

AUGUST 2018

POOL SAFETY

Few things are more appealing to your guests than a refreshing jump in your hotel's pool. However, a swimming pool also significantly increases the risk exposure for your property. 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 into its pool by trespassers. A case decided in the 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 anti-vortex 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 regards to attractive nuisance situations, negligence can mean that the property management or ownership were aware that someone could get hurt on the property and did not provide adequate protection. This negligence can significantly increase the liability exposure to ownership and management. Your 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 and its amenities in a safe and secure environment.

DID YOU KNOW?

A recent FM Global study revealed that for every \$1 spent on hurricane protection, loss exposure decreased by an average of \$105.

- FM Global, 7/17/2018

FROM YOU:

- Q: Can guests or non-guests have parties or events in the pool area?
- A: *Only registered guests should be allowed in the pool area. No parties or events, irrespective of the host, should be held in the hotel pool area.*

CONTACT

Bob Barczak

410.319.0624 | bob.barczak@dii-ins.com

307 International Circle | Suite 610 | Hunt Valley, MD 21030

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POOL REGULATIONS

Every hotel is required to be in full compliance with all federal, state, and local pool regulations. While not an exhaustive listing, The Marshall Hotels & Resorts Risk Management Team strongly recommends implementing at least the following regulations:

- Pool is only for the use of guests.
- Pool should be secured by a self locking gate or door accessible only via valid key card.
- If no lifeguard is on duty, conspicuously post "Swim at Your Own Risk" signage.
- Post pool rules prominently.
- Acceptable swimwear must be worn by all guests (no belts, buckles, denim, etc.).
- Any person with a visible infectious disease or open wound 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 the required 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' of the pool, with emergency phone numbers clearly posted.
- 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 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 your hotel's pool(s) 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 levels 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 dehydrant.

It is recommend to 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 PRIVACY

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.

LAUNDRY FIRES

One of the most common locations of fire origin is the on-site laundry facility. The laundry room contains many flammable items; including lint, linens, chemicals, pallets and storage containers. Additionally, this exposure can be increased by the high electrical use by industrial laundry appliances.

When dryers operate with lint clogged screens, overheating can occur. Overheating can lead to the ignition of lint accumulations, which can spread to other cloth in the laundry load. Fire may even spread to laundry and laundry carts outside of the dryer, and ultimately the building itself. Other sources of lint ignition may include heating from the dryer belt slipping, dryer fan motor failure, or overloading.

The Marshall Hotels & Resorts Risk Management Team recommends the following in the laundry area:

- Clean the lint screens daily to maintain the minimum required airflow through the dryer when operating. As a minimum, clean screens at least once a day. When dryer use is heavy, more frequent cleaning may be needed.
- Do not load dryers beyond the manufacturer's specified capacity. All laundry must be able to tumble freely when the dryer is operating.
- All cleaning supplies and chemicals should be stored in accordance with their MSDS designation.
- The laundry chute should be emptied daily in order to prevent the fast spreading of a laundry room fire.
- The electrical system of the laundry room should be inspected regularly. Washing machines and dryers should never be plugged in via an extension cord.
- Use a maintenance checklist to implement routine dryer maintenance in accordance with manufacturer's guidelines.
- Exit doors should be clear of any obstacles or debris.
- Trash should be emptied from the laundry room daily.
- Do not store materials in a manner that impedes smoke detectors or sprinkler heads.

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

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

