

State

Dec. 12, 2014

Legislation to allow digital proof of auto insurance released from committee

A bill (A-3905) to allow motorists to display digital proof of insurance on electronic devices was released by the Assembly Committee on Financial Institutions and Insurance Dec. 4, 2014.

Under current law, the operator of a motor vehicle must maintain evidence of insurance coverage with a paper insurance card provided by the motorist's insurance company. This legislation would allow the proof of coverage on an electronic device provided by insurance carriers upon request of law enforcement or court officials. Currently, this is allowed in 37 states.

The bill, which is supported by PIANJ and numerous other insurance trade associations and insurance companies,

now goes to the full Assembly for a floor vote tentatively schedule for Monday, Dec. 15, 2014.

What
this
means
to
AGENTS

What this means for agents: If passed, this legislation will save producers both time and money as they will no longer have to print and send insurance identification cards to their clients.—*Zimmerman*

Assembly committee releases ride-sharing bill

The Assembly Transportation Committee yesterday released a compromise bill establishing insurance and safety requirements for transportation network companies, often referred to as ride-sharing companies. The legislation came as a committee substitute for seven bills on the subject sponsored by 11 Assembly members. Action came after lengthy discussion during a committee hearing.

There is a possibility of additional amendments as the legislative process continues. The compromise bill would require transportation network companies to obtain insurance that would provide protection to their drivers. Under

the bill, when a transportation network driver is logged out to the transportation network company's app, the transportation network companies would be required to provide coverage in the amount of \$250,000 per incident for liability for liability, property damage, and uninsured and underinsured motorist coverage, and medical payments coverage in an amount not less than \$10,000. Once the driver accepts a request to transport a passenger until the moment the

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We look for the best independent agents and build relationships that last the duration.



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passenger exits the vehicle the coverage limits increase to not less than \$1.5 million per incident for liability, property damage, and uninsured and underinsured motorist coverage; and medical payments coverage in an amount not less than \$10,000 per person.

PIANJ is monitoring this legislation and will report on any future developments.—*Zimmerman*

ELEC offers business entity pay-to-play training seminars

The New Jersey Election Law Enforcement Commission will hold training seminars to assist business entities with the filing of annual disclosure reports pursuant to the state's "pay-to-play" disclosure law.

The seminars will be held at the Offices of the Commission (28 W. State St., Trenton), on **Monday, Jan. 26, 2015; Friday, Feb. 13; Friday, March 13; and Wednesday, March 25;** and will start at 10 a.m.

To register for a seminar, log on to elec.state.nj.us, click the "Pay-to-Play" tab, then "**Seminar Registration**" on the left-hand side of the screen. Since space is limited, you must reserve a seat in order to attend.—*Lachut*

State should be ready for its own health-care exchange

N.J. Sen. Nia Gill, D-34, held the first meeting of the Senate Task Force on Health Exchange Implementation earlier this month, aimed at preparing the state to run its own health-care marketplace.

While Gov. Chris Christie ceded control of the health exchange to the Obama administration, Gill said that the Legislature still has a role in ensuring that the program serves the public.

If the U.S. Supreme Court rules that the Patient Protection and Affordable Care Act can pay only for subsidies under state-operated exchanges, Gill says it is important to move quickly to pass legislation that would put New Jersey in charge of its own marketplace.

What
this
means
to
AGENTS

What this means for agents: In the event that the Supreme Court rules that tax credits are not available on a federally run exchange, many insureds would be unable to afford coverage and be forced to go without it. A state-run exchange would ensure that residents of New Jersey would have access to federal

tax credit regardless of how the Supreme Court rules on this issue when it hears the case next year.—*Lachut*

Association

Save the date for your PIA Annual Conference, June 7-9

No doubt, you've heard much about Atlantic City and the Trump Taj Mahal, which has **announced** it will close its doors on Dec. 20, 2014.

We want you to know that PIA is on top of the developments in Atlantic City and we have taken steps to ensure the show will go on.

