



PRODUCT HIGHLIGHTS

FLEXI PLUS FIVE (NON-PROFIT D&O)

Benefits of this Program

The Flexi Plus Five policy (PI-NPD-2, Ed. 1/02) with the Pro-Pak Elite Enhancement (PI-NPD-82, Ed. 11/24) provides comprehensive coverage to higher risk non-profit organizations. Available coverages include Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability, Workplace Violence and Internet Liability.

Key Benefits

- Broad definition of Claim includes written demand for monetary and non-monetary relief, arbitration, mediation, administrative proceedings, civil and criminal actions, subpoena, request for extradition, search warrant and target letter
- Optional selection of counsel - Insured may choose defense counsel or tender the defense to the Underwriter
- Defense Costs are in addition to the Limit of Liability
- Defense Costs include expert fees and E-Discovery
- Most favorable venue wording for punitive, multiple, or exemplary damages
- Modified consent to settle clause (90%/10%)
- Automatic coverage for non-profit entities acquired during the policy period
- For profit subsidiary coverage available by endorsement
- Definition of Individual Insured includes Board Observers, De Facto Directors and Foreign Equivalents
- Worldwide coverage territory

Directors & Officers Liability

- Personal & Advertising Injury coverage
- Dedicated \$1,000,000 Excess limit available for Individual Directors and Officers Side-A
- Full severability for Individual Insureds.
- Fines and penalties resulting from a violation of the Emergency Medical Treatment and Active Labor Act (EMTALA), up to \$100,000

Employment Practices Liability

- Comprehensive 24 point definition of Employment Practices Act which includes retaliation, wrongful discipline, constructive discharge, breach of employment contract, and much more
- Broadened definition of Employment Practices Act to include violation of employee privacy, hostile work environment, workplace bullying, third party wrongful failure to employ, and social media coverage
- Third Party coverage
- EPL limits can be shared or purchased as a separate limit
- Mental anguish & emotional distress carve-backs
- Independent contractors, Interns and Volunteers included as Employees
- Full suite of Risk Management Services available via **PHLY** Gateway Risk Management Platform, including Loss Assistance Hotline with free legal consultation

Fiduciary Liability

- Coverage available for all pension benefit and welfare benefit plans as defined by ERISA
- Coverage includes any actual or alleged violation of Health Insurance Portability and Accountability Act (HIPAA) in the administration of any Benefit Plan
- \$250,000 submit for voluntary compliance, Title II of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), managed care and various fines and penalties

Workplace Violence

- Workplace Violence Act includes actual or alleged intentional and unlawful use of, or threat to use, deadly force with an intent to cause harm
- Damages include business interruption expense and public image restoration expense

Internet Liability

- Libel, slander, oral, or written publication of defamatory or disparaging material
- Invasion of or interference with the right of privacy
- Infringement of copyright, service mark, trademark, trade dress, or trade name, title, or slogan
- Improper use of literary or artistic titles, formats, or performances

Bell Endorsement

- Includes \$50,000 limits each for Business Travel Accident Benefit, Donation Assurance, Emergency Real Estate Consulting Fee, Identity Theft Expense, Image Restoration and Counseling, Key Individual Replacement Expenses, Kidnap Expense, Terrorism Travel Reimbursement, and Workplace Violence Counseling. \$25,000 limits for each Conference Cancellation, Fundraising Event Blackout, Political Unrest (\$5,000 per employee), Temporary Meeting Space Reimbursement, and \$1,500 Travel Delay Reimbursement

Crisis Management Enhancement Endorsement

- \$25,000 limit for crisis management emergency response expenses incurred because of an incident giving rise to a "crisis"

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FLEXI PLUS FIVE (NON-PROFIT D&O) - *continued*

Documents Required for Proposal

- Completed, signed, and dated Flexi Plus Five (Non-Profit D&O) Supplemental application
- Latest annual audited financial statement or 990 tax form
- Supplemental claim form, if applicable
- Form 5500 (if Fiduciary Liability coverage is requested)

Service

- Clients are serviced by both our Home Office staff as well as our Regional Offices located throughout the country

Carrier

- These coverages are underwritten by Philadelphia Insurance Companies, rated A++ (Superior) by AM Best; Nationally recognized as a member of Ward's Top 50; Forbes Magazine has recognized PHLY as one of the 400 Best Big Companies in America

Payment Terms

- Installments available for accounts that generate at least \$2,000 in premium

For more information about our products and services, please visit us at [PHLY.com](https://www.phly.com)

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