

EMPLOYMENT PRACTICES LIABILITY APPLICATION

I. INSTRUCTIONS

1. Completion of this application neither binds coverage nor guarantees that a quote or policy will be issued.
2. Requested coverage is not automatically provided. Read your quote carefully. The policy, if issued, will determine actual coverage.
3. All questions must be answered. If a question does not apply, write "N/A." If more space is needed, continue a separate sheet, and indicate the question number.
4. Some questions require supporting documentation. Provide all requested documentation with the fully completed application, signed and dated by the owner, partner, or legal officer.

II. APPLICANT INFORMATION

1. Primary applicant's full legal name that is to be listed as first Named Insured: _____

2. Are there any other entities or DBAs requesting to be named? Yes No

a. If yes, list and include relationship details with the first Named Insured: _____

b. Do all entities have common ownership with the first Named Insured in whole or majority? If yes, ownership percentage for each related entity: Yes No

Subsidiary Name	Nature of Business	*Percentage Owned by First Named Insured Entity	Date Created or Acquired	Domestic or Foreign	Non-Profit
		%			<input type="checkbox"/> Yes <input type="checkbox"/> No
		%			<input type="checkbox"/> Yes <input type="checkbox"/> No
		%			<input type="checkbox"/> Yes <input type="checkbox"/> No

*If a **Subsidiary** is less than 100 percent owned, provide details of all other owners, by attachment.

3. Please list any names of other entities that you own or manage or that you do business under (such entities are not requesting coverage under this policy): _____

4. Years in operation under current ownership/management: _____
5. Mailing Address: _____
 City: _____ State: _____ Zip: _____
6. Primary/Premise Address: _____
 City: _____ State: _____ Zip: _____
(If you have multiple premise locations, please attach a complete address list.)
7. Name and title for best contact: _____
 a. Phone Number: _____
 b. Email Address: _____
8. Website: _____
9. Do you currently have Employment Practices Liability Insurance for your operations? Yes No
 a. If yes and your policy is with Richmond National, what is the policy number? _____
(if your policy is with Richmond National, skip b. through f. below)
 b. What is the policy expiry date? _____
 c. If your current policy is on a Claims Made form, what is the Retroactive Date? _____
Please attach a copy of your current policy Declarations Page for Date and Limits confirmation if you want to retain this Retroactive Date.
 d. Who is the current insurance carrier? _____
 e. Are they offering renewal? Yes No
 f. Expiring premium: _____
10. Name of your Insurance Agent/Agency: _____
11. Name of your Insurance Broker/Brokerage: _____
12. Has the Applicant been involved with, negotiated, attempted or transacted any merger, acquisition, asset sale or divestment in the past eighteen (18) months where such merger, acquisition, asset sale or divestment involved more than twenty five percent (25%) of the total assets or securities of the Applicant? Yes No
13. Does the Applicant contemplate transacting any merger, acquisition, asset sale or divestment in the next twelve (12) months where such merger, acquisition, asset sale or divestment would involve more than fifty percent (50%) of the total assets or securities of the Applicant? Yes No
14. Does any entity own your business or does your business own or control any other entity? Yes No
 If you answered Yes to questions 12-14, please provide details and use a separate page, if needed.

15. Please list any associations of which you are a member: _____

III. EMPLOYEES (include Subsidiary or additional entity employee information on a separate page)

1. Please describe the applicant's nature of operations or business (type of products or services provided):

2. Number of Employees, Independent Contractors, and Volunteers:

Full Time _____

Part Time _____

Leased _____

Temporary/Seasonal _____

Independent Contractors _____

Volunteers _____

Total number of employees **located outside the U.S** (please include the country/territory): _____

3. If you have multiple locations, please list employees by state:

	State:	State:	State:	State:	State:
Full Time					
Part Time					
Leased					
Temporary/Seasonal					
Independent Contractors					
Volunteers					

4. Salary Ranges: Number of employees by total head count above (including bonuses, dividends, and commissions for all mentioned above)

\$50,000 or less: _____

\$50,001 to \$100,000: _____

\$100,001 to \$250,000: _____

\$250,000 and over: _____

5. What's the average annual percentage of employee turnover?

<5%

5%-15%

- 16%-30%
- >30%

6. How many employees are covered by collective bargaining or other union agreements? _____
7. In the past 12 months, how many **officers** have left your employment? _____
Of the above, how many were involuntarily terminated? _____
8. In the past 12 months, how many **other employees** have left your employment? _____
Of the above, how many were involuntarily terminated? _____

IV. FINANCIAL INFORMATION (include financial statements & details to YES answers separately)

1. Please provide the following financial information of the Applicant for the most recent fiscal year-end.

Total Assets: \$ _____

Total Liabilities: \$ _____

Gross Revenue: \$ _____

Cash Flow: \$ _____

Net Income: \$ _____

If answered "Yes" for questions 2-8, please provide details on a separate page.

