



## Chair's Comments: **Make Yourself Known!**

BY CHARLES J. LORD, P.E.



**A**s I wrap up my first year as Chair of the IEEE-USA [Consultants Committee](#) (formerly the AICNCC), I have enjoyed hearing from a number of you about what some of your needs and

concerns are in building and growing your consulting practice. In my first three columns this year, I have addressed some of these: Building your toolbox, selling yourself, and building your local network.

In 2023, the IEEE-USA Consultants Committee has worked hard to provide services that benefit all independent consultants. The Committee has completed its usual activities such as providing consultant focused [webinars](#), publishing of the 2023 IEEE-USA Consultants Fee Survey [Report](#) and of course the publishing of this quarterly [newsletter](#). Another item in 2023 that the IEEE-USA Consultants Committee has been focused on is improving services provided to subscribers of the IEEE Consultants Network Membership Premium (i.e. IEEE-USA [Consultants Finder](#)).

For those who are subscribers, we have recently started a member-only listserv where subscribers can discuss in real time issues of interest to independent consultants and share job leads and contacts. This new tool has already been a great help to Finder subscribers and we are pleased to provide this for our premium members.

In doing a critical evaluation of the service, the committee has run into one issue that is hindering our marketing efforts to businesses of this service. We have many consultant listings in the Finder that are incomplete. These profiles only include minimal information with limited contact information, and do not have any pictures or keywords about your areas of specialty, essential components for any online profile nowadays.

When the IEEE-USA Consultants Committee showcases this service to businesses, we want them to see a robust listing of technical consultants who they can contact to solve their problems. Again, having incomplete profiles in the Finder is impeding that effort.

So with 2024 approaching, help us help you by taking a look at your profile and updating it if necessary. If you're having problems with updating your profile, the webinar "[All You Ever Wanted to Know about the New IEEE-USA Consultant Finder](#)" can guide you on how to do it. If you have not refreshed your consultant finder profile lately, commit to doing so in the first quarter of 2024.

With an up-to-date IEEE-USA Consultant Finder profile, it will ensure that potential clients, project managers, HR professionals and other consultants can find you more easily and possibly hire you!

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## Coming Attractions

We have some exciting plans taking shape for 2024! Starting off with our local consultant network chairs meeting on the 25th of January (registration link will be sent to local consultant network chairs in January 2024), we also will be working on new and relevant training and workshops. They will vary from our usual free YouTube presentations and will be designed to both provide up-to-date technical and professional continuing education as well as provide professional development hours (PDHs) for those who need them to keep your license and certifications current. We are

also working on outreach to other groups — both within and outside the IEEE — to promote both consulting as a career but to help steer potential clients to our members. I will have more on these new developments in the next newsletter, so stay tuned!

Thank you for being a member of the IEEE Consultants Network! It is the honor of both our committee and our hardworking staff to continue to serve you. Let's work together to make 2024 our best year yet! Please feel free to contact me at [c.j.lord@ieee.org](mailto:c.j.lord@ieee.org) or our staff, Darryl Griffin, at [d.r.griffin@ieee.org](mailto:d.r.griffin@ieee.org). ■



## CONSULTING ISSUES IN THE NEWS

### Survey Finds 73% of Consultants are Integrating AI into Their Workflows

A recent Freelancer.com survey finds that out of 8,100 freelancers surveyed globally, a striking 73% are integrating generative AI into their workflow. It's not just about finding gigs anymore; it's about how artificial intelligence (AI) is becoming a staple in a consultant's toolkit. [Read on!](#)

### A Review of Massachusetts and Washington Paid Leave Programs

Two states with broad paid leave programs, Massachusetts and Washington, have enacted specific statutory provisions that target particular kinds of self-employed workers — or those who are purportedly self-employed. [Read here](#) about each of their programs.

### Types of Talent Needed in the Age of GenAI

Upwork has recently published a story outlining how generative artificial intelligence (GenAI) is being used

in many business functions. The article outlines what types of talent independent workers need to look for in assembling a team to make the most out of this technology. Click this [link](#) to read more about talent and skills needed in this new age.

