

LUXURY SURFACES CAN MAKE FOR A SLIPPERY BUSINESS

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LAW CONFERENCE

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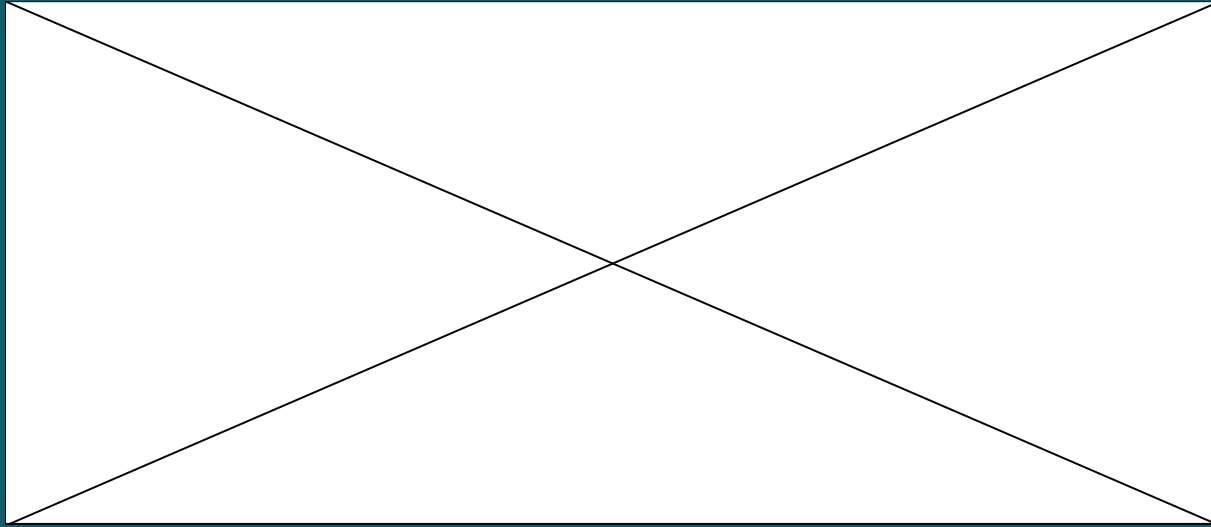
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Successfully tried more 100 Jury cases to verdict throughout the United States over 25 years

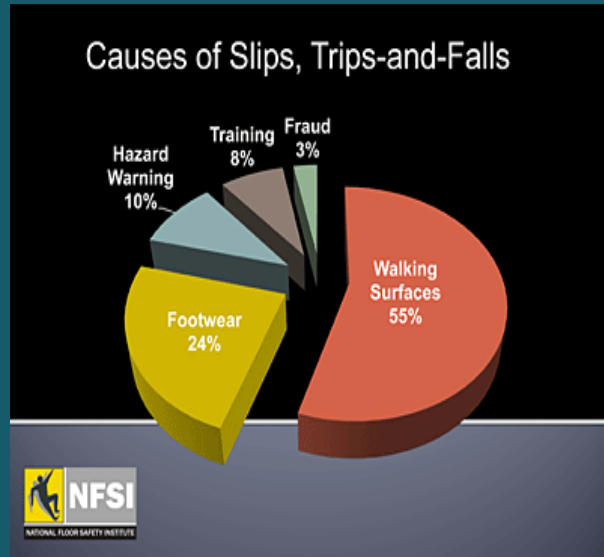
Developed a unique, results oriented, collaborative cost management program which succeeded in aligning client and professionals and reduced costs



SLIPS, TRIPS, AND FALLS



THE PROBLEM



- Falls are the second leading cause of accidental deaths each year, second only to automobile accidents.
- Falls account for an estimated 17% of all work-related injuries and cost an estimated \$ 70 Billion in lost wages and medical costs.
- Falls are under reported due to being classified by injury rather than cause.

STANDARDS OF INVESTIGATION

- ASTM F1637 -07 Standard Practices for Safe Walking Surfaces.
- 28 CFR Part 36 Codified the ADA.
- ANSI A1264.1 safety Requirements for Workplace Floor, Stairs and Railings.
- ANSI A1264.2 Provision of Slip Resistance on Walking/Working Surfaces.
- NFPA 5000 Building Construction and Safety Code.



