

Accident/Claim Prevention Manual



Seventh Edition

**Benevolent and Protective
ORDER OF ELKS
United States of America
A Fraternal Organization**



Elks Care — Elks Share!



ACCIDENT/CLAIM PREVENTION MANUAL

(Seventh Edition — Revised 2017)

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ORDER OF ELKS**
United States of America



B.P.O.E. Accident/Claim Prevention Manual

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DISCLAIMER

The B.P.O. Elks of the U.S.A. (Grand Lodge) has prepared this Accident Prevention Manual to assist the Local Lodges of this Fraternal Order.

Each of these Local Lodges is an independent corporation or other type of entity formed within the state in which it resides. The Grand Lodge of the Order has no control over the day-to-day operations or the personnel practices of these entities and does not undertake any responsibility for the enactment of the recommendations in this manual or for any inspection, monitoring, or enforcement of the described recommendations.

This manual is provided to make Local Lodges aware of a broad area of possible concerns and to provide suggested means to implement procedures that will help to avoid accidents and potential claims.

The establishment and implementation of accident prevention activities and other procedural policies of each Local Lodge are the responsibility of the management of the Local Lodge. The Grand Lodge is neither responsible nor empowered to be responsible for the establishment of such procedures. Also, the Grand Lodge is neither responsible nor empowered to be responsible for monitoring the effectiveness of such policies.

The Grand Lodge acts as a resource to assist Local Lodges. This manual may be used by a Local Lodge to establish its Accident Prevention Program and other procedures. The manual may be adopted in whole or in part and may be copied to meet the needs of the particular Local Lodge.

**This Accident/Claim Prevention Manual
is hereby adopted by B.P.O.E.**

Lodge _____ No. _____

as it may apply to the operations of the Lodge.

DATE

SECRETARY

STATEMENT OF SAFETY POLICY

It is the prime objective of Grand Lodge and each of the Local Lodges to minimize the possibility of accidents or claims by avoiding injuries to guests, members and employees. It is also important to operate in a safe manner to protect a Lodge's assets. Each Lodge should regard safety as an important responsibility and work towards achieving these objectives to fill the desired role as a good and caring member of the community. Therefore, *it is essential that:*

1. Each Lodge properly inform employees or volunteers engaged in the service of alcoholic beverages that under no circumstances is service to be provided to minors; any party who is or may be believed to be intoxicated; or in violation of any state or local laws. *Claims that involve the service of alcohol are the most costly with the most potential for catastrophic loss.* Each Lodge must have a procedure whereby someone in authority is available to discontinue the service of alcoholic beverages or to reinforce the server's decision to stop service. As an adjunct to the Lodge's Drug Awareness Program, it is also strongly recommended that each Lodge seriously consider incorporating a means to monitor and assist any Members who appear to have entered a path of alcohol abuse.
2. The physical part of the Lodge (*Lodge building, recreational facilities, parking lot, etc.*) be in good repair with all potential hazards removed.
3. Employees are trained and monitored with regards to safety and the proper use of tools. Employees must comply with work safety rules as a condition of employment.
4. Each Lodge be aware of and preferably have a discrimination policy established that reduces the possibility of claims based on *gender, race, physical condition, etc.* and for allegations of harassment (see pages 13-16).

This Accident Prevention Program is designed to complement the directions provided under the Elks Master Liability Program and the Elks Property Plus Program. It is also designed as a tool to avoid Workers Compensation and Directors & Officers/Employment Practice Policies (D&O) claims. It is also very important for all Lodges to establish procedures and policies to avoid damage or loss to Lodge property and building(s).

Section 12.070 of the Statutes of the Order require that each Local Lodge appoint a member of the Lodge's Board of Trustees as Accident Prevention Manager (*the designated trustee may appoint a deputy or deputies to assist them*). Such appointees are responsible for the establishing programs, policies and procedures to achieve these stated objectives (see pages 46-47 for a suggested job description).

The Accident/Claim Prevention Manual also contains procedures, recommendations and information that will help Local Lodges implement the Accident Prevention Program and establish the appropriate management policies and procedures. This manual may be adopted in its entirety or in part to meet state or local requirements and to produce a safety program, policy manual or procedural manual.

ACCIDENT PREVENTION PROGRAM FOR LOCAL LODGES

I. ESTABLISHING AN ACCIDENT PREVENTION PROGRAM AT THE LOCAL LODGE:

It is requested that each Local Lodge's Accident Prevention Manager develop a safety plan tailored to the Lodge's operations using the various provisions of this manual as a guideline. This manual may be adopted in its entirety with the qualification that it applies only as applicable to the Lodge's operations (*see pages 46-47 for suggested job description*).

II. IMPLEMENTING THE LOCAL LODGE PLAN:

The Lodge's plan should center its attention on identifying and eliminating accident causes before accidents occur, thereby increasing the chances of preventing them and reducing both the real and hidden costs that result from accident, injury, lost time and property damage. If an accident does occur, the cause should be determined and eliminated to avoid future accidents (the same is true for incidents that do not cause an injury but are a "close call"). ***This is accomplished by:***

1. Establishing policies, plans and procedures for various problems, including the service of alcoholic beverages.
2. Conducting regularly scheduled inspections of the environment to detect hazardous conditions, including such things as furniture, office equipment, clerical items, tools, work equipment and appliances, buildings, parking lots, walkways, recreational facilities, etc.
3. Reviewing/evaluating an employee's safety knowledge levels and giving on-the-spot training when and where deficiencies are noted.
4. Evaluations of an employee's ability to perform the accident prevention procedures; taking corrective action when unsafe acts are observed; and giving commendations for jobs done safely.
5. Preparing, maintaining and using appropriate documentation and aids.
6. Reviewing all claims to determine the causes and to eliminate the causes.
7. Referring to the "General Safety Procedures" found on pages 8-11.

III. RESPONSIBILITIES:

1. Accident prevention is everybody's business. All employees, managers and officers at all levels share the responsibility of preventing accidents and injuries.
2. All employees shall:
 - a) Follow all safety and health standards and rules (including rules regarding bar service).
 - b) Wear or use prescribed protective equipment.
 - c) Report hazardous conditions to their supervisor immediately.
 - d) Refrain from using broken or unsafe equipment.
 - e) Promptly report any job related injury or illness to their supervisor.
3. All facility managers shall:
 - a) Personally and actively participate in the Accident Prevention Program; set an example for Locals; follow stated policies; and follow required procedures (including rules regarding bar service).
 - b) Insure that each employee is properly trained in the precautions and safety practices pertaining to a particular job and that the training is properly documented.
 - c) Periodically observe each employee demonstrating their safety knowledge level pertaining to the tasks and/or work procedures that the employee may be called upon to perform. Review compliance with the program no less than on a quarterly basis.
 - d) On a monthly basis, the facility manager or Accident Prevention Manager will make an environmental inspection to verify that the building, grounds and contents are properly maintained and are in a safe condition.
 - e) Give on-the-spot training during work observations and follow-up whenever deficiencies are detected.
 - f) Insure tools and equipment are inspected to maintain a hazard-free work environment; broken or unsafe equipment must be removed from service and repaired or discarded.
 - g) Maintain adequate records.

4. Accident Reporting:

- a)** Any accidents involving bodily injury, other than work-related injuries, and any and all lawsuits should be reported:

Go to the Safety and Insurance webpage at elks.org. Complete the Accident Report form and e-mail to Gallagher Bassett at: ElksReport@tnwinc.com.

— OR —

Call Gallagher Bassett at: 1-(844)-The-Elks (1-844-843-3557)

- b)** All losses involving Property Plus shall be reported:

Go to the Safety and Insurance webpage at elks.org. Complete the Property Claim Report form and e-mail to Gallagher Bassett at: ElksReport@tnwinc.com.

— OR —

Call Gallagher Bassett at: 1-(844)-The-Elks (1-844-843-3557)

- c)** Work-related injuries should be reported to the Lodge's Workers Compensation carrier (all Lodges are encouraged to obtain at least a minimum premium policy—even those without employees—in the event a person claims to be an employee). **DO NOT REPORT SUCH CLAIMS TO GALLAGHER BASSETT.**

- d)** Questions may also be directed to the Elks Insurance Department at (773) 755-4714.

IV. RECOMMENDED TRAINING POLICIES/PROCEDURES:**1. Special attention given to training anyone involved in the service of alcoholic beverages.**

- a)** Comply with all local and state laws at all times.
- b)** No person shall be admitted to the facilities who is not a member or a guest.
- c)** Minors cannot be served alcoholic beverages under any circumstances.
- d)** **If a person appears to be intoxicated or is approaching intoxication, he/she must not continue to receive alcoholic beverages under any circumstances. It is a server's duty to observe the patron's condition and the amount of alcohol consumed; procedures for stopping the service of alcohol in a polite but effective manner must be installed.**
- e)** It is strongly recommended that anyone involved in the service of alcohol, whether employees or volunteers, attend alcohol service training courses (in some jurisdictions, such training is mandatory and/or licensing is required). Anyone involved in the service of alcohol should not be allowed to drink alcoholic beverages while on duty under any circumstances.
- f)** Refer to "Guidelines For Service of Alcoholic Beverages" found on page 7.

2. Before being allowed to perform a specific activity for the first time, the manager shall verify that all employees received proper training in the various precautions and safety practices relevant to that activity and that the training is properly documented.**3. At least once a year, employees shall demonstrate their safety knowledge levels relevant to their tasks and/or work procedures through yearly safety knowledge reviews, formal training courses, if applicable, and/or documented work observations conducted by the manager or supervisor.****4. All employees, volunteers and members should be made aware that discriminatory practices are not acceptable and will not be tolerated between member/employee or between employee/employee. It should be clearly indicated to all employees that such conduct can be grounds for dismissal. For members, such conduct can result in appropriate disciplinary action under statutes of the Order.**

V. RESPONSIBLE MANAGEMENT/BUSINESS REVIEW:

Local Lodge management, including officers, directors, trustees and employed managers, are obligated to conduct Lodge business in a responsible, prudent and ethical manner to serve the interests of the Local Lodge and the Order (further information may be obtained from any State Association's Business Practices Committee). To this end, it is imperative that each Local Lodge:

1. Conduct Lodge business in a prudent manner:

a) Establish/enforce proper procedures:

1. Money handling.
2. Personnel practices/procedures (establish written work rules and sexual harassment policies).
3. Review business results on an ongoing basis to ensure efficiency and avoid defalcations.
4. Establish proper rules to avoid conflict of interest or the appearance of conflict.
5. It is strongly recommended that Lodge checks require at least two signatures (Lodge leadership is obligated to determine such requirements).

b) Comply with local, state, and federal laws

c) Business operational rules and requirements:

1. Properly prepare all state and federal tax reports for operations.
2. Comply with federal, state and local licensing requirements
3. Provide all required reports to the Order

d) Review of Lodge operations:

1. Outside audits
2. Analysis of operational results
3. Monitoring of compliance to established rules

2. Legal Review/Contracts:

a) Regarding contractual liability, do not sign or otherwise obligate the Lodge without the advice of legal counsel or others who have knowledge of contract law (Grand Lodge must approve any long-term leases).

b) If a portion of the Lodge's building(s), parking lot(s), or other Lodge facilities is leased to others, make sure the tenant provides indemnification from any claims arising out of the tenant's use of the facilities, except in cases where the Lodge is found to be solely negligent. The tenant should provide evidence of liability insurance that names the Lodge as an additional insured on a specific, separate endorsement and includes contractual liability coverage for the indemnification provided. The lease should also state that the Lodge will not be responsible for any damage to the tenant's property under any circumstances, even if the Lodge is negligent. Such waivers of subrogation require the tenant to insure its property in the fashion it feels necessary, which would avoid claims against the Lodge. Special note regarding the use of Lodge premises for microwave or radio towers: Grand Lodge must approve long-term leases and Lodge must be properly indemnified and absolved of any responsibility for equipment.

c) If possible, service contracts should be established before there is a need for service (caterers, facility managers, snow removal, electricians, plumbers, equipment servicers, etc.). These contracts should state that the contractor will indemnify the Lodge from all negligence except for cases where the Lodge is solely negligent. They should require the contractor to provide evidence of insurance on a continuing basis that names the Lodge as an additional insured and provides contractual liability coverage insuring the indemnification.

d) Review all past legal documents and contracts to establish compliance with the recommended procedures. If there are past deficiencies, actions should be taken to revise such documents or contracts to comply with the above objectives.

- e) Local Lodges should never, under any circumstances, assume responsibility for an individual's or business's business operations or attempt to use the Elks insurance or self-insurance programs to benefit others.
 - f) Lodges that own or operate substantial business operations that are not directly related to a Lodge's general operations must obtain separate and independent liability insurance and seek approval to include such operations in the Elks Property Plus Program (this includes operations conducted by the Lodge and leased to others).
 - g) All Lodges must comply with the Statutes of the Order.
3. Local Lodge management must be aware of all local, state and federal reporting/compliance requirements.
- a) Safety and Health
 - 1. OSHA
 - 2. Right to Know
 - 3. Workers Compensation rules
 - 4. Established procedures for food handling and health requirements.
 - 5. Various specific safety and health procedures and reporting requirements.
 - 6. Family Medical Leave Act
 - b) Employment
 - 1. Wage and hour rules (Fair Labor Standards Act).
 - 2. Benefit compliance.
 - 3. Discrimination rules (Federal-Local).
 - 4. Disability rules (Immigration Control – IRCA).
 - 5. Employee tax withholding rules.
 - 6. Work rules.
 - 7. Sexual harassment policy with instructions for employees who wish to make a complaint.
 - 8. Full compliance with HIPAA requirements regarding employee health/medical information .

REFERENCE MATERIALS/PROCEDURES/POLICIES

To have a successful Accident Prevention Program, Lodges must establish and enforce policies and procedures to avoid accidents but, when a claim does occur, it is equally important to understand the circumstances surrounding the incident to avoid recurrence.

These reference materials contain procedures, policies and information concerning inspections of buildings, grounds, equipment, offices, recreational areas, etc. (an inspection schedule should be established/maintained to ensure the Lodge premises is properly maintained and to safeguard against potential personal injury and liability claims). These reference materials also contain procedures, policies and information concerning bar operations and ways to avoid discrimination claims.

Each Local Lodge is expected to use any and all relevant checklists, training guides, inspection forms and policy guidelines to develop site-specific procedures, policies, inspection forms and other relevant documents that can reduce a Lodge's expenses and reinforce the Lodge's status as a caring member of the community.

When such materials are utilized, it is incumbent on the Local Lodge's Accident Prevention Manager and/or Management to provide proper monitoring and reaction.

GUIDELINES FOR SERVICE OF ALCOHOLIC BEVERAGES

Liquor claims are few in number but cost the Order many times more than any other type of claim. The most important contribution a Lodge's Accident Prevention Manager can make is to obtain/maintain compliance with the following policies and procedures:

It is the Lodge's duty to create a safe and congenial environment for its members and their guests. Lodge facilities are not places of public accommodation; Lodges must maintain strict compliance with this rule. Each Lodge also has the right to refuse service to anyone, be they members or guests. In every case, any employee, volunteer or member who serves alcoholic beverages must abide by the following rules:

- I. Lodges must comply with all state and local laws; Lodge management and anyone responsible for serving alcohol must be aware of these requirements.
- II. Minors must not be served under any circumstances. Servers must demand proper identification when an individual's age is in question (better to avoid making a mistake by erring on the side of caution/compliance).
- III. Anyone who (1) is intoxicated; (2) appears to be intoxicated; or (3) is approaching intoxication must not be served alcoholic beverages under any circumstances. Bartenders, wait staff and anyone responsible for the service of alcohol must operate under the following procedures:
 1. Observe all patrons to detect signs of intoxication.
 2. Monitor the number of drinks a patron has consumed.
 3. Patrons must not be allowed to serve themselves under any circumstances.
 4. Ensure that those coming on duty during a shift change are aware of each patron's status (number of drinks, how long they've been there, etc.).
 5. Report to management when a patron shows signs of intoxication/impending intoxication or when termination of service is required. If a manager or person of authority is not on duty, the server must cut off service to the patron in a polite but effective manner.
 6. Each Lodge must establish a procedure so that someone in authority can act to cut off service (in addition to the server who must always have this right). It should be made clear to all members that service of alcoholic beverages is a privilege, not a right.
 7. All requirements of service apply to all attendees during Lodge events and any events sponsored by Lodge members, such as weddings, anniversaries, birthdays, etc. This statement holds true regardless of whether such service is provided by Lodge personnel or contracted servers. It is the Lodge management's duty to demand compliance with Lodge rules.
 8. The Order has a closed-door policy; Lodges must not be opened to the public and alcohol cannot be served to the public.
 9. Alcohol cannot be served to the public while off premises (*also see Appendix on page 45*).
 10. For Lodges that serve alcoholic beverages on a regular basis, rules regarding the service of alcohol must always be followed, but Lodges should also discuss the possibility of establishing a means of encouraging any members who appear to be "problem drinkers" to seek professional help. Advice and action from the Lodge may help and encourage a member to control or eliminate a potential condition that can be detrimental to health and family well being.

