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###### 2023 PERK Program

*Please provide at least four weeks’ advance notice for session requests.*

To submit a PERK Session Request, please [click here](https://form.jotform.com/230514953120143)

*Please review the list of sessions below and select a PERK session. Sessions are alphabetized by partner and whether they will be offered in-person or virtually.*

*Send any questions on the PERK Program to* [*PERK@rims.org*](mailto:PERK@rims.org)*.*

*Submit one form per session request.* **Please Note:** If your chapter would like any assistance in planning a virtual meeting via Zoom, please contact [chapterservices@rims.org](mailto:chapterservices@rims.org).

*Cancellation Policy: Scheduled PERK sessions must be cancelled more than two weeks (10 business days) in advance of the presentation date. After that deadline, chapters will be responsible for covering any non-refundable travel expenses incurred by the PERK Partners.*

**20223PERK Sessions:**

**Sessions Available In-Person and Virtually:**

To submit a PERK Session Request, please [click here](https://form.jotform.com/230514953120143)

**The ESG Police Have Arrived.  Is Your Insurance Ready? – Anderson Kill**

Description:  While ESG initiatives are widely seen as good for business as well as the planet, recently their risks have also become more salient, as the SEC has cracked down on companies and investment vehicles alleged not to have followed through on implementing their stated ESG commitments. As ESG risks escalate, so do concerns as to whether they will be covered by insurance. This session will examine D&O insurance coverage for ESG liabilities, focusing on the broad D&O coverage grant, as well as on potential pitfalls in claims and how policyholders may avoid them. These include the conduct exclusion (which should depend on final adjudication); the pollution exclusion (which should not apply when a suit is focused on alleged misrepresentation, not on the pollution itself); and exclusions for civil fines and penalties, the reach of which depends both on policy language and the nature of the enforcement action and penalty. We will look at policy language to be sought or avoided by policyholders, as well as at court decisions focused on these areas of dispute.

**Do you have insurance coverage for that fingerprint?  Liability and insurance issues arising out of biometrics. – Anderson Kill**

Description:  Learn about the basics of biometric technology, how companies are using it, and how governments are trying to regulate its use via privacy laws that seek to protect individuals’ biometric information.  Review some of the claims—and resulting settlements—that have been brought under the Illinois Biometric Information Privacy Act (BIPA), and the resulting potentially massive liability concerns for both businesses and the insurance industry alike.  Consider New York City’s recently enacted Biometric Identifier Information Law, which bans the sale of biometric data and imposes notice requirements on certain businesses that use biometric technology, and the status of pending New York State law that mimics BIPA and could lead to an avalanche of class action litigation.  Evaluate how laws like BIPA apply—where violation, not injury creates a claim—and how insurance companies have attempted to evade liability despite frequent court rulings finding in favor of insurance coverage under general liability and employment practices liability insurance policies for such claims.  Finally, examine how the insurance world is reacting to these biometric privacy issues, including the status of the marketplace and new BIPA and biometric-specific exclusions.

**Protecting Your Organization Against Internal and External Crime:  How to Navigate Crime Insurance Claims, Manage the Risk of Theft and Cover Cyber – Anderson Kill**

Description:  Sophisticated theft has long been the bane of many organizations:  partly because this type of theft often is substantial and partly because the theft has been going on for some time—perhaps even years—before detected.  Crime insurance is a valuable insurance asset but is not without its traps and “fine print” conditions that insurance companies will seize upon to avoid or minimize claim payments.  This presentation will outline some fundamental risk management techniques and crime insurance points that all risk managers, CFOs, Treasury personnel, and in-house lawyers should be well versed in.  Additionally, the program will discuss so-called “direct loss” defenses for internal and external crime perils that insurance companies may use to deny insurance claims.  Last, the program will discuss crime insurance protection for cyber theft under the “Computer Fraud” insuring grant that has been a focal point in multiple court contests.

**Business Interruption – Earnings in Jeopardy – Ankura**

Protect your company by sharpening your business interruption knowledge and have some fun in the process. This session is in an interactive format where the participants choose categories and questions and are asked to provide a response (Doesn’t have to be in the form of a question).

Categories include Policy & Planning, Be Ready!, The Claim, and Hot Topics.

