

Limitless Capabilities backed by Extraordinary People

# Becoming Savvy in a Difficult Insurance Market

## “WINNING THE INSURANCE GAME”



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# The playbook for today...

- What happened to the insurance industry? Why is it so challenging..
- What is the financial outlook of the FLC Insurance Market..
- What types of coverage should be considered..
- How a business can mitigate the risk through multiple entity structures and business strategies
- What types of risk transfer options are available
- How to choose a proper business partner for insurance

## WINNING THE INSURANCE GAME

### HOW HIGH PERFORMING FARM LABOR CONTRACTORS ARE FIGHTING BACK AGAINST RISING INSURANCE COSTS

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# Why is the insurance so challenging?

**Regulatory Environment:** Keeping up with these regulations and ensuring compliance can be daunting, especially for industries with specific licensing and operational requirements like farm labor contracting and agriculture in general.

**Market Cycles:** The insurance market is cyclical, often swinging between hard and soft market conditions.

**WE ARE IN AN EXTREMELY HARD MARKET WITH PROPERTY AND CASUALTY LINES**

**Risk Factors:** High-risk industries, such as agricultural services, face unique challenges due to the nature of their work. These sectors often deal with significant physical risks, safety concerns, and environmental hazards, which complicate underwriting and risk assessment processes.

**Claims Management:** Effective claims management is critical, especially in industries where the frequency and severity of claims can be high. Managing workers' compensation claims, for example, requires expertise in reducing experience modifications and implementing robust safety protocols. **GET YOUR CLAIMS MANAGEMENT PEOPLE TRAINED**

**Economic Factors:** Economic downturns or fluctuations can impact the insurance market by affecting the financial stability of both insurers and insured businesses. This can lead to changes in coverage limits, premium rates, and the availability of certain types of insurance.

**Technological Advancements:** The rise of fintech and insurtech solutions is transforming the insurance landscape, introducing new tools and platforms for risk management and policy administration. While these advancements offer opportunities for efficiency and innovation, they also require adaptation and continuous learning.

**Catastrophic Events:** Natural disasters, pandemics, and other catastrophic events can significantly impact the insurance market. These events lead to increased claims, reinsurance costs, and changes in risk perception, all of which contribute to market volatility.

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# Why is the market so challenging?

## United States Property and Casualty Underwriting Trends

### U.S. Property/Casualty – Product Line Underwriting Trends

Product Line <sup>1</sup>	NPW 2023		Combined Ratios						
	Share (%)	Growth (%)	2018	2019	2020	2021	2022	2023E	2024P
Private Passenger Auto	34.8	12.5	97.7	98.8	92.5	101.4	112.2	109.5	103.1
Homeowners & Farmowners Multi-peril	15.7	12.0	103.6	98.5	107.3	103.4	104.6	111.0	106.1
Other & Products Liability <sup>2</sup>	12.4	9.5	101.1	105.6	105.0	97.1	96.2	96.5	97.5
Commercial Auto	6.5	10.0	108.0	109.4	101.8	98.8	105.4	107.0	103.5
Commercial Multi-peril	6.4	15.0	106.5	105.1	109.8	106.2	105.5	107.0	104.5
Workers Compensation	6.0	3.0	87.0	88.3	91.1	92.2	87.8	90.5	91.5
<b>Total All Lines</b>	<b>100.0</b>	<b>11.4</b>	<b>99.6</b>	<b>99.2</b>	<b>98.8</b>	<b>100.0</b>	<b>103.1</b>	<b>103.7</b>	<b>100.7</b>

