



## Lessening Liability

News

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In the article, “Lessening Liability,” featured in *Cleaning & Maintenance Management*, Charles Caulkins reported on how taking steps to mitigate some of the most common—yet potentially problematic—risk scenarios, organizations may be able to prevent significant fines, lawsuits, and other penalties.

To protect yourself against erroneous claims—someone, for example, faking a fall, or tripping over his/her umbrella and insisting it was due to a wet floor—Charles recommended surveillance camera use.

Clearly, placing cameras in restrooms is out of the question; cameras in other spaces, though, can provide legal protection, particularly for commercial cleaning companies, which Charles said often accept responsibility in client contracts for fall-related accidents.

“Hopefully the owner has cameras,” he said. “If not, try to get them [installed] in critical areas with a lot of foot traffic.”

Providing a secure environment can be a concern, particularly for cleaning professionals who work alone at night.

Training staff how to be aware of their surroundings and respond to emergency situations can help mitigate risk, he said. However, employers also need to ensure they present an atmosphere where cleaning professionals will not be sexually harassed—or accused of harassing others.

Prevention tips: Establish a policy to handle complaints, and maintain a record of staff training sessions on the topic, which can be crucial if an issue arises, according to Charles.

For example, Charles said, if one of your employees allegedly assaults someone in the building while working late at night, and that employee has a criminal record for that type of behavior, you could be considered liable for negligent hiring. To ensure you aren’t putting your employees—or other people in the building—at risk, he advises conducting employee background checks during the hiring process, if state laws pose no restrictions.

“Make sure he is clear about how you operate and the level of risk you are willing to tolerate Charles said. “Don’t just go for the cheapest policy. Go for the one that gives you enough protection so you

can sleep well at night.”

To read the full article, please visit [\*Cleaning & Maintenance Management\*](#).

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