Subjects covered include a primer on the purpose of business interruption coverage, importance of accurate reportable values, types of time element coverages, deductibles, best practices to prepare for and respond to claims, and ‘hot topics’ which include newsworthy coverage issues and their potential impact on claims.

**Accurate and Timely Business Interruption Values – A must for any successful insurance program! – Ankura**

This session will focus on the process and benefits of accurately measuring business interruption values and exposures.

Major benefits include:

* Encourages the full understanding of your business exposures and insurance program
* Allows for the customization of your program to meet your company’s exposures and needs
* Aligns your insurance spend with the true exposures of your business
* Provides for the consistent analysis and approach in addressing BI at each plant, distribution center and/or location
* Eliminates uncertainty by having a transparent model that ties back to reported financial statements
* Builds credibility with underwriters by having a comprehensive and transparent model
* Helps facilitate the renewal process

Process includes:

* Assembling an internal team, potentially comprised of individuals from Risk Management, Finance & Planning, and Operations functions
* Identifying areas of risk/exposure
* Identifying any one-off or unusual activities (downtime, extended maintenance, insurable catastrophic event) which may require adjustments
* Gathering data (including historical sales, costs, and volume data for the prior year by facility)

**Planning for and Managing Property and Business Interruption Claims – Ankura**

This session will focus on effective insurance program planning, including business coverage, potential areas of exposure and valuation of the exposures, policy considerations and assembling your claims team. We will also address the management of the claims process, including the players, communicating internally and externally, identifying areas of loss, general claim design and common adjustment issues.

**When Disaster Strikes: Cyber Event Preparedness and Claim Preparation – Ankura**

Cyber risk is consistently expanding for businesses and many companies are not prepared. The session will identify activities key to developing a successful cyber security and insurance program, including best practices when responding to an insurable cyber event and the insurance claim process. The presentation will also include current cyber trends, along with real-life case examples to highlight critical areas of exposure and how they can be mitigated.

**Cyber Security and Event Response – Battling Business Interruption Impacts**

Ransom payments make the headlines, but business interruption has emerged as one of the biggest drivers of cyber-related losses in recent years. In addition to the toll, it takes on organizations, business interruption can add years to the life of a cyber insurance claim. This session will examine how policies are responding to first party and third-party losses, with an emphasis on business interruption loss and dependent business loss. What does a good Proof of Loss look like, and lessons learned from claims that do not get resolved timely, how to adequately quantify and document your loss, and overall navigation of the cyber claim process. Claim scenarios specific to any industry can be shared, if preferred.

**Contingent Business Interruption Claims Are on the Rise, Are You Ready? - BDO**

Contingent business interruption claims are on the rise, are you ready?  This session will discuss the fundamental difference between business interruption and contingent business interruption insurance; various methodologies to quantify and document contingent business interruption losses; and using data analytics and cutting-edge technology to identify and manage contingent business interruption risks.  We will also share lessons learned / best practices associated with complex contingent business interruption losses and how best to navigate the insurance claims process including loss identification, claim preparation and interactions with insurance company representatives.

**Into the Breach – Putting your best foot forward with Cyber claims - BDO**

Cyber claims continue to evolve.  We will study real-life case examples and dive into cyber claims and coverages.  We will discuss differences between cyber coverage triggers and more traditional coverage triggers, claim documentation, quantification complexities, and common presentation pitfalls.  Other highlights will include the latest trends, lessons learned, and best claim practices.

**Tough Love - Dealing with Difficult Claim Issues - BDO**

Recent events have brought about substantial changes in the property and business interruption insurance programs of many corporations.  Companies have been forced to react not only to sometimes adverse response to large claims, but also reduced insurance markets, rising premiums and more restrictive coverage.  This session will explore the actual case studies of Fortune 500 companies, the unique (and surprising) issues faced in their claims, how they were resolved and how the insurance program has been altered as a result.  Topics will include business interruption exposures and risk retention considering recent events as well as claim issues such as complex value-based business interruption deductibles, contingent business interruption and policy disputes, among others.

**The Basics of Coverage for Natural Disasters - Bradley**

Losses from natural disasters, such as earthquakes and hurricanes, are escalating. This presentation guides risk managers through managing natural disaster risks by surveying potential risks and the different insurance options available to offset those risks. This presentation addresses often misunderstood aspects of commercial property insurance policies and how to ensure that coverage for losses from natural disasters. Learning objectives:

* Identify risks associated with natural disasters from an insurance perspective.
* Understand the different insurance options available.
* Identify methods to mitigate risks from natural disasters.

