

Program for slips and falls



It might be a visitor, a customer or even your own employee who slips and falls, but chances are you won't be there to see it. If someone slips and falls in a building you maintain, do the following:

Immediately

1. Offer medical attention.

- Administer first aid at the scene. Anything other than the most minor injuries should be left to health professionals.
- Call emergency service, if needed.
- Suggest a medical provider for follow-up care.
- For employee injuries, refer or suggest a medical provider who you have approved in advance, if your state allows.
- Always avoid discussion of blame.

2. Gather and document information.

- Get name, address and phone number of the injured person.
- Get names, addresses and phone numbers of witnesses.
- Obtain the injured person's description of what happened.
- Photograph the scene of the accident i.e., floor, spill, etc.

3. Report the accident.

- Ask your employees to notify you immediately of any slips and falls on floor surfaces you maintain.
- Notify United Fire Group (UFG) of all losses, even if the information you have is incomplete.

Within 24 hours

1. Contact the injured person or if the person is a minor, contact the parent(s).

- Communicate your concern and verify whether treatment was received.
- Avoid discussion of blame, in all cases. Assure the injured person that the accident will be investigated.
- Be alert for claimant's expectations. Communicate them to UFG.
- Make sure injured employees understand that a claim will be processed for workers compensation benefits, in regard to medical bills and time lost from work, if applicable.

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2. For injured employees, contact the treating physician.

- Provide the physician with an injury report that includes all the information you reported to UFG.
- Provide the physician with a detailed description of the injured employee's current job duties.
- Communicate your desire to have the injured employee return to work as soon as possible and to ensure that they know of your light-duty program.

3. For all accidents, determine facts and circumstances.

- Identify specific materials, equipment or tools involved in the accident. Preserve the evidence in a safe place.
- Do not discard damaged or broken equipment involved in an accident. Preserve it in a secure place where it will not be inadvertently put into use or destroyed.
- Develop a plan of action for preventing a recurrence of a similar accident.
- Notify your customer of potentially hazardous conditions which require action on their part for accident prevention.

After the accident occurs

1. Maintain an accident injury management record. Whatever format you choose, a paper filing system or a computer database, your records should include:

- An injury report, including all information reported to UFG
- A log with all communications related to the claim:
 - Dates
 - Contacts
 - Description of discussions
- Information on employee return-to-work status

2. Notify UFG of any new information you may receive or uncover about:

- The accident
- The injury
- Employee work status
- Legal representation or suit filings

**Don't let claims
"slip and fall"
between the
cracks!**

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Loss reporting tips

- Apply these same slip and fall guidelines to your customers. Help by educating them.
- Make sure your employees know what to do if they should fall and be injured or if a customer falls.
- Always inquire to see if an employee's absence, due to illness, may be work-related.
- Make sure one employee is responsible for reporting all losses to UFG. Cross train a backup for that person.

A note about fraud

Slip and fall scams take advantage of existing hazards, as well as staged circumstances, to collect settlement sums or workers compensation benefits. These are claims we would all rather fight than pay. However, it is often very difficult to prove something that did not happen, when a fraudulent claimant alleges it did.

You can help UFG get the jump on fraudulent claims by consistently following the steps outlined in this document:

- Immediate notice of all alleged accidents will help to identify and deny fraudulent claims.
- Help to successfully defend litigation involving fraudulent claims by gathering and documenting evidence and facts while they are fresh.
- Have a plan for medical care in order to get an immediate, objective evaluation and documentation of alleged injury.
- Follow consistent slip and fall management guidelines to accurately identify claims which are fraudulent versus those which have merit.

THE SLIP AND FALL ACCIDENT INVESTIGATION

1. Begin your investigation as soon as is practical after the accident.
2. Go to the scene. Get the big picture first. Keep a camera handy for taking immediate photographs of the floor surface or area where the accident occurred. Do not photograph the injured person.
3. Talk with the injured person as soon as possible at the scene of the fall. Find out in their own words what happened.
4. Preserve any pertinent physical evidence: litter, equipment or any foreign material contributing to the alleged fall. Be sure to place evidence in a safe place where it will not be disturbed or destroyed until your insurance carrier instructs you to dispose of it.
5. If a fall in a wet area or on liquid is involved, make every effort to determine the source of the liquid and exactly what it is i.e., water from a drinking fountain, soap from a bottle, rain, snow or ice. If possible, collect a sample of the liquid in a non-contaminated container for evidence. This should be done by someone trained in blood-borne pathogens.

