

WINTER SLIP AND FALL PREVENTION MEASURES

Winter brings a unique set of challenges for retailers including a greater risk of slip and falls due to slippery conditions. If someone hurts him or herself inside or outside your premises, they can demand compensation, or even sue you. On the bright side, with some extra care, slip and fall incidents are largely preventable by paying careful attention to the following issues:

- **Wet Floors** - Increased efforts are necessary to control and minimize wet floors throughout the store, especially during winter months. Non-slip mats and/ or runners should be installed at entrances.
- **Snow and Ice Removal** - This is a key activity during winter months. Whether or not you use a snow removal contractor, it is important to prepare and document your efforts.
- **Floors and Mats** - These will need to be cleaned more frequently.
- **In-Store Surveillance Systems** - In the event of an incident, preserve the recording.
- **Applying Salt to Parking Lots and Walkways** - If the entire lot is not salted, then the area where pedestrian traffic is not restricted should be cordoned off.



- **Training Your Staff** - Your staff should immediately correct unsafe conditions and take appropriate actions when dealing with a potentially injured customer.
- **Site Inspections** - It is prudent to inspect the site and routinely document your actions to check for slippery areas and apply sand or sand/salt to reduce the likelihood of slips and falls.
- **Snow Clearing Equipment and Ice Melting Materials** - Make sure that snow clearing equipment and ice melting materials are readily available.

USING A SNOW REMOVAL CONTRACTOR

It is a good strategy to use a collaborative approach when working with snow removal contractors as they may be named in a negligence claim. This will create a more consistent risk mitigation program and may help reduce claims costs.

We suggest performing an inspection of the premises before the winter and to preplan where excess snow accumulation will be stored. Areas of concern should be identified such as dripping fascia, leaking eaves troughs, and water pooling in low spots. Snow



storage areas need to have adequate drainage so that melt run off does not refreeze.

The snow removal contract should include recordkeeping requirements by the contractor and other provisions specific to your particular business needs.

IF YOU DO NOT USE A CONTRACTOR

If you plan to do your own snow clearing, it is important that all surfaces be kept as clear as possible at all times. All snow removal activities including salting and sanding efforts should be documented for possible defense purposes in the event of a claim on your premises.

RECORDKEEPING

Consistent documentation is important to manage the claims and/or discovery process. Snow logs should be maintained by the contractor and/or the site — documenting at a minimum, the date and time of day, description of the areas maintained, extent of work conducted, the person performing the work, temperature, weather conditions, materials, and quantities used. Use housekeeping logs to record inspections of the store. Maintain all records for as long as necessary to comply with your document retention policy.

IF AN INCIDENT OCCURS

- The first priority is determining if the customer is injured and if medical attention is required. Do not try to move the person and do not treat them unless qualified to do so. Call an ambulance, if required, so that emergency services can assist the customer.
- You should not admit fault to the customer. Showing genuine concern for the customers well-being is often enough to prevent them from taking legal action.

If you plan to do your own snow clearing, it is important that all surfaces be kept as clear as possible at all times.

- Training your staff on the appropriate actions to take when dealing with a potentially injured customer will be helpful if you are not at the store.

- If video surveillance captures the incident, create a copy and store it in case it is needed in the future.

- Immediately complete an incident report recording as many details as possible.

A little extra vigilance during winter months will go a long way towards keeping slip and fall incidents in check.

For more information, please contact Pamela Pyke (204 982 6515) or Doug Ketler (204 982 6502) with Marsh Canada or visit www.marsh.ca. 🍁

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