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POOL SAFETY

Few things are more appealing to your guests than a refreshing jump in your hotel's pool. A swimming pool is often considered an attractive nuisance, similar to a construction site or playground equipment, in that it strongly appeals to children. An attractive nuisance is a building, area, object, or activity that attracts visitors who may or may not be welcome.

The hotel has the power and ability to deny entrance onto its property and its pool by trespassers. A case decided in Ohio Supreme Court determined that property owners may be held liable for the injuries of trespassing children. In this case, the hotel's pool was closed, awaiting repair, when a child crawled through a hole in the fence and fell in. His mother proceeded into the pool after him and they both drowned.

Drowning remains the second leading cause of unintentional, injury related, deaths to children under the age of 14. Two minutes following submersion, a child may lose consciousness and irreversible brain damage may occur after four to six minutes. This time period determines the immediate and long-term survival of the child. Nearly all children who require CPR either die or are left with severe brain damage.

A recent study suggests that medical costs for a near-drowning victim can range from \$75,000 for emergency room treatment to \$250,000 per year for long term care. The cost of a near-drowning incident that results in severe brain damage can exceed \$5,000,000.

In the past 20 years, at least 36 children have died and 147 others have been injured after becoming trapped underwater in pool and hot tub drains. The *Virginia Graeme Baker Pool & Spa Safety Act of 2007* provided new requirements for pool construction, retrofitting and maintenance. In addition to installing drain covers, pools operating with single drains may also be required to install devices which automatically shut off suction when a drain is blocked. Violators can face fines or criminal penalties.

With regard to attractive nuisance situations, negligence can mean that the property management or the owner were aware that someone could get hurt on the property and did not provide adequate protection. The team should take all necessary precautions to protect all guests on property, invited or otherwise.

A pool can be a great way for your guests to spend a summer afternoon or evening. It is, however, your responsibility to make sure that everyone enjoys your hotel in a safe and secure environment.

DID YOU KNOW?

Each year, 8,000-18,000 people in the United States are hospitalized with Legionnaire's disease. The CDC reports that cases of Legionnaire's disease have increase 450% since 2010. In the past year, at least one person has been killed, and at least nine guests have become ill due to Legionnaire's disease contracted at a hotel.

Regularly disinfecting pools, spas, saunas, cooling towers, hot water tanks, and decorative fountains is critical in preventing contamination at your hotel.

- *Distinguished Programs*

FROM YOU:

- Q: What should the property do if the police request information regarding a guest or situation?
- A: The Marshall Hotels & Resorts Risk Management Team recommends full cooperation with any and all police warrants. In certain circumstances, police may request personal guest information without a warrant. This may include dates of stay, contact information, payment information, or vehicle descriptions. In such circumstances, these requests should be directed to management and The Marshall Hotels & Resorts Risk Management Team.

CONTACT

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POOL REGULATIONS

Consider implementing these regulations at your property to ensure the health and safety of guests and staff:

- Pool is only for the use of hotel guests.
- Pool should be secured by a self locking gate or door accessible only via key card.
- If no lifeguard is on duty, conspicuously post “Swim at Own Risk” signage.
- Post pool rules prominently.
- Acceptable swimwear must be worn by all patrons (no belts, buckles, denim).
- Any person with a visible infectious disease or open wounds should not be permitted to use the pool, hot tub, or sauna.
- Guests who appear to be under the influence of drugs or alcohol should be asked to leave the pool immediately.
- Require all children to be accompanied by an adult.
- Individuals who excrete bodily fluids in the pool should be asked to leave immediately and the pool should be closed for disinfecting as required by state regulations. Children who are not potty-trained should only be allowed in the pool if they are wearing an approved swim diaper and a swimsuit. Cloth or disposable diapers are not appropriate attire.
- Mark pool depths with clear markings on the deck, at maximum and minimum depths, slopes, and on all sides of the interior of the pool.
- Ensure that pool water meets all clarity requirements according to local, state, and federal code.
- Always walk, do not run, on a pool deck and around the facility.
- No diving, somersaults, or dangerous jumping.
- Provide adequate and accessible rescue equipment.
- Provide first aid equipment in an accessible location for use by guests and employees. At a minimum, the kit should include disposable gloves and sufficient materials to stop bleeding, clean and bandage minor wounds.
- Place a telephone within 100 feet of the pool, with emergency phone numbers clearly posted next to the phone.
- Maintain poolside furniture in good condition.
- Maintain floor in and around the pool area. Floor must be free of any conditions that may injure bare feet (holes, chips, glass, or debris). This includes the interior walls and bottom of the pool.
- Keep pool deck free of any items that may present a slip or trip hazard. This includes hoses, cords, tools, and other debris.
- Ensure that all chemicals used are stored properly, in labeled containers and secured out of access to the public.
- Keep a daily record of all injuries and operational data; including fecal accidents, chemical levels, water temperature, water clarity and any chemicals added throughout the day. Record this data every four hours during operation.
- Use a DPD testing kit for measuring the concentration levels of chlorine or bromine, pH, total alkalinity, cyanuric acid and water temperature.
- Ensure that pool water is circulated continuously during any time that the pool or hot tub is in operation and that the pool water temperature does not exceed 90°F.
- Animals are not allowed in the pool area or on the pool grounds, with the exception of guide dogs.

