

# OLD REPUBLIC INSURANCE COMPANY

## WAGE AND HOUR DEFENSE COST ENDORSEMENT

This endorsement modifies insurance provided under the following:

NON-PROFIT ORGANIZATION AND MANAGEMENT LIABILITY INSURANCE POLICY - (DUTY TO DEFEND)

It is understood and agreed that:

1. **SECTION IV, EXCLUSIONS, B. 3.** shall not apply to **Defense Costs** allocated to that portion of a covered **Claim** alleging violation of any **Wage and Hour Law**, provided the **Insurer's** maximum liability for all such **Defense Costs** shall be [\$ \_\_\_\_\_ ], which is part of and not in addition to the Limit of Liability otherwise applicable to this Policy.
2. This Endorsement shall not apply to, and the **Insurer** shall not be liable for, any **Defense Costs** otherwise described in paragraph 1. above which are attributable to any violation of any **Wage and Hour Law** if any:
  - a. **Insured Person** within the HR or Risk Management department;
  - b. **Insured Person** with personnel or risk management responsibilities; or
  - c. **Executive Officer**,had actual knowledge of such violation prior to inception of the **Policy Period**.
3. Notwithstanding anything in this Policy to the contrary, any **Claim** which is covered solely by reason of this Endorsement shall be defended by the **Insureds**, not the **Insurer**. The **Insureds** and the **Insurer** shall allocate the defense costs in any such **Claim** between **Defense Costs** attributable to defense of the **Wage and Hour Law** violation and all other **Defense Costs** based on the relative legal exposure of the **Insureds** to the **Wage and Hour Law** violation and all other allegations in the **Claim**.
4. For purposes of this Endorsement, "**Wage and Hour Law**" means any federal, state, or local law or regulation governing or related to the payment of wages, including the payment of overtime, on-call time or minimum wages, or the classification of **Insured Persons** for the purpose of determining eligibility for compensation under such law(s).

### ALL OTHER TERMS AND CONDITIONS OF THIS POLICY REMAIN UNCHANGED.

This endorsement is a part of the Policy and takes effect at the inception of the Policy, unless another effective date is shown below.

Endorsement No.	Policy No.	Issued To	Effective Date Of This Endorsement