2. Do your current liabilities exceed current assets? Yes No
3. Do long-term liabilities exceed seventy five percent (75%) of total assets? Yes No
4. Will more than fifty percent (50%) of the total long-term liabilities mature within the next eighteen (18) months? Yes No
5. Is the Applicant currently in default or anticipate in the next twelve (12) months to be in default of any debt covenants? Yes No
6. Does the Applicant anticipate in the next twelve (12) months or has the Applicant transacted in the last twenty four (24) months any restructuring or legal or financial reorganization or filing for corporate bankruptcy? Yes No
7. Does any person or entity who owns or controls fifty percent (50%) or more of the outstanding securities of the Applicant anticipate in the next twelve (12) months filing for or has any such person or entity within in the last twenty four (24) months filed for personal or corporate bankruptcy? Yes No

8. Does the Applicant have any actual or potential earn-out or other contingent payment obligation in the next twenty four (24) months to any person or entity where such payment obligation exceeds \$500,000? Yes No

V. EMPLOYMENT PRACTICES & MERGERS AND AQUISITIONS

1. In the past twelve (12) months, has your total number of employees decreased by more than ten percent (10) or five (5) employees, whichever is greater, through any reduction in force, systematic lay-off, closure of any division, office or facility that you own or operate or for any other reason? (If Yes, please complete the Reduction In Force supplemental application.) Yes No
2. In the next twelve (12) months, do you anticipate the total number of your employees to decrease by more than ten percent (10%) or five (5) employees, whichever is greater, through any reduction in force, systematic lay-off, closure of any division, office or facility that you own or operate or for any other reason? (If Yes, please complete the Reduction In Force supplemental application.) Yes No
3. If during the next 12 months, circumstances of which are you currently unaware make it necessary for you to decrease the number of your employees by ten percent (10%) or five (5) employees, whichever is great, through the implementation of any reduction in force, systematic layoff, closure of any division, office or facility that you own or operate or for any other reason (with any such reduction, lay-off or closure not known, anticipated or planned by you as of the date of this Application), do you agree that you will consult with, and adopt the advice of, a lawyer who specializes in labor and employment law (may include in-house counsel, but only if that counsel is qualified and experienced in the practice of labor and employment law) as respects the implementation of such reduction, lay-off or closure? (If No, please explain on a separate sheet.) Yes No
4. Does the Applicant anticipate any merger, acquisition, or addition of any operations that would comprise a twenty-five percent (25%) or ten (10) employees, whichever is greater, increase over the current number of employees? (If Yes, please provide full details on a separate sheet.) Yes No
5. Has any insurer ever cancelled or non-renewed the Applicant or its predecessor for this type of coverage? (If Yes, please provide details on a separate sheet.) Yes No

VI. HUMAN RESOURCES

1. Have all management staff and officers attended training and education programs on sexual harassment within the last eighteen (18) months? Yes No
If Yes, who has attended? _____
If Yes, who conducts the sessions? _____
2. Do you have written employment agreements with all the officers? Yes No
3. Do you have your labor relations or employment counsel review the employment policies/procedures at least annually? Yes No
If Yes, identify the firm and date of last review: _____
4. Do you have a separate Human Resources Department? Yes No

If Yes, how many employees are in this department? _____ Is it centralized? Yes No
If No, who handles this function? _____

5. Does the Applicant publish and distribute an employee handbook? Yes No
- a. If Yes, does the Applicant distribute it to all employees? Yes No
- b. If Yes, do all employees sign up for its receipt? Yes No
- c. If Yes, does it expressly state that it is not a contract and that employment is "at will"? Yes No

6. Does an employment attorney review the Employee handbook? Yes No
If Yes, when was the Employee handbook last reviewed by an employment attorney and what was the name of the firm or attorney? _____

