



Highlights of THB EPL 07

The THB EPL 07 form has recently been greatly enhanced and in addition to offering everything that an Insured would expect from such a broad wording, we also include the following enhancements:

- ❖ Third party coverage is offered to most Insured's for no additional premium.
- ❖ Punitive damages coverage with "most favourable jurisdiction" wording at no additional premium.
- ❖ Defense outside limits option is offered.
- ❖ The 'Hammer Clause' has been diluted to be 80/20. 20% being the Insured's contribution to the settlement.
- ❖ Broad definition of Employee which includes Independent Contractors.
- ❖ A spousal extension which extends to all Insured's, not just those named in the declarations page and includes domestic partners.
- ❖ Underwriters will pay 100% of the defense costs for single plaintiff wage and hour Claims as long as there is at least one covered allegation.
- ❖ Automatic coverage given to an entity that is formed during the policy period.
- ❖ No WARN exclusion
- ❖ No Strikes and Lockouts Exclusion
- ❖ No Downsizing exclusion
- ❖ No Intentional Acts exclusion.
- ❖ No Co-payment provision.
- ❖ Only cancelable by underwriters for non payment of premium.
- ❖ Prior acts Cover.
- ❖ Bi-lateral ERP – The Insured has 30 days to request the ERP and 45 days to pay for it. It also now only costs 125% for 2 years and 150% for 3 years.
- ❖ Potential Claims may also be reported during the ERP.
- ❖ Automatic coverage for up to 60 days for newly acquired entities and no additional premium is charged thereafter if this results in less than a 25% increase in employees. Coverage is now automatically given to an entity that is formed during the policy period.
- ❖ Free Helpline service which offers advice on all employment matters by phone and e-mail.

- ❖ Retention is reduced by up to 50% if the Insured consults with a labor law attorney prior to terminating or demoting.
- ❖ Retention is reduced by 25% if the Insured reports the Claim in a timely manner.
- ❖ Retention is reduced by 25% if the Insured agrees to accept underwriter's initial settlement offer.
- ❖ The Insured has a full 90 days to report a Claim.
- ❖ We also have a specific Law Firm wording and specific PEO wording (offering client company coverage).