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CYA Report



Risk Management

Contact List

Kin Headquarters

Mélanie Nieson

1-800-742-5546 ext 208

National Risk Management Committee

Diane Therien

Terri Iredale

Tony Conway

Mélanie Nieson

District Risk Managers

D1: Darrell Cooper

D2: Brenda Mudry

D3: Paula Sundquist

D4: Mike McMurray

D5: Howard Grant

D6: Neil Benjamin

D7: Dwight Hatcher

D8: Kathy Alexander

HKMB Hub Ins. Brokers

1-800-232-2024

“Wet Floor” sign was the cause of a serious accident

It was ruled that a wet floor sign can actually serve as a hazard itself. It was a crowded day at the theatre and a customer had recently spilled their drink outside the theater exit door. Instead of just cleaning it up an employee left a flimsy wet floor sign. When the movie ended and people began to exit the theatre the wet floor sign was easily knocked to the ground. Nancy Brown was unable to see the sign on the ground due to the crowd of people and ended up having the tip of her foot hook the handle of the sign and fell to the ground. She ended up suffering from a serious back injury and had to be taken to the hospital. She eventually needed surgery on her back.

Brown sued the theatre for negli-

gence. The theatre claimed that the sign was put up correctly and that the employees are trained for this kind of spill. They also argued that they had no knowledge that the sign had fallen and therefore had no way of preventing the accident.

“They argued that allowing the Brown’s suit to go forward would put retailers in an untenable position, because longstanding Georgia case law encourages the use of “Wet Floor” signs to mark spills. They also noted its extensive employee training program with its focus on customer safety and the proper procedure for handling spills.”

They argued the point of having wet floor signs if people could just

as easily slip over those as a puddle of water. In response, Brown claimed that the particular “Wet Floor” sign used is well-known as being one that easily collapses. Because this sign can create a hazard when on the ground, it was argued that this particular “Wet Floor” sign should not be used in areas of high oncoming traffic. A sturdier sign would have been more effective in this case and prevents the risk of the sign collapsing and causing injury.

The jury ruled in favor of the plaintiff, setting a precedent that even signs that indicate hazardous areas can become actual hazards themselves.



Why you need a Will

Whether in the tabloids or our own lives, we’ve all heard about the nightmarish situation that arise when a Will is outdated, inaccurate or non-existent.

A will is legal document that specifies how you want your assets divided and distributed to loved ones in the event of your death. It also spells out how dependants should be provided for. If you don’t have a Will, you’re letting the laws in the province or the territory you live in-known as the Law Intestacy-make those decisions for you. And if you hold the belief that your spouse will automatically inherit everything-

think again.

Having a Will drafted properly can also minimize taxes and probate fees, leaving more money for your family.

With a Will, you can leave specific direction concerning the administration of your estate, and the guardianship and custody of your children. Finally, it is essential to have a Will if you want to leave a part of your estate to a common-law spouse, a friend, or a charitable organization.

If you are not married but are in a long-term committed rela-

tionship, then you need to clearly specify in your Will which assets that individual will receive as well as how he or she should be supported after your death. This is especially important because unmarried partners are not necessarily entitled to the same rights as a legal partner.

Beneficiaries are also very important and it’s important to note that any changes in the relationships need to be reflected in your Will and in some cases, may even automatically cancel your current Will. For example, marriage causes a Will to be revoked unless the Will was written in contemplation of marriage.

Information from Cowan Insurance Group’s website.