

# What You Don't Know Can Hurt You

Evaluating your Property & Casualty Insurance Program



# The Goal Of This Presentation

We will identify unique exposures which are characteristic of non-profit/social service agencies and why those matter:

## UNIQUE

1. Professional Liability
2. Abuse & Molestation
3. Directors & Officers Liability
4. Employment Practice Liability
5. Fidelity Bond
6. Cyber Liability



# Professional Liability Coverage

Provides coverage and/or defense for professionals for negligence or errors and omissions that injure their clients.

“Professionals” are those who by virtue of their training and credentialing can be held to a higher standard of care due to their area of expertise. They include, but are not limited to, anyone licensed, accredited or certified to provide services such as mental health, drug & alcohol counseling or social work.



# Abuse & Molestation Coverage

Provides coverage and/or defense for the actual, alleged or threatened abuse or molestation by anyone of any person while such person is in the care, custody or control of any insured.

General Liability policies generally EXCLUDE Abuse & Molestation coverage. Even in the absence of an exclusion, insurance companies have successfully argued that the Commercial General Liability policy excludes intentional and criminal acts, thus not guaranteeing that coverage will be afforded.



# **Directors & Officers Liability Coverage**

**Provides coverage and/or defense of actual or alleged wrongful acts by directors, officers and other insureds under the policy.**

**Most non-profit as well as for-profit bylaws contain indemnification wording agreeing to pay legal expenses incurred by its board members defending themselves in a suit.**



# **Employment Practices Liability Coverage**

**Insurance for employers that covers violations of employees' legal rights.**

**Almost all commercial General Liability policies intend to EXCLUDE Employment Practices Liability coverage.**

**The three most common employment-related lawsuits are: wrongful termination, discrimination and sexual harassment.**



# Fidelity Bond

A Fidelity Bond is used to provide coverage for the agency against the loss of or damage to money, securities and other property resulting directly from theft committed by an employee.

If governmental funding is received, this coverage is essential and specific limits may be required.



# Cyber Liability

The Cyber Risks to which an enterprise is exposed fall into two general categories and insurance coverage is available for both:

- 1.) Those losses suffered by an agency (1<sup>st</sup> Party Losses)
- 2.) An agency liability to third parties (3<sup>rd</sup> Party Losses)

Standard Property, Liability or Crime policies will not traditionally cover damage to or loss of intangible assets (data and systems) so there exists a significant gap in coverage, both in terms of exposure and because of the ever greater dependency on technology to be able to do business.



# Contact Information

Roger Perry:

roger@wichert.com

614-426-9044

Jeff Cashman:

jcashman@wichert.com

614-426-9046

1-800-686-0780



Wichert

INSURANCE

Solutions from Trusted Partners