Ballparks and Playgrounds Are Not All Fun and Games

By: Richard Buttenshaw, Loss Control Representative

It's the time of the year when thoughts turn to warm evenings spent at the local ballpark. Families can watch the local team play baseball while their children play in the playground and, of course, enjoy a hotdog from the concession stand. What could be better? However, for the municipality that owns and runs the facility, there are a number of issues that must be addressed in order to ensure a safe, secure environment for its citizens.

Bleacher Safety. To promote greater safety at municipal facilities, an assessment of the bleacher systems located in your municipality should be conducted. Many of the bleachers currently in use are old and have not been properly maintained or updated. Openings between seats, footboards and guardrails as well as the structural integrity of the bleachers should be assessed. In response to injuries and deaths from falls from bleachers, the U.S. Consumer Product Safety Commission (CPSC) has issued “Guidelines for Retrofitting Bleachers”. Some of the key points are:

- Guardrails should be present on the backs and portions of the open ends of bleachers where the footboard, seat board or aisle is 30 inches or more above the floor or ground below.
- The top surface of the guardrail should be at least 42 inches above the leading edge of the footboard, seat board, or aisle, whichever is adjacent.
- Any opening between components of the guardrail or under the guardrail should prevent passage of a 4-inch sphere.
- The preferable guardrail design uses only vertical members as infill between the top and bottom rails. Opening patterns that provide a ladder effect should be avoided. If chain link fencing is used on guardrails, it should have a mesh size of 1.25 inch square or less.
- Your bleachers should be thoroughly inspected at least quarterly by trained personnel and problems corrected immediately. Records of these actions should be retained. A licensed professional engineer, registered architect or company that is qualified to provide bleacher products and services should inspect the bleachers at least every two years and provide written certification at such time that the bleachers are fit for use.

Playgrounds. Each year, about 200,000 children are treated in U.S. hospital emergency rooms for playground equipment-related injuries. The CPSC produces a comprehensive “Handbook for Public Playground Safety” and some of the main safety tips are:

- Protective Surfacing. Since almost 60 percent of all injuries are caused by falls to the ground, protective surfacing under and around all playground equipment is the most critical safety factor on playgrounds. Asphalt and concrete are unacceptable. They do not have any shock absorbing properties. Similarly, grass and turf should not be used. Their ability to absorb shock during a fall can be reduced considerably through wear and environmental conditions. It is recommended that the areas under all playground equipment have at least 6 inches of soft fill material such as double shredded bark mulch, wood chips or fine sand under and around it.
- Swing Spacing. To prevent injuries from impact with moving swings, swings should not be too close together or too close to support structures. For example, the horizontal distance between the swing seat and adjacent structural component should be at least 30 inches.
- Elevated Surfaces. Platforms more than 30 inches above the ground should have guardrails to prevent falls.
- Potential Entanglement Hazards. Open “S” hooks – especially on swings – and any protrusions or equipment components/hardware which may act as hooks or catch-points can catch children’s clothing and cause strangulation incidents. Close “S” hooks as tightly as possible and eliminate protrusions or catch-points on playground equipment.

This playground doesn’t use any protective surfacing in the event of a fall.
Playground Maintenance. Playgrounds should be inspected on a regular basis to check for hardware that is loose or worn, or that has protrusions or projections.

For more detailed information on playground safety, refer to the CPSC’s Handbook for Public Playground Safety.

Electrical Hazards. There are a number of electrical concerns at ballparks, ranging from flood lights to electrical outlets in covered picnic pavilions. All of these electrical issues must meet the National Electrical Code, but all too often ground wiring is broken, fuse boxes are left unlocked, outlets do not have a ground fault interrupter (GFI) devices installed and weather proof covers are missing or broken. Remember these are usually well within reach of even small children and pose a huge potential liability risk to your municipality.