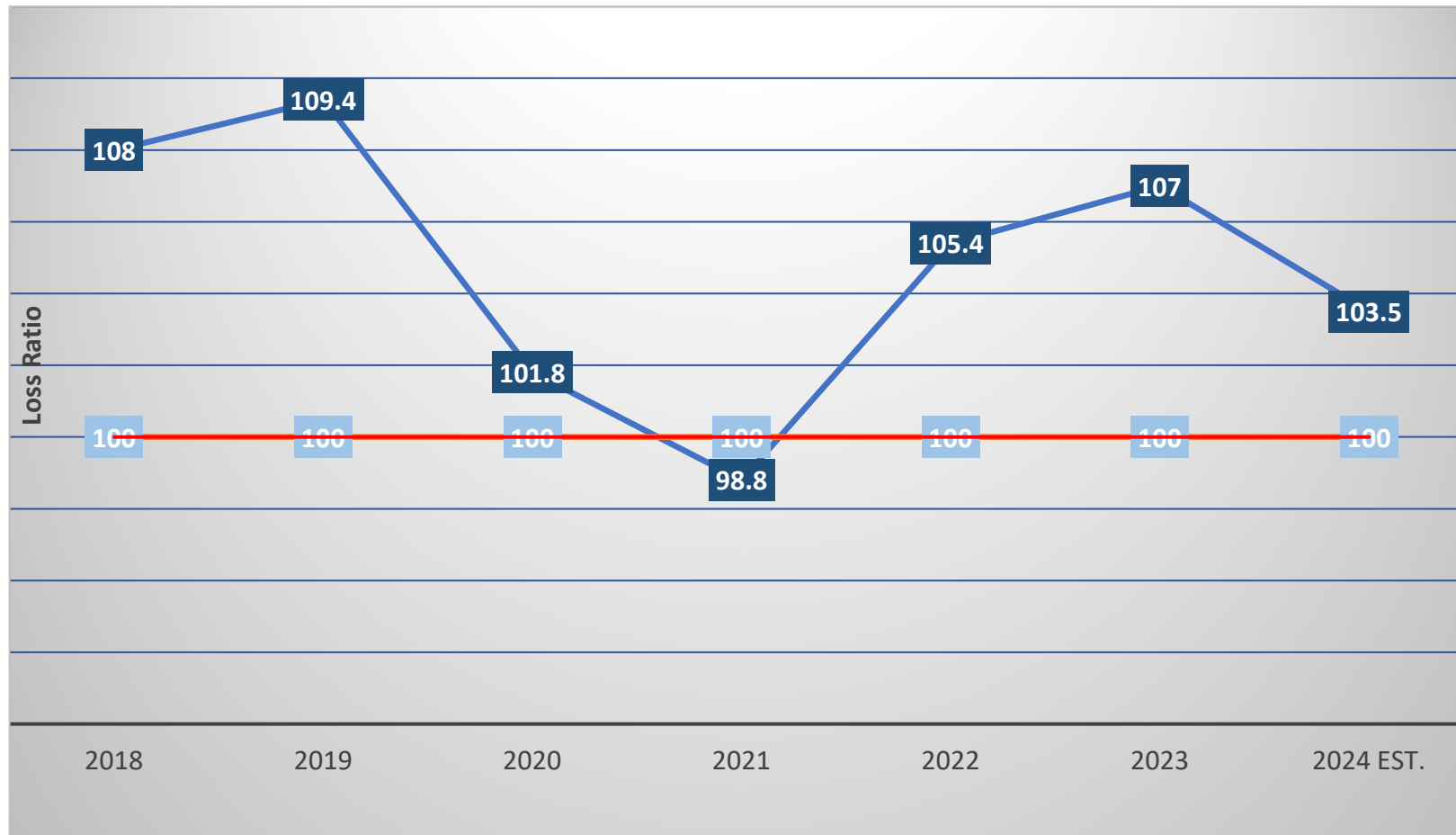
E=Estimated. P=Projected

Commercial Auto	6.5	10.0	108.0	109.4	101.8	98.8	105.4	107.0	103.5
Commercial Multi-peril	6.4	15.0	106.5	105.1	109.8	106.2	105.5	107.0	104.5

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# The Commercial Auto Market Combined Ratios



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# The Commercial Auto Excess Market

