



# CLAIM SCENARIOS

## NON-PROFIT EMPLOYMENT PRACTICE LIABILITY

### Racial Discrimination

An overnight supervisor at a residential facility for disabled adults was found sleeping on the job. After an immediate termination the claimant alleged racial discrimination even though the majority of the supervisors employed by the insured were the same race. The insured was found not liable but defense costs exceeded \$30,000.

### Whistleblower

The Vice President of Programs was terminated for performance reasons. She alleged she was terminated only after she questioned the allocation of monies from funding sources. She filed a whistleblower lawsuit against the organization and the Executive Director. Even though the allegations had little merit, the plaintiff began requesting documents from all funding sources and from the insured which seriously disrupted operations and damaged its reputation in the non-profit community. A long and costly period of litigation ensued.

### Pregnancy Discrimination

The plaintiff terminated her position with the insured because they reduced her hours when she returned from maternity leave. She alleged pregnancy discrimination and sought damages for lost wages for the 8 months it took her to find another job. A settlement was reached of more than \$75,000.

### Disability Claim

An insured received an Americans with Disabilities Act claim involving a patron who alleged the insured's facility could not accommodate his wheelchair. A defense was provided in the amount of \$25,000.

### Injunctive Relief

A resident of a residential housing complex brought suit against a social service organization for distributing food to the homeless as part of a meal program in the lobby of a building. The claim alleged loss of use and enjoyment of the common areas of the property and he sought an injunction to stop the food distribution. This is an example of a non-monetary claim with defense costs.

### Sexual Harassment

A non-profit fundraising arm of a social service/mental health agency had a stated policy to hire employees from its pool of successful client program graduates. One of these employee applicants alleged she was sexually harassed during a job interview. Settlement was over \$55,000.

### Age Discrimination

A group of country club members filed an age discrimination lawsuit against a tennis pro for not scheduling tennis lessons around court times offered by the club. Indemnity and defense cost breached \$80,000.

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