Concession Stands. Concession stands are a wonderful addition to a ballpark not only because they provide the public a chance to buy food and drinks while enjoying a ball game, but they are an additional source of revenue for the municipality. However, many concession stands provide hot food such as hot dogs and burgers that are cooked on the premises. This not only raises concerns about food handling safety, but also adds the potential hazard of fire from a grease or electrical fire. It is essential that concession stands be properly equipped with fire extinguishers appropriate to the exposure and that employees working at the concession stand are trained in their use.

Restroom Facilities. We all need them, but they can be another source of liability exposure from injuries caused by falling on a wet bathroom floor. It is important that a regular inspection program be in place to check and immediately clean up any water spills that could cause a slip. Restroom facilities are also a common target for vandalism that can be a constant drain on resources to repair. The brown paper towels commonly used in restrooms to dry your hands are frequently used to block toilets and sinks and cause water floods. An alternative method of hand drying such as the warm air blowers might be considered.

Signs. Although posting signs is not good enough as a legal defense on its own, they always help. Consideration should be given to posting a sign detailing the rules while at the facility. In particular make sure it clearly states that alcohol can not be consumed on the premises; the park is closed after dark; and the dangers of vehicle or personal injury during a ball game. On that note, it’s not all doom and gloom at the ballpark. There is substantial case law from other jurisdictions that make it fairly clear that people who attend ball games assume the risk that they or their property may be struck by a flying ball. However, signage to remind patrons of the danger, suitable fencing to attempt to catch any errant ball and not having your parking lot in left field with no fence are obvious precautions that you should also take.

Although several topics related to ballpark and playground safety have been addressed here, they only represent a few of the potential hazards and exposures that can exist at this kind of facility. The focus of this article has been to try and limit your entity’s liability to accidents at ball parks and playgrounds. However, our first priority is to try and protect the general public and, in particular, the children from injury while using your facilities. Remember your child plays there too!
Training Considerations for Seasonal Employees

By: Jason Humphries, Loss Control Representative

With the spring season rapidly approaching, many entities will begin the annual process of hiring part time employees. These part time positions usually assist our entities by performing jobs such as lifeguards, maintenance workers, grounds keepers, and, in some areas, summer camp counselors.

These part-time employees will generally warrant more training than full time personnel due to their relatively young age and lack of work experience as compared to most full-time employees. Seasonal employees should be required to satisfactorily complete a rigorous orientation process; and preparation for the process should begin well before the employer begins accepting part time applications.

A condensed safety manual containing safety rules and policies for operations that seasonal employees will be allowed to perform should help the safety coordinator or supervisor gear up for the orientation process.

Identifying hazards associated with each job. Will the employee be required to use or be in close proximity to the use of any type of power tools? Grounds keepers and maintenance workers may be called upon to use lawn mowers, power saws, weed eaters, etc. It should never be assumed that employees know how to safely operate such equipment. All employees should be trained on the safe operation and basic maintenance of the equipment they may be required to use. Will the employee use chemicals such as paint, pool cleaners, etc.? Will the employee be exposed to blood or other bodily fluids (lifeguards, sanitation workers)? Break down jobs in terms of physical requirements and essential tools needed to complete the given task. Never assume that an employee knows how to properly and safely operate equipment or how to perform required procedures.

Train part time employees on ways to minimize known hazards and exposures. Briefly discuss claims that have been filed against your entity or other entities. Many part time employees will not even begin to realize the exposures that municipal entities face until some of the more obvious are pointed out to them. Identify all forms of Personal Protective Equipment (PPE) that can be used to minimize injuries or infections. Teach them how to assess the integrity of safety guards and the proper position and placement of such guards. Require the use of all applicable PPE and safety guards. Advise employees of the consequences should they choose to ignore or disobey safety rules.

Inform the employees of proper communication channels when safety deficiencies are found or injuries occur. Knowing who to report to is very important for all employees and whomever the occurrence or situation is to be reported to should try to maintain a level of trust with his/her employees. This will encourage employees to be open with suggestions, concerns or problems that may otherwise remain unidentified.