7. Are there written procedures for handling employee complaints of discrimination or sexual harassment? Yes No

8. Do you have written procedures for handling employee grievances or complaints? Yes No

9. Do you have a parental leave policy in place? Yes No

10. Do you provide Mother/Lactation room and/or allocated time for Mothers? Yes No

11. Who does the Applicant require all terminations to be reviewed by:

The person in charge of human resources? Yes No

Outside counsel? Yes No

Other: _____ Yes No

12. Does the Applicant maintain a personnel file for each employee? Yes No

13. Have you had in place for the past three years or since formation, whichever is the shorter time period, written procedures and guidelines to classify the status of each employee as Non-Exempt or Exempt under the rules and regulations of the Fair Labor Standards Act of 1938, as amended? Yes No

14. What percentage of the applicant's employee base is: Exempt _____% Non-Exempt _____

VII. THIRD PARTY INFORMATION (Non-employee contact such as customers, clients, vendors, etc.)

1. Please describe the frequency and nature of third-party contact. _____

2. Estimated number of employees with third-party contact. _____

3. Have you or you predecessors ever received a formal or informal complaint from a non-employee, such as a customer, client, or prospective customer or client complaining about discrimination or harassment by the Applicant or any employee of the Applicant? Yes No

If Yes, please provide details here or on a separate page. _____

4. Does the Applicant conduct or offer training and education for their employees on third-party relations issues such as avoiding discriminatory behavior? Yes No
5. Does the applicant have policies and procedures for reporting and dealing with complaints by third parties? Yes No
6. Is the Applicant in compliance with Title III of the Americans with Disabilities Act (building and premises requirements)? Yes No

VIII. PRIOR KNOWLEDGE & OTHER MATERIAL INFORMATION

1. Does the Applicant or any individual or entity proposed for coverage have any knowledge of or information about any fact, circumstance, situation, transaction, event, act, error, omission, misstatement, misleading statement, neglect, breach of duty or other matter which could reasonably be foreseen to give rise to a claim that may fall within the scope of the proposed insurance? Yes No
2. After inquiry with each person as appropriate, in the last five (5) years, does anyone have any other Material Facts to disclose? (If Yes, please provide such Material Facts on a separate sheet.) Yes No

A Material Fact is something that is likely to influence assessment of this risk, the premium we charge, or the terms and conditions we offer. If there is any doubt as to whether a fact would be considered material, you should disclose it. All the information requested in this application is material.

IX. INSURANCE AND LOSS HISTORY

1. Please provide your **organization's** recent Employment Practices Liability Insurance history below (include coverage is or was a part of a D&O or other insurance policy)

	Insurance Carrier	Limits Per Claim/Aggregate	Deductible	Policy Period (Month/Day/Year)	Annual Premium
Current Year					
Prior Year 1					
Prior Year 2					
Prior Year 3					
Prior Year 4					

2. Are you being canceled or non-renewed by your current employment practices liability carrier? Yes No

If Yes, please explain in detail why: _____

3. During the last 5 years, has any **Insured**, including any **Subsidiary**, received any written demands for monetary or non-monetary relief, been involved in, or had any knowledge of any civil or criminal action, administrative proceeding or arbitration, regulatory proceeding or investigation, including both domestic or foreign equivalents, involving:

- (a) any current or former employee or third-party alleging discrimination, harassment, wrongful discharge and/or any wrongful employment act? Yes No
- (b) the Equal Employment Opportunity Commission or any similar state or local agency? Yes No
- (c) the National Labor Relations Board? Yes No
- (d) actual or alleged violations of any wage and hour law, including but not limited to, the Fair Labor Standards Act? Yes No
- (e) the U.S. Immigration and Customs Enforcement Agency? Yes No
- (f) the Department of Justice, U.S. Department of Labor, Pension Benefit Guarantee Corporation, Securities and Exchange Commission, Internal Revenue Service or any similar state or local agency? Yes No
- (g) any intellectual property disputes, including Copyright, Patent, or Trademark Laws? Yes No
- (h) any security law or regulation, anti-trust or fair trade law, the Foreign Corrupt Practices Act or Office of Federal Contract Compliance Programs? Yes No

If "Yes" to any of the above how many? _____ Please complete a separate Supplemental Claim Application for each claim or suit and include a currently valued loss run for each claim.