11. In judging whether an individual is intoxicated, the server must be aware that such an evaluation is a function of body weight, time and amount of alcohol consumption (other factors such as individual demeanor and mental state may appear to have some effect but there is no scientific backing for this position). To aid in this evaluation, the following chart provides a rough guideline:

Approximate Blood Alcohol Percentages

12 oz. beer = 1.25 oz. proof cocktail = 4 oz. glass of wine

Body Weight in Pounds									
# Drinks	100	120	140	160	180	200	220	240	
1	.04	.03	.03	.02	.02	.02	.02	.02	O.K.
2	.08	.06	.05	.05	.04	.04	.03	.03	
3	.11	.09	.08	.07	.06	.06	.05	.05	Watch Out
4	.15	.12	.11	.09	.08	.08	.07	.06	
5	.19	.16	.13	.12	.11	.09	.09	.08	Over the Limit
6	.23	.19	.16	.14	.13	.11	.10	.09	
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	

Subtract .01% for each 40 min. of elapsed time (about one drink per hour)

GENERAL SAFETY PROCEDURES

We must take all practical steps to eliminate or reduce exposure to accidents, injury or conditions that adversely affect the safety and health of our employees, members and guests.

It is the Lodge management's responsibility to provide a safe place to work. It is an employee's responsibility to learn to do the job safely; follow procedures; and use equipment that has been devised and provided for protection.

The following methods are recommended:

I. FLOORS (SLIPS, TRIPS & FALLS = #1 CAUSE OF ACCIDENTS):

1. Wipe spills dry immediately.
2. Pick up fallen objects immediately.
3. Do not carry dripping objects.
4. Report all leaks.
5. Do not overfill containers.
6. Use non-skid wax on dance floors and other exposed areas; never allow patrons to put wax or sand on the floor.
7. All surfaces should meet O.S.H.A. required S.C.O.F. or Static Coefficient Of Friction of 0.50 (for ramps, the S.C.O.F. is 0.60; for tubs and showers it is 0.40).

II. LODGE FURNITURE AND FIXTURES:

1. Make sure all chairs, stools and tables are in good repair (stable, no sharp edges, appropriate for intended purpose). Check all items periodically to make sure they are safe. Commercial grade equipment should be used and old equipment should be retired in a reasonable time frame.
2. Ensure furniture placement does not create hazards or block exits.
3. Retain a record of the manufacturer or source of all equipment and always save any item that is in anyway involved in an injury/accident.
4. To the extent possible, all decorations should be non-combustible or flame-proof.

III. STAIRS:

1. Any area with stairs and/or multi-level floors should be lighted at all times such areas are in use.
2. Flooring should be non-skid material. If carpeting is used, it should be kept in good repair.
3. Proper markings and/or warnings should be provided for stairs and different levels of flooring where required.
4. When such areas are in use, there should be proper traffic control and any encumbrances, such as signs or equipment, should not be allowed to create unsafe conditions.
5. Handrails should be provided where practical and in all cases where required by code.
6. All described areas should conform to local, state and federal ordinances or rules regarding design and construction.

IV. STAGES/RAISED AREAS:

1. Where practicable, these areas should have railings.
2. Where railings are impracticable, such areas should be clearly marked or properly blocked.
3. Plans should be made to warn and direct users or individuals in the area.

V. EQUIPMENT AND MACHINERY:

1. Operate only after being fully trained and with proper personal protective equipment. Never allow minors to operate prohibited equipment.

VI. HEAVY OBJECTS:

1. Lift only using proper lifting techniques as instructed by your manager.
2. If any object is too heavy, ask for assistance.

VII. KITCHEN:

1. The kitchen areas must always be kept in a clean and sanitary condition. All personnel must be trained in accordance with health codes, and all applicable health regulations must be followed. Structural hazards should be eliminated or properly marked.
2. Walkways must not be blocked; immediately correct all spills or hazards.
3. It is recommended that all cooking areas be protected by appropriate hood installations.
4. All fire protection devices, extinguishers, dry or wet chemical installations, smoke or carbon dioxide detectors, etc. must be properly maintained and serviced. Stove/hood vent extinguishers are a necessity; use wet or dry installations based on cooking oils and stated instructions.
5. All equipment must be maintained as required.
6. Cleaning schedules must be established and maintained; keep a record of this process. Where required, a trained and licensed food handler must be installed.

7. Records and controls must be established to make sure any food served is wholesome and served in compliance with health regulations and laws.
8. Make sure there is an inventory record to indicate who manufactured or supplied the product (in the event of any alleged food related claim).
9. Do not allow volunteers to work in the kitchen or prepare food without instruction and awareness of all requirements for food handling under applicable health rules.
10. If the kitchen area is leased to others on a temporary or permanent basis, the Lodge should receive indemnification from the leasing party. That party should provide an indication that insurance has been obtained naming the Lodge as an insured and such coverage should include contractual liability coverage insuring the provided indemnification.
11. Minors should not be allowed to operate equipment in compliance with applicable law.

VIII. KNIVES:

1. Use only after proper instruction.
2. Put knives away in proper holders immediately after use.
3. Use cut-proof gloves when applicable.

IX. ELECTRICAL WIRING/PLUGS/EQUIPMENT:

1. Every Lodge should periodically review the condition and age of the wiring in the Lodge and repair or replace such equipment before a problem occurs.
2. The materials used should be reviewed to make sure appropriate upgrades are made to ensure safe operations with current equipment and conditions (the use of aluminum wire should be carefully checked).
3. When using electrical devices, make sure wiring is appropriate for such use.
4. With regard to plugs and outlets:
 - a) Disconnect when not in use.
 - b) Disconnect before cleaning.
 - c) Make sure they are grounded.
5. If electrical work is to be done, it is preferable that it be done by a professional. If work is to be done by a volunteer, make sure the individual knows how to do the job.

X. DOORS:

1. Use “In” and “Out” doors properly.
2. Look through door windows before using.
3. Open slowly.
4. Make sure glass doors are properly marked.

XI. AWARENESS:

1. Constantly be aware of what is going on around you.
2. Don’t always expect everyone to get out of your way.
3. Expect the unexpected.
4. It is strongly recommended that lighting in the Lodge and outside areas be tested for adequacy. Improvements should be considered and may be assisted by a full energy audit.

XII. SIDEWALKS/STREETS/PARKING GARAGE:

1. Be aware of and comply with the Lodge’s local and state responsibilities regarding snow and ice removal; maintain records that indicate when snow and ice removal was done and who did it.
2. Make sure that all areas in use are properly lighted.

3. Make sure that all areas in use are in good physical condition or that warnings are placed.
4. If construction is in process, make sure all areas are properly blocked and warning signs are in place.
5. If possible, remove all parking blocks or speed bumps unless required by law.
6. Every parking lot should have a sign that reads: "Park At Your Own Risk – The Lodge Is Not Responsible For Any Damage Or Theft."
7. If a Lodge has RV/trailer facilities, those who own such units should sign a contract that holds the Lodge harmless for any damages to the unit or from any injury arising out of parking such a unit (*also see Appendix on page 45*).

XIII. CRIME PREVENTION

Lodge management must review the Lodge operations and its physical plant to determine the potential crime hazards that may be present.

1. External Exposure:

- a) All doors, windows or other means of entrance should have proper locks. Procedures should be established to make sure that such locks are used when the premises are not in use.
- b) When the Lodge is open, areas not being used should be secured. A procedure for authorized use of all areas should be established.
- c) All valuable records or cash should be placed in locked containers or secure areas.
- d) If the Lodge has a vault or safe, access should be limited and controlled.
- e) Locks should be changed periodically, but it also may be necessary to change the locks when there is a change of employees or managers.
- f) It is recommended that each Lodge determine the need for an alarm system based on availability and cost.

2. Internal Exposure:

- a) It is strongly recommended that only a minimal amount of cash be left in any Lodge overnight. Other valuables not immediately needed for operations should also be properly secured.
- b) It is strongly recommended that a two-signature check procedure be established to reduce the potential for defalcation.
- c) In addition to outside audits from accountants, it is recommended that Lodge officers conduct internal audits. When done in conjunction with cash-handling reviews, these audits should monitor the Lodge's operational results and provide comparisons of past results. Such results should also be compared to any available outside benchmarks to determine if the Lodge is operating efficiently or if there are any signs of defalcation.

GENERAL EMPLOYMENT PRACTICES

In the present environment, there is an increased trend for employees to institute actions against employers for a multitude of grievances real or imagined alleging the violation of federal or state statutes. These proceedings may be in court or in varying administrative bodies. Actions of this sort are the responsibility of the Local Lodge and will require local counsel. These actions may encompass allegations of discrimination (race, age, gender), wrongful discharge, wage and hour violations, workers compensation notification and reporting, tax reporting, etc.

Any action of this type is complicated by varying regulatory requirements that may have substantial differences from jurisdiction to jurisdiction.

It is the duty of the Local Lodge to be aware of applicable statutes with reference to employment within the jurisdiction and to comply with such regulations. To avoid some pitfalls, the Local Lodge may try to incorporate the following procedural suggestions:

1. Establish a job description for each job (this does not have to be elaborate but should state what an employee's duties are).
2. When an employee is hired, clearly indicate in writing whenever possible any compensation or benefits that are agreed upon. Where applicable, it should be clearly stated that employment is "at will" and not for any specific term.
3. Establish work rules for employees and attempt to make sure such rules—including discrimination policies and procedures—are consistently enforced. It is also important to establish an appropriate "conflict of interest" procedure.
4. Maintain complete personnel files for each employee.
5. Establish disciplinary procedures and consistently enforce them. Such procedures might contain:
 - a) warning procedures.
 - b) progressive penalties to fit violations.
 - c) termination process.
 - d) maintenance of all records (warnings, instructions and notices).
 - e) a statement that a whistle blower will be protected.
6. Make sure to comply with all HIPAA regulations (preserve employees' rights to privacy related to medical and health information).
7. Procedures for employee background checks should be established (to the extent possible).

LOCAL LODGE BUSINESS CONDUCT/ DISCRIMINATION POLICY

While not accident-related, losses arising out of discriminatory practices while conducting Lodge and Club activities is considered to be a proper subject for inclusion in this manual.

First and foremost, Local Lodge management must note that liability for discrimination as it relates to gender, race, ethnic background and physical condition is not insurable under the normal comprehensive general liability policy (such coverage is usually available under an independently obtained Directors & Officers/Employment Practices Policy).

Discrimination is included under the Master Liability Policy of the Order but is limited to cases involving membership requirements imposed by the Statutes of the Order. In consequence, exposure to loss by reason of discrimination other than that related to the membership requirements of the Order directly involve and jeopardize Lodge assets (the Master Liability Program does not provide coverage for gender-based discrimination OR claims based on applicants being rejected for membership).

Instituting proper procedures to guard against discriminatory conduct is an internal problem to be addressed by each Lodge pursuant to its independent, self-governing status as it relates to employer-employee relationships within the Lodge. It is suggested the following concepts be embraced:

Management should be certain there is no discrimination in the employment process and that any grievances related thereto receive prompt and effective consideration and action. Supervisors and employees should likewise be educated on the principle that there will be no such discrimination in their relationships with members, guests and fellow Lodge employees.

Each Lodge should establish rules and procedures to deal with potential problems in this area. If this outline is followed, potential claims will be eliminated or substantially mitigated.

1. There should be a policy stating that discrimination is not to be tolerated; special attention should be directed to a sexual harassment policy.
2. Procedures should be established so that individuals who believes they have a grievance are aware of how such a complaint might be reported (*further detailed information is provided in the Discrimination and Harassment Guide — Code 510900*).
3. Appropriate procedures for investigating such complaints must be in place.
4. When corrective actions are deemed warranted, such corrective actions must be taken in a timely fashion.

No promise of long-term employment (or employment for work life) should be made or inferred during any interview unless a properly reviewed employment contract is used.

Sexual harassment is a form of discrimination and must not be tolerated. Recent legislation in this respect mandates the necessity of having a published policy with respect thereto by each Lodge. The following is a suggested form which may be adopted or revised to suit local preference.

Lodges should refer to “*Discrimination and Harassment Guidelines for Local Lodges*” booklet (Code 510900), which provides further information about the establishment of a discrimination policy.

A form should be signed by employees after receiving the discrimination and harassment policy established by the Lodge and provided in writing to each employee. (*See sample below.*)



A Fraternal Organization

[Lodge Letterhead]

**Acknowledgement of
Sexual Harassment Policy**

Date _____

I am an employee of _____ Lodge
No. _____ of the Benevolent and Protective
Order of Elks. I acknowledge receipt of the Sexual
Harassment Policy as adopted by the Lodge and
referred to (contained) in its By-Laws.

Printed Name

Signature

Benevolent and Protective Order of Elks • Grand Lodge

Elks Care — Elks Share

EMPLOYMENT INTERVIEWS: WHAT NOT TO ASK

It is permissible to ask for previous employment information, and it is recommended that this be done for all prospective employees, especially managers (verification of past employment should always be attempted). Questions that imply preferences as to race, religion, age, gender, marital status, national origin, and/or disability status are violations of Federal and state laws. The following table lists topics of discussion that represent questionable legality and **should not** be asked during the interview process in any form (the last column titled "PERMISSIBLE INQUIRIES" includes notes that may be acceptable relative to the particular topic in question):

SUBJECT	UNLAWFUL INQUIRIES	PERMISSIBLE INQUIRIES
Age	Birth date or age asked before hiring.	If at least 18 years of age, you may ask for birth date after hiring.
Arrest Record	Any inquiry regarding arrests.	Relating to criminal convictions (on applications).
Citizenship	Any direct inquiry regarding citizenship.	Whether applicant can provide proof of citizenship, visa or alien registration once hired.
Family	Specific inquiries concerning spouse, spouse's salary or employment, children childcare arrangements or dependents.	Whether applicant has any outside commitments that conflict with job duties.
Marital Status	Any inquiry into present/past marital status or name that would divulge marital status.	None
Military	Type of discharge, request for discharge papers, inquiries as to experience other than U.S. Armed Forces.	Education, training experience in U.S. Armed Forces.
National Origin	Inquiries into birthplace, ancestry, mother tongue, etc.	Inquiry as to applicant's ability to read, write and speak a foreign language when based on job requirements.
Religion or Creed	Inquiries concerning applicant's religious denomination, religious affiliations, church, parish, pastor or religious holidays observed.	None
Residence	Whether applicant rents/owns home; names of persons with whom applicant resides.	Inquiry on address needed to facilitate contacting applicant.
Relatives	Names and addresses of any relatives other than those listed as references.	Names of applicant's relatives already employed by this company/competitor.
Race or Color	Any inquiry concerning race or color of skin, hair, eyes, etc.	None
Gender	All.	None
Name	Inquiry into original name where it has been changed by court order or marriage. Inquiries about a name that would divulge marital status, lineage, ancestry, national origin or descent.	Whether applicant has worked for this company or a competitor under a different name; if so, what name? Name applicant is known under if different from present name.
Photographs	Request that applicants submit a photograph at any time before hiring.	May be requested after hiring for identification purposes.
Pregnancy	All questions as to pregnancy and medical history concerning pregnancy and related matters.	Inquiries as to duration of stay on job or anticipated absences that are made to males and females alike.
Disability	All questions relating to physical/mental health.	None
Workers' Comp	Any inquiries about past claims, injuries, etc.	None
Sexual Orientation	All.	None

SEXUAL HARASSMENT POLICY ADOPTED BY LODGE # _____

STATEMENT OF PHILOSOPHY: This Local Lodge is proud of its tradition of maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. Sexual harassment is unacceptable and will not be tolerated by this Lodge.

