

*Directors' & Officers' Liability Insurance
For Non-Profit Organizations*



Non-profit organizations, regardless of size and nature of business, may face a variety of employment practices claims, such as wrongful termination, harassment, discrimination, misrepresentation, the failure to employ or promote employees, and other such allegations. Additionally, members of non-profit organizations are susceptible to lawsuits that allege a wide range of offenses, including: antitrust activity, copyright and/or patent infringement, unfair credentialing/disciplinary/peer review, and failure to deliver services.

The ELD is known for its expertise and exceptional service as a Non-Profit Directors' and Officers' (D&O) Liability provider. Our underwriting team possesses a wealth of experience in the non-profit industry, thus earning the ELD the reputation of being one of the most stable and consistent D&O providers within the marketplace.



Executive Liability Division
1515 Woodfield Road
Suite 500
Schaumburg, IL 60173
Phone: 847.330.6750
Fax: 847.330.6890
email: ELD@gaic.com

Midwest Regional Office
300 South Wacker Drive
Suite 650
Chicago, IL 60606
Phone: 312.385.4250
Fax: 312.663.4624
email: ELD.Chicago@gaic.com

Eastern Regional Office
Harborside Financial Center, Plaza Five
Suite 1610
Jersey City, NJ 07311
Phone: 201.369.7950
Fax: 201.369.7959
email: ELD.NewYork@gaic.com

Canadian Office
330 Bay Street
Suite 800
Toronto, ON M5H-2S8
Phone: 416.368.8200
Fax: 416.368.4474
email: ELD.Toronto@gaic.com

For more specific contact information regarding the office listings above, please visit the "contact us" section of our Web site at: www.GreatAmericanELD.com

The coverages described in this brochure are summarized and do not contain all of the applicable terms, conditions and exclusions. Refer to the printed policy form and policy quotation for complete information on coverage limitations. All coverages are subject to applicable state law and may vary materially from the stated information. Admitted policies are underwritten by Great American Insurance Company or Great American Insurance Company of New York. The following registered service marks are the property of Great American Insurance Company: Great American®, Great American Insurance Group® and ExecPro®.



ExecPro Products

Our Non-Profit ExecPro policy includes the following benefits:

- **Duty to Defend** – We have contracted with a group of experienced D&O attorneys, located throughout the country, to defend our Insureds in the event of a D&O claim. In doing so, we spare our Insureds the responsibility and hassle of hiring attorneys and managing the litigation process. On occasion, the ELD will allow the Insured to select its own defense counsel, an allowance not common to the industry as a whole.
- **Retentions (deductibles)** – Retentions on the ExecPro policy are not pertinent to the costs of defense, which means that the retentions are applicable only when there is a settlement or judgment. Most Insureds have a retention between \$1,000 and \$2,500.
- **Free 90-day Discovery Period** – The Insured is granted an automatic, 90-day discovery period if the policy is non-renewed or cancelled for any reason except non-payment of premium.
- **Broad Definition of Claim** – Our definition of claim includes written demands and administrative proceedings, such as those before the Equal Employment Opportunity Commission (EEOC).
- **Employment Practices Liability (EPL)** – The ExecPro Non-Profit policy not only protects against claims alleging wrongful termination, harassment or discrimination, as many other policies do, but also covers claims alleging misrepresentation, failure to employ or promote, wrongful discipline, deprivation of career opportunities, failure to grant tenure, negligent evaluation, retaliation, failure to provide adequate policies and procedures, mental anguish, emotional distress, invasion of privacy, libel, slander and more.
- **Entity Coverage** – Coverage automatically includes the non-profit organization and its non-profit subsidiaries.
- **Defense Expenses are in Addition to the Limit of Liability** – When the Insurer assumes the Duty to Defend a claim, the expenses associated with defending a claim will not diminish the Limit of Liability.
- **All Past, Present and Future Directors, Officers, Trustees and Employees are Covered** – Volunteers, staff members, executive board members, and committee members are named as Insureds.

