



# ONE-MINUTE Insurance Manager

## SNOW PLOWING & ICE REMOVAL

Slip and fall liability claims are unfortunately a fact of life for any property owner - not only for businesses and homeowners - but also for church, school and charitable organizations with busy premises, parking lots, and outdoor walkways. Sometimes these claims can be relatively minor, at other times they can involve permanent and serious injuries with medical care, rehabilitation and loss of income, and sometimes they can be grossly overstated, or even fraudulent!

During winter months in Canada, the risk of slip and fall claims increases dramatically with snowfall and from icy surfaces due to freeze/thaw conditions and ice storms. The good news is that unnecessary injuries, claims and lawsuits can be avoided by following five (5) easy steps:

**1** Clear all snow covered or icy surfaces during the winter months on a regular basis, and especially prior to any scheduled events such as church services, mid-week programs, or special events run by your organization or by outside user groups, including weddings, concerts, and also daily in areas on your premises where employees park and access the building weekdays.

**2** Hire a professional snow removal / plowing contractor with a contractual agreement to remove snow and de-ice your premises under agreed terms, such as when there is 1" or more snow fall, and for salting, sanding or de-icing just prior to snow and ice storms. Make sure to obtain proof of the contractor's liability insurance by collecting a Certificate of insurance each year verifying a minimum of \$2,000,000 Commercial General Liability

coverage and naming your organization as Additional Insured, in the event of their negligence or omission.

**3** Either as required under your agreement with the contractor or by assigning someone at your organization, keep a thorough log book of snowfall, snow removal, and de-icing of entrances, sidewalks and parking lots, including dates and times.

**4** If you rent to other organizations on your premises (e.g. day care, school, another church or charity, etc.) include in their rental agreement the requirement that they are responsible for the cost of snow removal and de-icing, and containing a hold harmless and indemnification agreement in your favour if you are sued for their negligence in not maintaining the premises for their staff, members, volunteers or guests during their hours of operation on your premises, along with obtaining proof of their General Liability insurance with your organization named as Additional Insured.

**5** Repair and fill parking lot potholes and cracked or crumbling sidewalks, before the winter season.



**Did you know?** *It is not uncommon to be sued fraudulently by individuals claiming to have slipped and fallen on your premises, when in fact they fell on a nearby street or city sidewalk, or the accident was staged. Having a regular winter maintenance program and log book greatly helps in defending and dismissing these claims.*