## Transportation – Sample Large Losses

Date of Loss	Loss Details	Location	Incurred Amount
2019	Head-on collision between tractor trailer and SUV killed 5	USA	\$280M
2019 <sup>1</sup>	Cyclist injured by vehicle driven by temp agency employee	USA	\$54M
2020	Pedestrian killed by trailer that disconnected from truck	USA	\$21M
2020 <sup>2</sup>	Motorcycle driver paralyzed after crashing into stopped tractor trailer in emergency lane	USA	\$412M
2021	College student killed as a result of two crashes caused by truck drivers' negligence	USA	\$1B
2021	Bus struck and killed teenager in crosswalk	USA	\$21.6M
2021	Multiple-vehicle crash caused by tractor-trailer, resulting in extensive injuries to plaintiff	USA	\$43M
2021	Airline employee suffered paralysis after being hit by truck	USA	\$352M
2022	Retaliation verdict against transportation company that fired employee complaining of discrimination	USA	\$366M
2022	Lawsuit against truck driver and employer for traumatic brain injury caused by roadway collision	USA	\$52.3M
2022	Boy separated from grandmother getting on a bus, let off the bus to cross the street and struck by vehicle	USA	\$18M
2022	A motorcyclist who suffered severe lower-body injuries from a collision with a truck	USA	\$25M

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# Why is the market so challenging?

## Commercial Auto Results

- Insurers have suffered adverse combined ratios on commercial auto in 6 of the past 7 years losing 5 billion in 2023
- The commercial auto underwriting results have been terrible for the FLC market
- Very few options for farm labor contractors and vineyard managers



### SPECIAL REPORT

#### Best's Market Segment Report: U.S. Commercial Auto Results in 2023 and the First Half of 2024 Continue to Deteriorate

Nov 13, 2024 08:00 AM (EST)

The U.S. commercial auto insurance segment incurred a net loss of \$5 billion in 2023, with results in the first half of 2024 showing further deterioration from the prior year period, according to a new AM Best report.

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# Why is the market so challenging?

🏠 · Reinsurance · Hard reinsurance market not going away – AM Best

## Hard reinsurance market not going away – AM Best

The current hard market is expected to persist for several years, with pricing and conditions unlikely to soften soon. The industry continues to navigate the challenges posed by increased catastrophe activity and changing financial conditions.



While these capital losses were seen as temporary, the need for higher underwriting income to compensate for increased risks led to a chaotic reinsurance market. A widening gap between the expectations of reinsurance sellers and buyers has resulted in a persistent hard market, expected to continue through at least 2025, AM Best reported.

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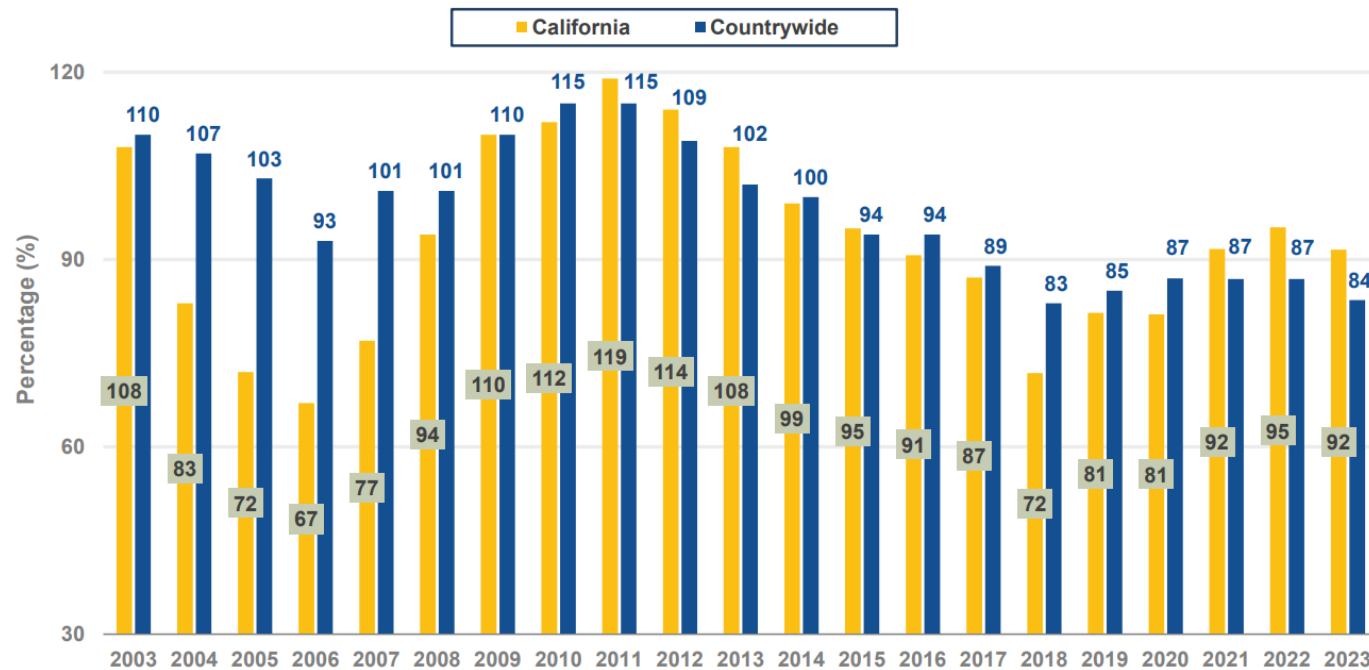


