



**Camargue**  
Specialised Liability Management

**FIDUCIARY  
LIABILITY**

# WE HAVE A HUNGER OF THE MIND WHICH ASKS FOR KNOWLEDGE

## COVERAGE

### INSURANCE PROTECTION FOR EMPLOYERS COVERING:

- Legal fees
- Damages
- Awards
- Settlements

### FOLLOWING AN ALLEGATION OF:

- Unfair dismissal
- Sexual harassment
- Discrimination
- Failure to employ

### BROUGHT ABOUT AT:

- The CCMA
- Bargaining Council
- Labour Court
- Arbitration Proceeding

Employment Practices Liability (EPL) Insurance is a relatively new form of liability insurance. It provides protection for an employer against allegations made by current employees, former employees, or job applicants. It covers discrimination (age, sex, race, disability, etc.), wrongful termination of employment, sexual harassment, and other employment-related allegations. It covers the company, including its Directors and Officers.

Employers who have EPL cover under Directors' and Officers' Liability Insurance (D&O) policies should be warned that D&O policies generally cover directors and not the company. Virtually all labour cases are brought against the company. EPL cover under a D&O policy may also be more restrictive.

## THE POWER OF KNOWLEDGE

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Underwritten by certain underwriters at Lloyds, Compass Insurance Company Limited and Bryte Insurance Company Limited

# REDEFINING THE BOUNDARIES OF RISK MANAGEMENT, NOW AND INTO THE FUTURE

## THE NEED:

In today's increasingly litigious business environment, employing staff is inherent with legal exposures and employers need cover against allegations of unfair labour practices. According to the Labour Relations Act, employers can be taken to the CCMA, Bargaining Council or Labour Court for various labour practices. Frighteningly, courts may award as much as 24 months' salary to the aggrieved employee.

Profit companies (public and private) and non-profit companies are therefore all at risk of being sued by current, past and potential employees, and even the most efficient HR departments may fall victim to inconsistent decision making at the dispute resolution forums. Defending a wrongful termination or discrimination claim - whether innocent or guilty, or even if the claim is groundless or frivolous - can be expensive. The potential exposure for a money damages award threatens a company's financial resources and its reputation can also be called into question. The reality is: any company that has employees needs cover.

## THE SOLUTION

**In response to** the escalation in employment-related litigation and the inherent financial risk to businesses, Camargue's EPL provides comprehensive coverage for employment-related claims. Camargue's approach to EPL is not only to provide an insurance safety net against labour disputes, but also to provide clients with tools that can both simplify the labour arena, as well as minimise the risks that South African employers face.

Statistically the risk of CCMA action is twice as high as the possibility of a road accident and the EPL premium is substantially less than that of a motor fleet policy. A business owner needs to be protected from meritless claims brought by disgruntled employees and EPL coverage can serve as a last line of defence.

## VALUE-ADDED SERVICES

**Camargue's unique M<sup>3</sup> approach** to insurance is geared towards managing, mitigating and migrating critical business risks - an outcome achieved through the provision of value-added risk benefits to policyholders. Notwithstanding the coverage provided in terms of the policy, the additional risk management benefits further enhance the Camargue product offering and go way beyond

simple insurance. The overall result is a well-rounded and complete solution to the risks faced by businesses.

## RISK MANAGEMENT SERVICES INCLUDED IN THE POLICY COVER:

- All policyholders become members of an employer's organisation, facilitating rights to representation at the CCMA
- TOKISO Dispute Settlement's 250 professional arbitrators can resolve disputes within 2 months
- Policyholders receive up to date information from professionals
- 200 labour law professionals on hand to represent the policyholder

Please refer to the Risk Management Brochure for more information



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