POOL DRAINS

Federal law requires that the pool comply with the following regulations:

- All pools must be equipped with anti-entrapment devices or systems.
- Each pool with a single, main drain (other than an un-blockable drain) must be equipped with at least one device or system designed to prevent entrapment (such as a safety vacuum release system, suction limiting vent system or gravity drainage system).

The requirements noted in the federal law are intended to be minimum standards as many states have more rigorous safety rules. Each hotel’s pool must be in compliance with both federal and statutory codes.

SUMMER HEAT

High temperatures stress your body’s ability to cool itself, making heat illness a significant concern during hot weather. Many people feel tired and worn down as a result of not getting enough sleep, exercise, stress, or drinking too much alcohol and caffeine. This feeling is heightened in extreme heat.

Dehydration is the biggest trigger of daytime fatigue (up to 75% of American workers don’t drink enough water). A small drop in body water can trigger fuzzy vision, short-term memory loss, trouble with basic math, and difficulty focusing.

You can lose up to 10 cups of water a day through sweat. When working in hot weather, skip the soda or coffee, which contains caffeine, a natural de-hydrant.

Drink 8-10 glasses of water a day and hydrate at a regular, continuous pace. Wear sunblock of at least SPF15 and wear lightweight, loose-fitting, light-colored clothing when working outside.

GUEST'S PERSONAL INFORMATION

Every property holds a significant amount of private, personal guest information. All of this information should be protected with the utmost level of security. This includes traditional personal information such as:

- Name
- Address
- Credit Card Number and Expiration Date
- Phone Number
- Email Addresses
- Drivers License

As well as additional guest details including:

- Room Number
- Vehicle Information
- Companion Descriptions
- Check-in and Check-out Details
- Travel Details
- Medical Information
- Claim Details
- Brand Reward Status
- Account Status
- Frequent Flyer Information

This information should not be provided to any person other than the registered guest. In order to confirm that the registered guest is the person requesting the information, a valid, government issued photo ID, passport, or drivers license should be provided in person. This information should not be provided over the phone or via email. A valid ID should also be required for registration, as well as

for any original or replacement room key issuance.

To safeguard guest personal information, The Marshall Hotels & Resorts Risk Management Team recommends the following:

- Employees should not discuss guest's activities, specifically in public areas.
- Use a timed screensaver lock for computer programs, requiring the correct login before resuming the program.
- Train all employees and contractors to maintain strict key control.
- Do not allow guests in any back of house areas; including behind the front desk, in management offices, and storage areas.
- Restrict floor access to registered guests only.
- Report all suspicious activity to management and local police when necessary.
- Conduct routine property tours with management staff to assess all potential security hazards.
- Commit to continual training of employees and management team.
- Regularly scan, and then shred any hard copy guest information, including guest logs and credit card books.

BREACH RESPONSE

Establish a plan in advance in the event that guest or employee information is breached or leaked. Regularly review this plan with your management team and adjust roles as necessary. When reviewing the plan, document and assign action items for any uncovered weaknesses. Train all new management members on these procedures at the time of hiring.

If you believe that a guest or employee's personal information may have been compromised notify the guest or employee, The Marshall Hotels & Resorts Risk Management Team, and local authorities immediately. As necessary, take any appropriate steps to ensure that additional information about the affected employee, guest, or other guests is not released. Additionally, maintain all systems and records leading up to the event for future investigation. Direct all questions regarding the handling or status of any guest privacy breach to The Marshall Hotels & Resorts Risk Management Team.

CCTV

Safeguarding hotel guests requires a multi-pronged security program that starts with a well-trained staff and may include security officers, closed circuit television systems (CCTV), electronic access control and additional lighting or landscaping that ensures the identification and prevention of crime.

If CCTV is used on property, procedures for placement of the cameras and camera use should be in place. The policy should outline the provisions for review of the footage as well. It is also important to include policy standards for protecting any footage that is recorded.

ADDITIONAL RISK MANAGEMENT RESOURCES, INCLUDING YOUR GUIDE TO CLAIMS REPORTING, ADDITIONAL CLAIMS FORMS, CERTIFICATE OF INSURANCE REQUESTS, PAST AND CURRENT NEWSLETTERS ARE ALWAYS AVAILABLE ONLINE AT:

WWW.DII-INS.COM/SPECIALTY-PROGRAMS/MHR-MASTER-INSURANCE-PLAN/