Stay tuned for **updates** about the 2015 PIANJ/PIANY Joint Annual Conference and save the date for **June 7-9, 2015**—We guarantee it's going to be fresh and exciting!—*Zielinski*



2015 Annual Conference
A premier event brought to you by PIANJ & PIANY

PIA members: New term life/AD&D, LTD employee benefits

PIANJ announces a new program, underwritten by Reliance Standard Life Insurance Co., which features comprehensive packages and competitive rates, flexible plan

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AD&D AND
LTD EMPLOYEE
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For more information, contact PIA Member Services at (800) 424-4244 or memberservices@pia.org.

Current PIA life/LTD insureds: We are pleased to offer you and your active employees a 90-day open enrollment period beginning Jan. 1, 2015. Call PIA now to make changes to your plan.—*Cancio*

A look back at 2014 for PIANJ

As 2014 comes to an end, PIANJ would like to remind you to **Think PIA first** and take advantage of all your benefits as a PIA member. Below is an overview of some of the actions PIA has taken on your behalf and some of the products and services PIANJ has added to enhance your membership this year.

Legislative/regulatory. PIANJ has monitored the ride-sharing trend, and conducted a Two-Minute Survey in September to assess members' concerns about the issue. When asked, "How do you think the insurance industry should respond to ride sharing?" 40 percent of the respondents stated they would like to wait and see if ride sharing is a fad. From the survey, it would appear that agents are taking a cautious approach because few insureds have contacted their agents to report a claim involving ride sharing. When asked if they had ever been contacted about a ride-sharing claim, 96 percent of the agents who responded said "No."

PIANJ monitored a bill that was passed requiring all home elevation contractors to carry a minimum level of insurance coverage and to register with the state to certify they have the requisite amount of experience in the elevation of homes was signed into law by Gov. Chris Christie. Since its passage, PIANJ has been involved with the regulation drafting process associated with this law.

Member relations. This year, PIANJ continued to achieve more than a 90-percent retention rate, which is significantly higher than the average trade-association retention rate over the past several years. According to a survey conducted by Marketing General Inc., which has surveyed associations over six years, the average renewal rate for individual membership organizations in 2012 was 78 percent, and the average renewal rate for trade or organizational memberships was 85 percent.

The Industry Resource Center has responded to more than 3,200 calls to date and should answer 4,000 member calls by the end of 2014. These calls range in complexity from requesting a copy of a QuickSource document to answering detailed coverage questions and reviewing contracts.

Industry relations. Earlier this year, PIA conducted a 60-Second Market Trends Survey that found that the hard market might not be launching as expected. More than 200 respondents participated in the survey, which asked producers in New Jersey, New York, Connecticut and New Hampshire if their clients are experiencing increases or decreases on various lines of business (e.g., personal auto, homeowners, commercial property and commercial liability), and if their carriers' underwriting guidelines were tightened or relaxed over the past year. Overwhelmingly, respondents told PIA that prices are rising, but the rate at which this is happening has slowed down since last year.

PIANJ participated in a Fair Access to Insurance Requirements Plan board meeting, during which the association helped review the FAIR Plan's current market share; losses from the previous quarter and a list of products The Plan currently offers. The PIA representatives also engaged in a discussion on the best ways to utilize new technologies to ensure The Plan runs in an efficient and effective manner.

Company relations. PIANJ, PIANY, PIACT and PIANH conducted their 2014 Company Performance Survey, which began in 2002. In the survey, professional, independent insurance agents said their carriers perform best in categories that reflect their claims and underwriting practices. In all the states except New Jersey, "underwriter knowledge, experience" performance item had the top score average of 7.8 (out of a possible 10). In New Jersey, "pays claims promptly" and "highly accurate, few errors," tied for first place with a score of 8.1.

PIA continued to stay updated on the latest happenings at various companies (including Indemnity Insurance Corp. RRG, which went into liquidation, and Tower Group International Ltd., which merged with ACP Re), to educate



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members on how these changes affected them and their clients.

Events. During the PIANJ/PIANY Joint Annual Conference, PIANJ celebrated its 75th anniversary. A record number of insurance professionals attended the three-day event in Atlantic City, N.J., in June to commemorate the milestone. Throughout the year, PIA featured photo retrospectives in *PIA magazine*.

