



Management Liability

Management Liability for Private Companies and Not-for-Profit Organizations

A Better Way to Meet Your Clients' Needs

Your customers face stresses that include new and increasingly complex Management Liability exposures. CNA simplifies the insurance process and minimizes coverage gaps. With compartmentalized coverage options that work together and don't overlap, CNA's Epack 3 form gives you the flexibility to design the right coverage mix for your clients' Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability, Crime, and Kidnap, Ransom & Extortion exposures.

A Broad Appetite

CNA insures financially sound, privately held domestic corporations and not-for-profit organizations of all sizes, including small businesses through CNA Central.

Core Private Classes	<ul style="list-style-type: none"> • Agriculture, Forestry and Fisheries • Construction • Manufacturing • Technology • Wholesale Trade
Focus Private Classes	<ul style="list-style-type: none"> • Architects & Engineers • Communications • Healthcare • Hospitality • Insurance Agents & Brokers • Legal • Mineral Industries • Miscellaneous Services • Professional Services • Real Estate • Retail Trade • Transportation • Utilities
Prohibited Private Classes	<ul style="list-style-type: none"> • For-Profit Hospice and Home Healthcare • For-Profit Hospitals • Native American Companies

Core Not-for-Profit Classes	<ul style="list-style-type: none"> • Chambers of Commerce • Charitable Organizations • Civic Leagues • Foundations • Historical Societies • Literary Organizations • Membership Groups • Museums • Social Clubs • Trade Associations
Focus Not-for-Profit Classes	<ul style="list-style-type: none"> • Golf and Country Clubs • Healthcare • Performing Arts • Professional Organizations • Recreational Clubs • Social Welfare Organizations
Prohibited Not-for-Profit Classes	<ul style="list-style-type: none"> • Churches • Government Entities • Schools

Epac 3 Key Coverage Highlights

Limits available up to \$10 million on a standalone or shared limit basis.

General Terms and Conditions

- Ability to offer shared or separate coverage part limits
- Pre-claim expense coverage
- Non-rescindable policy
- No “hammer” clause
- Customer-friendly reporting and notice provisions with prejudiced standard for late notice consideration
- Settlement/Consent clause does not require insurer consent if settlement is within the retention

Directors and Officers and Entity Liability Coverage

- Embedded limit options available for Side-A coverage for executives
- Shareholder Derivative Demand & Books and Records sublimit
- Broad definition of Insured Person, including directors, officers, employees, volunteers, advisory board members, shadow/de facto directors, members of management committees, trustee, governors, in-house general counsel, risk manager, and foreign equivalent roles
- Broad definition of Claim, including Inquiry coverage
- Streamlined insured vs. insured

Not-For-Profit Directors and Officers and Entity Liability Coverage

- Embedded limit options available for Side-A coverage for executives
- Excess benefit Transaction Taxes sublimit
- Crisis Event Expenses extension
- Coverage for volunteers
- Broad definition of Insured Person
- Broad definition of Claim

Employment Practices and Third Party Liability Coverage

- Includes diversity sensitivity training costs
- Coverage for a broad range of wrongful employment practices, including whistleblower activity, bullying and invasion of privacy
- Settlement retention credits
- Broad definition of Loss

Focused Support from a Management Liability Leader

- Dedicated CNA claim professionals understand the complexities of management liability claims, and the importance of addressing claims in a fair and efficient manner
- Written through CNA, a long-term provider of management liability solutions – rated A from A.M. Best and A+ from Standard & Poor’s

Fiduciary Liability Coverage

- Covered Penalties Section added addressing 502(c), Pension Protection Act, Section 4975 and Patient Protection and Affordable Care Act
- Voluntary Compliance Costs coverage for voluntary compliance resolution programs administered by the U.S. Internal Revenue Service, the U.S. Department of Labor, or any such equivalent foreign administrative or regulatory agency
- Expanded definition of Claim incorporating extradition, pre-claim investigation, internal appeal and fact-finding investigations
- Broad definition of wrongful act, including breach of fiduciary duties, errors or omission in administration, errors or omission in an insured’s settlor capacity and addresses exposures presented in connection with purchase of insurance through a healthcare exchange

Crime Coverage

- Comprehensive proprietary form written on a loss-discovered basis with tailored insuring agreements
- Policy language ensures ERISA bonding requirements are met
- Dedicated coverage agreement to address social engineering fraud exposures
- Streamlined definition of employee addressing former employees for 90 days post-employment, former employees retained as consultants, independent contractors, students, volunteers and interns
- Options for computer restoration, record recovery costs, legal expense and proof-of-loss costs extensions

Kidnap, Ransom & Extortion Coverage

- Coverage for Kidnap and Extortion for Ransom, Detention, Hijack and Political Threat
- Insured includes employees, guests and relatives
- Coverage extensions available for business interruption, threat response, disappearance, travel evacuation and repatriation expenses
- Unlimited expense coverage for crisis response firm

For more information, please contact your local underwriter or visit [cna.com](https://www.cna.com).