DEFINITION OF SEXUAL HARASSMENT: For purposes of this policy, sexual harassment is defined as unwelcome or unwanted conduct of a sexual nature (verbal or physical) when:

1. submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of employment;
2. this conduct substantially interferes with an individual's employment or creates an intimidating, hostile or offensive work environment.

Examples of sexual harassment include but are not limited to: threatening adverse employment actions if sexual favors are not granted; promising preferential treatment in return for sexual favors; unwanted or unnecessary physical contact; offensive remarks, including unwelcome comments about appearance, obscene jokes or other inappropriate use of sexually explicit or offensive language; the display in the work place of sexually suggestive objects or pictures; and unwelcome sexual advances by visitors to the Lodge offices when such advances are condoned, either explicitly or implicitly by personnel of the Lodge.

PERSONS COVERED: This policy covers all Members and employees of this Lodge. The Lodge will not tolerate, condone or allow sexual harassment whether engaged in by fellow employees, Supervisors, Directors, Members or by others who have contact with this Lodge.

ENFORCEMENT OF POLICY: In accordance with the By-Laws of the Lodge, and conforming to GLS 16.040 and other Statutes of the Order, a committee shall be established for enforcement of the provisions of this policy. If a particular incident involves a Committee Member, that Member shall not participate in its proceedings.

The Committee will publish the name of the person appointed as Policy Representative to receive and investigate complaints, formulate procedures with respect to their handling and report his or her findings with recommendations to the Committee for appropriate corrective action. Any person who feels that he or she has been a victim of sexual harassment shall bring the problem to the immediate attention of the Policy Representative. If the complainant is not satisfied with the handling of the complaint by the Policy Representative, or if that person is the subject of the complaint, he or she shall report the matter to any Member of the Committee for further consideration.

Any allegation of sexual harassment that is brought to the attention of the Policy Representative will result in a mandatory, confidential investigation of the incident.

It is intended that the privacy of the persons involved will be protected. All reports of sexual harassment shall be kept in confidence, except as is necessary to investigate the complaint and to respond to any legal and/or administrative proceedings arising out of or relating to the sexual harassment report.

Employees who have engaged in such conduct will be disciplined up to and including termination; Members who engage in such conduct will be disciplined per the Statutes of the Order.

For employees, the Enforcement Committee shall have sole discretion and authority to finally determine the discipline and to enforce its terms. However, if a person charged with an offense is a Member of the Committee, final decision with respect to his or her disciplinary action shall be with the Commission, Committee or Subcommittee having jurisdiction over his or her employment.

Retaliation in any form against a complainant who exercises his or her right to make a complaint under this policy is strictly prohibited and will itself be cause for appropriate disciplinary action.

ACCIDENT PREVENTION REVIEW FOR NEW EMPLOYEES

NOTE: This form should be completed by the Manager before new employee starts working.

Name _____ Date _____

Department _____ Position _____

1. ***MOST IMPORTANT!*** Review the Lodge's policy for service of alcoholic beverages if relevant to the job. (Training in the service of alcohol is recommended and mandatory where required by law.)
2. Review possible hazards and how to prevent those that are unique to this department (cuts, burns, slips, chemicals, etc.).
Specific Hazards Covered: _____, _____, _____.
3. Review employee's role during an emergency (fire, bomb threat, power failure, natural disaster, etc.).
4. Floors — Spills, wipe up. Trash or articles, pick up.
5. Explain where the fire exits are and why they must be kept clear. Explain the location and use of fire extinguishers.
6. No running and/or horseplay — explain why.
7. Explain why equipment must be in good repair before use—especially electrical equipment.
8. Review safe lifting procedures.
9. Explain why tools/equipment should not be used unless employee has been properly trained.
10. Review the proper care needed when dealing with chemicals, including cleaning materials.
11. Review the proper use of doors, especially to and from kitchens.
12. Explain the use of protective devices and clothing as prescribed by the job (safety gloves, shoes, aprons, etc.).
13. Tour all areas. Explain the extra care needed in certain hazardous areas.
14. Explain voice signals such as "Behind You," "Hot" and other warning terms.
15. ALL accidents are incidents and must be immediately reported to management.

FEDERAL STATUTES/REGULATIONS THAT MAY APPLY TO LODGE OPERATIONS

- I. OSHA — Occupational Safety and Health Administration
- II. Right To Know Act — Hazard Communication Standard
- III. Americans with Disabilities Act (A.D.A.)

These Federal Acts (sometimes administered by state organizations) have limited application to Local Lodge operations. However, the Lodge's Officers and Accident Prevention Manager should be aware of these laws and be prepared to obtain advice and guidance if major problems arise. The following references to these Acts do not offer detailed directions; they are only provided to make you aware of potential application to Lodge activities.

I. OSHA: (OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION)

This Federal organization was established to improve safety standards and results with reference to employee injuries (in some states, these functions are carried out by state-run operations). The prime emphasis of this organization is directed towards manufacturing operations, but the safety requirements and inspections do apply to any operation that employs workers and even volunteers.

The general requirements concern:

1. Proper maintenance of the premises.
2. Proper maintenance and the establishment of life safety equipment.
3. Proper maintenance and compliance with safety standards with regard to all equipment used.
4. Proper maintenance of records concerning all work-related injuries.

(All employers should have a log of all work-related injuries and a copy of the employer's first report of the injury to the workers compensation carrier.)

It is highly unlikely that OSHA will inspect the small Local Lodges (unless there is a serious injury or a complaint alleging a serious violation). Larger Lodges with substantial facilities may occasionally be inspected but even this would be rare.

If OSHA does make an inspection, it is generally the best policy to cooperate and provide your accident log and files if requested. If citations and/or fines are assessed for violations, Lodges are encouraged to obtain as much detailed information as possible from the inspector about the specifics of the alleged violation and whether such alleged violations may be corrected. Depending on the circumstances, you may wish to contact local counsel with knowledge of whether the citations or fines should be appealed.

Advice may also be obtained from your local state Accident Prevention Chairman or the Grand Lodge Insurance Department.

II. RIGHT TO KNOW (HAZARD COMMUNICATION):

Local Lodges should be aware of this Act, which requires employers who use hazardous chemicals in the workplace to comply with the Right to Know Act and established Hazard Communication Standards disseminated by OSHA.

The prime objective of this law is directed to manufacturers using hazardous materials or chemical companies producing such materials. However, many of the provisions of the Act clearly apply to a business operation including some Local Lodges. The intent is to provide a means whereby employees may provide full disclosure of potentially hazardous materials that employees may be exposed to in the work place.

The chance of an inspection is remote, but there are several basic steps that should be taken to place the Lodge in compliance with the general spirit of the law.

- The employer should obtain MSDSs supplied by the manufacturers and retain them as long as the chemicals are used. These MSDSs should be available for review by employees. The employer should also prepare a summary list of such materials (*see list at the end of this section*).

- These are simplistic suggestions that should be of assistance to make the Lodge aware of the statute. For normal Lodge operations, it should provide a method for compliance. For a Lodge with broader operations that may involve more extensive use of potentially hazardous materials, it is suggested that a more in-depth review and plan be implemented.

List of Hazardous Chemicals and Index of MSDSs

[illegible]

The following list identifies some types of potentially hazardous chemicals that may be present in the workplace:

Acids		Fungicides	Plastics
Adhesives		Gasoline	Process Chemicals
Aerosols		Glues	Resins
Asbestos		Greases	Sealers
Battery Fluids		Industrial Oils	Shellacs
Benzene		Inks	Solders
Catalysts		Insecticides	Solvents
Caustics		Herbicides	Strippers
Cleaning Agents		Janitorial Supplies	Surfactants
Detergents		Kerosene	Thinners
Dusts		Lacquers	Varnishes
Etching Agents		Lead	Water Treatments
Fiberglass		Lye	Wood Preservatives
Flammables		Oxalic Acid	Xylene
Foaming Resins		Paints	
Fuels		Pesticides	



III. AMERICANS WITH DISABILITIES ACT (A.D.A.)

The A.D.A. in general does not apply to private clubs in relation to the members of the club, but it does have applications to Lodge employees and to areas or events open to the public. On this basis, Lodges should review the physical plant of the Lodge and the various ways the Lodge facilities are used. If new construction, rehabilitation or upgrading is done, it is strongly suggested that compliance be considered.

This Act does not require an owner to make changes that require an inordinate expense but to only make reasonable changes to accommodate the needs of disabled employees or the public where applicable. For example, the law will not require the installation of an elevator but might require the installation of a proper access ramp or a lifting facility that accommodates the disabled.

The Lodge should be able to receive assistance from construction contractors, architects or the Lodge's attorney in any building process (note that local building requirements must also be complied with).

With a proper review of existing conditions as well as proper planning for future construction and events, Local Lodge management should have no problems with this law.

SECURITY AGAINST ASSAULTS/CRIMINAL ACTS

The question of the need for security at Lodge functions is one that requires a specific review of the facts; reference to the Statutes in that jurisdiction; and awareness of any relevant precedents established by the courts in that jurisdiction. This is true whether it is a Members-Only event; an event that is open to the public, such as bingo; for a special event sponsored by Members, such as weddings; or other celebrations conducted by non-Members who have leased a portion of the premises.

In general, the Local Lodge is not a guarantor for the safety of individuals, Members, non-members, invitees, or licensees. However, if Lodge management is aware of potential danger or has some notice of prior events that would reasonably lead the management to believe there was a potential danger, some responsibility, to varying degrees, may be attributable to the Lodge in some jurisdictions.

Within the Lodge building, claims might be made for lack of supervision or for not providing direction and control of the building. In the parking facilities or outdoor areas, claims might be based on bad lighting or lack of security measures that encourage criminal acts.

Each Lodge must review this situation from its own perspective.

1. Has the Lodge had prior violent or criminal acts perpetrated against individuals? If so, how can such events be avoided in the future?
2. What is the responsibility established by Statutes or the case law in the jurisdiction in which the Lodge is located?
3. What assistance can be obtained from local police in their normal service operations?
4. What changes in the physical plant of the Lodge, both indoors and outdoors, can be established to improve security and assist in the avoidance of crime?

In general, Lodge management should consider obtaining security for any event that would have a large attendance. Such security could assist in avoiding conflicts between attendees and avoid criminal acts in parking lots and other outside areas. Also, in many cases, such assistance can perform the function of avoiding slips and falls that might occur from improper use of paths, parking lots, and entrance ways.

If security personnel are obtained, it is recommended that the local police department be consulted. Frequently, such departments will, for a fee, provide such assistance with on-duty officers or recommend off-duty officers for employment.

If a private security firm is used, make sure this firm indemnifies the Lodge and provides a liability insurance policy naming the Lodge as an additional insured and one that specifically provides contractual liability insurance covering this indemnification. If the Lodge has a choice, using local sworn police officers is preferable, even if the cost is slightly more.

Volunteer members may perform some of these duties and may assist the security personnel, but under no circumstances should they attempt to perform as police or security personnel. Essentially, such volunteers could assist with ground control; act as inspectors to detect dangerous conditions; or clean up spills.

As a further safeguard and for the protection of individuals and property from criminal acts, it is recommended that each Lodge review the cost associated with the installation and maintenance of an alarm system. Such systems can include a central alarm system that alerts police and fire departments and gives added protection from burglary and fire hazards. In many areas, the cost of such a system has become modest in cost (in some cases, a credit may be available under the Property Plus Program). Frequently, such systems can also be used to alert police while the Lodge facility is in use.

Where practical, it is also recommended that consideration be given to installing video cameras, both indoors and in parking areas and walkways.

The subject of Lodge security is primarily an exercise in planning, good management and common sense while conducting the Local Lodge's various functions.

AVOIDING POTENTIAL LOSS EXPOSURE WITH PROPER LEGAL REVIEW

If possible, Local Lodge management should refrain from assuming the liability of others under written contracts while, in some cases, indemnification should be sought from others.

Some suggestions and guidelines for reviewing a Lodge's contract exposures are:

1. If possible, any and all contracts should be reviewed by the Lodge's attorney.
2. Indemnifying others should be avoided whenever possible; Lodges should not indemnify others for their own negligence under any circumstances.
3. Evidence of insurance for the Lodge can be provided under the Master Liability Program, but it is desired that the requesting party not be named as an additional insured (if the Lodge is using the facilities of others without compensation, it may be necessary to name such parties as an additional insured in some cases).
4. Rental agreements involving Lodge premises and other contracts for special events or for services to be rendered by independent contractors should contain hold-harmless provisions establishing the responsibility of the lessees and contractors with respect to liability claims arising out of their use or work on the premises. Lessees and contractors should provide evidence of proper insurance coverage with adequate limits through the issuance of certificates of insurance, and it is preferred the Lodge should be named as "Additional insured" in connection therewith.

Local Lodges seeking indemnification from lessees, renters and contractors can use the following suggested language:

Indemnity for Groups or Individuals Renting/Using/Leasing Lodge Facilities

For valuable consideration, the receipt whereof is hereby acknowledged, *(the facility user)* does hereby agree to indemnify and hold harmless the *(Lodge name/number)* from any and all claims, costs of defense or expenses arising out of *(description of activities)*, except for the sole negligence of the Lodge. *(The facility user)* further agrees to name the *(Lodge name/number)* as additional insured under their general liability policy, which will be obtained from an insurance company the Lodge finds satisfactory and provide the Lodge with: (1) a separate endorsement reflecting the Lodge's status as an additional insured; (2) a provision in the policy for thirty (30) days' notice of cancellation or material change; and (3) evidence of the following insurance coverage (such coverage and certificate must be issued without any disclaimers or limitations):

<u>COVERAGE</u>	<u>AMOUNT</u>
GENERAL LIABILITY	*\$1,000,000 per occurrence <i>(including products and contractual liability)</i>
AUTOMOBILE LIABILITY <i>(where applicable)</i>	\$1,000,000 per occurrence
WORKERS' COMPENSATION <i>(where applicable)</i>	Statutory

***The required coverage amounts mentioned above may be increased/decreased depending on circumstances (the \$500,000 coverage limit available through the "Special Event" policy program administered by Gallagher Bassett is also acceptable).**



Inspection Forms:

The following are inspection forms that should be utilized to properly review potential hazards and to provide a record of inspection.

These forms may be copied or adapted for specific use by the Local Lodge.

The copy of the Self-Inspection Form provided in this manual is directed to the Lodges each year and is required for review during the District Deputy's inspection and for use by State Accident Prevention Chairmen.

The additional forms are for use by the Accident Prevention Managers of the Lodges and the State Accident Prevention Chairmen as tools to monitor the activities of the Lodge.



SELF-INSPECTION

COMPLETED BY: _____ TELEPHONE: (____) _____ DATE: _____

Lodge Name & Number _____

Street Address _____

City _____ State _____ Zip Code _____

 NOTE TO DISTRICT DEPUTIES: Please access Self-Inspection checklist at: <http://www.elks.org/members/dds/selfinspection.cfm> for filing online.