# Limitless Expertise

## Workers Compensation

### Private Insurer Reported Results

### Chart 51: Private Insurer Reported Combined Ratios



California private insurer reported combined ratios have been volatile over the long term.

The California reported combined ratio has generally been lower than countrywide in the past two decades but has been higher than countrywide for the most recent three calendar years.

[More Info and Source Data](#) →

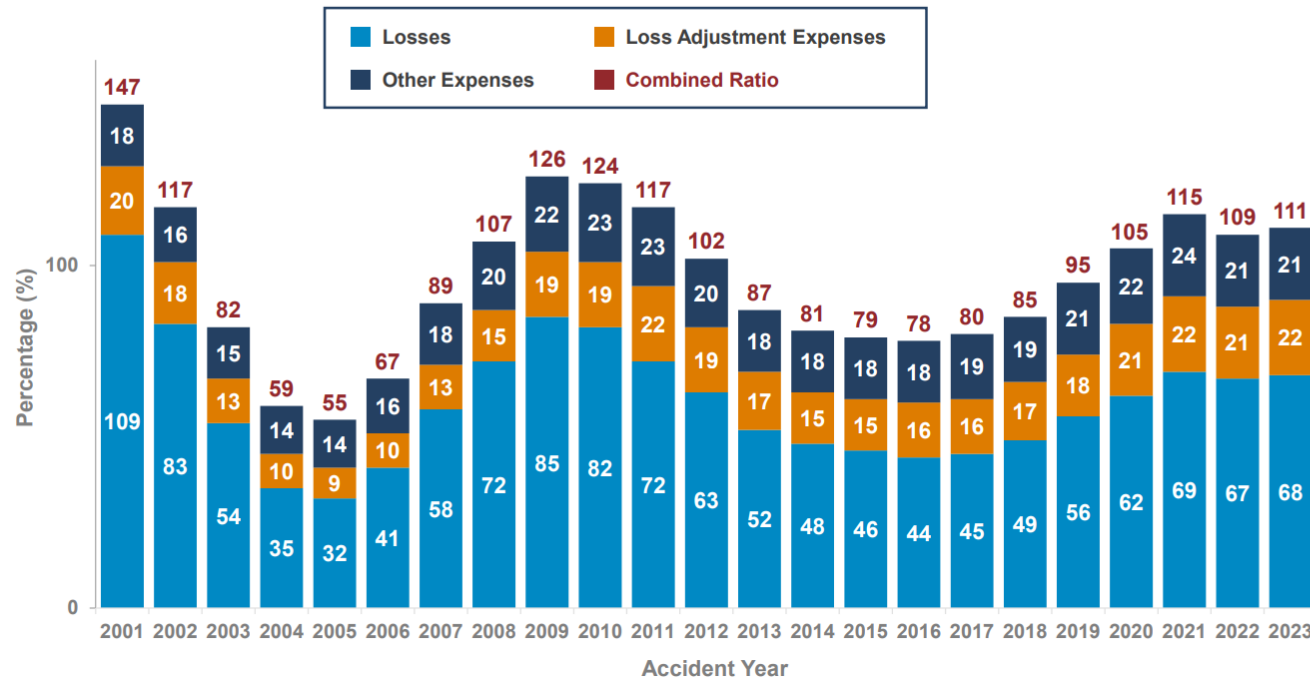
Source - 2024 WCIRB Report

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# Workers Compensation Results

## Chart 50: Projected Combined Loss and Expense Ratios



Prior to the pandemic, combined ratios were increasing, primarily due to lower premium levels ([Chart 1](#)) driven by lower insurer charged rates ([Chart 6](#)).