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6. Talk privately with anyone who witnessed the accident or who was near the area where the incident allegedly occurred. Ask open-ended questions: who, what, when, how and why?
7. Put each person at ease. Avoid placing blame or voicing suspicions. End each interview on a positive note and document your findings after each interview.
8. Avoid re-enactments. Don't ask for actions to be repeated.
9. Review your findings for "red flags" or fraud. Contact your claims representative to discuss the information you have gathered and to determine next steps.
10. Make sure you have determined the true cause of the accident and developed a plan for corrective action. Follow up until you are certain the hazard has been eliminated.
11. Keep in touch with your claims representative until the claim is finally resolved. Provide any new information you find about the accident or claimant and keep up to date with the claim status.
12. Follow leads to determine possible involvement or liability of others. Obtain names and locations of such companies or persons.

CONTRIBUTING FACTORS	MANAGEMENT CONTROLS	QUESTIONING GUIDE
<p>Walking surface</p>	<ul style="list-style-type: none"> ■ Use appropriate floor treatment products. ■ Use proper application and rinsing. ■ Use proper equipment. ■ Incorporate proper timing of floor maintenance. ■ Use effective self inspection. 	<p><i>What was the condition of the walking surface?</i></p> <ul style="list-style-type: none"> ■ What type of floor was involved: tile, carpet, cement or other? ■ What products or materials were used to clean or treat the floor? ■ What instructions were followed for use of these products or materials? ■ What tools, equipment or techniques were used to clean this floor? ■ What was the schedule for inspecting and cleaning this area? ■ Who was responsible for cleaning this area? ■ What foreign material, liquid or grease was found at the scene? ■ Where did it come from? How did it get there and why? ■ What training was provided to those who clean the walking surfaces? ■ What incentives are in place to reward employees for accident-free maintenance? ■ What should be done to prevent recurrences of floor surface-related falls?

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Weather	<ul style="list-style-type: none"> ■ Evaluate weather-related hazards. ■ Remove snow, ice, water or other unsafe conditions. ■ Maintain weather matting. ■ Post hazard cones or warnings. 	<p><i>What was the weather's involvement?</i></p> <ul style="list-style-type: none"> ■ What were the weather conditions prior to and at the time of the accident? ■ What precautions were taken to prevent weather-related doorway falls? ■ What type of matting was used and where? ■ How often is the matting inspected and cleaned? ■ What precautions were taken to prevent weather-related parking lot and sidewalk falls? ■ What arrangements were made for snow and ice removal? ■ What structural building or walking surface characteristics might have contributed to weather-related problems? Were there wind tunnels or accumulations of ice, snow or water? ■ What precautions were taken to warn pedestrians of slippery conditions or to divert them to alternative routes? ■ What should be done to prevent a recurrence of weather-related falls?
Activity	<ul style="list-style-type: none"> ■ Schedule routine cleaning during slow or non-business hours. ■ Prepare for hazards related to unusual activities or events. ■ Have spill clean-up procedures in place. 	<p><i>What was happening in the vicinity of the accident?</i></p> <ul style="list-style-type: none"> ■ What routine and unusual activities were happening? What were maintenance personnel doing at the time of the slip and fall? ■ What precautions were in place to keep pedestrians away from the area of maintenance activity? ■ What equipment or cleaning materials were left unattended in the area? ■ How did the floor remain in a slippery or greasy condition after cleaning? ■ When were activities scheduled that likely attracted pedestrians to the area? ■ What rules are established and enforced to assure safe maintenance activity in the presence of pedestrians? ■ What are the patterns of eating, drinking and walking in the area? ■ How many receptacles were available for disposal of food, cups, utensils and litter? ■ What special safety precautions are taken during special events or activities? ■ What should be done to prevent an activity-related recurrence?

