



ALLIANZ COMMERCIAL

Reducing slip and fall claims

Allianz Risk Consulting

Risk bulletin

Introduction

Slip, trip and fall accidents are a leading cause of customer injuries, resulting in substantial liability insurance losses each year. The National Safety Council estimates that more than 16,000 people die each year because of slips, trips, and falls. Many more suffer injuries, ranging from simple cuts and bruises to permanent disability. The sad fact is many slip and fall accidents are preventable.

A comprehensive slip and fall prevention program begins with effective building design, and includes proper choice of flooring materials, floor cleaning and maintenance, facility inspections, employee training, accident response, and documentation.

Building materials

Flooring should be chosen based on functionality and safety, as well as aesthetics. For instance, classy Italian marble flooring may look great but it might get very slippery when wet. It's best to know these facts before selecting floor coverings.

All flooring has a slip-resistant rating factor designated by the manufacturer. A rating of greater than a 0.5 coefficient of friction is considered slip-resistant by the American Society for Testing of Materials (ASTM). However, since these standards are based on dry tests, floor material selection should be made with actual usage in mind.

Floor cleaning/coatings

One of the most misunderstood elements of a slip prevention program is floor coating. All coatings, when properly applied, should provide a friction coefficient of 0.5 or greater.

Therefore, it is essential that employees responsible for cleaning floors be trained in the proper application of cleaning agents and protective coatings. For example, a mop used to clean the floor around a food preparation counter can spread a layer of grease to areas occupied by the public. Color-coded mops can be used to help keep public areas free from grease. Most floor coating suppliers recommend scrubbing and squeegeeing floors rather than mopping during regular cleaning.

Additionally, many products on the market are designed to increase the friction coefficient of various flooring materials. Many companies also provide cleaning and product application technical support with the products they sell. Following the manufacturer's application recommendations is critical to achieving optimum results.

High hazard floor protection

Many slips and falls occur at entrances, particularly during wet weather. Accidents may be avoided if the staff is instructed to place carpet runners on the floor to absorb excess water, employ caution signs to warn patrons of a potential hazard, and periodically inspect and mop the area.

The staff should also be watchful for food and beverage spills that occur around walkways, tables, counters, restrooms, and drinking fountains, and be ready to clean spills as soon as they occur. Placing cleaning equipment in easy-to-reach areas can help reduce the response time.

Facility inspection

In civil court, companies that provide documented evidence of maintaining an effective slip and fall prevention program may stand a better chance of receiving favorable court rulings or jury decisions. Many companies use a "sweeps" program, inspecting their property on a regular basis and documenting the results in a "sweeps log." Although this program can be an effective preventative technique, one potential deficiency is in the failure of management to properly supervise inspections and insist on regular documentation. Management involvement and strong leadership is critical for the success of your program.

Another strategy is to establish a formal policy that mandates all employees to identify and address any slip and fall hazard they encounter during the course of their workday. To assure success, the policy should be reinforced with a formal training program, coupled with aggressive management engagement.

Some hazardous situations call for greater attention, such as safeguarding entrances during a rainstorm or outdoor walkway during icy conditions. The frequency of inspections should be based on the hazard and as conditions warrant. A notation in a "storm log" or "manager's log" can provide a good defense in cases of slip and fall incidents.

Employee training

Employee training is at the heart of any slip prevention program. One major retailer has set strict guidelines for its staff. Whenever employees find a slip hazard in an aisle, they cannot leave the immediate area until they get the attention of another associate to either protect the public from the spill or retrieve a "spill response kit" to clean up the mess. Failure to comply with this rule can result in immediate termination. A regular training program leads to a heightened sense of awareness of the hazards, and increases the attention devoted to the protection of your patrons.

Slip, trip and fall incident management

How an employee reacts when a customer falls can have a dramatic impact on the outcome of litigation. Such comments as, "I'm so sorry, we've had a few customers slip in this same spot ..." or "This was our fault, I asked an employee to clean up this spill a while ago ..." does nothing to engender genuine customer relations or stave off future lawsuits.

Employees should be trained on how to respond when a customer falls or is injured. Many companies engage in role-playing sessions as a training device. This allows employees to practice reacting to likely situations and responding to an upset or irate customer.

Fact-gathering and incident reports are critical and should be completed immediately after an accident occurs. Professional investigators attest that stories can change over time.

Train employees and managers to document every detail of the incident. Collect names, address, and phone numbers of all parties involved, including witnesses. Document key pieces of information, such as the type of injury and complaints of pain. Record what the customer said about the cause of the fall, if they wear glasses, the type of shoes they were wearing, signs of foreign material on the floor, and any other information that may be relevant. Note that copies of internal documents, such as accident reports, should not be given to the customer.

Documentation of a slip and fall incident can be greatly enhanced with photographs. Close-up photos should be taken of the area of the alleged slip and fall, using a ruler or pen to show relative size. Photographs should then be taken from every angle and at an increasing distance from the scene. Additionally, photos should show the general area, including lighting and signage, and taken from the direction the person was walking and from the opposite direction. Future allegations may be based on such factors as lighting or warning signs, so photographs can help establish the setting at the time.

Other supporting information should also be gathered and documented, such as the last time an employee or manager inspected the area and when the floor was last cleaned or maintained.

Employee slip and fall accident prevention

Employees are also exposed to workplace slip and fall hazards, which can result in serious injuries and heavy Workers' Compensation losses. A slip while carrying a heavy load can result in a severe back strain or other injury. Proper floor maintenance and slip resistant coatings are just as important for employees as for customers. Employees should be encouraged to wear shoes with slip-resistant soles. Even inexpensive brands can help prevent employee slips and falls, and can be a positive impact on productivity by providing more stability in slippery conditions.

Conclusion

Although courts have ruled for plaintiffs in many slip, trip and fall cases, a documented slip, trip and fall prevention program can go a long way to help keep customers from being injured and provide your company with a basis for defense should a claim arise. Additionally, employee slip and fall prevention is critical to your Workers' Compensation cost-containment efforts.

Your insurance agent or an Allianz Risk Consultant can assist you in establishing a slip, trip and fall accident prevention and claims management program, and can provide you with sample inspection checklists and incident investigation forms.