The combined ratios have been above 100% since 2020. In 2020 and 2021, these were driven in part by COVID-19 claims ([Chart 18](#)) and volatile changes in premium levels and claim frequency during the pandemic.

After decreasing modestly in 2022, the combined ratio increased slightly in 2023. This is driven by increases in average claim severities ([Chart 22](#)) ([Chart 38](#)) offsetting premium increases.

[More Info and Source Data](#) →

Source - 2024 WCIRB Report

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# Current Conditions and Outlook?



NOV 20, 2024

## Navigating the Complexities of the Agriculture Market

### A fragmented & challenging market

One significant challenge in the current market is the increase in non-renewals, particularly for farm labor contractors. As standard markets retreat from providing admitted coverage, retailers are increasingly turning to E&S markets to fill the gap. However, the disparity between the expiring premiums and the new quotes from E&S markets has been striking.

### A fragmented & challenging market

However, the disparity between the expiring premiums and the new quotes from E&S markets has been striking.

For example, a recent harvesting account that was non-renewed by a standard carrier saw its GL premium increase from \$34,000 to \$200,000, and its excess coverage jumped from \$24,000 to \$300,000.

### Non-renewals driving the market

The reasons for these non-renewals vary, but they often stem from a combination of high claims frequency, poor risk profiles and unfavorable location factors, such as being situated in areas prone to wildfire.

The limited number of markets willing to underwrite agriculture risks exacerbates the situation

### Non-renewals driving the market

In contrast, E&S markets may offer more limited coverage at a higher cost, with significant exclusions that can leave critical exposures uninsured.



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# Current Conditions and Outlook?



NOV 20, 2024

## Navigating the Complexities of the Agriculture Market

### Coverage gaps and exclusions

The disparities in coverage between the admitted market and E&S markets are a major concern.

Additionally, the E&S market often imposes strict exclusions, such as those related to mobile equipment, communicable diseases (mold/fungi) and impaired property.

### Auto and excess coverage

Many farm operations involve extensive auto fleets, including both personal vehicles and commercial trucks used for transporting goods. The risks associated with these fleets, particularly in states with stringent regulations like California, are significant. Issues such as unlicensed drivers, the use of personal vehicles for commercial purposes and the complexities of insuring subhaulers all contribute to the difficulty of securing adequate auto coverage.

In some cases, brokers are also asked to provide monoline hired and non-owned auto coverage, but the costs can be prohibitive.

### Inflation and market dynamics

Challenges in aligning premium rates with true exposure, often resulting in higher-than-expected premiums.

### Inflation and market dynamics

The limited number of markets willing to underwrite agriculture risks exacerbates the situation



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# Current Conditions and Outlook?

- **The Commercial Auto Market** results continued to deteriorate in 2023 and 1<sup>st</sup> half of 2024
  - We will continue to see rates rise
- **The Commercial Excess Market** is deteriorating rapidly and extremely challenging
  - We will continue to see rates rise
- **The Commercial Property Market** results are strengthening but continued weather events and no new reinsurance players mean no rate reductions in sight..
  - We will continue to see rates rise
- **The Commercial Multi-peril Market** results show combined ratios above 105.1 since 2018 We have seen many challenging liability occurrences in the FLC market
  - We will continue to see rates rise
- **The California Workers Compensation Market** results sees combined ratios above 100 since 2020 for all insurers. Private companies are performing well though and rates continue to be soft but firming in most cases
  - We should see the market stay consistent with some firming for challenged FLC's



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# The FLC Insurance Market Challenge

## Where are the Hot Spots?

- Limited options for farm labor contractor package policies
- Limited options for farm labor contractor auto policies
- Market continues to be firm with excess carrier options and pricing
- With the increase in required levels for H2A bonds we are starting to see capacity issues for H2A bonds with several carriers pulling back



# WINNING THE INSURANCE GAME

HOW HIGH PERFORMING FARM LABOR CONTRACTORS ARE FIGHTING BACK AGAINST RISING INSURANCE COSTS

Now more than ever, companies must protect themselves from avoidable losses and help keep their workers safe.