Education. In addition to its quality on-site educational opportunities found across New Jersey and at its Joint Annual Conference, PIANJ continued to add to its popular Webinar series.

To offer members the chance to earn multiple continuing-education credits in one convenient location, PIANJ offered insurance professionals the opportunity to attend the OktoberEdFest (up to 17 CE credits).

PIA looks forward to adding to its member benefits in 2015. Remember to **Think PIA first**.—*Czupryna*

PIA Creative Services offers options for agency promotion

Trade-show season is approaching. Now is the time to update your promotional materials ... **Think PIA first**.

Need to spruce up your agency's brochure? Want to launch an exciting ad campaign? Do you have a new banner stand for trade shows? Want to send clients an agency newsletter?

If you've thought about it PIA Creative Services can design and print it for you.



What is PIA Creative Services? PIA Creative Services writes, designs and produces original and on-target promotion,

building on a fundamental understanding of the insurance industry. PIA Creative Services knows creativity and it knows your business.

Consumer content

Content is the heart of any marketing strategy. It builds trust. It highlights your expertise. It can warm up leads, pull organic traffic to your website and lend relevant context to customer service and retention efforts.

PIA has the content you need to establish your agency as the authoritative, local source for insurance-related answers and coverage.

The consumer topics can be customized and designed to fit your agency's brand and existing marketing efforts. PIA

Creative Services can design, print and distribute just about any marketing materials you can dream up—all looking as though they were sent right from your office.

Topics include:

- New Jersey's auto insurance photo inspections—what car owners need to know
- New Jersey's health insurance option for auto injury costs—what car owners need to know
- What you need to know about the Special Automobile Insurance Policy
- Cell phone safety—driving home the importance
- It's winter—pay special attention to fire safety
- Affordable insurance for renters
- Replacement cost coverage: A wise investment
- Are your holiday gifts covered?
- Winter driving tips
- The dangers of drunk driving
- A household inventory—well worth the time
- What do I need to know before becoming a volunteer
- Frozen pipes and other ice and snow damage
- Identity theft—who's been in your wallet?
- Cyber security insurance—What is it and why do I need it?

For more information about what PIA Creative Services can do for your agency, visit pia.org/COMM/creative/, email mlee@pia.org or call (800) 424-4244.—*Lee*

PIA Webinars on LinkedIn, cyber liability, etc.

Through the year, PIANJ offers a number of Webinars that allow members to get the valuable information they need without leaving their offices. Most of the courses also offer continuing-education credits.

Upcoming PIANJ Webinars include the following:



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YOU WANT IT**

Logon to
www.pia.org/EDU/webinar/
for topics and a schedule.

- *Are you Linked In? What It Can Do For You and Your Agency* (**Tuesday, Dec. 16**, from 10-11 a.m., NJCE: N/A). This course will cover the following topics: an overview of LinkedIn and what can it do for an agency. It also will discuss the advantages of setting up a profile.
- *Coverage Abbreviations: OCP, K&R, COP/MOP, OCIP/CCIP, KMI* (**Tuesday, Jan. 6, 2015**, from 10 a.m.-1 p.m., NJCE: 3 GEN). This course will review some of the lesser-known and/or less-frequently utilized insurance coverages. The discussion will include kidnap & ransom hot spots; threats and exposures; international coverage (e.g., workers' compensation, general liability, automobile, property, marine and crime); crime policy exclusions and endorsements; wrap up programs (e.g., when to use OCIP vs. CCIP); protective liability insurance (e.g., owner contractor protective, railroad protective, project management protective); key person insurance; basics of estate planning; and more.
- *Key E&O Issues that Every Agent Should be Thinking About*^{FF^UM} (**Tuesday, Jan. 20**, from 10 a.m.-1 p.m., NJCE: 3 GEN). The insurance industry continues to provide challenges for today's insurance agent. This three-hour, loss-control seminar will review the key issues that agents face on a daily basis. Topics discussed will include: the additional insured issue; the impact of weather-related catastrophes; social media; and the standard of care that agents and their customers will be held to in the court of law. A series of best practices will be provided to help agents face these various challenges. Throughout the session, actual errors-and-omissions cases will be used to enhance the understanding of the material.