Optional features available* to some risks include the following:

- **IRS Excess Benefit Coverage** – This feature provides coverage for the 10% "excess benefit" tax assessed by the IRS against any insured person for participation by management in an excess benefit transaction.
- **Third Party Claims Coverage** – This coverage amends the bodily injury/property damage exclusion by providing mental anguish and emotional distress coverage for third party claims for sexual harassment and discrimination.
- **Personal Injury Coverage** – This coverage amends the bodily injury/property damage exclusion by providing mental anguish and emotional distress coverage for personal injury claims.

**for an additional charge*

The Non-Profit Department of the ELD has experience in underwriting a variety of industry exposures, including the following:

- | | |
|---|---|
| • Water Supply Companies | • Civil Rights, Social Action |
| • Chambers of Commerce, Business Leagues | • Job Training and Placement Organizations (not including union apprenticeship shops) |
| • Clubs | • Environmental Issues |
| • Cemeteries | • Camps, Daycare Facilities |
| • Grant making Foundations | • Rehabilitation, Counseling Facilities |
| • Veterans Groups | • Group Legal / Medical Facilities |
| • Communications, Public Broadcasting Organizations | • Scientific Technology / R&D |
| • Animal related Organizations | • Testing Facilities |
| • Art, Culture and Humanities Organizations | • Educational Facilities (not colleges or universities) |
| • Food, Nutrition Organizations | • Temporary Housing, Shelters |
| • Trade Associations | • Community Redevelopment, Low-Income Housing |
| • Human Services, Public Education | • Retirement/Mentally Handicapped Communities |
| • Public Safety, Relief and Emergency Preparation | • Certification Boards |
| • Recreation, Leisure, Sporting | |

Employment Practices Risk Management Program

The Non-Profit *ExecPro* Policy includes an Employment Practices Risk Management Program offering loss prevention services provided by Jackson Lewis, a national law firm specializing in employment, labor and benefits law. As part of the Risk Management Program, the ELD has arranged for Jackson Lewis to provide telephone consultation on basic workplace topics via a toll free number. In addition, policyholders will receive access to an online copy of Jackson Lewis' *Guide to Avoiding Workplace Claims*.

Insurance Program for Social Service Agencies and Non-Profit Organizations

Since 1980, Great American's Insurance Program for Social Service Agencies and Non-Profit Organizations, offered by the Specialty Human Services Division (SHS) has been serving the needs of agents active in the Social and Human Service sector. With offices in Cincinnati and Chicago, the Division's Claim, Loss Prevention, Underwriting and Marketing specialists work hand-in-hand with agents serving more than 5,000 social service and non-profit organizations across the country.

- Standard Package Policy - ISO based Property and GL forms
- Automobile - owned, non-owned and hired
- Umbrella/Excess - written over Great American's primary General Liability; limits to \$250,000,000 available
- Numerous ancillary coverages including EDP, Crime, Boiler & Machinery (Equipment Breakdown), two Property Broadening Endorsements, Inland Marine, a Social Service Agency General Liability Broadening Endorsement and a Commercial Auto Broadening Endorsement.
- Strong experience in Professional Liability coverage and sexual abuse/molestation coverage

To learn more about SHS, please visit www.hsd.gaic.com or by calling 800.722.3260 (Cincinnati, for agents located in Ohio or on the West Coast) or 800.542.4245 (Chicago, for agents located in the Midwest, East Coast, or Southern Region of the U.S.).

Community Association Protection (CAP) Program

The Executive Liability Division has partnered with The Distinguished Programs Group (DPG) to provide D&O Liability Insurance for Non-Profit condominium and homeowners associations. DPG specializes in providing insurance products and services for the real estate industry, and is one of the country's leading developers of group Property and Casualty programs. With the CAP Program you get the support of skilled underwriters and claims professionals from both Distinguished Programs and Great American. To learn more about DPG, please visit www.Distinguished.com or call 888.355.4626.



Need an application or specimen policy?

Visit our Web site, www.GreatAmericanELD.com and click on the *Agent's Desk* section. There, you can download applications and policies that are available in your state. Upon completion of the form(s), you can fax them to 847.330.6890.