1 Access Roads, Walkways, Parking Areas	YES	NO	N/A
a. Free of debris, cracks, broken pavement			
b. Different elevations between adjacent walkways provided with guards or well marked			
c. Walkways flat, well-drained, without holes			
d. Fences & barricades secured & in good condition			
e. Pathways & parking areas have adequate lighting			
f. Walkways have safe clearance from motorized equipment			
g. Signs indicating "Park at your own risk"			
2 Stairs, Ramps & Elevators/Lifts	YES	NO	N/A
a. Standard stair rails or handrails provided on stairways with four or more stairs & ramps			
b. Handrails well secured with no sharp or rough parts			
c. Stair treads & risers free of chips, cracks, unevenness			
d. Stair treads & ramps slip resistant			
e. Stairways & ramps have adequate lighting			
f. Stairs have at least 6½ feet overhead clearance			
g. Elevators/lifts inspected as required by local law			
3 Floor & Wall Openings	YES	NO	N/A
a. Large glass areas subject to human impact well marked			
b. Floor opening provided with guard rail or cover			
c. Grate type covers designed not to affect foot traffic			
d. Safe, non-skid floors			
4 Entrances/Exits	YES	NO	N/A
a. Emergency lighting provided in corridors & stairways			
b. All exits marked & properly illuminated			
c. All doors, passages, stairs that aren't exits properly marked			
d. All exits & passageways free of obstructions			
e. At least two exits provided from upper floors			
5 Exit doors	YES	NO	N/A
a. All exit doors open in the direction of exit			
b. Cold storage room doors provided with inside release			
c. Doors opening into street provided with warnings or barriers to prevent stepping into path of vehicles			
6 Storage Areas	YES	NO	N/A
a. Storage areas clean, dry & free of obstructions			
b. Storage area locked while unattended			
c. Flammables & combustibles stored away from heating devices & open flames			
d. Trash & debris in metal covered containers & regularly removed			
7 Emergency & First Aid	YES	NO	N/A
a. Emergency numbers posted at each phone			
b. Employees instructed on reporting emergencies			
c. Employees instructed on use of portable extinguishers			
d. First Aid kits clean and fully stocked			
8 Outdoor Fixtures & Playgrounds	YES	NO	N/A
a. Benches & tables free of cracks, splinters & broken parts			
b. Water fountains & taps in good repair without broken parts			
c. BBQ free of sharp edges or missing parts			
d. Playground equipment clean & in good repair			

9 Swimming Pool	YES	NO	N/A
a. Appropriate caution signs posted			
b. Properly enclosed to prevent falling into pool or access to children			
c. Glass cups & plates not allowed in pool area			
d. Remove diving board			
e. Certified lifeguard on duty when pool is open			
10 Kitchen, Bar & Restaurant	YES	NO	N/A
a. Metal container with cover provided for greasy rags			
b. Knives stored in holders when not in use			
c. Electrical cords & plugs of appliances in good condition			
d. Food processing equipment properly guarded & in good repair			
e. Glass stored away from open ice storage & food storage areas			
f. Gas & beverage concentrate cylinders secured against tipping			
g. Drain & other floor openings covered			
h. Non-skid mats provided in line with sinks, ice machine, range, etc.			
i. Mats clean and free of grease or other build-up			
j. Food stored off the floor			
k. Food covered & stored in refrigerator when not being prepared; proper temperature maintained			
l. Hood & filters over range clean & not laden with grease			
m. Suppression system in hood inspected in last 6 months			
n. Chairs, stools & tables in good condition			
o. Board of Health certified server and inspection			
11 Restrooms, Locker Rooms, Showers & Saunas	YES	NO	N/A
a. Well-maintained, dry, clean, sanitized & free of debris			
b. Adequate lighting; burned out bulbs promptly replaced			
c. Hand towel, soap, toilet paper & sink fixtures secured and in good repair			
d. Toilet stall & locker walls, doors & latches secure and in good repair			
e. Walking surfaces made of non-skid materials			
f. Appropriate warning signs posted: "CAUTION — SLIPPERY WHEN WET" or "DO NOT USE OVER 15 MINUTES," etc.			
12 Personal Protection Devices	YES	NO	N/A
a. Appropriate protective devices provided for chemicals on site, including masks, safety aprons, gloves, goggles, etc.			
b. Compliance with "Right to Know" requirements where applicable			
13 Protection Devices	YES	NO	N/A
a. All automatic fire sprinkler system supply valves wide open			
b. All heat/smoke detection systems in operation			
c. Portable extinguishers serviced in last 12 months & tagged			
d. Pressures in appropriate range on gauge			
e. Extinguishers properly mounted at stations			
f. Extinguishers recharged, as required			
g. All sleeping quarters provided with smoke detectors unless provided with automatic sprinklers and carbon monoxide detectors			

LODGE SAFETY CHECKLIST

General Environment: Good ☐ Fair ☐ Poor ☐ Inspected By: _____

DATE:	S	US	NA	*REMARKS
Hallways & Corridors				
Stairs & Stairwells				
Floor Surfaces/Spill Clean-Up				
General Housekeeping				
Waste Receptacles				
Toilet Facilities/Plumbing				
Storage Areas/Clean & Orderly				
Rodent/Insect Control				
Lighting				
Ventilation Equipment				
Drainage Systems				
Fire Protection Equipment/ Sprinklers/Fire Extinguishers				
Fire Procedures				
Fire Doors Operable				
Exits/Clear & Marked				
Hazardous Matter/Storage				
Hazardous Matter/Handling				
Smoking Regulations/ Enforced				
Emergency Lighting Power				
Electrical Wiring/ Electrical Outlets				
Electric Panels/Labeled				
Electric Panels/Condition				
Equipment/Grounding/ General Condition				
Extension Cords/Use & Condition				
Machinery/Guarding				

S=Satisfactory • US=Unsatisfactory • NA=Not Applicable • Under “*REMARKS” – record noted unsafe or unsatisfactory conditions.

LODGE SAFETY CHECKLIST *continued*

DATE:	S	US	NA	*REMARKS
Ladders/Condition				
Tools & Equipment				
Unsafe Practices/Employees				
Safety Signs/Visible				
Employee Safety Training/ First Aid				
Metal Container with cover provided for greasy rags				
Knives stored in holders when not in use				
Electrical Cords & Plugs of Appliances in Good Condition				
Food Processing Equipment Properly Guarded and in Good Repair				
Glass Stored Away from Open Ice Storage and Food Storage Areas				
Gas & Beverage Concentrate Cylinders Secured Against Tipping				
Drain & Other Floor Openings Covered				
Non-Skid Mats Provided in Front of Sinks, Range, Ice Machine, etc.				
Are Mats Clean without Grease or other Buildup				
Food Stored Off the Floor				
Food Covered and Stored in Refrigerator when Not Being Prepared				
Hood & Filter Over Range Clean and Not Laden with Grease				
Suppression System in Hood Inspected in Last 6 Months				
Food Preparation/Storage				
Food Handling Procedure Walk-In Refrigerator — Safe Entry				

Inspected By: _____ **Date:** _____

[illegible]

Monthly Safety Inspection Guide

 General Environment: Good ☐ Fair ☐ Poor ☐

Inspected By: _____

DATE:	S	US	NA	* REMARKS
Fire Protection: Annual Maintenance of Portable Fire Extinguishers Inspection By Qualified Professional. Monthly Visual Inspection By and Noted on Inspection Tag.				
Sprinkler Heads Have Minimum of 8" of Free Space Beneath Them.				
Semi-Annual Inspection of Fixed, Dry or CO2 System by Qualified Professional on File, Reviewed With Client.				
Monthly Visual Inspection of Fixed System by Client or on Inspection Tag. Sprinkler Control Valves Locked and Chained in Open Position.				
All Employees Are Trained in the Use of Portable Fire Extinguishers.				
All Storage and Mechanical Heater Areas Are Protected by an Automatic Sprinkler System.				
Portable Fire Extinguishers Near Cooking Equipment Are 20 BC Rated.				
Combustible Materials Are Stored at Least 30" Away from Heating and Electrical Equipment.				
Fire Extinguishers Are Visible and Mounted Below Five Feet Above Floor, Charged and Sealed in Place.				
No Smoking Policy Followed in Storeroom and Kitchen Area.				
Decorations Are Flameproof or Non-Combustible Material.				
Emergency Plans Available With Phone Numbers. Posted Throughout as Needed.				
Entrances/Exits: Emergency Phone Numbers Posted at Several Locations in Kitchen and Office.				
Exits Visible, Clearly Marked, Illuminated Signs Operable.				
Exit Routes Unobstructed; Min. Width 28". All Means of Egress Ready for Full and Instant Use.				
Emergency Lighting Operable. Flashlights and Illuminated Exit Signs Provided in Lieu of Fixed Emergency Lighting. All Units Tested for Proper Operation.				
Emergency Evacuation Plans Posted.				
Electrical: Switch Box Covers or Plates on ALL Live Parts. Box Covers Kept Closed.				
Control Panels Have Minimum 30" of Unobstructed Work Space in Front.				
Appliances Have Three-Wire Grounded Plugs (Unless Marked as Being Double Insulated.)				
Cords in Good Condition. Extensions Limited to 15' in Length. Extension Cords not in Place of Permanent Wiring.				
All Electrical Receptacles Dead or Alive Have Appropriate Plates in Good Repair.				
Switches and Circuit Breakers Clearly Marked to Indicate Equipment/Areas Controlled.				
Kitchen Work Areas: Lighting Adequate. Fixtures Are Shielded.				
Machines Are Suitably Anchored to Prevent "Creeping" or Tipping.				
Slicer Left Unplugged and Set at Zero When Not in Use. Cut Resistant Gloves Available for Use When Cleaning Blade.				
Cooks Know Gas/Electric Emergency Cutoffs.				
The Use of Plastic Buckets for Emptying Hot Grease/Oil Prohibited.				
The Preventive Maintenance Program Is Scheduled and Documented.				
No Steam Leaks on Production Equipment.				
Can Opener Blades Are Clean and in Good Repair.				
Delivery Area Is Free of Bump, Slip, or Trip Hazards.				
Floor Clean. No Food/Grease Buildup Around Grill or Stove.				
The "Clean as You Go" Policy Is Enforced.				
Proper Knife Storage in Rack or Drawer.				
Wet Floor Signs Posted				
Meat, Fish and Other Grinders: Worm-type power driven grinders shall be guarded so fingers cannot contact worm.				
Pushers used to increase safety.				
Floor Mats Properly Placed — No Tripping Hazard Evident.				
Swinging Doors Easy to Open with See-Through Panel, Mirror Overhead at Doors for Blind Spots.				
Soap and Towels Available at Wash Sinks for Employees. Hand Washing Signs Are Posted.				
No Grease Buildup on Floors, Equipment. Prompt Attention to Spills on Serving or Customer Side.				
Use Pan Handles or Pot Holders to Lift Hot Pans. No Greasy Rags Stored Under Counter.				

S=Satisfactory • US=Unsatisfactory • NA=Not Applicable • Under "REMARKS" – record noted unsafe or unsatisfactory conditions.

Monthly Safety Inspection Guide *continued*

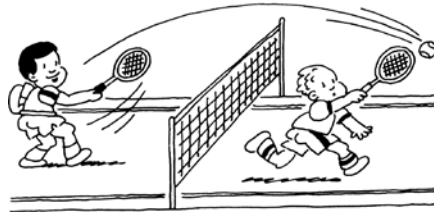
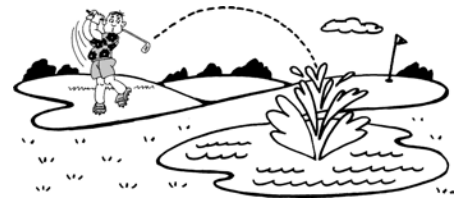
Persons Under 18 Years Old Are Prohibited From Operating Slicers and Food Processors. Power Supply Is Disconnected When Cleaning.					Possible Heavy Items Are Stored Between Shoulder and Knee Height to Facilitate Lifting.				
Dish Area: Floor Mats, Non-Slip Material or Strips Properly Placed and in Good Condition.					Floors in Walk-In Refrigerators and Freezers Are Clean, Dry and Non-Slippery.				
Dish Machine Final Rinse at 180 Degrees or Approved Chemical Disinfectant Used.					Dining Area: Waiters, Waitresses or Busboys Are Refraining from Overloading Trays or Bus Boxes.				
Protective Cover Over Disposal Opening. No Water Leaks from Hoses, Valves, Dish Machine, Etc.					Broken, Torn, Wobbly Chairs or Unsteady Tables Are Quickly Repaired.				
Exhaust Working Properly.					Carpet and Runners in Good Condition. Stair Treads and Nosings Have Non-Slip Material and Are Secure.				
Dishes Stacked Properly in Carts and Tables.					Dining Area Is Free of Bump, Slip or Trip Hazards.				
Clean Mops and Clean Mop Pails Available to Clean Up Spills.					Toilet Doors Solid, Self-Closing and in Good Repair.				
Broken Glass Is Swept Up Promptly and Placed in Special Containers. Clearly Marked.					Wet Mopping Is Avoided During Rush House.				
Storage Areas: Floors Free of Slip Hazards; Food, Water, Ice, Grease.					Sufficient "Wet Floor" Signs Are Available and Used at Every Public Entrance Where Floors Are Wet.				
Walk-in Freezer Temperature Is Maintained Between 0-10 Degrees. Refrigeration Temperature Between 38-42 Degrees.					Floors Are Free from Food Spills, Silverware, Broken Glass, Loose Mats, Torn Carpets or other Hazards.				
Ice Storage Is Protected to Prevent Accidental Presence of Foreign Objects and a Proper Scooping Utensil Is Provided.					Vending: No Sharp Corners Projecting on Machines; No Broken Glass Plastic Plates.				
All Compressed Gas Cylinders For Soda Dispensers Are Individually Chained in a Vertical Position.					Use of Proper Equipment in Lifting, Relocating Machines.				
All Compressed Gas Cylinders Not in Service Have a Valve Protective Cap in Place.					Lighting Adequate and Working; Proper Sanitation Standard, Good Housekeeping of Area.				
No Goods over 30 Pounds Stored over Five Feet Above Ground.					Emergency Water, Electrical Cut-Off Known; Service Numbers Posted on Machine.				
Step-Ladder in Storeroom Is of Sufficient Height to Allow Access to Top Shelves Without Standing on Top Two Steps.					Safe Practices Observed: Spills Wiped, Swept Up Promptly.				
Goods Removed from Cartons Proper to Storage on Shelves.					Proper Lifting Methods Observed. Use of Carts in Transporting Heavy Loads.				
Shelves in Good Repair, Secured if Necessary.					No Horseplay or Employee Running While Working.				
Conditions Are Avoided Where Items Are Stored Above Food That Could Contaminate Food.					Employees Wear Closed-Heel, Closed Toe and Slip Resistant Sole Footwear.				
All Food Covered, Dated & Labeled.					Food Handlers Are Wearing Clean Outer Garments.				
Employees Frequently Receive Training on Correct Lifting Techniques.					Employees Are Prohibited from Wearing Loose or Dangling Jewelry Which Could Be a Hazard near Moving Equipment or Could Get in Food.				
Applicable Items Are Cross-Stacked to Avoid Tripping or Tumbling.					Flashlights Fully Charged Should Be Placed at Strategic Locations in the Facilities.				
Aisles Are Free of Boxes and Cartons.									

PHYSICAL HAZARD QUESTIONNAIRE FOR PUBLIC SAFETY

Name of Facility _____

Location _____

1. Chairs, stools, tables and counter tops in good condition—no pinch points—no rough edges (make sure securing screens or welds are in order).
2. Floor coverings in good condition — no holes, loose seams or turned-up edges.
3. Stairways free of trip-and-fall hazards; handrails are properly secured.
4. Lighting adequate — emergency lighting in good working order and tested periodically.
5. Exits properly marked and unobstructed; exit doors unlocked and equipped with panic bars.
6. Restrooms in safe and sanitary condition.
7. Parking lots well lighted and in good condition.
8. Sidewalks, walkways and exterior steps in good condition and maintained properly.
9. Playground equipment in safe condition (free from rust and broken pieces).
10. Snow and ice promptly removed from parking lot and all walking surfaces (maintain logs of such activities if possible—perform such duties on a rational, periodic basis).
11. Grounds in good repair (free from holes and obstructions).
12. Car stops are painted contrasting colors so they are clearly visible (if possible under local laws, remove all car stops or speed bumps.)
13. Some type of mats are provided at entrance and exit doors in inclement weather (make sure the mats are properly maintained and removed in good weather).
14. When the premises allows for permanent or temporary housing, the Lodge should make sure to comply with all local ordinances and provide/maintain smoke detectors and carbon monoxide monitors as required. Also, it should be properly ascertained that there is no exposure to lead, asbestos or other toxic material (no insurance under any Elks programs will defend or protect any Lodge from claims made for alleged exposure to asbestos, lead or pollution).

