


MARSH DELTA[®] AN ENHANCED EMPLOYMENT PRACTICES LIABILITY (EPL) INSURANCE PROPOSITION FOR MARSH CLIENTS



Employment-related litigation is increasing throughout Europe; particularly in Italy, the UK, and France. Allegations of sexual harassment, wrongful dismissal, and discrimination are commanding ever-higher damages awards. In response to this increasing risk, Marsh has created Delta EPL.

Delta – excellent financial and professional insurance covers at competitive prices.

Delta is a suite of financial lines insurance offerings for Marsh clients.

- Delta products are underwritten by a panel of insurers specifically selected for their quality of service and strong credit rating, claims capability, and ability to offer excellent cover at competitive rates.
- Cover is provided on the basis of a proprietary, market-leading Delta policy wording.
- To ensure that you receive competitive terms, each panel insurer is offered the opportunity to compete for each submission (unless you instruct us otherwise).
- You are presented with a choice of Delta options with varying features, all of which offer excellent cover at a competitive price.

RISK FACTORS

The increased risk of employment-related litigation can be traced to several factors that impact companies of all sizes, in all industries:

- The restructuring of operations, which often leads to reduced employee numbers and redundancies.
- Greater employee awareness of their rights and how to exercise them.
- Broadening and developing European Union (EU) directives including *The Equal Treatment Directives*, and other similar laws in EU member states, and in the United States (US).
- Increased publicity surrounding highly visible employee lawsuits and awards.
- Increasing globalisation, bringing managers into contact with unfamiliar working practices and legislation.

The main purpose of Delta EPL is to provide great cover at a competitive price.

KEY BENEFITS OF DELTA EPL¹

- Worldwide coverage.
- Removal of typical restrictions to cover, such as no conditions precedent to liability.
- Removal of typical exclusions, such as the contractual exclusion.
- Narrowing of other typical exclusions with buy-backs for defence costs (such as bodily injury and violation of legal obligations exclusions).
- Several coverage enhancements for the company, as well as individuals, over most standard market forms. This includes cover for joint ventures and investigation costs for the company as well as individuals, mitigation costs, and wage and hour defence costs.

COVERAGE FEATURES AVAILABLE FROM DELTA EPL PANEL INSURERS INCLUDE:

- A broad definition of employment practice violations (no specified perils).
- Automatic coverage for claims of harassment or discrimination by non-employees.
- Costs of the company and individuals in connection with an investigation by the Equal Opportunities Commission (ECC) and other similar regulatory bodies.
- Defence costs for an individual responding to pre-claim enquires by an official body (sub-limited).
- Costs of educational, sensitivity or diversity training following a claim (sub-limited).
- Defence costs for claims concerning wage and hour practices (sub-limited).
- Mitigation costs to investigate an employment-related event that may lead to a claim (sub-limited).
- Cover for civil fines and penalties for individuals (where insurable).
- Insurers cannot avoid the policy for pre-contract non-disclosure or misrepresentation by individuals or the company, except where proven to be fraudulent.
- Option to report most claims on a claims bordereau basis.

KEY FACTS

WHO IS DELTA EPL INTENDED FOR?

Marsh Delta EPL is available to Marsh's private, private equity-owned, and publicly-traded UK and international clients sitting outside the FTSE 100 (or geographical equivalents). Delta EPL is not available for companies that are domiciled in the US.

CAPACITY AVAILABLE

Limits can be purchased up to GBP80million.

INSURERS UNDERWRITING MARSH DELTA PTL

Delta is exclusively underwritten by a panel of leading insurers with strong credit ratings.²

CLAIMS

FINPRO has a dedicated financial lines claims team. FINPRO clients purchasing Delta have access to this specialist claims team.

CONTACT

To learn more about the cover that Delta EPL provides, or to receive a quote, please contact your Marsh client executive or:

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¹ The information contained here is based on the cover available under the standard Marsh Delta offerings. Underwriters review each client's risk individually. Each insurer's Delta offering may differ and insurers may vary the offering or apply additional restrictions for individual clients based on their review of that client's underwriting submission.
² As at August 2015.

The information contained herein is based on sources we believe reliable and should be understood to be general risk management and insurance information only. The information is not intended to be taken as advice with respect to any individual situation and cannot be relied upon as such.

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