









PATRICK HANLEY

Patrick Hanley: phanley@sociusinsurance.com

- Co-Founder/President
- 25 years of Insurance Experience
 - (Underwriting and Brokerage)
- Specialize in the following coverages:
 - Directors & Officers Liability
 - Employment Practices Liability
 - Professional Liability
- Serve(s) on numerous industry boards, including:
 - Executive Committee of the California Surplus Lines Association (Currently serving as Past Chairman)
 - PLUS Foundation
 - California Agents & Brokers Advisory Committee
- Regular Speaker at Industry Events/Continuing Education Seminars



SOOBS INSURANCE SERVICES, INC.

PAUL LEFCOURT

Paul Lefcourt: pldefcourt@sociusinsurance.com

- Co-Founder/Senior Vice President/Management Liability Practice Leader
 - 22 Years of Insurance Experience (Underwriting and Brokerage)
- Specialize in the following coverages:
 - Directors & Officers Liability
 - Employment Practices Liability
 - Professional Liability
 - Cyber/Internet Liability
- Regular Speaker at Industry Events
- Continuing Education Presenter



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CYNTHIA ZIMMERMAN

Cynthia Zimmerman: czimmerman@sociusinsurance.com
Office: 786-235-8950 Cell : 954-804-9450

- Vice President - Management & Professional Liability Broker
- Registered Professional Liability Underwriter (RPLU) since 1996
- 29 Years of Insurance Experience
- Specialize in the following coverages:
 - Directors & Officers Liability
 - Employment Practices Liability
 - Fiduciary
 - Crime
 - Professional Liability / E&O/ Medical Malpractice
 - Cyber/Internet Liability
- Regular Speaker at Industry Events
- Continuing Education Presenter



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WE SPECIALIZE IN THE FOLLOWING AREAS OF RISK:

- **Directors & Officers Liability**
 - Publicly Traded
 - Private Company
 - Non-Profit
- **Employment Practices Liability**
 - Monoline
 - "Combo" Policy
- Professional Liability
 - Traditional Professional Classes
 - Miscellaneous Classes
- **Cyber/Internet Liability**
 - 1st/3rd Party
 - Network Security/Data

Which of these areas of risk does your agency specialize in?

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WE SPECIALIZE IN THE FOLLOWING AREAS OF RISK:

- **Casualty**
 - Construction: Residential & Commercial
 - Environmental
 - Tough Products/Manufacturing
 - Medical Devices & Products
 - Excess GI/AL/EL
 - \$500 M Capacity
- **Property**
 - DIC - Earthquake/Flood/Wind
 - Older Properties
 - Historic Value Properties
 - Large Property Schedules
 - Layered programs

Which of these areas of risk does your agency specialize in?

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LAURA ZAROSKI, J.D.

Laura Zaroski: izaroski@sociusinsurance.com

- Employment Practices Liability Coverage & Claims Services
 - Most recently a partner in the Chicago Office of O'Hagan Spencer, LLC
 - Headed up the insurance coverage and claims management department
 - Represented various domestic insurance companies as well as London-based insurers as coverage and claims management counsel
 - Is available to assist with limits analysis and coverage or claims issues for existing and prospective insureds



SOCIOUS INSURANCE SERVICES, INC.

MICHAEL G. HOY, J.D.

Michael Hoy: mhoy@sociusinsurance.com

- Employment Practices Liability Coverage & Claims Services
 - 19 years of Insurance Experience (Underwriting and Retail Brokerage)
 - Specializes in all Management Liability lines (including Venture Capital/Private Equity, Public and Private D&O and EPL) and Technology E&O/Cyber Liability
 - Significant national law firm defense litigation experience, including securities and employment litigation
 - Is available to assist with limits analysis and coverage or claims issues for existing and prospective insureds



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WHAT IS EMPLOYMENT PRACTICES LIABILITY?

The main exposures related to EPL are as follows:

- Wrongful Termination
- Discrimination (hiring, firing, demotion, comments/slurs)
- Sexual Harassment
- Retaliation
- 3rd Party Discrimination and Harassment
- Wage & Hour
- Immigration/Illegal Aliens
- Employee Privacy

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EMPLOYMENT RELATED LAWS

- Equal Pay Act of 1963 (EPA)
- Civil Rights Act of 1964 (Title VII) amended in 1991 (CRA)
- Age Discrimination in Employment Act (ADEA)
- Pregnancy Discrimination Act of 1978 (PDA)
- Americans with Disabilities Act of 1990 (ADA)
- Older Workers Benefit Protection Act of 1990 (OWBPA)
- Family and Medical Leave Act of 1993 (FMLA)
- State and City anti-discrimination Laws
- Fair Labor Standards Act of 1938 (FLSA)
- Immigration Reform and Control Act of 1986 (IRCA)

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COVERAGE – WHAT TO LOOK FOR

- Claims Made and Reported
- Definition of Claim
- Definition of Insured (application must disclose all entities)
- Definition of Employee
- Full Prior Acts Coverage
- Defense Costs for FLSA (Wage/Hour) Claims
- Defense Inside/Outside the Limits
- 3rd party EPLI Coverage (clients, suppliers, vendors, other business invitees)
- Defense Costs for Immigration Investigations
- Workplace Violence Expense
- Breach of Employee Privacy
- Retentions / Sub-retentions

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COVERAGE – WHAT TO LOOK FOR (CONT.)

- Full Retaliation Coverage
- Punitive Damages – with most favorable venue wording
- Exclusions/Restrictions (class action, reduction in force, mass layoffs)
- Loss specifically covers front pay and back pay
- Policy Non Cancelable by Insurer
- Notice of Claim provision
- Bilateral Extended Reporting Period – Multi Year Options
- Spousal and Domestic Partner Extension
- Option to Package With D&O, Fiduciary, Other
- Duty to Defend policy with no hammer clause (or softened)
- Selection of Counsel

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MARKET TRENDS

- Increases in Premiums
- Increases in Retentions (Policy wide vs Specific Coverages)
- Reduction in Availability of Wage/Hour Coverage
- Increased Underwriting Scrutiny
 - Financial Strength
 - Organizational Structure
 - Claims / Lessons Learned
 - Risk Management/Procedures
- Increased Scrutiny Regarding Selection of Counsel Requests
 - Experience
 - Rates
 - Reason for Counsel Request
 - Proximity to Insured/Venue
 - Potential Conflicts

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EMPLOYMENT PRACTICES LIABILITY CARRIERS

<ul style="list-style-type: none"> ▪ Ace/Westchester ▪ AIG ▪ Arch ▪ Argo/Colony ▪ Aspen ▪ Axis ▪ Beazley USA ▪ Berkley/Carolina Casualty ▪ Catlin ▪ Chubb/Executive Risk ▪ CNA ▪ CV Starr ▪ Darwin/AWAC ▪ Great American ▪ Hartford ▪ Hiscox ▪ Houston Casualty ▪ Hudson 	<ul style="list-style-type: none"> ▪ Ironshore ▪ Kinsale ▪ Liberty ▪ Lloyds of London ▪ Markel ▪ Navigators ▪ OneBeacon/Homeland ▪ Philadelphia ▪ Progressive ▪ QBE ▪ RSUI ▪ Scottsdale ▪ Travelers ▪ XL ▪ Zurich
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