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<p>Structural</p>	<ul style="list-style-type: none"> ■ Use self inspections to identify hazards. ■ Respond promptly to make necessary changes or repairs. 	<p><i>What structural hazards were in existence at the time of the accident?</i></p> <ul style="list-style-type: none"> ■ What was the lighting? How often are light bulbs checked or replaced? ■ Why do cracks, potholes or uneven surfaces exist? ■ What warnings were in place to alert pedestrians to ramps, steps up or sudden elevation changes? ■ What complaints or notices have been received about items needing repair? ■ How old was the carpet, tile or matting? ■ What was the condition of the floor covering? Was it worn or torn? ■ What repairs or structural changes are needed to prevent a recurrence?
<p>People</p>	<ul style="list-style-type: none"> ■ Consider the characteristics and needs of a diverse population when planning for safety as it relates to premises walking areas i.e., weather, structure and activities. 	<p><i>Who was involved in the slip and fall?</i></p> <ul style="list-style-type: none"> ■ Why was the claimant on the premises? ■ What was the claimant doing at the place and time of the accident? ■ What were the claimant's physical characteristics i.e., age and body type? ■ What was the condition of their footwear and soles? ■ What did the person give as the reason for the slip and fall? ■ Who saw the person before, during and after the slip and fall? ■ What did witnesses give as the reason for the slip and fall? ■ What indications of involvement of alcohol or other substance abuse were there? ■ What type of eyewear, hearing aids or other assistive devices were involved? ■ What training, rules or procedures applied to the employee who slipped and fell at work? ■ What criminal activity was involved in the incident? ■ What precautions could be taken to prevent future people-related falls?

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HOW TO RECOGNIZE SUSPICIOUS SLIP AND FALL CLAIMS

Slip and fall accidents are often unwitnessed and usually result in soft tissue or “invisible injuries.” Because of these characteristics, such incidents are prime candidates for fraud. Whether perpetuated by a “professional claimant” or by an employee seeking undue workers compensation benefits, insurance fraud is a serious and costly issue.

By recognizing slip and fall fraud indicators and reporting them, you can help to fight this crime. Be alert for the following red flags when investigating your slip and fall incidents. **But remember: no red flag by itself clearly indicates fraud.**

Staging an accident for profit

- A bystander, witness, unidentified caller or other informant offers “tips” that fraud is intended or gives information contrary to that of the claimant.
- The claimant has no legitimate purpose for being on the premises or in the area where the incident is alleged to have occurred. For example, this might be in a seldom-used stairway or in an area off limits to customers and visitors.
- The claimant is not a regular patron or is a recently hired employee. For example, the claimant is a transient, an out-of-towner or an individual with only a PO Box or hotel address.
- The claim involves a recently terminated or otherwise disgruntled employee.
- The claimant is hostile, making aggressive demands for a quick settlement or alleges excessive damages.
- The claimant immediately brings up the subject of liability or insurance in a manner that suggests familiarity with such procedures.
- The claimant is represented by an attorney before reporting the incident.

Distorting the facts

- An immediate inspection of the scene reveals nothing unusual about the walking surface i.e., no foreign or wet substance on the floor.
- The claimant’s footwear and clothing show no signs of a fall or of contact with a foreign substance or liquid.
- The claimant behaves in a manner to suggest alcohol intoxication, substance abuse, emotional instability, prior injury or physical illness unrelated to a slip and fall.

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Additional red flags

- The claimant seeks additional medical care after no observable injury was found during emergency room treatment or in the first medical exam.
- The claimant does not return to work the next day, after a minor injury or no observable injury.
- The claimant enters into chiropractic care in the absence of an objective diagnosis or after a minor injury.
- The claimant enters into psychiatric care allegedly as a result of the incident.
- Tips are received or there is evidence that the allegedly “disabled” claimant is active or even working.
- The claimant is disgruntled, recently unemployed or has a reason for not wanting to return to work.
- Claimant refuses or is unable to provide reasonable documentation of a lost item from work, rate of pay or other damages related to the accident.
- Claimant alleges unsubstantiated demands to an item of unusual value as a result of the fall, such as expensive jewelry, camera, or personal electronic equipment i.e., cell phone, computer or laptop.

Remember

If you observe these red flags or other indicators of fraud, do not take action on your own to deny a claim or otherwise alert a perpetrator of your suspicions. You may inadvertently hinder the investigation, denial or defense of the claim by your UFG professionals who are your partners in fighting fraud.

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