

# Icy Parking Lots and Walkways



## Reality Alert

An employee of a Midwestern assisted living facility slipped and fell on freshly fallen snow when exiting her car on the morning of her shift. After injuring both her back and neck, she immediately sought medical attention. While undergoing routine medical exams, it was discovered the woman was pregnant and she was air lifted to another hospital for emergency surgery to address prenatal complications. The employee ultimately miscarried and suffered permanent partial disability.

## Statistics and Claim History

Long-term care, assisted living, and social services all have something in common – traffic. Between elderly or mentally-handicapped clients and their families, as well as the countless employees needed to provide care and support, these facilities see much automobile and pedestrian congestion. With all of these people walking back and forth from their cars to your facility everyday, the potential for slips, trips, and falls on your premises is enormous. Unfortunately, this pedestrian traffic doesn't typically slow down when the winter storms start blowing through.

With ice and snow gradually building up through the winter months, your facility will experience a much greater slip-and-fall exposure, and West Bend claims representatives can attest to that. Our worker's compensation and general liability adjusters see more claims in the winter months than any other time of the year; it should come as no shock that a high percentage of their winter workload is the result of weather-related slips and falls.

## Loss Prevention Ideas

While you do the best you can to keep your parking lots plowed and your sidewalks shoveled and salted, despite your best efforts, you won't be able to keep your premises 100% slip-free. You can protect your clients and employees, however, by considering these recommendations:

- **Contract with a Reputable Plowing Company** – If you're not already contracting out your plowing and shoveling needs, you may want to consider spending the money to do so. By working with a reputable company and obtaining certificates of insurance, you can shift most of the liability you would otherwise face. After obtaining certificates of insurance, it's important to sit down and put together a thorough snow removal action plan. Clearly identify when the contractor should plow or shovel and where the snow will go. Be sure to tell them when your parking lot has the most traffic and your typical hours of operation.
- **Shovel Safely and Thoroughly** – We've found most facilities shovel their own sidewalks and walkways. From a cost standpoint, this makes sense, but you open yourself up to increased liability and injuries to employees. Keeping a shoveling and salting log – see our Winter Safety document at [thesilverlining.com/SocialService](http://thesilverlining.com/SocialService) for an example – is a great way to minimize liability. When you can show your employees did their best to stay on top of shoveling and salting, most courts will dismiss frivolous claims arising from slips on ice. Also remember to clear all emergency exits in addition to the main access points. Teach employees proper techniques for shoveling and salting to prevent repetitive motion, back, and shoulder injuries.
- **Handrails** – Handrails help reduce the frequency and severity of slip-and-fall injuries in the winter months. Large home improvement stores typically carry pre-assembled outdoor handrails that can be relatively easy to install. Place handrails along all major thoroughfares and stairwells.
- **Document Injuries** – Despite your best efforts, a winter weather slip-and-fall injury may take place on your premises. If a client or employee reports he/she has fallen on your sidewalk or in your parking lot, investigate the allegation immediately. Identify exactly where the fall occurred and take photos when possible. If ice or snow did contribute to the fall, shovel or plow the area as soon as possible. If there's no clear indication of ice or snow, make a note of the last time the area was plowed, shoveled, or salted.