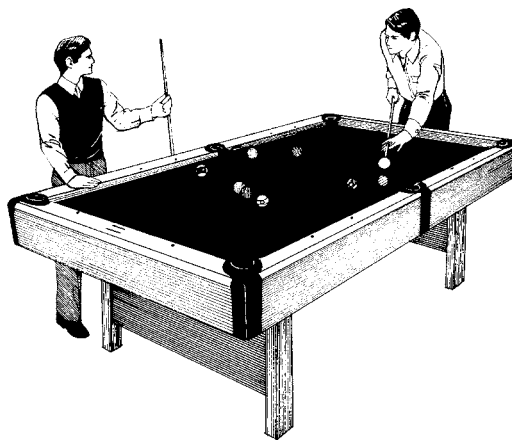


Recreational Facility Questionnaire:

The following loss guidelines and questionnaires are provided for various recreational facilities that some Local Lodges may operate.

Each Lodge may use these guidelines as required.

If a Lodge has other recreational facilities not mentioned it is suggested that appropriate questionnaires be developed by adapting the provided questionnaires or by seeking assistance from a safety professional.



LOSS CONTROL GUIDE FOR SWIMMING POOLS

Each year, thousands of people in the United States die by drowning. Many more are injured in pool related accidents. National Safety Council statistics indicate drowning is one of the major causes of accidental death, with children aged 1-10 most commonly involved. With these facts in mind, it is imperative that proper supervision and control be established at all swimming pool facilities owned and operated by a Local Elks Lodge. Regardless of any local laws, it is strongly recommended that a certified lifeguard be on duty when the pool is open

Listed below are a few of the more important controls to be followed in an attempt to avoid swimming pool accidents. Local ordinances and statutes and "Minimum Standards for Public Swimming Pools" (published by the National Swimming Pool Institute) should be followed and referred to.

It is strongly suggested that, unless the pool in question has a properly constructed diving well, the diving board be removed. No diving should be allowed for general swimmers. (Almost all general-use pools do not have sufficient depth or have inappropriate sloping to safely allow diving.)

- 1.** Swimming areas must be controlled. A high, child-proof fence with a lockable gate is a suggested minimum (eight-foot fences are preferable). The area must be kept locked during non-use hours.
- 2.** Use of the pool must be controlled. Rules must be posted in a conspicuous manner and ENFORCED.
- 3.** Walking surfaces in swim areas must be smooth, level and slip resistant.
- 4.** The deep end of the pool, usually more than 5 feet, should be clearly marked either by a rope line; a painted line contrasting with the pool bottom of the pool; or both.
- 5.** The floor of the pool should be painted a light color to easily identify objects in the pool.
- 6.** The depth of water should be plainly marked in feet above the water level on the vertical pool wall and on the cap or deck next to the pool.
- 7.** A throwing rope with an attached life ring should be available in the pool area.
- 8.** No glass containers, cups or plates should be used in the pool area.
- 9.** Alcoholic beverages may not be served in the pool area; pool use may not be combined with alcohol use.
- 10.** In order to maintain control, it is strongly recommended that pools should not be opened for use unless there is a trained lifeguard on duty. If a Lodge can afford to maintain a pool, it should be able to obtain a lifeguard.
- 11.** All pools must conform to federal and state regulations. All pools must have the required pump and filter guards.

PHYSICAL HAZARD QUESTIONNAIRE FOR SWIMMING POOLS

Name of Facility _____

Location _____

1. Size: Length _____ Width _____
 Depth: Deep End _____ Shallow End _____

2. Is pool enclosed by fence, hedge, etc.?
3. Is depth conspicuously marked on sides of pool? (When depth/slope of pool is not adequate for diving, signs should be posted that state "No Diving from Sides of Pool".)
4. Diving boards and any other such equipment have been removed.
5. What are normal hours of operation?
6. Is pool lighted? Underwater? Perimeter?
7. Is water tested daily for contamination and chlorine levels?
8. Is water continuously circulated, filtered and treated?
9. Are life rings, shepherd's hooks and back boards available?
10. Is a trained Life Guard always on duty when pool is open?
11. Are Life Guard chairs located at pool side?
12. Is an attendant or manager always on duty when pool is open?
13. Are unattended children allowed to use pool?
14. Are rules and warning signs posted?
15. Are surfaces adjacent to pool concrete, wood or other?
16. Is area kept clean and free of trash?
17. Are there other types of recreational devices? (These should be removed.)
18. What are the number and type of buildings and their use?
19. Any refreshment stands or vending machines? Are drinks dispensed only in paper or plastic containers? No glass should be used for drinks or food.
20. Is refreshment stand supervised? Alcohol may not be served in the pool area.
21. Is fire protection provided in refreshment stand?
22. Make sure pump and filter guards are in place as required by law.

PHYSICAL HAZARD QUESTIONNAIRE FOR TENNIS COURTS

Name of Facility _____

Location _____

1. Is fence around courts of adequate height and gated safely?
2. Is fence in good repair? Check for:
✓Broken wires ✓Protrusions ✓Rust ✓Solid supports and posts
3. Are spectator bleachers provided? If so, check for:
✓Solid support ✓Missing hardware ✓All hardware tight and secure
✓Rough edges, cracks, splits and splinters ✓Broken boards
4. Are court surfaces smooth and flat?
5. Have surface repairs been done properly?
6. Have all tripping hazards been eliminated within the playing and out-of-bounds area around the court?
7. If lighted, is lighting designed to eliminate dark corners?
8. Is power box for lights properly enclosed and kept locked?

PHYSICAL HAZARD QUESTIONNAIRE FOR GOLF COURSES

Name of Facility _____

Location _____

GROUNDS KEEPER:

1. List of chemicals used by trade name.
2. Who mixes chemicals and is person qualified to mix and purchase chemicals?
3. How are chemicals applied? How close to any ponds, streams or lakes? How are containers disposed of? Any storage tanks underground?
4. Are all tractors, mowers, shears, trimmers, etc. properly maintained and cutting blades protected when not in use?
5. Does gasoline pump have emergency shut-off and is fire extinguisher located nearby?
6. Are warning signs posted in storage sheds/garages to keep out unauthorized visitors?
7. Are First-Aid supplies available in maintenance garage?
8. Are employees instructed in the effects of heat and sun?
9. Do grounds keepers give players the right-of-way?

CLUBHOUSE:

1. If located near body of water, distance from water?
2. Are adequate portable fire extinguishers provided:
Restaurant & Bar Y/N
Kitchen or cooking area Y/N
Fuel cutoff Y/N
3. Is fire extinguisher inspection up to date?
4. Is liquor permitted outside clubhouse? All service must be controlled to avoid serving alcohol to intoxicated persons.

5. Hours liquor is served? All applicable laws must be followed.
6. Are insurance certificates available?
7. Are bartenders, servers & parking valets required to participate in any Alcohol Awareness Program as part of their training?
8. Are tables and chairs all in good repair?
9. Are there any folds or tears in carpets that could create a trip hazard?
10. Are all restroom and shower facilities in working order and are floors kept clean and dry?

GOLF PRO SHOP:

1. Does the club have any rules for golf cart rentals?
2. Are cart operation rules clearly posted?
3. Are private carts permitted?
4. If private carts are permitted, is storage area well lighted? Owners must indemnify Lodge.
5. Is the cart storage building kept locked during off hours? Owners must assume responsibility for loss or damage in all circumstances.
6. Is burglary protection provided?
7. If gasoline powered, where is storage tank located?
8. Does gasoline pump have an emergency shut-off and is a fire extinguisher located nearby?
9. If electric powered, where is battery charging done?
10. Is the recharging area well ventilated?
11. Are adequate safety procedures for refueling/recharging available?
12. Is adequate fire protection equipment available?

THE COURSE:

1. Are warning signs posted on steep grades to warn golf-cart drivers?
2. Are signs posted where carts must cross streets and roads?
3. Are cart paths adequate and in good repair?
4. Are there streets with vehicular traffic alongside fairways?
5. Are there private homes alongside fairways?
6. Are there "Blind Spots" and "Blind Shots" on course?
7. Are minors permitted to drive carts?
8. Are steps leading to elevated tee boxes in good repair?
9. Are trip and water hazards on course well marked?
10. Each course should control unruly or unsafe golfers who endanger themselves or others. Constant monitoring by responsible persons is a necessity.
11. Every course should have a warning system for an impending electrical storms (a system with sirens and signal lights is recommended). If possible, several shelter areas should also be provided. Procedures to have management clear the course of players should be established; course rules should require players to terminate activities and seek shelter under hazardous conditions.

FIRE PROTECTION AND PREVENTION

FIRE EXTINGUISHERS:

1. Are fire extinguishers of proper type(s), adequate in number, charged and tagged to show last test date?
2. Are fire extinguishers properly mounted on a wall and/or appropriately located, identified and accessible for hazards involved?
3. Are employees trained in the proper use of extinguishers and the manual operation of the dry chemical system protecting the cooking equipment?
4. Have the extinguishers been recharged and recertified as required?
5. In cooking areas, have the appropriate vent/chemical extinguishers been installed and properly maintained? Currently, both hood units and hand-held units for kitchen usage should have been converted to liquid rather than the older dry chemical units.

SPRINKLERS:

1. System control valve secured in the open position?
2. Minimum of 18" clearance between stock storage and sprinkler heads?
3. Minimum of 3' clearance around the system's main control valve?
4. Water pressure indicated on the system's lower gauge?
5. System periodically tested and maintained? Written record kept on premises?
6. System's electric or water motor alarm bell operable and audible?
7. When remodeling, making additions, or building a new building, consider including sprinklers. The cost is usually minimal and will be paid for by reduced insurance premiums.

GENERAL FIRE SAFETY:

1. Instructions for reporting fire and calling Fire Department conspicuously posted?
2. Hot pipes covered with thermal insulating materials; pipes and boilers not used as drying racks for rags and towels?
3. Flammable and combustible liquids (paints, solvents, etc.) stored in metal safety cabinets or off premises?
4. Storage of combustibles not permitted within 3' of boilers, furnaces or other heat source?
5. "No Smoking" signs posted and rule enforced in store rooms and other required areas?
6. Smoke detectors and carbon monoxide alarm systems installed as required?
7. If smoking is allowed, are ashes placed in fire-proof containers?

SAMPLE FIRE EMERGENCY PLAN

NOTIFICATION: If you should spot a smoke or fire condition in your area, the following actions should immediately be taken:

1. Notify the manager or person in charge and activate the nearest pull station if available.
2. Call the local fire department immediately or call 911 if available; state the type of emergency, building address, your name, and the exact location and extent of the fire.
3. Notify people in the area immediately threatened by the fire.
4. Follow your manager's directions for orderly evacuation of all employees and guests using one or more of the pre-planned evacuation routes.

Remember, keep calm. Encourage all occupants to remain calm and to exit in an orderly fashion closing all doors behind them. Only designated fire-exit stairways should be used. Walk to the right-hand side of stairs and use handrails. Do not use elevators.

Should your area be evacuated, follow the evacuation plan using pre-designated routes and proceed to your designated place of assembly to ensure all are out safely and accounted for.

— FIRE SAFETY PRECAUTIONS —

These fire safety precautions are intended to serve as a basis for good operational fire safety procedures and are not intended to diminish or restrict other accepted fire safety practices or policies. Adhering to these guidelines should minimize the losses to Lodge facilities associated with fires.

A. Housekeeping and combustible accumulations:

1. Accumulating rubbish, debris, trash and/or other flammable materials should be removed from the premises at least daily.
2. Paint rags, oil rags, wiping cloths, etc. are subject to spontaneous combustion. Approved metal containers shall be provided at locations where these materials may accumulate. Such containers should be emptied daily.
3. Chemically treated mops and rags used for cleaning purposes shall be kept in covered metal containers after use.
4. Trash containers shall be located outside the building for the accumulation of trash prior to pick-up and should be located at least 20 feet from any building.

B. Combustible Storage

1. All storage rooms or areas shall be maintained in an orderly manner.
2. Care should be taken to ensure that materials in storage do not come into contact with heat-producing equipment.
3. Signs should be posted that state no smoking is allowed; strict enforcement should be maintained.

C. Access to Fire Fighting Equipment:

1. Free access to fire fighting equipment such as portable extinguishers, first-aid, hose stations, standpipes, main control valves, etc. must be maintained at all times. Location markings shall not be obscured from view.
2. Vehicles should not be parked nor materials located where they might interfere with access to outside water connections or fire hydrants.

D. Access to Exits:

1. Halls, corridors, passageways, stairs and landings should be kept free from all obstructions.
2. Doors that are kept locked for security reasons must not conflict with the designated and required exits and should be marked on the facility Evacuation Plan.
3. Exit signs/lights must remain visible and unimpaired at all times; burned-out exit lights or other emergency lighting should be promptly reported for replacement.

E. Fire Doors

1. Fire-rated doors are installed to prevent the spread of fire and smoke through openings in rated partitions; no attempt shall be made to disconnect the door closers or to block, tie or otherwise cause fire-rated doors to be held open.
2. Fire doors are tested and rated by the manufacturer; any alterations performed on a door may negate the "Underwriter's Laboratory" (UL) rating.

F. Smoking Regulations

1. "No Smoking" regulations shall be observed and enforced where posted. No smoking should be allowed in storage areas or areas with flammable materials.
2. Ashtrays should be emptied promptly into a closed container or a container filled with water. Sand filled urns may be used in some areas, such as lobbies and hallways.

G. Electrical Protection

1. All portable electrical appliances should be UL listed.
2. Cords shall be replaced when there is evidence of wear.
3. Open or broken lighting fixtures or other electrical appliances or wiring; missing or broken cover plates; and boxes for electrical outlets should be reported and replaced immediately.
4. Doors and covers to electrical panels shall be kept closed.
5. Electrical outlets shall not be overloaded.
6. Wiring must be periodically inspected and replaced.

H. Fire/Crime Alarm Systems

Each Lodge should review the possibility of installing a central alarm system that can be connected directly to the fire department, police department or other security provider. Such systems are available in many areas of the country and can provide protection against fire, burglary and other criminal activities at relatively modest costs. In some cases, credit under the Property Plus Program may be available.

1. Fire alarm systems are provided to protect the occupants, the building and its contents. Employees should know how to activate the alarm and how to respond properly.
2. Fire alarm systems shall be maintained in full operation at all times. Under no condition shall any component, such as detection heads, pull stations, circuitry, etc. be made inoperable.
3. Smoke alarms should be installed in appropriate areas in addition to other systems. Periodic maintenance must be done.
4. Carbon Monoxide alarms should be considered and should be installed in areas housing people.

I. Sprinkler/Fire Prevention Systems**1. *Sprinklers:***

Every Lodge contemplating new construction or a new addition should seriously consider installing sprinklers. Sprinklers do in fact prevent fires and usually only add 5% or less to construction prices. Credits for such installations are available under the Property Plus Program.

