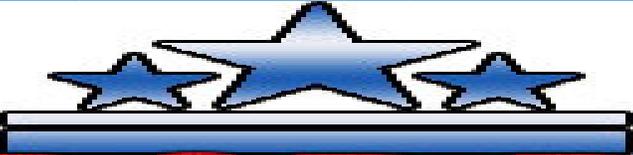


~ ~ ACCIDENT PREVENTION/INSURANCE RISK ~ ~
NEWSLETTER
 FALL 2017



LABOR DAY

ATTENTION: STATE ACCIDENT PREVENTION/INSURANCE RISK CHAIRS

You are invited to join us in Chicago for the Accident Prevention Seminar on Saturday, October 7, 2017, at the Hilton Chicago Airport Hotel. We look forward to meeting you in the Windy City. Your insight will help us develop strategies to address the challenges that face your Lodges.

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STATE ACCIDENT PREVENTION/INSURANCE RISK CHAIRS

State Accident Prevention/Insurance Risk Chairs implement the Accident Prevention Program by:

- ◆ Analyzing liability losses and recommending action to avoid future occurrences;
- ◆ Communicating with District Deputies;
- ◆ Reminding Lodge managers that alcohol servers must be trained;
- ◆ Keeping their Lodges informed, provide assistance and answer questions;
- ◆ Collaborating with Lodge Accident Prevention Managers;
- ◆ Analyzing property claims and recommending action to avoid future occurrences;
- ◆ Contacting the Risk Manager with safety recommendations; and
- ◆ Participating in the annual Accident Prevention Seminar in Chicago, Illinois.

LODGE ACCIDENT PREVENTION MANAGERS

Lodge Accident Prevention Managers must be involved in their Lodge's safety reviews.

Lodge Accident Prevention Managers should be engaged in their Lodges' day-to-day operations.

Day-to-day Lodge operations and safety reviews cannot be relegated to employed managers.



**CHILDREN ARE BACK IN
 SCHOOL
 PLEASE DRIVE SAFELY**

COLUMBUS DAY

HELPFUL TIPS

Bingo: A Lodge can reduce the likelihood of a claim arising from bingo operations through proper planning:

- ◆ Control traffic;
- ◆ Make sure there are no pathway obstructions;
- ◆ Be sure floor surfaces are level and free of any debris; and
- ◆ Recognize that the group may include the elderly or persons with disabilities.

Employment Practices: Every Lodge should establish and follow a personnel policy that provides a means for an employee to register a grievance.

Service of Alcohol: Only trained bartenders, whether they are employees or volunteers, can serve alcoholic beverages to Members and their guests.

Food Service: All health department rules must be observed in the Lodge kitchen. A clean kitchen in good repair is vital to a successful Lodge.

Signing Documents: Documents must be reviewed by the Lodge attorney before a Lodge officer or anyone signs a document that obligates the Lodge to indemnify or hold another party harmless.

Lodge Furniture: Inspect all chairs, stools, tables and equipment and remove any damaged or worn items from the premises. Retain all records from the purchase of replacement items.

Dance Floors: Clean up spills and debris promptly and avoid applying slippery substances on the dance floor since that may contribute to falls.

Parking Lots: Repair any holes/broken pavement promptly. The parking area should be illuminated to permit easy access to/from the lot to the Lodge.

ROOF MAINTENANCE

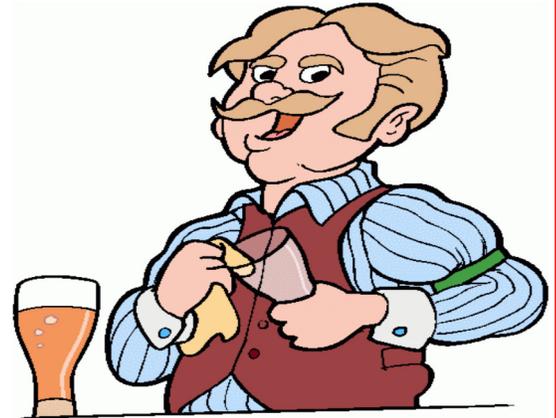
- ◆ Claims for water leakage and damage to contents frequently arise from a Lodge failing to properly maintain a roof.
- ◆ Regardless of the building materials involved, all roofs experience wear and tear.
- ◆ The lifespan of a roof can be extended by proper maintenance.
- ◆ The Property Plus Program only pays for unexpected losses, not wear and tear.
- ◆ The Property Plus Program will not pay to replace a roof at the end of its lifespan or replace a roof due to a lack of maintenance.



SERVICE OF ALCOHOL TO MEMBERS AND GUESTS

The service of alcohol is a *privilege* the Lodge extends to Members and their guests, not a means of revenue for the Lodge. Cutting off a Member or guest who is approaching intoxication or not serving them in the first place is better than defending a multi-million dollar lawsuit.