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# Strategy & Insurance To Consider

- **You are required to buy License Bond and Workers Compensation**
- **You better buy this..**
  - Auto Liability, Physical Damage & **NON-OWNED AUTO LIABILITY**
    - Cargo Coverage?
    - What are the problem areas in our industry with auto?
  - General Liability & Excess Liability
  - Professional Liability – Errors & Omissions
  - Property Exposures for Buildings, Business Personal Property & Business Income
- **You should consider this..**
  - Directors & Officers, Fiduciary Liability
  - Equipment Coverage - Farm equipment, forklifts, side by sides, quads, bathrooms, etc.
  - Employment Practices Coverage - Make sure it includes **Wage and Hour defense**
  - Employee Dishonesty & Crime Coverage

**2 arrested for embezzling millions from Taylor Farms**

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Updated: 6:08 PM PDT Oct 18, 2024

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# What can I do as a Business Owner?

Multiple Entities May be Required to Properly Protect and Insure Your Business and Assets.

Auto and Trucking Fleets?

- **Separate Entities for Asset Protection and Risk Mitigation**
  - Invest and Focus on risk management
    - Proper Recruiting
    - Proper Training
    - Proper Vehicle Maintenance
    - Invest in Telematics
    - Telematics systems can help monitor and protect drivers and vehicle fleets by providing real-time location and performance data.
- There are limited options for farm labor contractor auto policies and the ability to get coverage for non-owned auto, trucking and bussing exposures
- The excess liability market continues to be firm for transportation risks with fewer options and the pricing increasing

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# What can I do as a Business Owner?

## Build your Business and Employment Culture

- **Implement proper, compliant and effective human resource policies**
  - Lean on your industry partner resources
  - Create appropriate job descriptions
  - Include arbitration clauses – Get an attorney!
- **Implement a proper “Grower Services Agreement”**
  - How do I get paid?
  - What happens if we have a dispute?
  - Arbitration?
- **Implement “Best In Class Safety and Compliance Program”**
  - Hazard Analysis and operations specific
  - Consistent management and safety training practices
  - Get in-house certified “Train The Trainers” for key exposures
- **Auto and Trucking Fleet Safety Programs and Training?**
- **Implement Best in Class Supervisor Leadership and Management Programs**

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# What can I do as a Business Owner?

## Claims Management Strategies

- **Workers Compensation Injuries**
  - USE MPN – Set it up and maintain the relationship before the injury
  - Train Your Supervisors - How to handle and manage workers compensation injuries
  - Take your employee to the doctor
    - Track doctor's appointments
  - Offer modified duty - Review doctors orders and stay inside of them – DOCUMENT
  - Stay in contact with the employee regularly to keep claim moving
  - Review information with claims adjusters regularly
  - Seek advice from your insurance advisors, in-house claims specialists
  - Manage your pre-unit statistical report review with your experts and the claims managers.
  - Review your experience modification worksheets for accuracy
- **Property, General Liability and Auto claims**
  - Review these with your **Advisor** every time prior to turning in unless its an emergency.



# Choosing a “Best Practices Insurance Advisor and Risk Management Partner

YOUR CHOICE OF INSURANCE ADVISORS IS MORE CRITICAL THAN EVER.

## WHAT CAN YOU ACHIEVE WITH THE RIGHT CHOICE?

- Greater control over insurance cost
- Less time managing claims
- Improved productivity
- Long-term competitive advantage
- Ability to hire and retain the best employees
- Increased profitability

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# What can I do as a Business Owner?

## Discuss and Review The Insurance and Risk Transfer Options Available

- Standard Private Insurance Companies
  - Take higher deductibles and self insure as much as you can handle
  - Always work with your insurance advisor prior to turning in claims
  - Always manage your claims internally and in conjunction with insurance professionals and your carrier.
- Captive Insurance Programs
  - Group Captive Options
    - Workers Compensation, Auto and GL can be included – be careful here
    - Fleet auto only for large transportation risks
- Self Insured Group Programs
- Self Insured with approval from the Department of Self Insurance

# Services & Solutions

## Services

-  Client and Agency Consulting
-  Data Analysis
-  Educational Courses
-  Live Events
-  On-Demand Library
-  Webinars

## Solutions

-  Evaluations and Assessments
-  Claim/Loss Mitigation
-  Compliance
-  Performance Optimization
-  Risk Intelligence & Strategy
-  Safety Leadership and Culture



# Checklist Library

Browse through a diverse collection of specialized checklists thoughtfully designed to empower you with actionable steps and best practices. From risk assessment and mitigation to compliance and safety, our checklists are tailored to meet your unique needs.