^{FF^UM}—This course has been approved for E&O loss-prevention credit by Fireman's Fund and Utica Mutual. Call the PIA E&O Department at (800) 424-4244 for details.

- *Cyber Liability—Why the Need?* (**Friday, Jan. 30**, from 10-11 a.m., NJCE: 1 GEN). This course will review cyber exposures and the insurance solutions that exist in today's marketplace. It will examine how cyber coverage takes into account first- and third-party risks. The risk category includes: privacy issues, the infringement of intellectual property, virus transmission or any other serious trouble that may be passed from first to third parties via the Internet. This course will discuss: a definition of cyber liability; an explanation of why it is needed;

an historical perspective of the risk; an overview of federal and state laws and insurance solutions; and an explanation of first- and third-party insurance for cyber risks; and how to determine limits.

Webinars are added all the time. For more information about the Webinars, or to register, log on to the PIA [website](#), click the "Education" tab, then "PIA Webinars."—*Ringler*

During the storm season, use Storm Info Central

PIA reminds members that winter is coming, with the first day on Dec. 21. As parts of New Jersey already have seen snow accumulation, slippery roads and wintery mixes, PIA brings members its **Storm Info Central**, offering you one spot for all your winter storm-related resource needs.



This all-in-one tool kit contains news regarding this winter's storm systems; tips for preparing

for storms; tips for how to deal with the aftermath of the storm; a compilation of relevant Ask PIAs; a collection of winter-related QuickSource documents; and more.

To access PIA's Storm Info Central, log on to [pia.org](#) and click the "Storm Info Central" graphic on the home page.

If there is something you do not see here, **Think PIA first.** Contact PIA's Industry Resource Center at resourcecenter@pia.org or use the **Ask PIA** button on the PIANJ website, and we will address your specific question.—*Albright*

Privacy compliance: Producer's annual obligations

Producers are obligated by a number of laws and regulations that govern the privacy of their customers' personal information. Depending on the agency's business arrangements, producers may be required to provide clients with privacy notices annually, establish written information security programs, business associate agreements or even procedures for document disposal.

PIA helps members through the red tape and offers an extensive tool kit that offers producers the information needed to comply with these rules. This tool kit offers a convenient survey that helps develop a personalized privacy

notice and procedures. A comprehensive risk assessment survey also is included to help develop an appropriate written information security program for your agency.

To access the tool kit, log on to pia.org and select “**Privacy Compliance Central**” under the Tool kits section. And, be sure to review: **QS90495**—*How to protect your clients’ and your agency’s privacy*, an overview of the privacy issue and **QS90469**—*Privacy primer*, which outlines the state-specific statutes and regulations.

If you subscribe to PIA’s **custom newsletters** (e.g., *Insights and Updates* or *Your Business*), we can mail your agency-specific notices with your newsletter, saving you time and money. If you prefer to send your notices as a stand-alone mailing, contact Michael Lee at mlee@pia.org.—*Albright*

PIANJ IRC: Computer-generated records

Various rules of evidence are applied when the evidence is generated electronically (e.g., in the form of a computer data printout or a photocopied or scanned electronic image).

PIA’s Industry Resource Center often fields the following question: **Are scanned documents admissible in court?**

A. Yes. New Jersey (as well as Connecticut and New York) have adopted either the language of the Uniform Photographic Copies of Business and Public Records Act [N.J.S.A. 2A: 82-38; 2A: 82-40] or the Uniform Rules of Evidence Act, so as long as the scanned document is done in the ordinary course of business and there is evidence that there is no way that the document can be altered, tampered with or degraded, it would be admissible as evidence.

PIA’s E&O counsel authored QuickSource document No. **QS90467**—*Computer-generated records and their use in the defense of E&O claims*, which offers strategies your agency should consider when using electronic files to protect itself in E&O claim situations.

