

WAGE & HOUR (W&H)

W&H litigation continues to rise across most types of business in the US. These claims can be very expensive, not only in defense costs but also in settlement.

Unsurprisingly, industries with a large number of service jobs cause the majority of cases and losses, but it is not just the hospitality and retail focused industries which are affected. Moreover, W&H practice violations can occur in all States.

An adverse judgment in a class action W&H claim has the potential to bankrupt a business and adverse publicity can have a negative impact on its market share. Likewise, the on-going defense of a class action can drain corporate resources long before the case even reaches a decision point, so protecting your client where possible is imperative.

Tysers have partnered with the Bermuda markets who have the experience and knowledge to ensure longevity in this tough space. Tysers have continued to grow with the Bermuda markets who have a broad appetite and currently have approximately \$250m in standalone Wage & Hour capacity available. Minimum retentions start at \$500k but are more commonly \$1m +; and minimum premium can come under \$50k but more commonly starts at \$100k.

Typical Wage & Hour Exposures

- Failure to pay minimum wage
- Donning and doffing
- Failure to provide meal and rest breaks
- Misclassification of employees
- Off-the-clock working
- Tip pooling
- Failure to pay overtime
- Processing errors



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