

EMPLOYMENT PRACTICES LIABILITY ENDORSEMENT

Employment Practices Liability protects both the bank and employees for claims brought by current, former, and/or prospective employees alleging Wrongful Employment Acts which include:

- Wrongful Termination
- Harassment, including claims of sexual harassment brought by customers and other third parties
- Employment-related misrepresentation or retaliation
- Wrongful deprivation of career opportunity
- Negligent hiring
- Certain violations of statutory or common law relating to employment
- Discrimination
- Employment-related libel, slander, humiliation, defamation, or invasion of privacy
- Wrongful failure to employ or promote
- Wrongful demotion or evaluation
- Negligent retention
- Wrongful discipline

OPTIONAL COVERAGES AVAILABLE

- **THIRD PARTY DISCRIMINATION EXTENSION** | Protects the bank or an employee from claims brought by customers or other third parties alleging discrimination because of race, gender, sexual orientation, religion, age, disability, or any other legally protected status, whether direct, indirect, intentional, or unintentional.
- **WORKPLACE VIOLENCE EXTENSION** | Provides incident response expense coverage for workplace violence occurring on the bank's premises. Expense coverage includes:
 - Crisis management consultants (90 days)
 - Mental health specialists (10 days)
 - Forensic analysts
 - Arrest and conviction reward
 - Public relations consultants (90 days)
 - Security guard services (90 days)
 - Certain medical, dental, and cosmetic costs

CLAIMS EXAMPLES

- **DISCRIMINATION** | A bank that was experiencing financial problems decided to downsize. The president wrote a memo to the board stating that senior personnel should be terminated to make room for younger people who do more work for less money. A 50 year-old operations officer saw the memo and sued the bank for violations of the Age Discrimination in Employment Act, seeking back pay, lost benefits, attorneys' fees, and compensatory damages.
- **PROSPECTIVE HIRING DISCRIMINATION** | The EEOC filed suit on behalf of a paraplegic applicant for employment at the bank who was turned down despite his qualifications for the position. The claimant alleged that the hiring manager indicated that there were "no openings for a person in a wheelchair."
- **HARASSMENT** | A jury verdict was awarded to a loan officer for her claim that she was subjected to six months of sexual harassment by the branch manager. The plaintiff presented evidence for 12 separate incidents of harassment.
- **THIRD-PARTY HARASSMENT** | A small business owner was a long-time bank customer. A senior loan officer began interacting with her during her visits, telling jokes and making small talk. He repeatedly told her that she should see him if she ever needs a loan for her business. She eventually presented a loan request to him and subsequently alleged that he told her that he would only approve the loan in exchange for sexual favors. The customer files suit against the bank and the loan officer for harassment and infliction of emotional distress.
- **THIRD-PARTY DISCRIMINATION** | A hearing-impaired delivery man filed a claim against the bank and its employee for discriminatory and wrongful treatment. When he asked a teller for help and indicated that he could not hear her response, the teller answered in an exaggerated and extremely loud voice. Later, the teller mimicked the conversation to other employees, humiliating the delivery man. He alleges that the bank and the employee's actions were specifically targeted at discriminating against disabled people, causing him mental anguish and emotional distress.