**Identifying and Selecting a Risk Management Frameworks - Bradley**

An effective risk management framework protects an organization’s capital base and earnings without hindering growth. Selecting one of the many different risk management frameworks available can be difficult. This presentation guides risk managers through different models and selecting the risk management framework most suited to their organizations. Learning objectives:

* Understand the importance of adopting a risk management framework.
* Identify the different risk management frameworks available.
* Assess which risk management framework may be best for your organization.

**Managing Environmental, Social, and Governance Risk - Bradley**

What exactly does “ESG” mean? Why does it matter? This presentation guides risk managers through environmental risks, social risks, and governance risks. While these risks may not be included in a financial audit, they can be significant and impact every organization, regardless of size or industry. This presentation, which will cover best practices for implementing an ESG risk management strategy, will explain why these risks matter and how they can be managed. Learning objectives:

* Understand different types of environmental risks, social risks, and governance risks.
* Identify ESG trends.
* Learn how to implement an ESG risk management strategy.

**Do you know your most vulnerable location to climate risk? Explore the use of data in climate risk assessments – GuideHouse**

Hear from climate risk assessment experts Guidehouse Consulting and Jupiter Intelligence on how to incorporate climate data into climate risk assessments to identify vulnerabilities and opportunities.

This session will showcase considerations to include in the climate risk assessment, how to look for opportunities in the data and how to use location based climate data.

**Managing risk to drive organizational value through the use of data – GuideHouse**

A common question in many board rooms and executive offices is “so what” when it comes to information provided to them – so what we know all our risks? So what we know how we’re responding? In asking “So what?”, board members, CEOs, and other executives are really asking, “How does this help my company achieve its strategic objectives? How does this help us perform better against our competitors or serve our citizens?” For many organizations, the link between risk management and data has not been fully realized, so there is a gap in the value risk management can offer to an organization.

During this session, we will hear from one of the authors of the COSO ERM Framework explore how data can elevate risk management in an organization, translating the identification and prioritization of risks into real results that materially impact the success of an organization.

**Sustainability within Risk Management – Preparing for the future – Groupe MBC**

* The three pillars of sustainability: Environmental Impact, Economic Impact, and Social Impact
* Sustainability within the Insurance and Risk Management Industry: Explaining the role it plays in the changing global climate
* Case Studies:
  + Sustainable Business Models
  + Clean Technology

**When Cal/Osha Comes Knocking - Jackson Lewis**

The presentation is aimed at helping risk managers to understand the importance of properly handling a Cal/OSHA inspection after an incident from a legal point of view. This is particularly important when a company does not have an in-house attorney because the inspection often happens long before a lawsuit or claim is filed, but many problems can be avoided in the subsequent lawsuit by learning about these topics before an inspection, not to mention the safety benefits to employees that they bring as well.

**Is the "Good Enough", Enough?  Championing the Intersection of Risk, Governance, and ESG – Origami Risk**

As lines continue to blur across risk management, compliance, and ESG functions, it’s becoming imperative to knowledge share and practice agile risk management across departments. Your job as a risk manager is changing - it’s more strategic, with bigger consequences for not keeping up with the pace of change and getting ahead of emerging risks.  It’s no longer about just getting the job done, but ensuring your department plays an advisory role in mapping out and planning for these compounding responsibilities and regulations across the organization.

**Let’s be the Single Source of Truth: Integrated Risk Management (IRM) - What does it mean and why does it matter? – Origami Risk**

New acronyms and phrases continue to pop-up in our industry... some of them are cemented in our vocabulary and some of them don’t make the cut. Integrated Risk Management (IRM) continues to persevere, but are we all on the same page here?

**Modern Risk Management for Modern Supply Chains – Overhaul**

Overhaul delivers turnkey, real-time supply chain and transportation risk management solutions to hundreds of shippers, logistics companies and motor carriers around the world. Powered by our risk management software platform, IoT devices and telematics, our technologists and risk management/insurance subject matter experts define and monitor leading indicators of in-transit risk, whether those be security, product integrity or safety focused. We will share our company’s 20+ years of experience proactively identifying real-time risks, mitigating those risks and producing industry-leading loss ratios.

