

# Executive Risks North America

## Private and Non-Profit D&O

Swiss Re Corporate Solutions offers SwissGuard®, a multi-coverage management liability policy to address certain exposures faced by non-profit and private companies. Our policy, offered nationally in the US, provides coverage and protection, elite claims handling capabilities and is backed by the financial strength of the Swiss Re Group. Considering risks in all states, SwissGuard® provides tailored primary and excess coverage to insureds.

We are able to consider industry segments, such as:

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Manufacturing

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Agriculture

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Foundations

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Social Clubs, Social Services

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Retail, Hospitality

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Trade Associations

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Technical Services

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Education

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Transportation

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Real Estate

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Healthcare, Professional Services

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Media, Publishing, Entertainment

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Construction, Utilities

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Financial Institutions (EPL/Fid only)

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## Policy Provisions

### General Terms and Condition Section

Enhanced Defense and Settlement Clause  
– [Clause VII. Defense and Settlement](#)

100% Defense Allocation  
– [Clause V. Allocation](#)

Enhanced Definition of Organization  
– [Clause II. Q. Definition of Organization](#)

Full Severability of the Application  
– [Clause IX. B. Severability](#)

Policy fully non-rescindable  
– [Clause IX. C. Non-Rescindable Coverages](#)

### Directors and Officers Liability Section

Additional Limit for Insured Persons  
– [Clause I., Insuring Agreement E.](#)

Dedicated Limit for Derivative Demands Investigative Costs  
– [Clause I., Insuring Agreement F. \(Private Policy\)](#)

Guaranteed quotation for Public Company exposures  
– [Clause II. Public Company Coverage Quote](#)

Full Severability of the Conduct Exclusions  
– [Clause IV. Exclusion 6.](#)

“For” wording in Contract Exclusion and Professional Services Exclusion  
– [Clause IV. 12. a. and d.](#)

### Employment Practices Liability Section

Employment Practices Loss Preventions Services and Risk Management Hotline provided by law firm of Jackson Lewis

Third-Party Liability Coverage  
– [Clause I. Insuring Agreement B.](#)

Independent Contractors included in definition of Insured Person  
– [Clause II. E. Insured Person](#)

### Fiduciary Liability Section

Enhanced Definition of Loss includes Covered Penalties  
– [Section II. C. Covered Penalties](#)

“For” wording in Contract Exclusion  
– [Clause III. Item 6](#)

## Benefits to Insureds

Consent to settle not required when Insured settles within the retention and no Hammer Clause

All defense costs are paid when the lawsuit involves a mix of covered and non-covered claims or parties

Includes Named Insured, its Subsidiaries as well as debtor in possession

Statements of one Insured Person in the application will not bar coverage for other Insured Persons

Insurer cannot rescind coverage for any Loss incurred by an Insured Person, which is not indemnified by the Insured

Separate limit for Insured Persons in addition to the D&O aggregate limit

Covers fees, costs and expenses incurred in response to a Derivative Demand brought by a shareholder

Company will offer a quote for public offering/sale of securities

Actions of Insured Person will not bar coverage for other Insured Persons

Tailored scope of exclusions to ensure the intent of the exclusions while avoiding expansive applicability

Access to Helpline services and experienced Employment Practices Attorneys who respond to questions within 24 hours

Coverage extension for claims brought by non-employees (customer, suppliers, business invitees)

Provides affirmative extension of coverage to Independent Contractors

Specified limits granted for various civil penalties and/or fees for inadvertent non-compliance

Tailored scope of exclusion to ensure the intent of the exclusion while avoiding expansive applicability

Service standards include policy issuance prior to inception

## Contact us to learn more:

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