2. *Fire Prevention Systems:*

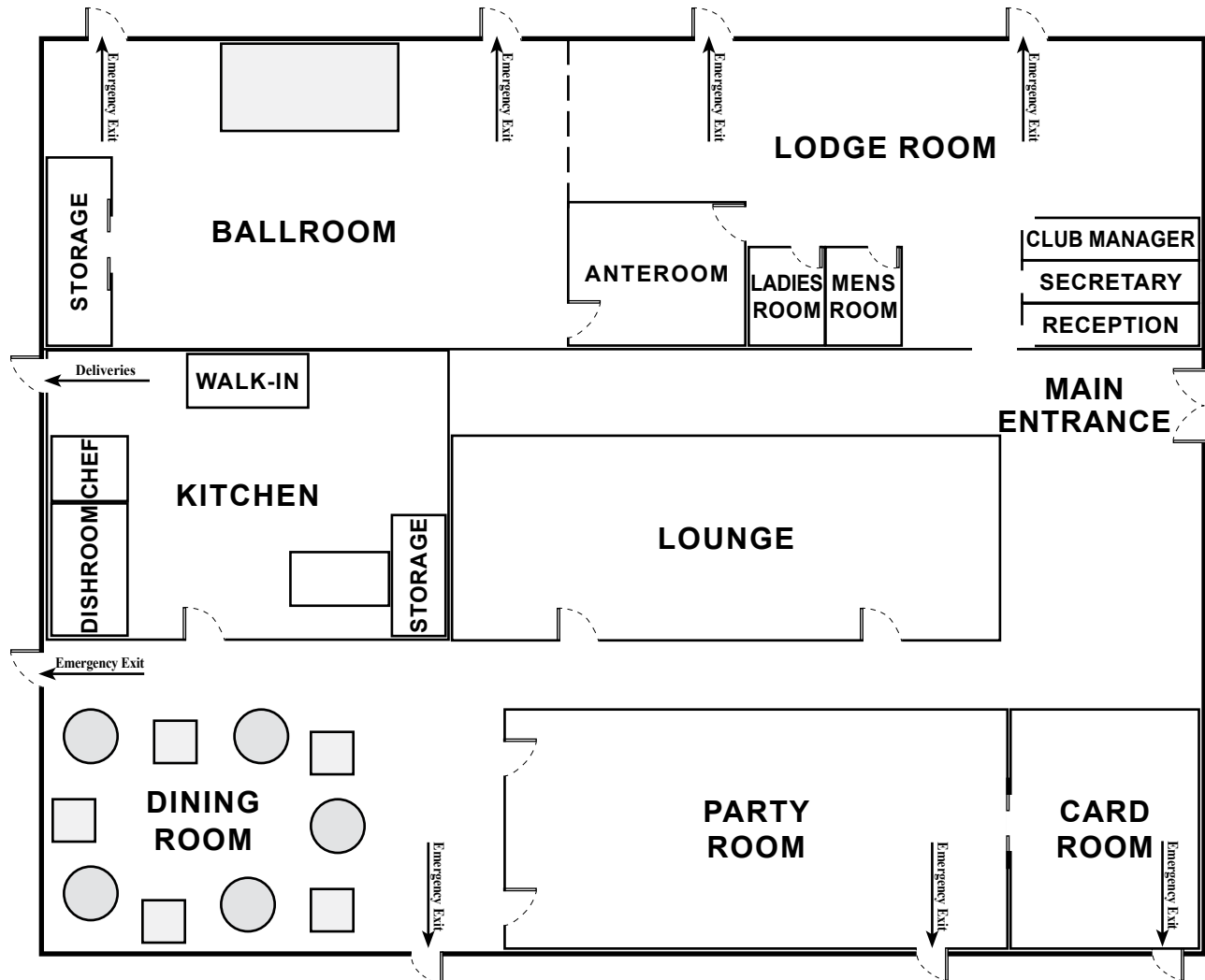
Each Lodge should install special systems in areas of high risk, such as the kitchens. Wet chemical installations for vents and in cooking areas have greatly reduced the number of cooking fires in recent years, and such installations are also modest in cost (new cooking oils require the use of wet chemical hood vents rather than dry chemical). This is also true for hand-held kitchen units.

3. For Lodges that have sprinkler systems, make sure they are inspected and maintained on a proper schedule and that the systems are locked in an open position so no one can alter the position (sprinklers always work to stop a fire but not when the system is turned off inadvertently or by a vandal).

J. Lodge Records

It is recommended that a list of all members' records and other important documentation, such as insurance policy numbers, bank account numbers, etc., be kept at a separate location off-premises. This is also true for duplicates of computer records.

SAMPLE EVACUATION PLAN



PORTABLE FIRE EXTINGUISHERS

Fire extinguishers can serve as the first line of defense to put out a small fire and may control a small contained fire until the Fire Department arrives. Fire extinguishers may contain a liquid, powder or gas extinguishing agent classified for use on a certain class or classes of fire (A, B, C or D) and rated for their effectiveness.

For effective fire-fighting:

- * An extinguisher must be handy, in working order, fully charged and must have the appropriate rating for the class of fires they will be used on.
- * The operator must know how to use the extinguisher quickly, without taking the time to read the directions during an emergency.
- * The operator must be strong enough to control the fire extinguisher's pressured hose and nozzle.

*To operate an extinguisher, keep the word **PASS** in mind and follow these four steps in sequence:*

1. **P**ull the pin. Some extinguishers require releasing a lock latch, pressing a puncture lever or other motion.
2. **A**im the nozzle (or hose) at the base of the fire.
3. **S**queeze or press the handle (this releases the extinguishing agent).
4. **S**weep from side to side at the base of the fire until it appears to be out. Shut off the extinguisher. Watch the area in case fire breaks out again and repeat if necessary.

For extinguishers to be effective, they must be charged at the appropriate time. On at least a quarterly basis, management must check the expiration tag to make sure these items will function.

THE FOUR CLASSES OF FIRES

- A** — Ordinary Combustibles: Fires in wood, cloth, paper, rubber, many plastics and other common materials that burn easily.
- B** — Flammable Liquids: Fires in gasoline and other flammable liquids, including oils, tars, oil-based paints, lacquers and flammable gases.
- C** — Electrical Equipment: Fires in energized equipment, including wiring, fuse boxes, circuit breakers, machinery and appliances.
- D** — Combustible Metals: Fires in such metals and metal dusts (often used in industry), such as magnesium, titanium, zirconium, lithium, potassium and sodium.

Some extinguishers are rated for two or more classes. Class A and Class B units also have numerical ratings that indicate their relative effectiveness. A typical marking on a multi-purpose unit might read: 2-A: 2-B: C. The higher the number, the greater the extinguisher potential.

To avoid making a fire worse, use only an extinguisher rated for that particular class of fire and only attempt to fight a fire if you are absolutely sure you can contain it. If you have the slightest doubt about whether or not to fight the fire, **DON'T!** Instead, leave the area (closing the door behind you) and immediately call the local fire department.

REMEMBER, having fire extinguishers is only one aspect of good fire safety. Some other key elements are:

- * Installing and maintaining smoke detectors.
- * Having an evacuation plan.
- * Keeping property as fire safe as possible, both indoors and out.
- * Installing carbon monoxide alarms where necessary, particularly in areas housing people.

MECHANICAL AND ELECTRICAL BREAKDOWNS (BOILER AND MACHINERY)

I. Boilers and Pressure Vessels:

1. Follow all inspections and certifications required by the laws in your jurisdiction (frequently, the boiler insurance carrier performs required inspections).
2. Perform all periodic inspections and tests indicated by manufacturer and local jurisdiction (daily, weekly, monthly, etc.).
3. Maintain appropriate inspection, maintenance and repair records.

II. Electrical Systems and Equipment:

1. Comply with all local jurisdiction, code and inspection requirements.
2. Perform periodic inspections required by applicable statutes and recommended by manufacturers.
3. Keep a maintenance/repair log.
4. Maintain/retain records that indicate equipment manufacturers, including added components or replaced parts.

III. Heating and Air Conditioning:

1. Comply with all applicable codes and ordinances.
2. Provide for periodic and regular cleaning, maintenance, and inspection.
3. Keep a maintenance/repair log.
4. Maintain/retain records that indicate equipment manufacturers, including added components or replaced parts.

FIRST AID and CPR

SCOPE

This section covers suggested requirements and responsibilities for training people in first aid techniques and cardiopulmonary resuscitation (CPR).

PURPOSE

The intent is to develop and maintain a team of volunteers qualified to give immediate help in an emergency situation.

RESPONSIBILITY OF THE ACCIDENT PREVENTION MANAGER

The Lodge's Accident Prevention Manager is responsible for ensuring that:

1. A team is trained to administer first aid in an emergency situation.
2. CPR and first aid training classes are organized, scheduled and taught by certified instructors (appropriate courses offered by the Red Cross, American Heart Association, etc. can be considered).
3. Records are maintained on those qualified to administer first aid.
4. Volunteer candidates are recruited for training and retraining.
5. All injuries are investigated and medical treatment is continued.

GENERAL PROCEDURES

In the event of serious injury or sudden illness, prompt action must be taken while help is being summoned (**NOTE:** it is inappropriate for Lodges to obtain or use defibrillator units—see Appendix). First Aid should be administered in the following order:

1. Call for medical assistance as soon as possible.
2. Keep the injured person lying down and head level with his/her body.
3. Look for any life threatening conditions—such as serious bleeding, stopped breathing, shock, evidence of poisoning or burns—and treat if appropriate.
4. Keep the injured person warm to conserve body temperature.
5. Do not move a seriously injured person unless it is absolutely necessary to avoid additional injury.
6. Do not give water or other liquids to an unconscious or semiconscious person.
7. Make the injured party as comfortable as possible and minimize any discussion about the severity of his/her injuries.

PROPER LIFTING TECHNIQUES

Most back injuries result from improper lifting. According to the principals of a science known as biomechanics, the worst lifting situation occurs when the body is extended over the load. The lower back becomes a fulcrum supporting the weight of the body plus the weight of the load. Twisting in this position invites injury. Keep the back upright to shift the weight onto the leg muscles and reduce the lever effect.

— HOW TO LIFT PROPERLY —

1. Get a firm footing: Keep the feet apart for a stable base; point toes out.
2. Bend the knees: Don't bend at the waist. Keep the principals of leverage in mind at all times. Don't do more work than is required.
3. Tighten stomach muscles: Abdominal muscles support the spine when lifting, offsetting the force of the load. Train muscle groups to work together.
4. Lift with the legs: Let the more powerful leg muscles do the work of lifting, not the weaker back muscles.
5. Keep load close: Don't hold the load away from the body. The closer it is to the spine, the less force it exerts on the back.
6. Keep the back upright: Whether lifting or putting down the load, don't add the weight of the body to the load. Avoid twisting, it can cause injury.

— BACK BASICS —

- * You can help keep your back strong and healthy by having good posture, reducing stress and following a weight reduction and physical exercise plan.
- * Lift the easy way, lift the right way.
- * Lift everything twice. Lift the load mentally before you lift it physically. Use your head to protect your back.
- * Watch out for others who may be lifting improperly.



QUESTIONS AND ANSWERS

1. Why are proper lifting techniques important?
 - * To avoid back and other injuries.
2. How do you properly set objects down?
 - * Squat down while keeping back straight.
 - * Lower object onto one corner or onto support to avoid finger injuries.
 - * Lower object into final position keeping fingers from underneath.
3. Why should you maintain good balance in lifting, carrying and lowering operations?
 - * To give the spine firm support.
4. What determines individual lifting limits?
 - * Individual stature.
 - * Physical fitness.
 - * Size and shape of object to be lifted.
 - * Conditions underfoot.
 - * Route to travel, such as up or down stairs.
 - * Distance the object is to be carried.
 - * Good judgment and the individual's known capabilities are the best guidelines.
5. How do you proceed if the weight to be lifted exceeds your lifting limits?
 - * If possible, divide the load into smaller portions.
 - * Use a dolly, hand truck, rolling cart, mechanical device, etc.
 - * Get help.
6. What are some of the movements that should be avoided when lifting?
 - * Twisting. Change direction by moving your feet, not your torso.
 - * Jerking.
 - * Side Lifting.
 - * Over-extending when reaching.
7. How do you safely lift items from conveyors, shelves, truck beds, tables, etc.?
 - * Stand as close as possible to the item to be lifted.
 - * Slide object as close to edge as possible.
 - * Follow proper lifting techniques.
8. How do you properly and safely carry objects?
 - * Keep object close to the body.
 - * Have clear vision.
 - * Don't twist the body.
 - * Don't change your grip.
 - * Face spot where object is to be placed.
 - * Change direction by moving your feet.
9. What precautions are necessary when lifting as a team?
 - * Insure lifting team knows what to do and how to do it.
 - * One lifting team member should be assigned to give voice lifting commands.
 - * Team members must lift at the same time.
 - * Team members must face the object being lifted.
 - * Object should be lifted one step at a time.
10. What are some examples of lifting commands?
 - * Ready — Lift.
 - * Ready — One, Two, Three — Lift.
 - * Step up one.
 - * Step down one.

APPENDIX

ACCIDENT PREVENTION PROBLEMS AND SUGGESTED ACTIONS

The following information provides comments on practical problems that a Lodge may face in its day-to-day operations. These items can provide suggested actions to avoid potential accidents or claim situations.

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2. Alcohol Service Off-Premises. Page 48
3. Asbestos/Hazardous Material Removal. Page 47
4. Bathrooms, Showers, and Locker Facilities Page 48
5. Bingo (Accident Prevention Suggestions). Page 48
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ACCIDENT PREVENTION MANAGER JOB DESCRIPTION

(Suggested) [required of all Elks Lodges]

Section 12.070 of the Statutes of the Order requires that Lodge Trustees establish an Accident Prevention Program, with one member designated as Accident Prevention Manager to continually review and implement a policy in concert with Grand Lodge and State Association Programs that protect the Lodge from claims for accidents and injuries.

The designated Trustee may appoint assistants or delegate accident prevention duties to others who are more experienced in accident prevention, but it is essential that each Lodge have this function in operation.

The following items and stated procedures attempt to describe what is expected of the accident prevention manager or the delegated substitute (depending on the individual Lodge, these functions may be expanded or more specifically stated by the specific Lodge):

1. The accident prevention manager should have access to, study, utilize and act upon the current "Accident/Claim Prevention Manual" (each year, at least one copy of this manual is mailed to the Lodge Secretary). Previous editions should be kept in the Lodge Secretary's file for the district deputy inspection if a current edition is not available. This **Accident/Claim Prevention Manual is NOT just a display item; it is a working document to be used and referred to on a daily basis.**
2. Acceptance of accident prevention policies and acceptance of policies forbidding sexual harassment and discrimination should be submitted by the accident prevention manager for acceptance by the Lodge (Lodges can formally accept the accident prevention policy on page 1 of this Accident/Claim Prevention Manual). Remember that merely accepting such policies does little good; Lodge leadership must implement, enforce, follow and appropriately monitor such programs/procedures.
3. The accident prevention manager should complete the Self-Inspection Form or assist with its completion (see page 24); any areas of inadequacy must be corrected. It is management's duty to lead in accomplishing compliance.
4. The accident prevention manager should complete or establish procedures to assure the completion of other safety inspection forms provided in the Manual (Lodge Safety Checklist on pages 25-26; Closing Time Checklist on page 27; Monthly Safety Inspection Guide on pages 28-29; and Physical Hazard Questionnaire for Public Safety on page 30). Other specific checklists are provided for pool areas (removal of a diving board), tennis courts and golf courses.
5. The accident prevention manager should assist and coordinate a legal and business review to eliminate poor business procedures that create a possible loss risk and to ensure the Lodge has not assumed improper obligations. It is imperative that accident prevention managers properly communicate with all officers, directors and trustees.
6. To avoid alcohol-related claims, it is an absolute must that the accident prevention manager ensures the Lodge has a training program for individuals who serve drinks, whether they are volunteers or employees. No drinks may ever be served to anyone approaching intoxication. The server must be supported by leadership and trained to refuse service to anyone they deem approaching intoxication, regardless of who that person is, even if another Officer orders them to serve. A trained server's judgment not to serve must always be followed. The servers must also be monitored to make sure they are following the prescribed high standard. In effect, there is never any excuse for anyone to become intoxicated at a Lodge bar. It is also suggested each Lodge consider helping members who may be "problem drinkers." Make beneficial changes. We do drug awareness for children, so the Lodge might consider this for Members.

7. The accident prevention manager must become aware of the need to avoid damage to the Lodge's property by fire or other perils. The self-insurance nature of the Property Plus Program, as in the Self-Insured Master Liability Program, means that the bulk of all expenses comes directly from the pockets of the Lodge Members. Every action the Lodge takes should consider this burden and responsibility to avoid circumstances or conditions that might generate liability or property loss.

8. The accident prevention manager's most basic job is to anticipate what might cause a claim and eliminate the cause. If a liability claim or property loss occurs, it is the accident prevention manager's duty to investigate such incidents and determine what action is necessary to make sure that such an incident never happens again. Such investigations should also be conducted in cases where there is a "close call" or "near miss". In effect, if something went wrong but no injury or damage resulted from it (but might have occurred with changed circumstances), then such an incident should be analyzed and corrected because damage or injury might be the result the next time. Another very important fact is that the accident prevention manager should establish procedures and policies to avoid damage or loss involving the Lodge building and contents.