### 2023 IEEE-USA Webinar Recap

IEEE-USA has produced several webinars this year that were aimed at educating independent consultants on many different issues. [Insurance Concepts and Products](#) discussed the many different forms of insurance including Professional Liabilities Insurance. [Negotiating Your Professional Services Agreement: The Good, the Bad, and the Ugly](#) discussed the importance of having a well-drafted professional services agreement. [Semiconductors: An Introduction](#) provided high-level understanding of how chips are made, including the terminology and ecosystems required, and discussed briefly about the skills required to fuel this amazing technical field.



## SO, YOU ARE NOT A SENIOR MEMBER OF IEEE YET?

BY HERMANN AMAYA, CHAIR/FOUNDER, SENIOR MEMBER ELEVATION COMMITTEE

**W**ell, this is something that we need to correct! First, you must know that elevation to the Senior Member Rank of IEEE is amazingly simple, non-problematic and free of painful requirements on your part. This is a distinction that you have earned if you have accumulated ten years of professional practice and service to IEEE. In addition, there is some leniency in these requirements because the ten years include the time you spent in education and if you have a BS, MS or PhD, this time includes 3, 4, or 5 years which gives you a break in the professional practice requirement.

So, you say: “Is that all?” Well, there are a couple of additional requirements you must abide by and follow but they are not too stringent. If you examine your conscience and find out that you do meet the professional service requirement, then you must gather some courage and write a letter to me via email and let me know that you found out about Senior Membership when you read this article in the IEEE-USA Consultants Newsletter and request to be elevated to the rank of Senior Member as soon as possible. Now, let me set your mind at ease because this elevation process is not something that will set you back some dough or increase your membership dues in any way, shape, or form because like I said, you have earned this distinction and honor through your professional service.

What else is there? You will need to participate in a get-to-know-you online Zoom interview with your Reference Providers to meet the requirement of Acquaintance and discuss your resume to tell us about your accomplishments at a time and date to be provided to you depending on the date of the Admissions & Advancement (A&A) Review Meeting. However, it is worth noting that the A&A Review Panel of IEEE has

taken a break for 2023 and the next meeting will take place in February 2024.

Also, I will send you an email outlining the requirements and how to structure your professional resumé, so you include your professional experience, IEEE Service, education and significant performance and this is the hardest part of this process. The good part is that you will not have to do anything else, like filing and application online, since I will nominate you to become a Senior Member and will assign reference providers. You need at least two Senior Members (this is the main reason why many candidates do not become Senior Members because you must secure three Senior Member references which is hard to do) and we will vouch for you before the A&A Committee, who is the final authority to approve your nomination and elevation to Senior Member rank.

It might interest you to know that the Florida West Coast Section of IEEE through its Senior Member Elevation Committee has promoted to the rank more than 900 new Senior Members in the last three years, having elevated 47 new candidates to the Senior Member Rank at the last promotion in the month of November 2023 and we are planning to elevate as many candidates as necessary to make sure that all worthy IEEE Members get their Senior Member Plaque.

So, I invite you all to review your professional experience and write to me informing me that you are eligible, and I will take your case and run with it until we get you elevated to Senior Member in 2024. In addition, if you know of a colleague or friend that meets the requirements for elevation then let him/her know about our program.

I look forward to receiving your request for elevation. ■

# “TAIL COVERAGE” – THE EXTENDED REPORTING PERIOD EXPLAINED

BY JIM JACOBSEN

**P**rofessional Liability policies, most often written on a claims-made basis, typically contain several options for the technologist and engineering firm insureds to obtain an Extended Reporting Period (ERP). What exactly does that mean? And why might an ERP be necessary, or at least a good idea to consider? While ERP options may vary, the basic purpose of the ERP are standard. Here’s what you should know.

## What Is an Extended Reporting Period?

An extended reporting period (ERP), also known as “tail coverage”, provides an additional period after a claims-made policy has expired during which the insured can report a claim arising from prior wrongful acts that occurred prior to the issued ERP. An ERP does not extend coverage meaning new acts would not be covered.