After reviewing all safety policies and procedures, administer some form of exam to test the employee’s knowledge of covered materials. (The League’s safety video library is an excellent source of review materials that can be used to enhance employee safety knowledge). The exam doesn’t have to be extensive or cover all areas discussed but should be sufficient in gauging each person’s knowledge of safety procedures. Upon review of the exam results, clarify issues or items that were consistently answered incorrectly.

Document the training! Documentation should be used for all safety training. This should be done for both full and part time employees. If you don’t already document your training, start now. If documentation doesn’t exist, it’s hard to prove that such training ever took place! Documentation doesn’t need to be elaborate; it merely needs to cover the date, employee’s name and department and the topics covered.

This brief article by no means provides comprehensive coverage of all the steps that should be incorporated into your organization’s seasonal employees orientation. Rather, it is intended to encourage more consideration for this type of training. Remember, when part time employees contribute to a poor safety record, the respective losses will affect your entity much longer than the employee’s service! Train and educate your employees! ■

Defining Moment

Endorsements and Exclusions to Insurance Contracts

An insurance policy is a contract that states the rights and duties of the insurance company and the insured. The bulk of the insurance contract is a multi-page form containing standard pre-printed words.

Endorsements may be used to amend the coverage from the standard completed policy if the coverage is different from that shown in the standard pre-printed form. For example, a form may contain a clause stating that a $1000 deductible applies; an endorsement may amend this to provide a $5000 deductible. Endorsements may be attached to a new policy or added during the course of a policy period.

Exclusions restrict the broad terms of the insurance policy by stating some exceptions to the coverage. These exceptions could include certain activities, loss causes, property, persons and places for which the insurer does not intend to provide coverage. Exclusions help to keep insurance premiums reasonably priced.

Risk Management Awards for 2004

Instituting risk management and loss control activities by the members of the Municipal Workers Compensation Fund (MWCF) and the Alabama Municipal Insurance Corporation (AMIC) are considered to be proactive steps that benefit not only the member’s loss ratio but the overall success of the MWCF and AMIC insurance programs. Not only are employee, property and liability losses minimized, but – most importantly – employees and citizens reap the rewards of a safer workplace and community.

In recognition of the efforts and successes of our members, the Board of Directors of the MWCF and AMIC approved the establishment of a Risk Management Award during 2002. It was determined that an award program would be developed based on the loss ratios for the member’s prior year. For those members of both the MWCF and AMIC programs, the loss ratios would be combined and divided by two to reflect the overall loss ratio.

Four levels of awards are being presented to acknowledge the efforts and accomplishments of those members in the areas of Risk Management for the year 2004. Members are eligible to receive the Presidents Award once every five years and the Gold, Silver and Bronze annually.

• ALM President’s Award
  Top 5% for 5 years
• Gold Award
  Loss Ratio below 5%
• Silver Award
  Loss Ratio of 5% to 20%
• Bronze Award
  Loss Ratio of 20% to 40%

Awards were mailed to the recipients along with a press release. Recipients of these awards are being acknowledged in this issue of the Risk Management Solutions newsletter and at the League Convention.
### 2004 Risk Management Awards

#### ALM President’s Awards

(Top 5% for 5 years)

- Albertville Utilities
- Aliceville
- Brantley
- Bridgeport Utility Board
- Brookwood
- Centre Waterworks & Sewer
- Centreville
- Coaling
- Columbia
- Cullman Utilities
- Dadeville VFD, Inc.
- Dekalb-Cherokee Counties Gas District
- Elba Housing Authority
- Emelle
- Enterprise Housing Authority
- Florala
- Glenwood
- Grove Hill
- Kennedy
- Langston
- Midway
- Millry
- Mobile Airport Authority
- Mount Vernon
- North Alabama Gas District
- Oak Grove
- Opelika Waterworks Board
- Phil Campbell Water & Sewer
- Piedmont
- Pisgah
- Ragland Housing Authority
- Reform Water & Sewer Board
- Rockford
- Sulligent Housing Authority
- Thomasville Waterworks & Sewer
- Wilton Water & Gas