To learn more, log on to pia.org and type QS90467 in the Google-facilitated search box or fax a request to PIA’s Industry Resource Center at (888) 225-6935.—*Albright*

National

PIA praises House passage of long-term TRIA renewal

PIA National praised the U.S. House of Representatives for passing bipartisan legislation that extends the Terrorism Risk Insurance Act for six years and includes other provisions that benefit Main Street insurance agents.

Following weeks of intense negotiations, the House passed the Terrorism Risk Insurance Program Reauthorization Act of 2014 (**S.2244**) by a vote of 417-7 on Dec. 10. PIA calls on the Senate to pass the bill without delay.

“PIA commends the House’s passage of a long-term TRIA extension in which everybody wins,” said PIA National Executive Vice President & CEO Mike Becker. “Insurance consumers, professional insurance agents, businesses across the country and our national security will all be strengthened and better protected by the renewal of our nation’s terrorism insurance program.”

“Members had an important job to do and they came together and got the job done,” Becker said.

The bill provides much of what PIA has been advocating throughout the year, beginning with a long-term reauthorization of the program. While the trigger for the federal backstop in the event of a terrorist attack will be raised from the current \$100 million, its level is limited to an increase of \$20 million each year starting in 2016, eventually bringing it to \$200 million by 2020. The bill also would raise the federal government’s mandatory recoupment from \$27.5 billion to \$37.5 billion in \$2 billion annual increases.

“This is an excellent bill that provides the certainty that America’s businesses need,” said PIA National Director of Federal Affairs Jon Gentile. “It ensures that terrorism insurance coverage will continue to be available and affordable over the long term. We urge swift action by the Senate.”

Importantly, the bill does not include so-called bifurcation for treating nuclear, biological, chemical and radiological attacks differently from more conventional forms of attack. Notable for PIA, the bill also includes the creation of the National Association of Registered Agents and Brokers. The bill also mandates various studies, including an annual study of small insurer market competitiveness, to examine challenges smaller insurers face in the terrorism risk insurance marketplace.

Keep updated on the latest news about the TRIA extension via the PIANJ website at pia.org.—*Lachut*

Technical

2015 WC rates increase 2.9 percent

The **New Jersey Compensation Rating and Inspection Bureau** received approval from the **Department of Banking and Insurance** for a rate revision to become effective Jan. 1, 2015, applicable to new and renewal policies. The NJCRIB

distributed Circular Letter No. 1881 detailing this rate revision, along with other changes presented in Manual Amendment Bulletins No. 464 and No. 465.

Rate increase. The cumulative effect of all filed rating element changes results in a final collectible premium level up 2.9 percent (the premium change for the year 2014 was an increase of 3.6 percent). Remember, this increase is an average and the change applicable to each individual classification may vary significantly (but no more than a 12.5-percent change as directed by the commissioner). The classification rates can be seen at <http://bit.ly/1vFM5LF>.

The elements included in the cumulative increase in manual rates are upward adjustments of 4.6 percent for trending, 0.4 percent for benefit changes, and 0.5 percent for loss adjustment expense, the security fund and bureau expense. Countering these is a downward adjustment of 2.5 percent for loss experience.

There is no change in the \$0.03 per unit of exposure Foreign Terrorism Risk Premium Charge and the \$0.01 per unit of exposure Domestic Terrorism, Earthquakes and Catastrophic Industrial Accidents Premium Charge.

Classification relativities. The year 2015 begins with a total of 568 classifications, including maritime and federal employments. Eight of these do not carry a rate assignment and another 26 of the rated classifications are left unchanged. Of those classifications remaining, 378 undergo increases and 156 undergo decreases. There is no change in rates for private estate or residence employees.

Policy surcharges. There is a downward adjustment of the Second Injury Fund surcharge from 6.56 percent to 6.07 percent and the Uninsured Employers Fund surcharge remains at 0.0 percent.

Expense constant. For commercial classifications, the expense constant increases from \$220 to \$240, and for private residences, it increases from \$30 to \$50.

Minimum premium. The minimum premium multiplier remains at 150 and the maximum premium remains at \$900.