The main purpose for this type of coverage is to ensure that you can afford the costs associated with a claim against your business if you don’t renew your professional liability insurance. That’s important, because the policy itself typically provides that the claim must be first made against the insured, and reported to the insurer, during the policy period. The “tail coverage” typically isn’t necessary if the insured is renewing its coverage, but it can be crucial when that’s not the case.

## How Does an Extended Reporting Period Work?

Professional liability insurance is designed to cover you if a client files a claim for a wrongful act or mistake they believe you have made. There are two types of professional liability policies: occurrence and claims made.

Under an occurrence policy, the insurance company covers a claim if it happened during the period the

insurer covered your business, even if the claim is made years later.

Claims-made policies cover any claims made when you’re covered, but only during the period the policy is in force. For example, if you made a design error on a client’s project and it was significant enough to impact the project outcome, they could file a claim. You would only be covered by a claims-made policy if they filed the claim while your policy was “in force” or active—not a year after you changed carriers or ceased offering your services.

## What are the benefits of an extended reporting period?

The ERP coverage extension gives the technologist or firm the ability to protect against loss from claims that materialize after its insurance policy expires, is cancelled or non-renewed, such as when the insured organization is acquired, wound down, or simply stops purchasing coverage.

If someone attempts to sue you for an insurable event that happened while your claims-made insurance policy was active, an extended reporting period will allow you to report the claim even after the policy is canceled. Here are a few examples of how an extended reporting period can benefit and protect your business:

- **If you’re planning to retire**, an extended reporting period lets you cancel your existing professional liability insurance, without losing coverage on your prior work activities. While there’s no need to maintain professional liability coverage on a closed practice, the insured will want to maintain some protection against wrongful acts he or she may have committed prior to the policy’s expiration.

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But a claim has not arisen and thus cannot be reported until after the policy has expired.

- **If you're planning to switch to a new policy**, an extended reporting period continues to protect the work you did under your former policy. Without it, you are only insured for incidents that happened while your new policy is in force.

Extended reporting periods also protect you and your firm's practice in times of transition. They enhance both your financial security and peace of mind, allowing you to focus more on running your business.

It's important to note that the ERP does not extend the policy period and does not change the scope of coverage or increase the policy's available limits.

#### **How much does an ERP cost?**

Insurers typically charge a fixed percentage of your [professional liability insurance policy cost](#), based on a multiple of the premium on the cancelled or expiring policy. Such tail coverage is typically purchased in one-year increments, up to five years or longer – but as the tail period increases, the cost goes up, since the insurer is taking on additional risk. The premium for a tail is fully earned at the time of purchase.

#### **How to get an extended reporting period?**

[Contact your Professional Liability provider](#) to add an extended reporting period to your insurance policy. It's a good idea to do this before canceling your policy because some companies impose a narrow time window for buying an ERP after cancellation.

Some insurance carriers may give you 30 days or less after the expiration (or policy cancellation) to arrange

for your ERP. Others require notice of no later than the date of cancellation. In either case, it is best to learn about your ERP options well in advance of canceling your policy.

In addition, many technologists and small business professionals decide to keep working part-time after they retire. They cancel their professional liability insurance and then buy an extended reporting period endorsement to extend their claim-filing period. But here's the problem: they incorrectly assume their ERP will protect them if they make a mistake after they retire.

It's important to note, an extended reporting period isn't an actual insurance policy. It simply lengthens the period during which you can file a claim beyond the policy's cancellation date. Any claims that arise from new incidents during your retirement will not be covered.

Remember, an ERP is always optional, and an insured is never required to purchase one. However, the ERP provides an additional layer of protection and should be seriously considered, especially if the insured foresees a major change to its business or its insurance program.

IEEE consulting members, and those considering the opportunity to become self-employed...or even those considering undertaking a single consulting project, can learn more about their exposure to risk and ways to mitigate exposures with contracts and insurance, in addition to prudent business practices. These resources can be found in the IEEE [Risk Management Hub](#). Information about the professional liability insurance and related policies as well as the online application for coverage are at: [IEEEinsurance.com](#). ■