#### Gold Awards

(Loss ratio below 5%)

- Abbeville Housing Authority
- Abbeville Water & Sewer
- Addison
- Alabama League of Municipalities
- Alabama Municipal Election Authority
- Baker Hill
- Baileyton
- Bear Creek Development Authority
- Beatrice
- Belk
- Benton
- Berry
- Berry Housing Authority
- Birmingham Regional Planning Commission General Fund
- Birmingham – Jefferson Civic Center
- Black Warrior Solid Waste Authority
- Blountsville Housing Authority
- Blountsville Utilities
- Boaz Water & Sewer Board
- Boston Housing Authority
- Brantley
- Brent
- Brent Housing Authority
- Brent Utilities
- Brewton Housing Authority
- Brewton Natural Gas
- Bridgeport
- Bridgeport Housing Authority
- Bridgeport Utility Board
- Brookwood
- Brundidge
- Brundidge Housing Authority
- Butler
- Calera Housing Authority
- Camden
- Camp Hill
- Camp Hill Utilities
- Cedar Bluff
- Central Alabama Regional Planning Commission
- Centre Waterworks & Sewer
- Centreville
- Centreville Water Works & Sewer Board
- Chatom
- Chatom Utility
- Chelsea
- Cherokee Waterworks & Gas Board
- Chickasaw Housing Authority
- Chickasaw Utilities
- Childersburg Housing Authority
- Clayton Housing Authority
- Clayton Water Company
- Clayton Water & Sewer
- Coaling
- Coffeeville Waterworks
- Coker
- Colony
- Columbia
- Columbiana Housing Authority
- Columbiana Waterworks
- Coosa
- Cordova Housing Authority
- Cottonwood Housing Authority
- County Line
- Cowarts
- Crossville
- Crossville Water Board
- Cuba
- Cullman Housing Authority
- Cullman – Jefferson Counties Gas District
- Daleville
- Daleville Housing Authority
- Daleville Housing Authority
- Deatsville
- Deatsville VFD, Inc.
- Decatur Housing Authority
- Decatur Personnel Board
- Dekalb – Cherokee Counties Gas District
- Detroit
- Dora Waterworks & Gas Board
- Dothan
- Double Springs Waterworks Board
- Douglas
- Dutton
- East Brewton
- East Brewton Waterworks & Sewer
- East Central Alabama Gas District
- East Geneva Co. Senior Citizens Committee
- Eclectic Water & Sewer Board
- Elba Housing Authority
- Elba Water & Electric Board
- Eldridge
- Emelle
- Elkmont
- Elmore
- Elmore County Economic Development Board
- Elmore Water Authority
- Enterprise Housing Authority
- Eufaula Housing Development
- Eutaw Housing Authority
- Evergreen Housing Authority
- Fairview
- Falkville
- Fayette Water Works
- Five Points
- Flomaton
- Florala
- Florala Housing Authority
- Foley Housing Authority
- Foley Tax Revenue
- Fort Payne Housing Authority
- Fort Payne Improvement Authority
- Fultondale Gas Board
- FYfe
- Gainesville
- Gaylesville
- Geiger
- Geneva
- Georgiana Housing Authority
- Georgiana Water & Sewer
- Gilbertown
- Gilbertown Utility
- Glenwood
- Goldville
- Good Hope
- Goodwater
- Goodwater Housing Authority
- Goodwater Waterworks & Sewer
- Gordo Housing Authority
- Gordo Water Board
- Gordon
- Goshen
- Grant
- Graysville Water & Sewer Board
- Greene County Ambulance Service
- Greensboro
- Greensboro Housing Authority
- Grove Hill Memorial Hospital
- Guin
- Guin Water & Sewer Board
- Guntersville Electric Board
- Guntersville Housing Authority
- Gurley
- Hackleburg
- Hackettburg Housing Authority
- Haleyville Housing Authority
- Hamilton Water & Sewer
- Harpersville
- Harpersville Water Board
- Hartselle Housing Authority
- Headland Housing Authority
- Heath
- Heftin Housing Authority
- Highland Lake
- Hillsboro
- Hobson City
- Hobson City Housing Authority
- Hodges
- Hurtsboro
- Indian Springs
- Jasper Housing Authority
- Jasper Waterworks and Sewer
- Jemison
- Kansas
- Kennedy
- Kimberly
- Kinston
- Lamar County Gas District
- Langston
- Lawrence- Colbert Counties Gas Board
- Leeds Housing Authority
- Leighton
- Linden
- Linden Housing Authority
- Linden Utilities
- Lineville
- Lineville Water & Sewer
- Lissman
- Loachapoka
- Locust Fork
- Louisville
- Lowndesboro
- Malvern
- Maplesville
- Maplesville Water Works & Gas Board
- Margaret
- Marion Housing Authority
- Maytown
- Midway
- Millport Housing Authority
- Milly
- Monroe County Housing Authority
- Montevallo Water & Sewer
- Morris
- Mosses
- Moulton
- Moulton Housing Authority
- Moulton Water & Sewer Board
- Mount Vernon
- Mulga Waterworks & Utility Board
- Muscle Shoals Electric Board
- Myrtlewood
- Nauvoo
- Nauvoo Waterworks
- Nectar
- New Brockton Housing Authority
- New Hope
- New Site
- Newbern
- Newton Housing Authority
- Newton Water & Sewer
- Newville
- North Alabama Gas District
- North Central Alabama Regional Council of Government
- Northeast Alabama Water & Sewer
- Northwest Alabama Council of Local Governments Senior Aides Program
- Northwest Alabama Gas District
- Oak Grove
- Oakman
- Odenville
- Odenville Utilities
- Oneonta Housing Authority
- Oneonta Utilities
- Opelika Waterworks Board
- Opp Housing Authority
- Orange Beach Water & Sewer Board
- Orrville
- Ozark Dale County E-911
- Paint Rock
- Parrish
- Parrish Housing Authority
- Parrish Water & Sewer Board
- Pell City Housing Authority
- Pennington Utilities
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<th>Silver Awards (Loss ratio of 5% to 20%)</th>
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<td>Marshall County Gas District</td>
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<th>Bronze Awards (Loss ratio of 20% to 40%)</th>
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<td>Bear Creek Water Works Board</td>
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<td>Tuscaloosa Housing Authority</td>
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<td>Westside Water Works</td>
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2005 SkidCar Schedule

