

LESSONS LEARNED FROM LOSSES

MONTHLY NEWSLETTER - JANUARY 2019

LIABILITY CLAIMS 101



TYPES:

- TRIP/SLIPS/FALLS RESULTING IN INJURY TO A MEMBER OF THE PUBLIC
- DAMAGE TO SOMEONE ELSE'S PROPERTY
- POLICE CASES; EXCESSIVE FORCE, FALSE ARREST, WRONGFUL DETENTION
- CLAIMED DAMAGE FROM POTHOLES OR DUE TO WEATHER/ROAD CONDITIONS
- IMPROPER SIGNAGE OR VIEW OBSTRUCTIONS
- AUTO LIABILITY IS WHEN IT IS CLAIMED THAT A MUNICIPAL VEHICLE CAUSED INJURIES OR DAMAGE TO SOMEONE OR SOMETHING

WHAT DO YOU DO?

- GATHER INFORMATION AT THE SCENE
- REPORT ANY POTENTIAL OR KNOWN CLAIM TO US AS SOON AS POSSIBLE
- NEVER ADMIT LIABILITY.
- SIMPLY ADVISE THAT YOU WILL SEND THE CLAIM INTO THE INSURANCE COMPANY.

EXAMPLES:

- EMPLOYEE IS NOTIFIED BY A RESIDENT THAT SHE FELL WALKING INTO THE MUNICIPAL BUILDING. SHE WASN'T BADLY HURT, BUT FELT SORE. THE EMPLOYEE IMMEDIATELY HAD THE RESIDENT POINT OUT THE AREA WHERE SHE FELL. THE EMPLOYEE THEN INSPECTED THE AREA FOR PROBLEMS AND TOOK PHOTOS TO DOCUMENT THAT THE AREA WAS CLEAN AND DRY WITH NO DEFECTS OR DANGEROUS CONDITIONS. THIS ENABLED US TO DENY THE CLAIM.