

Seven Steps Property Owners Can Take to Reduce Slip, Trip, and Fall Hazards

Keeping operations running safely and efficiently is essential in today's economic and competitive environment. Property owners might be tempted to overlook the positive results obtainable from reducing slip, trip, and fall (STF) incidents. There is no precise way to determine if a business owner is legally responsible for a customer's injuries in a slip and fall occurrence. Following are seven steps that property owners can take to reduce STF hazards:

Step 1: Maintain Property

Far too many STF events occur from a spill on the floor that isn't cleaned up, uneven flooring, or even debris on the floor, an indication of poor housekeeping. One of the quickest ways to reduce the likelihood of STFs is to establish and follow a thorough housekeeping and maintenance program. Regular inspections, repairs, and emergency spill kits are three action steps that a property owner can take to reduce STF hazards.

Set up a regular inspection program for exterior walkways, parking areas, stairs, walkways, and public areas to verify acceptable conditions and allow for necessary maintenance. Repair unstable surfaces, such as loose tiles or torn carpet. Secure or replace mats, rugs, or carpets that do not lie flat. Conduct routine monitoring for walking surfaces that may be wet or icy, such as sidewalks and building entrances. Clean up spills as soon as possible. Instruct personnel to use "wet floor" signs to mark wet or slippery areas until they can be cleaned up.

Step 2: Incorporate Accessible Design

The importance of accessible design is more than aesthetic; in many cases, it is essential. Effective STF prevention efforts incorporate American with Disabilities Act (ADA) requirements. Widths of walkways, aisles, and staircases that meet the ADA design criteria tend to help reduce STF incidents. Check that there are adequate clearances for doors, walkways, and aisles. Keep floors clean and dry and remove any obstructions or tripping hazards. A walkway auditing program is a proactive way to document and help maintain conditions that meet or exceed the ADA guidelines and can help identify trends within a property that can result in reduced slip-resistance of flooring surfaces. Related testing should be completed in a consistent manner and include multiple sets of measurements. The ADA provides design requirements and American National Standards Institute (ANSI) standards address test methods for floor slip-resistance.

Step 3: Check Stairways, Handrails, and Lighting

Make sure that stairs comply with the local building code and that nosings are easy to see — even for a visually impaired person. Stairs should have uniform rise and run, with handrails that are firmly mounted and easy to grip. Carpeting should not make it hard to tell where each step's nose ends. Outdoor stairs must be slip-resistant when wet and should have abrasive tape strips on each tread.

Good visibility is essential for the prevention of STF incidents. Evaluate the property and grounds during different times of the day and seasons of the year to determine whether lighting is adequate. Consider the earliest and latest times when visitors, pedestrians, or employees are on the premises. Provide additional lighting for walking surfaces, as needed. Do not forget to include parking areas, stairways, and loading docks. Promptly replace any burnt-out bulbs.

Step 4: Walking Surfaces in the Means of Egress

Property owners understand the importance of providing safe passage for occupants in the event of an emergency. The National Fire Protection Association (NFPA) 101, Life Safety Code®, addresses many facets of safe passage including walking surfaces. It recommends that the walking surface be slip-resistant under foreseeable conditions. The walking surface should be uniformly slip-resistant along the natural path of travel. Means of egress shall be continuously maintained and free of all obstructions or impediments to full instant use in the case of fire or other emergency. In addition to slip-resistant floor surfaces and a path free of obstructions, it is important to check for elevation differences along the path. The elevation of the floor surfaces on both



sides of a door opening should not vary by more than 1/2 in (13 mm), and, if there are elevation differences, they should be modified so that they do not introduce a trip hazard.

Step 5: Collect Certificates of Insurance

A property owner should request certificates of insurance (COI) from tenants or any service providers who perform work on the premises. Advise tenants to obtain COIs from suppliers that do work for them. Requesting a COI does not, in itself, transfer any risk, but it does provide evidence of a company's types and limits of coverage. In some jurisdictions, subcontractors who do not carry their own insurance can be treated as employees; however, that will increase the cost of workers' compensation insurance for the owner. Consult an insurance professional and legal counsel to determine what insurance requirements are appropriate for your company operations.

Step 6: Seek Protection through Contractual Agreements

The following example highlights the importance of COIs and contractual agreements: if a worker falls from a ladder while cleaning an air duct, the property owner could be responsible, even if it was not their ladder or their worker. If the contractor and the property owner had a "handshake" agreement, it could be difficult and costly for the property owner should an incident occur. In many cases, participants in unwritten agreements may have different recollections of the terms.

Property owners and every business rely on relationships. The relationships often take the form of negotiated, written agreements. A property owner should recognize the importance of pre-screening providers to validate (1) adherence to contractual requirements, not just the quality of their work, (2) adherence to safety programs, purchase adequate limits of insurance, and (3) agree to accept potential liability involving their work. Property owners should use vendors and service providers who hold them harmless as a condition of doing business.

Where legally possible, businesses should try to manage risk by having others contractually assume their share of liability. Examples include hold-harmless clauses, contractual requirements to provide insurance coverage for another party's benefit, and reinsurance. Requiring tenants, service providers, and subcontractors to enter into hold-harmless agreements helps ensure that, if you are held liable for their conduct, they will hold you harmless and reimburse you for any monetary losses.

Step 7: Rooftop Fall Protection Programs

Falls from elevations can be deadly. Property owners are responsible for all that goes on between the four walls of a building, as well as rooftop activities. Most properties today have rooftop equipment that is serviced or maintained by others. The rooftop safety programs must reach beyond staff to anyone who works on equipment located on the rooftop. Often, a worker is focused on the immediate and may not be attentive to where the building's edge is or other fall hazards, such as skylights and ventilation shafts.

Workers must be protected from leading edges and skylights, and there should be guardrail systems or fall protection programs in place. There is flexibility in how a rooftop fall protection program is implemented, but a formal program should be in place. Before a worker is permitted to work at rooftop level, be sure that they have completed any required training and can demonstrate that they understand the work rules and safety precautions in place. In addition to workers being at risk of falls, members of the public could be at risk of falling materials.

A property owner may find that the above hazards are just the tip of the iceberg when it comes to considering STF hazards. Risk control programs can be used to identify, correct, and reduce STF hazards. Some incidents are difficult to avoid; however, having a plan in place to prepare for known hazards may help to reduce a property owner's losses. STF plans are essential to that overall goal. The seven steps described in this handout outline a path designed to reduce STF incidents and thereby reduce the risk of loss to property owners.

The information contained in this document was obtained from sources believed to be reliable. QBE Holdings, Inc., and its subsidiaries and affiliates (collectively, "QBE") makes no representation, warranty or guarantee regarding the suggestions and/or information contained herein or the suitability of these suggestions and/or information for any particular purpose. QBE hereby disclaims any and all liability for the information contained herein and the suggestions herein made. Moreover, it cannot be assumed that every acceptable policy and/or procedure is contained herein or that unusual or abnormal circumstances may not warrant or require further or additional policies and/or procedures. The use of any information or suggestions described herein does not amend, modify or supplement any insurance policy. Consult the actual policy or your agent for details of your coverage. © 2021 QBE Holdings, Inc.

Includes copyrighted material of Insurance Services Office, Inc., with its permission.