- Tuscaloosa May 31 – June 10
- Tuscumbia June 28 – July 8
- Jacksonville July 26 – August 5
- Decatur August 23 – September 2
- Greenville September 20 – September 30
- TBA October 11 – October 21
- Gulf Shores/Orange Beach November 8 – November 18
- Montgomery December 6 – December 16

For more information, contact Donna Wagner at 334-262-2566.

Popular Safety Videos for the Spring Season

- Right-Of-Way Mowing Safety: 5.032
- Outdoor Safety: Critters and Plants: 7.029
- Chlorine: 14.006
- Tractor Safety: 5.039
- Cutting It Short, Parts 1 (Grass Cutting): 5.006
- Cutting It Short, Parts 2 (Grass Cutting): 5.007
- Responding to Bites and Stings: 7.067

To check-out a safety video, simply call, FAX, or e-mail your request to Rachel Wagner at: 334-262-2566; rachelw@alalm.org; or FAX at 334-263-0200.

Employment Practices Law Hotline

1-800-864-5324

Through a toll-free Employment Practices Law Hotline, members can be in direct contact with an attorney specializing in employment-related issues. When faced with a potential employment situation, the hotline provides a no-cost, 30 minute consultation.

For more information, contact Donna Wagner at 334-262-2566.

334-262-2566. Please share this with your staff and publication with coworkers!