**ACRISURE RISK RESOURCES**  
**CHECKLIST PRE-CONSTRUCTION SAFETY**

	REQUIRED?	PROVIDED / PERFORMED BY OWNER?	PROVIDED / PERFORMED BY VENDOR?	DONE?
Are any permits required? • If so, date and which applied for:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is a field office ordered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is a telephone installed? Has the number been given to the main office?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is a project sign ordered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ACRISURE RISK RESOURCES**  
**CHECKLIST LOW-PRESSURE BOILER MAINTENANCE**

Review conducted by:

failures are commonplace, predominantly because there is a lack of water treatment and very little regular maintenance performed. However, monitoring the boiler water quality, checking for leaks and inspecting the unit regularly will reduce your costs for repairs. Consider the following recommendations for low-pressure

	COMPLETED	IN PROGRESS	NOT STARTED
up at the beginning of season.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
levels and operating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
nt off corrosion. Water and keep	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
requently. This water. If fix them	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ect for	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ACRISURE RISK RESOURCES**  
**CHECKLIST COMMERCIAL ROOF INSPECTION**

To avoid potential water damage at your facility and to extend the lifespan of your roof, regular inspections are crucial. In fact, roof inspections can identify problem areas before they become major issues, saving you money and avoid costly repairs down the line. This checklist can be used when creating your roof inspection program.

**GENERAL INFORMATION**

Inspection:

Building name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Roof: \_\_\_\_\_

