



**CLAIMS MADE COVERS
EMPLOYMENT PRACTICES LIABILITY INSURANCE**

What is a circumstance?

A 'circumstance' is a fact, situation or circumstance that the Insured knows about and which the Insured ought to reasonably realise may give rise to a claim in the future.

How to recognise a circumstance?

Circumstances can at times be obscure, so we have split them into two categories: obvious and less obvious types.

Whilst this list is extensive, it is NOT intended to be a comprehensive listing of all possible types of circumstances. It is generally a matter for the courts to interpret whether a fact, situation or circumstance is a 'fact which might give rise to a claim' or not.

The following examples should only be used as a guide.

OBVIOUS TYPES	LESS OBVIOUS TYPES
<ul style="list-style-type: none"> ● Complaint by employee about the actions of a co-worker 	<ul style="list-style-type: none"> ● Need to discipline an employee for an employment practices related incident eg harassment, discrimination.
<ul style="list-style-type: none"> ● Letter of demand from an employee or employee's solicitor or employee union foreshadowing future litigation. 	<ul style="list-style-type: none"> ● Insured hears via another source of an employee's allegation of sexual harassment, discrimination or unfair dismissal by the Insured or an employee of the Insured.