**MORE SCIENCE. FEWER LAWYERS – Primacy Risk Services**

This session will focus on the early and cost-effective application of science as a means to defeat injury claims. We will demonstrate how claim organizations can be proactive and how this approach will reduce the likelihood of litigation.

**Business Interruption 360o - A Guide for Risk Managers – RWH Myers, a Sigma\7 Company**

If you've been wanting to learn more about business interruption, you will not want to miss this session chosen for the RIMS 2022, RISKWORLD conference. In a unique and entertaining format, we will interview an RWH Myers founding Partner about all things business interruption starting from the top and working through calculations, presentation, common adjustments, and the documentation needed to support a claim. We'll explore the commonly misunderstood parts including ordinary payroll and extra expenses, and how they factor into a time element claim. We'll also dive into the emerging complexities of Contingent Business Interruption and Cyber Event claims.

A 360o perspective wouldn't be complete without tackling business interruption values and how risk managers can improve the way they report values and the impact it will have at renewal. We'll end off with what risk managers should know about their business interruption risks and welcome questions from the audience.

**Property Claims and FEMA Grants, Management and Accounting – RWH Myers, a Sigma\7 Company**

Learn risk management techniques to maximize recovery from both property insurance and FEMA claim submissions. Knowing how to manage the insurance claim process and claim preparation during a declared disaster brings order to a chaotic situation. We’ll review claim preparation best practices and the unique FEMA requirements. This session will cover CAT loss scenarios, real claim stories and the common pitfalls you will encounter. Attendees will come away with a better understanding of the claim process, communication strategies and how to work with your insurance adjuster and FEMA Grant Manager.

**Business Interruption Values - Strategies for a Hard Market – RWH Myers, a Sigma\7 Company**

Accurate and detailed business interruption values are an important part of the renewal process but for many, the BI worksheets are a dreaded undertaking for all involved. In this program, we will explore a better way to quantify business interruption looking at it from the top down. This method eliminates redundancies and establishes a solid foundation from which to properly allocate BI to locations. We will explain MFL and PML exposures and how to best account for key location risks. After this program, attendees will never look at BI values the same again. They will be armed with new strategies that will streamline the process and ensure accurate results.

**Presentation Skills That Will Make Your Point Stick – RWH Myers, a Sigma\7 Company**

Distinguish yourself by designing and delivering powerful presentations that are interesting, entertaining and effective. Presented by Jeff Esper, former three-time semi-finalist in the World Championship of Public Speaking, this session will cover the skills needed to engage your audience and make your message memorable whether you’re presenting in a boardroom, in front of a large audience or virtually. We’ll explore how to incorporate storytelling into your topic including the various types of stories and science behind its benefits. We’ll cover the best way to begin your talk and how to prepare slides for maximum impact. Presentation skills are an integral part of our industry, and they are important to all participants at RIMS events and beyond.

**The Journey to Excellence in Risk Management: “No One Right Way” - USI**

The value of risk management is often a question about which the C-suite and business unit management often press for better answers. Total Cost of Risk (TCOR) is a common and usually well received measure but risk managers need more ways to prove their value and gain management and board commitments to greater investment in managing risk. However, over the last decade, practitioners have found new and innovative ways to gain influence, show value, measure success differently and fuel their own personal success as a result. For some this has been the path from middle management to the C suite. This session will review the various ways successful risk managers tell their story, drive innovation in their function, gain deeper commitment to their strategiesand the effect it has on their career trajectories.

**Ten Building Blocks to Risk Leader Success - USI**

Developing a strategy for career success in risk management has been on one hand, everyone’s goals and on the other, less than clear to many just how to maximize the chance of accomplishing your personal vision. Based on the IRMI Risk Report by the same name, this session will present ten critical elements to charting a successful career in risk management and especially helpful to leadership development at the highest levels. It will also address the key challenges facing risk leaders for the future and how to address them. Written by Chris Mandel, the 2004 Risk Manager of the Year and former RIMS president, this session will provide the basis for understanding key things to do and not do in order to achieve long term career goals in risk management and meet the expectations of senior leaders, boards and other stakeholders in risk.