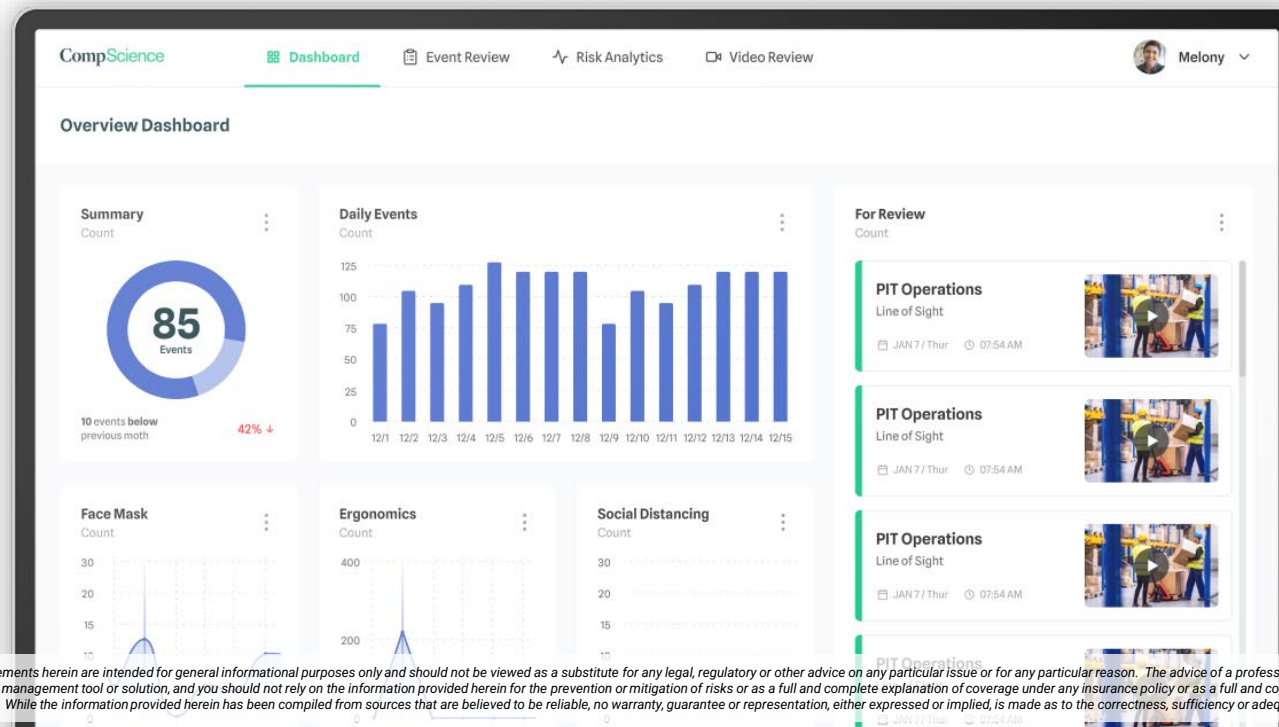
Inspector: \_\_\_\_\_

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# Vendor Marketplace

Explore our vendor marketplace, where cutting-edge solutions meet incredible safety technology. As an exclusive benefit, clients gain access to preferred pricing unlocking a world of innovation and protection for their business needs.



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# On-Demand Courses & Webinars

Explore a wealth of knowledge in our webinar archives, where you can watch past sessions on various topics. Don't miss the opportunity to stay informed and inspired by registering for our upcoming webinars led by industry experts.



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# Loss Run Analysis

Our Loss Run Analysis provides valuable data and insights that can help guide decision-making by helping you understand the causes and costs of past losses, allowing you to prioritize investments in risk mitigation strategies that will have the greatest impact on your company's financial well-being.



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# Safety Source: Videos On-Demand

Acrisure clients gain complimentary access to over 600 streaming videos and can acquire additional training materials at a discounted rate. These programs are conveniently accessible through online courses and on-demand video streaming, ensuring easy and flexible learning options for participants.



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# Limitless Expertise

Loss Reduction	Fall Protection	Health Care	Property Safety	Health Policies and Procedures	Mitigation
Emergency Action Planning	D&O	Cargo Tank	Concrete	Hospital Risk Control	Root Cause Review
Executive Leadership of High Hazard Industries	ISO Standards	CSA/SMS, Safer, and ISS Systems	Crane Operations	Nursing Home & Senior Living Risk Control	Mock OSHA compliance audits
Front Line Employee Engagement	Jobsite & Facilities Risk Inspections/Surveys	Data Quality Review	Drainage	Cannabis Healthcare Professional Liability	OSHA AUDIT
Risk Intelligence Report	Pandemic Response	DOT Audits	Environmental, Health, and Safety	Cannabis Industry Risk Control	OSHA Compliance, Informal Conference Management, & Citation Mitigation
Safety Manuals and Policies	Public Sector	Driver Recruiting & Hiring	Heavy Equipment	Ergonomics	OSHA Inspections
Safety Programs and Training	Behavior Based Safety	Captive Risk Control	Accident and Hazard Investigations	Bridgework	OSHA Outreach
Security Review	Company and Safety Culture	Cyber	Canadian Transportation Regulation	Commercial Property	Roadside Safety Inspections
Total Quality Management (TQM)	Start-up Specialist & Entrepreneurship	Driver Training Programs	Scaffolding	Food Processing Plants	State Law/Administrative Code
Accident Prevention	Workers Compensation	Drug and Alcohol Programs	Sewer distribution maintenance facilities	Hazmat Training	Third-Party Logistics
Claim Review	Workers' Comp. Benchmarking & Data Analysis	Workers' Compensation Cost Containment	Shop and Power Tool Safety	Industrial Hygiene	Truck Maintenance
Crisis Management	Fleet Telematics	FMCSA Compliance	Silica	Lock Out/Tag Out	Water Mains
Experience Mod	MSHA TRAINING	Hazardous Materials	Streets/blacktop	Machine Guarding	Biotechnology
Litigation	OSHA 10 & 30	Heavy Road & Bridge	Trenching and Excavation	Warehousing	CPR/AED Certification
Loss Analytics	OSHA 300 LOG REVIEW	New Entrant Safety Audits	Underground Electrical	Wineries	First Aid Certification
Safety Audits	Driver Retention Strategies	Overhead electrical	Farm	DOT Regulation	Confined space

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# Questions?



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# Thank you!



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## Sources:

AM Best, Insurance Journal, WCIRB, KSBW Action News  
Over 30 years of Insurance Advisor Experience

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