ALCOHOL SERVICE OFF PREMISES for COMMERCIAL or FUNDRAISING PURPOSES AND SERVICE TO GENERAL PUBLIC

The Order discourages Lodges from using a Lodge's liquor license to conduct business and service to the public. Lodges should never allow the service of alcohol to the public at the Lodge location, which would constitute a violation of the closed-door policy and, in many cases, would be a violation of the liquor license requirements. The service of alcohol should be for the benefit of Elks Members and their guests only.

Certificates of insurance naming others (facility owners, government entities, etc.) as additional insured under the Master Liability Program will not be provided (exceptions may be made if such an event is not merely a pretext to serve the public, such as picnics or dinners for Lodge Members and guests only).

ASBESTOS/HAZARDOUS MATERIAL REMOVAL

If a Lodge discovers the need for the removal of asbestos or any other hazardous materials, such as lead, while remodeling or doing construction of any kind, the removal of such materials absolutely must be done by licensed and approved contractors (make sure licensed and registered contractors used for this purpose provide proof of such certification; have insurance; and name the Lodge as an additional insured). An Elks Lodge attempted such removal with casually-hired labor and initially received a \$1.4 million fine (this was later reduced to some degree after the Lodge agreed to mitigating efforts and acted to assist in the dissemination of the compliance message).

Any such removal must comply with federal EPA, OSHA and Air Quality Control regulations and/or any additional regulations established by the applicable state regulatory bodies. Any removal work done by Lodge volunteers or unlicensed workers can result in large fines and punitive punishments against the offending Lodge and possibly the individuals involved as well.

It is very important that every Lodge be aware of this requirement to avoid penalties provided by governmental entities but also to avoid liability claims arising out of such removal activities as it relates to exposing individuals to such substances. The Master Liability Program does not provide coverage for any liability claim arising out of allegations that a person was injured by exposure to a hazardous material; any claim of this sort would have to be paid for by the Lodge.

BATHROOMS, SHOWERS, and LOCKER FACILITIES

[Safety in Lodges]

A number of Lodges experience claims each year that involve these types of facilities. The accident prevention manager and Lodge management should continually monitor the physical condition of these facilities, including daily maintenance and cleaning.

The provisions of the Americans with Disabilities Act (A.D.A.) may not apply to a private club's facilities, except as it may apply to Lodge employees, unless certain areas are considered open to the public (such as bingo). In any event, it is recommended that facilities be brought up to code whenever there is remodeling, construction or additions made.

The following are safety hints that may reduce the incident of accidents in these facilities:

1. Immediately repair all leaks by first turning off the water supply to the facilities that create leaks or spills (all sinks, toilets, etc. should have separate turn-off capabilities). Leaks and spills in such facilities cause the greatest number of claims. If a leak cannot be properly contained, the facility should be closed for use until proper repairs can be made.
2. There must be a constant vigil for spills or other hazards created by users. When notified, any spill or hazard must be corrected or removed immediately. Inspections must be made at reasonable intervals to detect unreported spills or other hazards.
3. It is suggested that towels or dryers be placed in close proximity to sinks so that water from wet hands is not dripped on the floor as the user reaches for a towel. Bad configuration is a major cause of water on the floor and has contributed to many slips and falls.
4. Make sure that any shower or locker room floor drains are free of blockages, so that proper drainage is maintained. To avoid creating a slip-and-fall hazard, make sure that all floor drain grills and/or filters are flush with the floor.
5. Restrooms, showers and locker facilities must be cleaned on a frequent and thorough basis. It is recommended that Lodge management maintain a cleaning/inspection schedule log to establish proper safety practices.
6. If there are chairs, stools, benches or other equipment in these facilities, make sure they are in good repair and are properly designed for such use. Ongoing inspections are a necessity because these items are sometimes subject to abuse, which includes a moist environment that can accelerate deterioration.

BINGO [Accident Prevention Suggestions]

Many Lodges utilize a portion of their premises for bingo operations. Many Lodges also allow other not-for-profit entities to operate bingo for their benefit on occasion. Lodges should be aware that this activity generates a large frequency of claims and that the severity of these claims is greater than the slip & fall claims experienced in Lodge functions. This may be explained by the fact that many claimants in this area are not members or family of members and are probably more likely to make a claim. It would also seem that there exists a minority of bingo participants who are accident prone and much more litigious than the general population. There have even been cases where minor incidents have been portrayed in a fraudulent manner.

1. If another group is to use the Lodge's premises, the Lodge should be held harmless and the organization using the facilities should provide evidence of insurance to the Lodge.
2. The Lodge management should inspect the physical plant for potential hazards; any such hazards should be eliminated or appropriately flagged to provide warning.

3. Crowd control and security should be established. If only a portion of a building is being used, block off the unused areas. In the parking areas, try to direct foot traffic over pre-established routes with good footing (the use of brightly colored broad tapes at shoulder level can sometimes be of value to keep the crowd walking in proper lanes).
4. There should be constant vigilance with regards to spills from food or drink and other potential hazards. Lodges should establish an inspection schedule/log to detect unreported spills (the time between inspections is dependent on the size of the facility). Such inspection schedules/logs will establish that the Lodge made reasonable efforts to detect spills; confirm that inspections were made; and establish that the Lodge was not negligent. Such procedures should also be applied to washrooms and parking lots.

CHAIRS, STOOLS, TABLES AND FURNITURE/EQUIPMENT

[Inspection and Maintenance]

Each year, there are a number of claims that arise as a result of a collapse, malfunction or misuse of chairs, stools, tables and furniture/equipment. Oftentimes, these claims could have been avoided if the Lodge had periodically/consistently inspected all of these items to determine if they were being used in a safe/appropriate manner. Damaged or worn items should be removed from use until any possible repairs are made; inappropriately utilized items should be removed from use altogether. When an accident occurs that involves furniture or equipment, Lodges can simplify the claims adjustment process by:

1. Retaining purchasing records that indicate the source of such items, including the manufacturer's information.
2. Maintaining/retaining an equipment inspection log.
3. Maintaining/retaining a repair/maintenance log.
4. Recording complaints related to such items and indicating the actions taken to remedy the problem.
5. When an accident occurs, Lodges must retain the items involved for later inspection.

DANCE FLOORS [Tips on Claim Avoidance]

Every year the Master Liability Program has a number of claims associated with the use of dance floors. For the most part, these claims can be avoided if the Lodge accident prevention manager and/or Lodge management take proper precautions:

1. **Physical Condition:** Few claims are caused by the physical condition of a dance floor, but appropriate repairs and/or reconfigurations should be made if the floor needs repairs or is constructed in a dangerous manner.
2. **Maintenance:** Most claims are caused by improper maintenance, specifically improper waxing. Many feel that no waxing should be done or that specific non-skid wax be used (current flooring products available are specifically labeled non-skid).

When floor wax is used during the maintenance process, additional wax is often applied before the original wax has been removed, which can cause hazardous conditions. A dance floor creates a hazard that requires proper maintenance for the benefit of members and guests.

3. **Policing/Use:** When the dance floor is in use, unauthorized persons must not be allowed to spread additional wax or powder to make the floor more slippery. It is also management's responsibility to curtail any dangerous dancing or actions to protect all parties.
4. All dancing surfaces should meet O.S.H.A. required S.C.O.F. (Static Coefficient of Friction) of 0.50; non-skid materials should be investigated.

AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

1. Each State has its own laws regulating Automated External Defibrillators.
2. A Member, Officer or employee is not immune from lawsuits in many States.
3. Members, Officers and employees must know the State Law regulating the use and maintenance of AEDs.
4. Elks should E-mail their Congressional Representative and demand federal legislation granting immunity for our Members, Officers and employees using an AED.
5. Always call 911 when urgent care from a First Responder is needed for a Member or guest.

ENERGY AUDIT MEANS IMPROVED LIGHTING

In most slip-and-fall cases (in the Lodge or outdoors), the claimant alleges poor lighting regardless of whether it is a contributing factor. With lighting up to high levels, the validity of this allegation is eliminated. Every Lodge should inspect the lighting conditions throughout the entire Lodge facility. In many areas of the country, local utility suppliers offer a free energy audit that provides recommendations for improved lighting to assist in this objective. This would also give the Lodge the means to reduce costs.

Many utility companies also provide cash incentives to replace or remodel all electrical systems, including lighting, heating and air conditioning. In many cases, reduced utility bills will pay for improvements in two or three years, but some utilities will also provide up-front cash rebates. Such changes result in a win-win situation: Lodge improvements, a material reduction in operation costs and a reduction in “bad lighting” claim situations. Lodge management owes it to Lodge members to investigate any possible benefits.

FOOD SAFETY AT LODGES

It is important for every Lodge to review its food serving process. This includes anyone involved in service as well as kitchen structure and equipment:

1. Lodges must meet all local health standards; this usually means that a person or persons are properly certified under local rules. This applies to employees and/or volunteers.
2. Lodges cannot run their kitchens as communal facilities available to a large extended family; there must be control to avoid physical injuries and, most importantly, food related claims.
3. Procedures must be established and enforced with regards to sanitation, preparation, serving and storage. A calendar should be established to discard old food items.
4. It is important to maintain a detailed/accurate inventory of all food items indicating where and when food items were purchased as well as the vendor and manufacturer. This helps to establish the age of the item and the means to obtain subrogation if the vendor or manufacturer has sold a faulty product.
5. Lodges should avoid using any food for Lodge functions that is prepared outside of the Lodge by non-professional caterers (all caterers should always provide the Lodge with indemnification and evidence of insurance).

FUNDRAISING/DANGEROUS EVENTS

[Events that are Discouraged]

If a Lodge is considering a fund-raising effort that involves a dangerous activity or event, the Lodge should contact their state accident prevention chairman or the Grand Lodge Insurance Department to obtain a risk assessment.

Some proposed activities are unacceptable due to the potential for high risk or catastrophe. Therefore, certificates of insurance for facility owners or others will not be issued. These activities would be ones that are considered to present risks beyond the scope of normal Lodge operations.

*Each case would be reviewed based on individual facts but, in general, some of the activities that might not be acceptable are:

1. Auto races.
2. Demolition derbies.
3. Snowmobile races.
4. Events involving gun use or competition/Archery.
5. Parades.
6. Rodeos.
7. Carnivals or fairs (unless conducted by professional operators who provide insurance and indemnification to the Lodge).
8. Events where the only reason for the Elks inclusion is to obtain use of the Master Liability Program, or where the Elks are asked to assume the liability of others.
9. Firework displays.
10. Unrelated business operations (for-profit or not-for-profit).
11. Any event that generates even moderate exposure if the fund-raising benefit is of minor proportion.
12. Any event where Lodge Members attempt to substitute their work product when professional, experienced work is needed to safely conduct the activity.
13. Business/school activities or events involving high risk activities nominally conducted as a fund-raising activity that bears no reasonable risk-to-benefit relationship.
14. Service of alcohol to the public.

**Some of these events can be conducted with independently obtained special insurance.*

LADDERS

If a Lodge has any type of ladder, the following is a checklist for employees or volunteers:

1. Before use, the ladder(s) should be inspected to ensure it is in working order and that the steps are in good condition.
2. When the ladder is used, make sure it is set up on a proper, level and stable surface that is free of debris.
3. The ladder base should be secured or held; the ladder top should be secured (generally, two or three feet above the top support area).
4. Platform ladder set-ups should be secure and all ground level points and working areas should be securely anchored on ground supports (it is recommended that experienced persons erect such equipment).
5. Scaffolding and any other elaborate platform set-ups should be done by professionals.
6. When working on ladders, the worker should:
 - wear proper and clean shoes, preferably with non-skid soles.
 - use both hands to climb.
 - have a tool belt with each tool secured to avoid dropping.
 - move cautiously while working.
7. Store ladders properly; avoid wet, humid areas.
8. All Lodges should retain a record of when a ladder or related equipment is purchased or obtained. In the event of any failure, it is important to know the manufacturer and all related companies.
9. If there is an incident involving the ladder or a collapse, make sure the ladder is retained for analysis. Stop using the ladder but never throw it away until it has been viewed by the claims adjusters.

LEASING OF PART OR ALL OF THE PREMISES USE OF LODGE PREMISES FOR NON-LODGE PURPOSES

The use of Lodge premises or facilities for non-Lodge purposes or functions must be done in accordance with existing statutory requirements of the Order. Lodges may not act as a public accommodation. The information below only deals with safety/insurance concerns:

1. If a portion or all of any building owned or under the control of the Local Lodge is leased on a permanent basis, the Lodge should make sure that the lease includes a clause wherein the lessee indemnifies the Lodge from any and all expense and claims. Such leases should also include a waiver of subrogation provision establishing that the tenant cannot sue the Lodge if their property is damaged on the premises. It is essential that the tenant provide the Lodge with evidence of insurance naming the Lodge as an additional insured (see the current Liability Insurance Program booklet and the suggested language in this Accident/Claim Prevention Manual).
2. If a portion or all of the premises is used on occasion for a single event, the same concerns stated above must be addressed. If the renting party is a corporation or another not-for-profit corporation, they will usually have insurance and it is appropriate to ask for evidence of insurance and indemnity for all acts except for the sole negligence of the lessor. In the case of an individual, they will frequently have homeowner's coverage that will provide evidence of insurance. Another alternative is for the renter to obtain an event policy (refer to pages 10-11 of Liability Insurance Program booklet for wording).

3. Any leasing party must be required to follow the safety procedures established by the Lodge. This is particularly important for single or occasional users. To the extent possible, Lodge management must monitor these events to enforce the Lodge's procedures.
4. Renters must be controlled and made to comply with local laws.
5. Regarding the service of alcohol, renters must comply with the policies established by the Lodge (no service to minors, no service to anyone who is intoxicated or is approaching intoxication). This applies regardless of who supplies the bartenders or the liquor and it is always necessary that the Lodge management monitor this compliance.
6. If a portion of the premises is used and a large group is anticipated, it may be in order to make plans for crowd control and security. Lodge member may volunteer to do this, but appropriate off-duty or assigned-duty police officers should be used when appropriate.

PARKING LOTS

A large number of claims are made by persons using Lodge parking lots. The Lodge's accident prevention manager should frequently inspect the parking lots with the following situations in mind:

1. **Physical Condition:** Is the parking area free from holes, broken pavement or other hazards. If there are problems with any surface conditions, they should be repaired immediately. When this is not possible, such areas should be marked and excluded from use.
2. **Lighting:** All areas used for parking should be properly lighted during night hours or when visibility is limited. Areas with inadequate lighting should not be used for parking and such areas should be properly blocked from use.
3. **Removal of Ice and Snow:** Plans should be made to promptly remove ice and snow from any areas used for parking. This may require special planning, but it is imperative that such planning be done. The removal process must be done in a proper manner so that hazards are not increased. If an outside contractor is used to remove ice and snow, it is preferable that a contract be obtained from the contractor that holds the Lodge harmless for the contractor's negligence or failure to perform the work required by the contract. Also make sure that this contractor has proper insurance. Records should be maintained to indicate time of removal and salting or other treatment.
4. **Parking Stops/Speed Bumps:** If parking lots have raised parking stops or speed bumps, it is essential that such stops are in good repair and properly illuminated by paint and appropriate lighting. If not required by law, it is suggested that all such installations be removed.
5. **Construction:** If construction work is being done on the Lodge or parking lot, make sure that any disrupted areas that might create a slip-and-fall hazard are clearly marked and properly illuminated. If contractors are doing the work, make sure they hold the Lodge harmless and have proper insurance.
6. **Post a sign that states:** "Not responsible for damaged or stolen cars or theft from cars. Everyone parks at their own risk."
7. **If a Lodge has parking for RVs or trailers,** make users sign an agreement that the Lodge will not be responsible for damage to the parked unit and that the owner will indemnify and hold the Lodge harmless from any liability claims arising out of parking the unit. If owners won't sign this agreement, do not let them park.

