

Commercial Risk Advisor



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Cybercriminals Are Weaponizing Artificial Intelligence

Artificial intelligence (AI) has become increasingly popular in recent years, offering functions that simulate human intelligence. While AI technology offers numerous benevolent applications, it can also be weaponized by cybercriminals. In an experiment conducted by cybersecurity firm Home Security Heroes, an AI tool was able to crack 51% of common passwords in less than one minute, 65% in under one hour, 71% in one day and 81% in one month.

As this relatively new threat continues to grow, it is imperative for businesses to understand its risks and adopt strategies to mitigate these concerns. Cybercriminals can weaponize AI to seek targets and launch attacks in numerous ways. Examples include using AI to:

- Create and distribute malware through chatbots and fake videos
- Crack credentials and steal passwords
- Deploy convincing social engineering scams that trick targets into sharing confidential information or downloading malware
- Identify exploitable software vulnerabilities such as an unpatched code or outdated security programs
- Efficiently disseminate stolen data

To protect against these vulnerabilities, businesses should prioritize implementing cyber risk management measures. These tactics can reduce the risk of experiencing a cyberattack and mitigate related losses. Here are strategies to consider:

- Promote the safe handling of critical workplace data and connected devices by requiring strong passwords or multifactor identification, regularly backing up data, installing security software on networks and devices, and regularly training employees on cyber hygiene.
- Use automated threat detection software to monitor business networks for possible weaknesses or suspicious activity.
- Create a comprehensive cyber incident response plan and routinely practice it to stop cyberattacks or reduce their potential damage.
- Secure adequate insurance coverage to provide financial protection against the weaponization of AI.

Businesses should be aware of the risks associated with the weaponization of AI technology and implement effective strategies to mitigate these exposures. By staying informed about AI-related developments and following best practices, businesses can secure their operations' data and minimize cyberthreats.

Contact us today for additional risk mitigation and insurance guidance.

Complying With the Pregnant Workers Fairness Act

Employers must ensure they are in compliance with the Pregnant Workers Fairness Act (PWFA) that became effective on June 27, 2023. Under this law, covered employers must provide qualified employees with reasonable accommodations for their known limitations associated with pregnancy, childbirth or related medical conditions unless the accommodation would cause the employer undue hardship. The PWFA amended the Americans with Disabilities Act and only applies to accommodations; existing laws already make it illegal to discriminate on the basis of pregnancy, childbirth or related medical conditions. Additionally, the PWFA does not replace federal, state or local laws that are more protective of workers impacted by pregnancy, childbirth or related medical conditions.

In general, a qualified employee under the PFWA is an employee or applicant who, with or without reasonable accommodation, can perform the essential function of the employment position. The PFWA applies to "covered employers," which include private- and public-sector employers with at least 15 employees, federal and employment agencies, and labor organizations. Examples of PWFA violations include the following:

- Requiring an employee to accept an accommodation without discussing it with them
- Denying a job or other employment opportunity to a qualified employee or applicant based on the individual's need for a reasonable accommodation
- Requiring an employee to take leave from their job if a reasonable accommodation would allow them to keep working
- Retaliating against an employee for participating in a PWFA investigation or other proceeding or for reporting or opposing unlawful discrimination under the PFWA
- Interfering with an individual's rights under the PWFA

Employers should review their accommodation policies to ensure they meet the law's requirements. Two key terms to know include "**reasonable accommodation**," which is an adjustment or modification to a job, work environment or how things are typically done; and "**undue hardship**," which refers to an accommodation that creates a significant difficulty or expense for an employer. Examples of reasonable accommodations include allowing the worker the opportunity to:

- Sit, hydrate, park closer, take breaks, work flexible hours and/or take leave or time off to recover from childbirth
- Receive uniforms and safety apparel that is appropriately sized
- Be excused from strenuous activities and/or exposure to conditions or chemicals that are not safe for pregnancy

Employers' compliance with the recently effective PWFA can allow them to avoid fines and lawsuits while enabling employees to be in a work environment that meets their needs.

Contact us today for additional risk mitigation and insurance guidance.

According to a Bipartisan Policy Center 2022 survey, 23% of mothers report they have considered leaving a job due to a lack of reasonable accommodations or fear of employer discrimination during pregnancy.