



## **FLEXIBLE TERMS AND COVERAGE FOR YOUR ARCHITECTS & ENGINEERS PROFESSIONAL LIABILITY EXPOSURES**

Architects & Engineers today demand a broad level of professional liability coverage as they work with more sophisticated clients. We collaborate with our clients to develop policy terms and coverage packages uniquely suited to their circumstances and needs. We are able to consider all varieties of limits /deductibles, risk transfer alternatives and unusual exposures at a rational price.

### **COVERAGE HIGHLIGHTS**

- Definition of professional service includes engineering, architecture, construction management and environmental consulting.
- Offerings can include cyber liability, pollution liability and an option for first dollar defense
- BI/PD coverage offered for claims in connection with A&E
- Professional and A&E Pollution
- Independent contractors can be covered
- A territory of claims that could occur anywhere in the world
- Innocent insured and mediation credit coverage offered
- An aggregate deductible endorsement available
- Innocent insured and a blanket waiver of subrogation offered
- Very, very competitive premium rates
- Target Zone / Architects, Engineers, Construction Managers, Project Managers, Design / Build Firms and Environmental Consultants of all sizes.
- Carrier currently insures 26 of Top 50 Engineering News-Record (ENR)
- Technology Coverage available for Electronic Transfer of Data, Copyright Infringement and Web Hosting Functions for Projects

## **INSURANCE AGENCIES BE AWARE!**

Secure Data is the Information that Corporations (Big & Small) and Business Entities such as Insurance Agencies, control and have a legal and fiduciary responsibility to protect and provide a secure environment for proprietary data. These responsibilities are fulfilled by using a standard of care spelled out in Industry Laws and Benchmarks such as the Gramm-Leach federal legislation, HIPPA federal legislation and the recent Secure Data state laws (44 states passed to date) implemented following California 1386 legislation.

**"Which insurance agency can afford costs of up to \$200 per customer record compromised as result of a data breach?"**

If you don't believe how serious and commonplace these data breaches have become go to our web site link and check it out for yourself!  
<http://www.apogeeinsgroup.com/Technology.asp>

Contact Apogee at [info@apogeeinsgroup.com](mailto:info@apogeeinsgroup.com) and ask for your Secure Data Survival Kit and get some sleep by assuring your covered!

## **EMPLOYMENT PRACTICES LIABILITY RISKS SURGE**

"Economic conditions exert a significant impact on employment-related claims and lawsuits," said Lisa Jones, Vice President, Chubb & Son and Private Commercial Product Manager for Chubb Speciality Insurance.

Equal Employment Opportunity Commission claims today are at their highest level since 2002, and each charge category -- discrimination, harassment, retaliation, etc. -- has increased by double digits since 2006.

"This makes employment practices liability one of the bigger -- and more costly -- potential risks faced by private companies," Jones stated. "Companies are also involved in activities that could trigger an employment practices liability lawsuit."

No excuses: EPLI isn't an emerging trend -- it's emerged Jeffery Beckner - Summit Business Media, 5/08

Win or lose, each of those claims maturing past the initial filing costs someone money. The cost of defense alone now averages \$125,000, according to Pamela Ritz, president of Speciality Risk Management in Austin, Texas. The average jury award is \$200,000, and employees win two of every three cases that make it to trial. And that's just the federal EEOC - plenty of claims are brought at the state and local levels, which are notoriously employee-friendly.

It's not a question of if you're sued, but when Padalino said. A Chubb survey of private company executives indicated that one in three firms has experienced an EPL-related event in the past five years.

Even if the employer is completely without fault, "it'll cost you a lot to prove it." said Elena Ryzhkina, an underwriter for ProWest Insurance Services Inc.

Agents should be well familiar with the small-business refrain by now: I've been doing this for 20 years and I've never been sued. I do everything by the book. I'm always in the shop and we're a big happy family here. The answer to these objections, experts agree, it doesn't matter, doesn't matter, doesn't matter. "All it takes is one lawsuit," Kristina Mason, corporate communications manager for wholesaler, Worldwide Facilities Los Angeles.

## **EMPLOYMENT PRACTICES LIABILITY PRODUCT**

We have access to the #1 Employment Practices Liability carrier in a nationwide survey of Agents and Brokers as well as many other highly rated carriers to get the best coverage at the best premium.

### **THE POLICY INCLUDES:**

- Full prior acts coverage for claim-free accounts in most states and classes
- No Intentional Acts Exclusion
- Named Peril coverage for Employment Claims arising out of Company Internet and E-mail
- Wrongful Employment Act definition expanded to include:
  - Demotion
  - Failure to Promote
  - Retaliation
  - Wrongful Discipline
  - Negligent Evaluation/Training/Supervision
  - Workplace Harassment
  - Employment Related Misrepresentation
  - Policy is non-cancelable except for non-payment of premium
  - Extension of coverage for the lawful spouse

### **ADDITIONAL ADVANTAGES:**

- Unlimited Defense Costs outside the limit of liability (Subject to minimum limit of \$500,000)
- FREE Employment Hot Line with unlimited number of calls and NO time limits
- Optional Third Party Discrimination and Sexual Harassment coverage
- Optional Punitive Damages coverage
- A.M. Best rated A++ carrier

**SURVEY BASED ON:**

- Competitive pricing
- Accessibility/timely responses to inquiries
- Technical competence and expertise
- Efficient and fair payment of claims
- Timely quotes

**RECENT SUCCESSES  
WRITTEN BY APOGEE**

- Investment Advisor/ E&O/ PA/  
**\$18,500**
- Secure Data/Internet Liability/ E&O/  
N.J./ **\$20,400**
- Medical Facility/ D&O,EPLI,  
Fiduciary,Crime/ PA./ **\$21,800**
- University School/ E&O,D&O, EPLI/  
PA./ **\$16,800**
- Law Firm/ E&O/ W.V./ **\$15,600**
- Public Entity/ E&O/ DE. / **\$8,900**
- Home Inspector Lead Paint/ E&O/  
MD./ **\$3,640**
- Public Entity & School Leaders/ E&O/  
CT. **\$107,500**

- Nursery/ D&O,EPLI,Fiduciary/ PA.  
**\$13,500**
- Township Code Administrator,  
Inspector/ E&O/ PA. /**\$10,800**
- Office Supplies/ EPLI/ PA./ **\$4,200**
- Engineer/ E&O/ N.J./ **\$2,050**

**CONTACTS:**

- 888-9apogee (927-6433)
- info@apogeeinsgroup.com
- www.apogeeinsgroup.com
- Bob McIntyre - x7021
- Tom Katona - 7022
- Ryan Gotro - 7024