RV and TRAILER UNITS/PARKING LOTS

Many Lodges offer facilities that accommodate RVs and trailers (this is particularly true during the winter months for Lodges located in southern and western states). Each Lodge should review its safety policy and make sure the Lodge is not accepting responsibility for these units. The Lodge cannot be a guarantor for damage done to these units or for liability claims arising out of these units being parked on the Local Lodge's property. Therefore, it is suggested that every Lodge have each RV/trailer owner sign an agreement that includes the following language:

**Use Agreement****for RVs and Trailers for *(Lodge Name and Number)***

In consideration for being allowed to park my unit in the appropriate area designated by the Lodge, I hereby agree to indemnify and save harmless the Lodge from any and all claims and expenses arising out of my parking or use of the facilities, except for the sole negligence of the Lodge. I further agree that no claim for damage to my property will be made against the Lodge under any circumstances and that any rights of subrogation for damage to my property are waived.

Unit Owner_____
DATE

It is also recommended that every Lodge post signs in the parking lot and throughout the RV/trailer facilities that state:

NOTICE

This facility is not responsible for any damages or loss to any vehicle parked at this location. Anyone parking in this facility's parking lot or using the Lodge's RV/trailer facilities does so at their own risk.

PLANNED AND ORGANIZED SELF-INSPECTION OF LODGE'S PREMISES

The Lodge's accident prevention manager (or his assistant) must inspect the Lodge on a frequent, periodic basis and any found deficiencies or hazards must be reported and immediately corrected. Such inspections should include the grounds, building and any furniture/equipment. The Membership and/or the Board of Trustees must act immediately to remove or correct any hazardous conditions or to replace or stop the use of defective furniture or equipment.

If financial problems limit the Lodge's ability to replace or repair equipment, discontinue use of a defective instrumentality until repair or replacement can be accomplished (if a set of chairs or stools are worn discontinue use; if one breaks, do not continue to use others of the same type that are worn).

If a condition exists in the building or on the grounds that presents a hazard that cannot be immediately corrected, such conditions must be clearly marked and labeled and, to the extent possible, the portion of the premises effected should not be used (if there is a hole in the parking lot that cannot be immediately repaired, flag and block it off on all sides; if a stairway or a floor is broken or defective, mark it clearly and stop use of the area). For safety reasons, immediate actions must be taken and must not be delayed until meetings of the Membership, Trustees or other committees are held.

PLAYGROUND EQUIPMENT

Lodges should not operate playgrounds that are open to the general public, but they may have playground equipment for use by Members and Lodge guests. Such equipment must be properly installed and maintained (records of purchase and manufacturers should be permanently retained). The following are useful safety tips:

1. Look for protective surfaces around equipment. Good options are loose fill such as wood chips, mulch, sand or pea gravel that should be kept between 9 and 12 inches deep. Some synthetic materials are acceptable. Grass, soil, pavement, asphalt and packed dirt are not recommended surfaces.
2. Play equipment should be appropriately placed. Climbing equipment, merry-go-rounds, see-saws, spring rockers and sliders should be at least 6 feet apart. The swing's frame should be 6 feet from the swing set's frame; the space behind and in front of a swing set should be twice the height of the frame.
3. Equipment should not be too high. For preschool children, the highest slide, climbing rung or platform should be no more than 4 feet high. For older children, equipment should be no more than 6 feet high.
4. Elevated play surfaces must have guardrails or protective barriers to prevent falls.
5. Spaces should not allow a child's head or other body part to get stuck. Spaces should be less than 2 inches or greater than 9 inches.
6. Stay away from hooks or other catch points. S-hooks and other protrusions can catch a child's clothes and cause strangulation and other injuries.
7. Playgrounds should be well-maintained. Look for loose or worn hardware, ropes, cords, litter, scattered rocks or tree roots, chipped or peeling paint, splinters and deterioration.
8. Supervise and teach children to play safely. Tell children not to walk or play close to moving swings and not to tie ropes to playground equipment.
9. Lodges should not have/use indoor or outdoor trampolines under any circumstances.

PUBLIC ADJUSTORS (AVOID USING THEM)

In many areas of the country, “public adjustors” will immediately contact Lodge management when there is a large fire loss and allege they can increase the settlement with the Lodge’s insurance carrier. Frequently, the tactic used is to try to get a contract signed when there is confusion and there is a potential for action without full consideration of the consequences.

It is strongly recommended that no contract ever be signed with a public adjustor. Public adjustor contracts typically oblige the Lodge to pay 15-25% of the payment received. This payment reduces the amount the Lodge receives, and the Property Plus Insurance Program does not pay for it.

The Statutes of the Order require that all Lodges participate in the Property Plus Program which, beginning 4/1/02, is a self-insured Program. This Program has been in effect since 1991 and has provided improved coverage and reduced premiums for the Lodges of the Order.

Under the Property Plus Program, there are no coinsurance requirements and both the building and its contents are covered on a replacement-value basis. This structure generally eliminates any basis for disagreement about recovery. Further, the Property Plus Program is under the control of the B.P.O.E. The management of the Program will provide fair settlements and assistance in providing proof of the claim to be presented.

Of course, Local Lodges can choose to use a public adjustor, but it will serve to reduce what the Lodge will receive because it will not increase the eventual payment the Lodge may receive under the Program. Also, please remember that the Property Plus Program will not reimburse the 15-25% paid to the public adjustor; it comes out of the Lodge’s pocket.

In every case, a Lodge’s decision to use a public adjustor would be an act of bad judgement.

SIDEWALKS/STREETS

The responsibility for sidewalks and streets owned by the local city or political subdivision that are adjacent to or on Lodge property varies by jurisdiction. These jurisdictional requirements should be investigated by each Lodge in order to determine its responsibilities and to comply with local ordinances and applicable statutes. The Lodge should do this to avoid liability that might be generated due to non-compliance but also because the Lodge wishes to be a good corporate citizen. The responsibilities and concerns exist in two major areas:

1. Physical Condition: Frequently, sidewalk/street repairs are the responsibility of the governmental body (sometimes at their expense or at the expense of the property owner). In some cases, the governmental body is not responsible for injury or damage unless notified by the affected property owner or the lessee of the property; therefore, it is imperative that Lodges know what their obligations and exposures are. In several cases, Lodges have been held responsible when appropriate notice was not given or when inappropriate action was taken. The Lodge’s accident prevention manager should be aware of the Lodge’s responsibilities in its particular political subdivision.

2. Removal of Ice and Snow: The responsibility for controlling ice/snow hazards varies substantially from state to state and, in some cases, from city to city. In some jurisdictions, the city is solely responsible for removing ice and snow on both streets and sidewalks. However, Lodges may also be responsible if negligent or improper actions are taken. In some jurisdictions, the Local Lodge will be responsible for removal of snow on sidewalks adjacent to their owned or leased property.

In most cases, the local Lodge will not be responsible for removing snow from the streets (if they are public, city-owned streets). However, if an attempt is made that result in increased hazards, the Lodge may be held responsible.

The key to accident prevention in all of these cases is to know what the local requirements are and to act in a fashion that will generate the least exposure.

SLIPS AND FALLS

The major cause of claims under the Self-Insured Master Liability Program is slips and falls. While many claims arise out of the fact that claimants are elderly or have physical impairments, there is still much that each Lodge can do to minimize the possibility of a claim.

1. All surfaces should meet the OSHA required S.C.O.F. (Static Coefficient of Friction) of 0.50. (S.C.O.F. is a ratio of force needed to pull an object along the floor's surface divided by the weight of the object).

The S.C.O.F. recommendation by the A.D.A. (Americans with Disabilities Act) on surface accessible routes and interior/exterior ramps is 0.60; for tubs and showers, it is 0.40. When installing such surfaces, there are various ways to increase the S.C.O.F. to make the areas in question safer, such as etching, chemical treatment or the installation of anti-slip coating, etc.

In some cases, dangerous surfaces that are in use should have warning signs or restricted use. In all cases, proper maintenance and timely cleaning and/or removal of liquid must be done.

2. All building codes should be followed. If there are deviations from these requirements that cannot be readily corrected, there should be warning signs and controlled or restricted use in those areas. If there is new construction or remodeling done, make sure that the contractor or Lodge volunteer knows what they are doing and that they are aware of safety needs.

3. In many slips and falls, bad lighting is alleged (inside and outside); this is particularly the case with older and infirm claimants. While these allegations are frequently untrue, it is important that each Lodge periodically review the lighting in and outside the Lodge.

Also, it is very important that the Lodge approach their electricity provider for an energy audit. This energy audit has been mentioned many times; it makes good sense for Lodge leadership to fully review the possibilities presented from such an audit. For most Lodges, following the recommendation of such an audit will improve lighting, avoid claims and save money.

4. For Lodges that have inclement weather conditions, particularly ice and snow, there should be a plan for appropriate removal and treatment. Persons attending meetings or other gatherings should be specifically and clearly warned of changing weather conditions and whether snow removal or treatment has been accomplished.

5. No wax should be used on dance floors. No dancer should be allowed to place substances on the floor. To the extent possible, all dance floors should be made of non-skid material.

6. Stairs, stages and elevated room sections are frequently the site of slips and falls. Generally speaking, stairs in the Lodges should have an optimum slope of approximately 30 degrees, which would mean a tread width of 11 inches and a riser height of 6.5 inches (local code requirements might differ in some areas). If stairs have different configurations and cannot be improved or corrected, the Lodge should limit use if possible or provide a warning in an adequate manner that caution is to be used when using the stairs. Appropriate railings should always be installed.

With regards to stages, any use of such areas must be limited to designated activities. The stage should be properly blocked from use at all other times. Specifically, guard railings or other means must be installed to avoid the risk of persons falling from the stage during use or at any other time. Warning signs as to the proper use and the potential for injury should be used.

With regards to elevated room areas that must be used, make sure there are appropriate warnings and blocking guards. Railings should be used around the entire area except at the entrance sections, which must also be properly marked. Proper lighting and prominent color differences for the flooring for each level is important.

Every Lodge should have an established plan for inspection, cleaning, preventative maintenance and proper control of use by members and guests. If leadership is prudent, the frequency of this type of accident can be reduced.

STAIRS/WALKWAYS

Local Lodges experience a large number of claims each year that occur on stairs or in walkways within the Lodge. With proper management and planning, many of these claims can be avoided. The following are a few suggestions to reduce the possibility of loss in these areas.

- 1. Lighting:** All stairs, corridors, hallways or walkways should be properly lit both day and night. If an area is not to be used, it should be properly blocked and, where required, appropriate signs should be in place.
- 2. Flooring:** It is strongly recommended that flooring in these areas be of a non-skid material, especially if water from the outside might be tracked in. On stairs, non-skid materials or strips might be used; hand railings are an asset and may be required. In many cases the use of proper carpeting can reduce the possibility of a fall but such carpeting must be maintained and replaced when worn out.
- 3. Entrance/Doors:** These areas must be constantly inspected to make sure the flooring is in good condition and that proper markings/signs are in place. Sticking doors or improper use of doors by patrons may cause injury; proper planning and monitoring can eliminate potential losses.
- 4. Different Levels:** When different levels exist in these areas (or in any areas of the Lodge), such as raised areas or stage areas, it is essential that such areas are properly marked or substantially blocked to avoid falls.
- 5. Traffic Control:** If there are limited access and hazardous areas within the Lodge and there are times of traffic congestion, it is suggested that the Lodge management establish employees or volunteers to direct such movement to avoid accidents.

SWIMMING POOLS

In recent years the Master Liability Program has had a number of claims associated with the use of pools. In every case, it is absolutely essential that a Lodge with a pool comply with any local or state ordinances applicable to pools. The following are specific items that should be reviewed:

- 1. Physical Condition:** Frequent inspections should be made to make sure no physical hazards have developed and any found hazards should be immediately repaired.
- 2. Diving Boards:** It is imperative that all diving boards be removed from general use. If there is a competitive event involving the use of a diving board, it should only be allowed in pools with a diving well or appropriate depth according to competitive rules. Only legitimate competitors should be allowed to use the board and the board should be removed after competition is ended. It should be noted that most general use pools have inadequate depths and inappropriate slopes to allow for diving.
- 3. All slides or other similar equipment is to be removed.**
- 4. Life Guards:** It is highly recommended that pools not be opened without a qualified life guard on duty.
- 5. Cleaning/Maintenance:** Proper precautions must be taken during such procedures to protect those using the pool and persons performing maintenance. If an outside contractor is used, make sure that there is a written contract holding the Lodge harmless and that the contractor has adequate insurance. It is important to comply with all state and federal laws. Newly required pump filter guards must be installed in full compliance.

TELEPHONE/CABLE/ANTENNA/TOWER CONTRACTS

Many Lodges have contacted the Insurance Department about offers made by telephone or cable companies wanting to construct facilities on Lodge locations. These are long-term leases of five years with many automatic five-year renewals. These contracts/lease agreements are always written to favor the commercial company. Under no circumstances should any Lodge sign such arrangements without demanding changes. All such contracts/leases should be properly reviewed.

The following are key points that need change or review:

- 1.** All of the arrangements must be approved by the State Sponsor and the Grand Lodge.
- 2.** Almost without exception, the monthly rental offer is low; an increase in the offered price can be negotiated. A fair consumer price index increase of the monthly rent must be obtained over the term of the agreement.
- 3.** Under no circumstances is the Lodge to indemnify the offering company for any damage to that company's property and, most importantly, for any injury to any person or property arising out of the use of the property. Further, the offering company must indemnify the Lodge from any and all claims arising out of that company's use of the property; provide a waiver of any subrogation; and name the Lodge additional insured on the company's general liability policy with coverage of at least one million dollars.
- 4.** Under the agreement, the leasing company's use should not unduly hamper Lodge operations, nor should the Lodge be responsible for creating, maintaining or servicing means of access to the antenna or tower.
- 5.** The Lodge should limit access to the Lodge land and/or building premises except as required for maintaining or servicing such towers or antennas.

This is a circumstance where the Lodge management must use good judgment and seek proper advice.

YOUTH ACTIVITIES

Many Lodges conduct youth activities such as the Hoop Shoot, sporting events, youth meetings and provide assistance to other youth organizations. If the Lodge is involved in any such activity dealing with youth, the local Lodge leadership would be wise to structure such involvement to provide protection for youthful participants. Below are a few suggestions on establishing a proper procedure:

- 1.** It is preferable that more than one adult supervise or conduct activities. Individual one-on-one interactions should be discouraged.
- 2.** For travel activities, a parent or guardian's authorization should be obtained (including medical emergency information if needed).
- 3.** Chaperones should be utilized as needed in reasonable numbers with appropriate access.
- 4.** Activities including very young children, such as baby-sitting or day-care operations, should always be avoided. In these areas, trained certified professionals are needed.
- 5.** Traveling events or over-night stays should be limited and discouraged. In any case where such activities are conducted, there must be strict control, including chaperones and separation of genders.
- 6.** If locker/shower facilities are used, there should be a separation of use by adults and youths.
- 7.** It is strongly suggested that Lodges refrain from conducting programs that require close or intimate contact, including counseling or interaction with youth on an individual basis. Such close interaction is usually better conducted by trained professionals or groups primarily established to deal with that type of service. The Elks Local Lodge may wish to benefit the community and provide assistance to the youth of the community, but the Lodge should not attempt actions or conduct programs beyond the abilities of its operational capabilities.
- 8.** No volunteers should be allowed to have any contact with any youth program if there is any knowledge or substantial allegations that such persons have been involved in illegal activities, especially the abuse of children at any time. This would apply to members and non-members. When joining, Elks members are reviewed to be approved but known actions after such acceptance of membership qualification should also be considered. In no circumstances should any Lodge acknowledge the obligation or the ability to obtain or monitor background checks for members or non-members. The Lodge has no ability to act as a guarantor nor does it have the right to do so.
- 9.** For further information, please refer to the "Youth Supervision Guide" (Code 512200, revised July 2006). Volunteers should complete a form acknowledging receipt of the Supervision Guide. Youth participants should have a parental consent and medical authorization form completed prior to the event or activity.

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Elks Care — Elks Share!



Accident/Claim Prevention Manual