**The Digitization of the Risk Profile: Implications for Risk Leaders - USI**

Cyber risk has emerged as a vexing issue for most risk leaders, complicated further by artificial intelligence and other emerging technology-based risks. While a certain amount of insurance has been available for a portion of this exposure, it has often been insufficient to cover the losses. Moreover, the amount of exposure left unmitigated has destabilized many firms affected. This problem portends the future of risk management as the larger portions and even entire risk profiles of organizations morph from exposures increasingly affected by the internet, IoT, rapidly advancing technology, loss of control of personal information, big data, automation (robotization) of functions, artificial intelligence etc. This session will explore the breadth and depth of these new risks and how the risk profile of organizations is rapidly changing and becoming increasingly digitized. If you think cyber risk has been a challenge, you haven’t seen anything yet. Learn what you need to do to get ahead of this opportunity and meet, even exceed the expectations of stakeholders most of whom have no clue themselves about the significant effects of these high velocity, emerging risks and their impact on performance and long-term success.”

**Aftershocks: How Shock Verdicts Are Resulting In Outrageous Settlements – Wilson Elser**

Werner Enterprises announced this past summer that it settled a two-fatality death case in TX for $150M. It is the single largest 18-wheeler settlement in the country. In its PR announcing the settlement the company said: “… corporate defendants are facing ‘nuclear verdicts’ in courtrooms across the country, including in Texas. Werner believes it prudent to resolve this case, to bring closure for the family affected by this tragic accident and to protect Werner, its employees, and its shareholders. Our sincere prayers and condolences remain with the family.” And this isn’t the only outrageous settlement this year as shock verdicts are wreaking havoc in the insurance industry. This settlement follows on the heels of the largest verdict in the country, also in TX (Dallas), involving the stabling death of an 83-year-old female customer of a cable tv company by an employee during an off the clock service call. I attended the closing arguments in the trial. That case resulted in a total jury verdict of $7.375B and a judgment over $1.1B. Buckle up because 2023 is shaping up to be worse as the trend is clearly not our friend. In this program we will also discuss alternative defense strategies to counter this trend and minimize these settlements and verdicts.

**The Plaintiff Counsel’s Playbook – Wilson Elser**

Base on their May 9, 2022 article in DRI For the Defense Magazine, <https://www.dri.org/docs/default-source/dri-online/for-the-defense/2022/may/05-22-ftd.pdf>. The Plaintiffs’ bar has perfected their reptile strategy over the last dozen years and this program examines how they have accomplished the success they have achieved. Specifically, will discuss the “size-up” (what goes into taking the case in the first place), the “set-up” (how they position their cases for a big settlement) and the “sizzle” (how they obtain a big verdict). In order to counter their strategy, the defense must know the opposition’s strategy in order to “reverse the reptile.”

**The Defense Counsel’s Playbook – Wilson Elser**

Based on Wilson Elser’s June 6, 2022, article in DRI For the Defense

Magazine, <https://www.dri.org/docs/default-source/dri-online/for-the-defense/2022/june/06-22-full.pdf>. This program focuses on new, alternative defense strategies to combat and counter Plaintiff Counsels’ reptile strategies. Specifically, this program will discuss the use and effectiveness of counter-anchoring numbers, humanizing the jury in an era of anti-corporate bias, priming the jury venire in voir dire and opening statements as well as throughout the trial, and how to choose the jury to prevent shock verdicts.  Plaintiff Counsel across the country freely share their strategies and results while defense lawyers hold these close to the vest and are siloed.  This presentation is aimed at changing that reality.

**How AI Can Transform Crisis Management (In) Litigation – Wilson Elser**

Based on Wilson Elser’s article in Law360, January 26, 2022. This presentation will discuss how AI is becoming one of the most useful, efficient, and valuable tools in handling crises and/or mass casualty events. Specifically, I will discuss what AI is, how it is evolving, its application for identifying and predicting crises, its application as a data management tool and its problem-solving capabilities for managing a crisis. For example, social media is literally free discovery that is available immediately following a crisis. AI allows the content to be accessed and preserved to assist in early evaluation, assessment and potential early resolution of a crisis.

**Autopsies of Shock Verdicts: a Forensic Examination of Verdicts in the News. – Wilson Elser**

A granular dive into the facts and “causes” of the biggest shock verdicts that make are making the headlines today. We highlight the “detonators” and aggressive discovery tactics that Plaintiff Attorneys use to anger the jury and “prime” them to take up the baton of their clients to “send a message” to corporate America by awarding big numbers to punish them. Warning: this program is not for the faint of heart!