4. After inquiry with each person as appropriate, in the last five (5) years, has any wrongful termination, discrimination, sexual harassment or any other wrongful employment practices liability claim or suit, including third party claims, ever been made against the applicant or any predecessor firm or any current or former member of the Firm or predecessor firm? Yes No

If "Yes," how many? _____ Please complete a separate Supplemental Claim Application for each claim or suit and include a currently valued loss run for each claim.

5. After inquiry with each person as appropriate, do you, or any of your partners, officers, directors, or employees know of any circumstances, acts, errors, omissions, or any allegations or contentions of any incident that could result in an unemployment related claim, including third party claims? Yes No

If "Yes," how many? _____ Please complete a separate Supplemental Claim Application for each claim or suit and include a currently valued loss run for each claim.

6. During the last 5 years has any **Insured**, including any **Subsidiary**, been involved in any lawsuit not disclosed above? Yes No

If "Yes," how many? _____ Please complete a separate Supplemental Claim Application for each claim or suit and include a currently valued loss run for each claim.

X. ACKNOWLEDGEMENTS AND SIGNATURE

FRAUD WARNING

General Fraud Warning: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

For applicants in the following states, districts, and territories, the below notice supercedes the previous paragraph:

Alabama	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or who knowingly presents false information in an application for insurance is guilty of a crime and may be subject to restitution, fines, or confinement in prison, or any combination thereof.
Alaska	A person who knowingly and with intent to injure, defraud, or deceive an insurance company files a claim containing false, incomplete, or misleading information may be prosecuted under state law.
Arizona	For your protection Arizona law requires the following statement to appear on this form: Any person who knowingly presents a false or fraudulent claim for payment of a loss is subject to criminal and civil penalties.
Arkansas	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
California	For your protection, California law requires the following to appear on this form: Any person who knowingly presents false or fraudulent information to obtain or amend insurance coverage or to make a claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.
Colorado	It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable for insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.
Delaware	Any person who knowingly, and with intent to injure, defraud or deceive any insurer, files a statement of claim containing any false, incomplete or misleading information is guilty of a felony.
District of Columbia:	WARNING: It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.
Florida	Any person who knowingly and with intent to injure, defraud, or deceive any insurer files a statement of claim containing any false, incomplete, or misleading information is guilty of a felony of the third degree.
Idaho	Any person who knowingly, and with intent to defraud or deceive any insurance company, files a statement containing any false, incomplete, or misleading information is guilty of a felony.
Indiana	A person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.
Kentucky	Any person who knowingly and with intent to defraud any insurance company or other person files a statement of claim containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime.

Louisiana	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
Maine	It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.
Maryland	Any person who knowingly or willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly or willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
Minnesota	A person who files a claim with intent to defraud, or helps commit a fraud against an insurer, is guilty of a crime.
New Hampshire	Any person who, with a purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.
New Jersey	Claim: Any person who knowingly files a statement of claim containing any false or misleading information is subject to criminal and civil penalties. Application: Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.
New Mexico	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.
New York	Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.
Ohio	Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.
Oklahoma	WARNING: Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.
Pennsylvania	Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.
Rhode Island	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
Tennessee	It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.
Virginia	It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.
Washington	It is a crime to knowingly provide false, incomplete, or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines, and denial of insurance benefits.
West Virginia	Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.

Applicant:

RNMLAPP 001 0924

By signing below, I declare that to the best of my knowledge all answers provided herein and any attached or appended documents are true, that no material facts have been withheld or misstated, and that my answers are based on a reasonable inquiry or investigation.

I understand that I have a continuing obligation to notify Richmond National of any material changes in the answers to the questions on this application which may arise prior to the effective date of any policy issued pursuant to this application, and I understand that any outstanding quotations may be modified or withdrawn based upon such changes at Richmond National's sole discretion. I understand that all written statements and materials furnished to Richmond National in conjunction with this application are hereby incorporated by reference into this application and made a part of this application.

I understand that completion of this form does not bind coverage, and that I will need to accept Richmond National's quotation prior to binding coverage and policy issuance.

Applicant Signature: _____

Applicant Written Name and Title: _____

Date: _____

Agent/Broker:

1. If coverage is currently in place, does your office currently control this risk? Yes No
2. If this application is completed on behalf of an insured, are you personally familiar with the applicant's operations? Yes No
(Application will need to be verified and signed by the applicant prior to binding if a quote is offered.)

Agent or Broker Signature: _____

Agent or Broker Written Name and Agency/Brokerage: _____

Date: _____