28. COMMERCIAL CRIME COVERAGE FORM AND COMMERCIAL CRIME POLICY – ERISA PLAN OFFICIAL DISHONESTY INSURING AGREEMENT

A. ERISA Plan Official Dishonesty Insuring Agreement

This insuring agreement covers loss of or damage to money, securities and other property belonging to an ERISA employee benefit plan resulting directly from fraud or dishonesty committed by:

**1.** An ERISA plan official, whether identified or not; or

**2.** You, but only if you are a sole proprietor;

acting alone or in collusion with other persons.

B. Premium Development

1. Rating Data

**a.** Based on the predominant activity of the insured, determine the applicable Class Code. Refer to the Classification Table Section of this division.

**Note:** If the first named insured is the ERISA employee benefit plan, use the industry Class Code of the entity that is sponsoring the plan.

**b.** Using the Class Code, determine the company rate for the Employee Theft Insuring Agreement. Refer to Supplemental Table **#1(LC)** in the Multistate Loss Costs Section of this division.

**c.** Determine the number of ratable employees. Ratable employees consist of:

**(1)** All ERISA plan officials; and

**(2)** You, but only if you are a sole proprietor.

*The remainder of this rule has not been amended*

85. COMMERCIAL FIDELITY AND FORGERY POLICY – ERISA PLAN OFFICIAL DISHONESTY INSURING AGREEMENT

A. ERISA Plan Official Dishonesty Insuring Agreement

This insuring agreement covers loss of or damage to money, securities and other property belonging to an ERISA employee benefit plan resulting directly from fraud or dishonesty committed by:

**1.** An ERISA plan official, whether identified or not; or

**2.** You, but only if you are a sole proprietor;

acting alone or in collusion with other persons.

B. Premium Development

1. Rating Data

**a.** Based on the predominant activity of the insured, determine the applicable Class Code. Refer to the Classification Table Section of this division.

**Note:** If the first Named Insured is the ERISA employee benefit plan, use the industry Class Code of the entity that is sponsoring the plan.

**b.** Using the Class Code, determine the company rate for the Employee Theft Insuring Agreement. Refer to Supplemental Table **#1(LC)** in the Multistate Loss Costs Section of this division.

**c.** Determine the number of ratable employees. Ratable employees consist of:

**(1)** All ERISA plan officials; and

**(2)** You, but only if you are a sole proprietor.

*The remainder of this rule has not been amended*

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*The remainder of this rule has not been amended*