Defend policy
- Claims made form with a 90 day post-policy reporting window
- Mediation Provision, which could reduce the policy retention by 50% or \$10,000, whichever is less
- Worldwide Coverage - claims can be brought anywhere in the world
- Spousal Coverage including Domestic Partner
- No threshold for coverage for newly acquired/created entities or plans
- Pre-Claim Assistance for investigation costs related to reported circumstances
- Punitive Damages coverage (most favorable venue)
- Predetermined Extended Reporting Period percentages for 1, 2 & 3 years
- Supplemental Payments: \$250 per day per person up to \$2,500 per claim per policy year for attending trials, hearings, arbitrations, or mediation at the Insurer's request
- Consent to Settle provision set at 80/20
- Policy is non-rescindable with respect to insured persons for non-indemnified loss

Qualifying risks may also be eligible for the following additional features:

- Automatic renewal
- Two year policy term with annual installments and fresh aggregate limit for the second year
- Capped defense outside the limit of liability
- \$0 D&O retention for indemnified loss
- A Multi-Coverage Discount is available when more than one coverage is purchased within a coverage group (e.g. D&O and EPL)
- A Package Discount is available when more than one coverage group is purchased (e.g. Management Liability and Crime)

Broad coverage for Not for Profit Directors and Officers Liability is provided as one part of the Epack Extra® policy. Epack Extra allows insureds to package multiple coverages on one policy form.

Management and Professional Liability



Not for Profit Liability Highlights

Coverage highlights specific to individual coverages:

Not-for-Profit Directors & Officers

- Additional \$1 million Limit for Non-Indemnified Loss (Side A)
- Order of payments provision
- Waiver of retention for Insured Persons for a finding of No Liability
- Coverage for Outside Entity Executive extended to non-profits beyond 501c3 entities to include 501c(3)(4)(6)(7) and (10)
- Carve back to Insured v. Insured exclusion for whistleblower activity
- "Final Adjudication" language in the fraud and illegal profit exclusions
- HIPAA fines and penalties sublimit of \$100,000
- Definition of Insured Person includes a trustee, governor, and "Manager" of an LLC
- Severability of the personal conduct exclusions
- Side A carve back to the Pollutants exclusion

Employment Practices

- Risk Mitigation Credit which can reduce the retention by 50% up to \$10,000, whichever is less
- Definition of claim includes non-monetary relief
- Coverage for wrongful demotion; negligent hiring, supervision and training
- Coverage for employment-related libel, slander or humiliation
- Definition of Employee includes volunteers and independent contractors
- Retaliation carve back to the ERISA, COBRA, Workers' Compensation, OSHA, WARN, NLRA exclusion
- No personal conduct exclusions for fraud or illegal profit
- Defense costs for breach of employment contract

Fiduciary Liability

- Sublimit of \$150,000 for fines and penalties imposed by the IRS' Voluntary Compliance Program
- Coverage for Plans under development
- Waiver of retention for Insured Persons for a finding of No Liability
- HIPAA fines and penalties sublimit of \$100,000
- Benefits Due exclusion amended to provide investment loss carve back
- Coverage for failure to provide COBRA notices
- "Final Adjudication" language in the fraud and illegal profit exclusions
- Severability of the personal conduct exclusions

Qualifying Risks may also add coverage for Network Security & Privacy Injury Liability to an Epac Extra Management Liability policy.

Coverage Highlights of Network Security & Privacy Injury Liability:

Network Security Liability

- Suspension or interruption of the insured's network
- Destruction or alteration of any third party's information residing on the insured's network
- The inability of an authorized user to gain access to the insured's network

Basic Privacy Injury

- Failure to comply with any privacy law as well as the Insured's own privacy policy
- Claims from customers, employees or other 3rd parties alleging the violation of privacy rights

Since Epac Extra is a package policy, in addition to the above coverages, our Not for Profit insureds may also have access to Media, Crime and Miscellaneous Professional Liability coverage.

To learn more about CNA's Management and Professional Liability offerings, contact your agent or broker.

www.cnapro.com
800-852-0393

