© 2007 Ice Skating Institute

Tips on Protecting Your Facility Against Lawsuits

by Art Sutherland

The phone rings and the gentleman on the other end of the line wants to know what the proper temperature of his ice should be and if it is OK to skate on ice when there is water on it. As a refrigeration contractor, I am amazed at how many times in a given year I am dragged through a series of leading questions from a person who turns out to be a lawyer who is baiting me for his already predetermined answers and hoping to secure my services as a professional witness to assist his client with a broken leg.

In our industry I don't think broken legs or lawsuits will ever go away, but there are measures that can be taken to avoid them. Because accidents are inevitable, it is very important to ensure that you have adequate insurance coverage provided by a broker specializing in the ice arena industry and who is looking after your interests. It is also important to post signs warning of the dangers inherent with ice skating.

It is extremely important that your refrigeration equipment is well maintained and operating properly at all times. If the equipment is slow to respond after resurfacing, it could be time to get it checked. Make sure your staff carries out regular and documented ice maintenance.

Properly maintained logbooks can save you in a lawsuit. If you show that you have implemented regular equipment inspections, which include ice thickness and temperature readings, along with visual inspections, it will go a long way in the courtroom. Some facilities also have cameras covering the entire ice surface in order to assist in determining the cause of any accident.

If you have a computer control system, you can print out a log at any given time. In the event of an on-ice accident, you should print out and save a log immediately.

If at all possible, it is best to avoid the courtroom. Many of the lawsuits I have seen have focused on large cracks or water on the ice. Make sure you repair cracks and let the ice freeze before allowing patrons on the ice.

* Art Sutherland is President and CEO of Accent Refrigeration. He has over 25 years of experience in the refrigeration field and has written five recreation facility operation/training manuals. Sutherland can be reached by calling 250-478-8885 or check the website: www.accent-refrigeration.com.