HIGH DEFINITION 3D LASER SCANS



MEASURING THE SURFACE



- ENGLISH XL
ASTM F2508 – 16
- FORCE IS APPLIED BY COMPRESSED GAS – NOT WEIGHT
- LIGHT AND FAST
- EXCELLENT FOR WET OR DRY SURFACES
- MEASURING HEEL STRIKE SLIP RESISTANCE INDEX

IS IT A FRAUD?



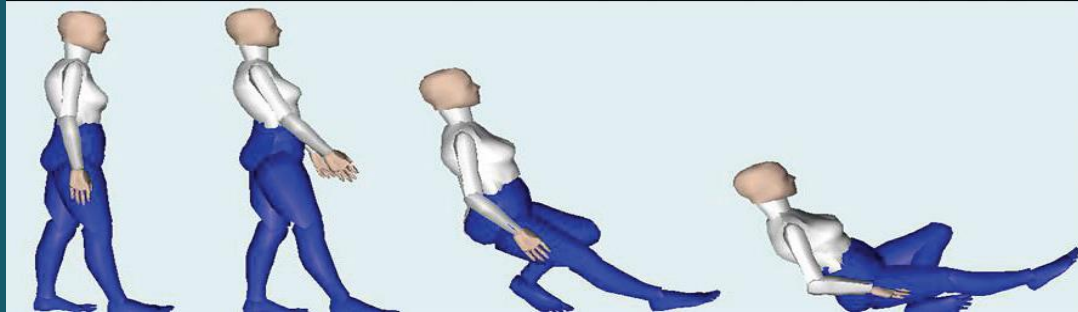
- Engineers provide a scientific evaluation of the incident.
- Is the injury consistent with the description of the accident?
- Is the surface capable of producing a fall?
- Unexplained contaminants?
- These are powerful when combined with witness descriptions of the event that contradicts the claimant.
- It is very difficult to prove fraud, unless you have video



SLIP v. TRIP

Slip:

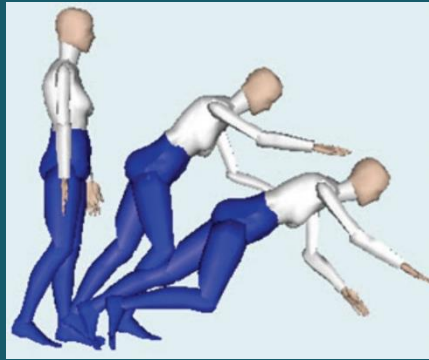
Lack of surface friction which causes the foot/heel to slide along the walking surface.



SLIP v. TRIP

Trip:

Something obstructs the movement of the foot in the direction of travel.



DIRECTION OF FALL

Slip: Can fall in any direction.

Trip: Will fall in the direction of travel.



A FORWARD FALL





FALLS FORWARD

- One will usually try to brace for fall.
- It can result in injuries to multiple locations:
 - Hands
 - Wrists
 - Elbows
 - Shoulder
 - Knees



A BACKWARD FALL



FALLS BACKWARD



- It is more difficult to brace for fall
- Some injuries that result are the same as forward falls, others are not.
 - Shoulder
 - Tailbone



Putting it all together



- Site Inspection
 - Measure the location – 3 D scanner - locate obstacles
 - Determine coefficient of friction – both wet and dry
 - were any cleaning solutions present? Document
 - Document the lighting conditions – visibility – obstructions
 - Other factors



Putting it all together



- Statement from the person who tripped/slipped before they lawyer up.
- Witness statements
- Videos – can be from neighboring buildings – traffic intersections
- Direction of the fall – objects contacted – body parts that hit objects
- Human Factors – carrying objects – shoes – twisting



Putting it all together



- Correlation between injuries and mechanics of the fall
 - Estimated forces
 - Injury thresholds
- Differentiate between acute and chronic conditions
- Effects of pre-existing conditions
- Social Media



Building a World Class Safety Culture

- Safety will never become a core value within a company until the safety strategy is aligned with and supports the business strategy.



Building a World Class Safety Culture

IF YOU WANT SOMETHING NEW, YOU HAVE TO STOP DOING SOMETHING OLD

-Peter F. Drucker