- Never serve anyone approaching intoxication;
- Do not let others buy drinks for anyone who might be close to intoxication;
- Stop service to anyone else if they will give drinks to anyone approaching intoxication;
- No beer kegs, no pitchers and no coolers;
- Remind Members/guests not to drink and drive;
- Be observant while serving alcohol;
- Encourage designated drivers;
- Never permit BYOB;
- Do not allow games/contests involving alcohol consumption;
- An outdoor tent/bar must have a server;
- Do not hold a "Happy Hour";
- Never discount prices to promote liquor sales;
- "Last call" should be well before closing; and



AUTOMATED EXTERNAL DEFIBRILLATORS

- ♦ Each State has its own laws regulating Automated External Defibrillators
- ♦ Know your State's law on the use of Automated External Defibrillators
- ♦ A Member, Officer or employee is not immune from lawsuits in many States
- ♦ H.R.4152–Cardiac Arrest Survival Act is a bill that guarantees national immunity
- ♦ H.R.4152–Cardiac Arrest Survival Act is pending in the Houses of Representatives
- ♦ Elks should email their Congressman and demand that H.R.4152 be passed to guarantee immunity for our Members, Officers and employees using an AED



FALL MAINTENANCE

Accident prevention also involves maintaining property when the seasons change:

- ◆ Securely store deck/patio furniture for the upcoming seasons
- ◆ Make sure that smoke detectors are working and replace if necessary
- ◆ Lodges that heat with gas/LP/oil need carbon monoxide detectors
- ◆ Remove leaves from roofs, gutters, walkways and parking lots
- ◆ Drain and store garden hoses for the winter season
- ◆ Lawn sprinkler systems need to be blown free of water to avoid frozen pipes in the winter
- ◆ Have chimneys and flues inspected and cleaned if necessary to minimize the risk of fire



REPAIR WORK AT LODGES

Issues to be addressed when there are repairs or construction at a Lodge:

- Get references from previous customers;
- Check the contractor's past performance by contacting the Better Business Bureau or similar resource;
- Every contractor must provide proof (an insurance certificate) that the contractor has liability insurance;
- Every contractor must prepare a written contract that will indemnify the Lodge from any claims arising out of the work;
- Projects involving extensive repairs and renovation require that the contractor name the Lodge as additional insured under its general liability policy;
- The Lodge should never take on the role of general contractor;
- Volunteers should not be performing repairs;
- No one from the Lodge should act as a construction manager/coordinator;
- Any Member that is a contractor must also have proof of insurance and prepare a written contract; and
- When constructing a new building, putting on an addition, or making substantial renovations, the Lodge must contact Aon Affinity Services at 1-800-421-3557 to make sure proper coverage is obtained.



VETERANS DAY!



THANK YOU FOR YOUR SERVICE!



ACCIDENT PREVENTION

Accident prevention also involves protecting Lodge property from several types of risks

PROPERTY INSURANCE

- ◆ All Lodges must participate in the Property Plus Program
- ◆ Lodges must be inspected to determine replacement cost of the building
- ◆ Property Plus covers loss from fire, wind, storms and theft
- ◆ Property Plus protects appliances, furniture and contents in the Lodge

BOILER AND MACHINERY

- ◆ Refrigeration, Air Conditioning, Elevators, Ice Machines are covered

CRIME INSURANCE

- ◆ Property Plus includes crime coverage in the amount of \$50,000
- ◆ Crime Coverage protects Lodge Officers, Trustees, volunteers and employees
- ◆ Lodges do not need to purchase a separate bond from an insurance agent to cover Lodge Officers

CERTIFICATES OF INSURANCE

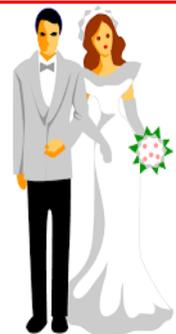
What you need to do when someone requests a certificate of insurance from the Lodge.

- ◆ A “Certificate of Liability Insurance” can be found on page 8 of the Liability Insurance Program
- ◆ Copy the certificate and provide it to anyone that requires proof that the Lodge has liability insurance
- ◆ Lodges that require specialized certificates should also refer to page 9 of the Liability Insurance Program for guidance on how to obtain a certificate through Aon Affinity Services, Inc. (The Elks Team)
- ◆ Contact the Grand Lodge Insurance Department with any questions about certificates of insurance

“SPECIAL EVENT” POLICIES

A person or organization using Lodge facilities must sign an indemnity agreement *and* provide a Certificate of Insurance that names the Lodge as *additional insured* for that particular event.

If the organization or individual cannot provide a Certificate of Insurance that names the Lodge as additional insured on their insurance policy, special event policies can be obtained by contacting Aon Affinity Services at 1-800-421-3557.



DIRECTORS & OFFICERS INSURANCE

- ◇ Directors & Officers (D&O) Insurance **is not** included under the Master Liability Program
- ◇ D&O Insurance protects the *personal assets* of individual Officers and Members
- ◇ D&O Insurance provides protection for discrimination claims
- ◇ The policy provides all officers, trustees and anyone acting as an agent of the Lodge with an attorney to defend the suit
- ◇ To obtain information and a quote, contact the Elks Insurance Program Team of Aon Affinity Services at 800.421.ELKS.

RELEASE FORMS

Lodges routinely allow groups or organizations to use the Lodge facilities or participate in an event held by the Lodge. Lodges also conduct sporting events or other activities. The following are two release forms that can be used to protect the Lodge from claims made by individual participants:

Release for Individual Participating in a Group Event

I, (participant's name), for being allowed to participate in (event name), agree to indemnify and hold harmless the (Lodge name, number), its Officers, employees and Members from any claim and/or attorney fees arising out of my participation in this event, except for the sole negligence of the Lodge. I further agree the Lodge is not responsible for bodily injury and or damage to my property and waive subrogation on any insurance policy I may have.

Signature

DATE

Release for Individual Participating in Sporting Events

I, (participant's name), for being allowed to participate in (event name), agree to indemnify and hold harmless the (Lodge name, number), its Officers, employees and Members from any and all claims or injury to myself arising out of my participation in this event.

(If the participant is a minor, a parent or guardian must sign, thereby providing permission for the named minor to participate in the named event).

Signature

DATE