Maximum/minimum payroll. The maximum weekly payroll to be used for active executive officers, individual proprietors, partners and LLC members changes from \$2,370 to \$2,420, and the minimum weekly payroll changes from \$590 to \$610. Also, the minimum yearly payroll for a member of a board of education changes from \$6,140 to \$6,340 and the minimum for other appointed or elected officers changes from \$1,230 to \$1,270.

Benefits. The maximum weekly disability benefit is increased from \$843 to \$855 and the minimum benefit is increased from \$225 to \$228. In the case of permanent partial disabilities, the range of maximum benefit will be from \$228 to \$855, with no change in the minimum weekly benefit of \$35.

PPAP factor. The Plan Premium Adjustment Program factor is applied to standard premium in order to reflect the risks inherent in the residual market. This factor remains at 17 percent.

Schedule Rating Plan. The schedule rating plan rule remains the same.

Forms. The New Jersey Premium Discount Endorsement—Schedule Y (WC 29 04 11A) is replaced with the WC 29 04 11B endorsement to reflect the premium discount schedule.

Classifications. Due to the absence of experience during the latest five-year experience period, the following class codes are eliminated:

- 2222—Cotton Spinning And Weaving;
- 3331—Lead Works;
- 6017—Dam Or Lock Construction: Concrete Work; and
- 9727—Fur Bearing Animal Or Rabbit Farm - & Drivers.

In addition, payroll amounts have been revised in the footnotes of pertinent class codes.

Other changes. Included with the NJCRIB filing are changes to experience-rating factors/tables and retrospective rating values. Also, the Three-Year Fixed Rate Policy has been eliminated from the rules.—*Corbin*



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Education highlights

Dec. 16, 2014

Webinar: Are You Linked In?

What it can do for you and your agency

NOT APPLICABLE for CE credit

Instructor: Katherine Kemp Jensen, CIC, LUTCF, CLTC

Jan. 6, 2015

Webinar: Coverage Abbreviations: OCP, K&R,

COP/MOP, OCIP/CCIP, KMI

NJCE: 3 GEN

Instructor: Steven D. Lyon, CPCU, CIC, CRM, AAI, ARM, CRIS, AIS

Jan. 12, 2015

NEO: Online Course

NEO Series: Personal Lines Coverage Basics

CE Credit Not Applicable. This is an Online Computer Course

for unlicensed/new employees.

^FF Denotes this course has been approved for E&O loss prevention credit by Fireman's Fund. ^UM Denotes this course has been approved for E&O loss prevention credit by Utica Mutual. Call the PIA E&O Department for details: (800) 424-4244.

Jan. 12, 2015

NEO: Online Course

NEO Series: New Employee Orientation for Agency Personnel

CE Credit Not Applicable. This is an Online Computer Course for unlicensed/new employees.

Jan. 20, 2015

Webinar: Key E&O Issues That Every Agent Should Be Thinking About ^FF ^UM

NJCE: 3 GEN

Instructor: Curt Pearsall, CPCU, CPIA, AU, ARM, AIAF

Jan. 22, 2015

Renaissance Woodbridge Hotel, Iselin

2015 CIC Commercial Casualty Institute

NJCE: 20 GEN

****CIC DESIGNEE: NJDOBI will award 12 CE credits for each full year of the license term that the Designation is maintained in good standing.

Instructors: Kevin John Brady, CIC; Ted Allen Kinney, CIC, CPCU, ARM, CPIA, AAI, AINS, AU, CRIS; Steven D. Lyon, CPCU, CIC, CRM, AAI, ARM, CRIS, AIS

Jan. 30, 2015

Webinar: Cyber Liability - Why the Need?

NJCE: 1 GEN

Instructor: Robin Federici, CPCU, AAI, ARM, AINS, AIS, CPIW

Feb. 9, 2015

NEO: Online Course

NEO Series: Delivering Quality Service to the Customer and Employer

CE Credit Not Applicable. This is an Online Computer Course for unlicensed/new employees.

Feb. 9, 2015

NEO: Online Course

NEO Series: New Employee Orientation for Agency Personnel

CE Credit Not Applicable. This is an Online Computer Course for unlicensed/new employees.