

## Minimizing the most common volunteer risks

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Every nonprofit organization that relies on volunteers must understand the most common risks those volunteers face and how to prevent them. Because Volunteers Insurance Service (VIS®) has been insuring volunteers of nonprofits more than 40 years, we're uniquely qualified not only to identify the most common types of accidents volunteers have, but also to provide suggestions for reducing claims in the first place. Our specific suggestions are arranged by the three types of insurance coverage we offer—accident medical reimbursement, volunteer liability, and excess automobile liability.

### **Accident medical reimbursement**

Many accidents can be prevented by removing obvious work area hazards, providing specific training or using special tools or personal protective equipment.

The most common claim related to accident medical reimbursement occurs when volunteers are injured in a fall. While every fall cannot be eliminated--sometimes volunteers simply slip or get tripped by an unforeseen hazard-- other fall hazards are more predictable. Consider variables in workplace conditions:

- When it is icy, are you doing everything possible to clear walkways, building entrances, and steps (including those on vans and other vehicles)?
- If a volunteer is assigned at another location, what is being done there to keep the area free of hazards that might cause a fall?
- When working with children, it's not uncommon for volunteers to be tripped accidentally by toys or the children themselves, both of which are below eye level. Does your training program caution volunteers that they need to use more care simply walking around in such a setting than they may need in their own homes?

The very nature of the volunteer's work should be analyzed for potential risk of bodily injury, and plans made to reduce any identified risks.



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- One volunteer was helping pick up furniture to distribute to low-income families when the load in the truck became unbalanced, knocking him out of the truck and breaking his leg. The injury might have been avoided with a little more advance preparation.
  - What furniture is being picked up?
  - Is the truck big enough?
  - Are there enough volunteers to load the furniture without risk of injury?
  - Is a dolly needed for heavier items?
  - Are rope or padding needed? Have volunteers been properly trained to use this equipment?
  - Does the team know how to lift properly -- keeping the back straight and lifting with the legs?
  - Would it be better to make multiple trips with smaller loads than to risk loading the truck to the point where the cargo isn't stable?
- Volunteers working with animals face unique risks. While these may not be completely avoidable, the effects can be controlled.
  - Something as simple as gloves can prevent injuries such as that suffered by a volunteer who was refilling a bird feeder at a nursing home and a loose wire punctured her hand.
  - Long sleeves and a pair of leather gloves might be all that is required to prevent a serious wound from an animal scratch or bite.
  - Simply pointing out these precautions may be all that is necessary to motivate volunteers to provide their own gear, thus saving the organization additional expense.
- Consider asking volunteers to list specific allergies or special medical conditions and keep those factors in mind when you make assignments.
  - One claim VIS handled involved the use of a solvent for cleaning graffiti from concrete. Several others have involved bee stings suffered during landscaping work or trash pickup.

Many of our participating organizations find it's very effective to have experienced volunteers train newer ones.

- Not only does the new volunteer receive training that might prevent a serious injury or damage to property, the experienced volunteer "relearns" and reinforces what he or she already has been taught.

If tools are needed, have the volunteer demonstrate that he or she knows how to use them-- don't just take the volunteer's word for it.



- One volunteer hit herself in the mouth with a hammer during her first-ever experience pulling a nail out of a board. Seems like a small task, but not to someone without training.

Although most injuries are minor, serious ones occasionally occur and the VIS accident medical reimbursement policy can be crucial to ensuring that medical bills get paid, particularly if the volunteer has no other insurance.

- A volunteer lost a leg below the knee when he was struck by a drunk driver. Another volunteer's clothes caught fire when he stood too close to a space heater and suffered very serious burns. Because these volunteers did not have their own personal policies, the VIS accident policy provided primary insurance coverage.

### **Volunteer liability**

Although we receive the fewest claims against this coverage, liability plaintiffs often claim and receive very large awards or settlements, making this coverage particularly crucial for volunteers. Other than the limited coverage that may be provided by their homeowner's policy, most volunteers have no other insurance in place to protect them against personal liability. (On a side note, we do recommend that homeowners get their own personal umbrella policy, in addition to maximizing the underlying limits on their homeowner's and automobile insurance. Their personal insurance agent can provide more information.)

Liability claims don't have to be based on truth to cause financial distress. Sexual molestation is an example of one risk exposure that sometimes results in a claim under the volunteer liability policy, even when the volunteer is innocent.

- The VIS policy provides defense in civil cases unless the volunteer admits guilt, or until the volunteer is found guilty.
- Volunteer screening and selection, along with proper supervision and accountability, are the most effective risk management tools for reducing this risk exposure.

Sometimes the organization that engaged the volunteer is named in the suit. In those situations, the organization must be able to demonstrate that it had formal mitigation procedures in place and that they were correctly followed.

- In advance of these instances, it is important to make certain the organization's own commercial general liability policy is properly written at appropriate limits with comprehensive reviews provided by the issuing insurance agent. It is always best to notify the general liability insurer about any incident that might give rise to a claim against the organization – including claims involving volunteers.



- However, keep in mind that unless the organization itself is named in a lawsuit, the VIS policy will respond, and the organization's own insurance limits and claims experience will be protected.

Even though volunteers are unpaid, they still must be held accountable, or even dismissed, when they violate rules or exhibit questionable behavior. Managers responsible for overseeing volunteer behavior should never overlook any incidents that might signal emotional problems or poor judgment, as they may be an indicator of possible future incidents.

- One claim involved a volunteer who allegedly slapped a small child at a Christmas party, supposedly upset that the child was making too much noise. Damages sought by the child's guardian included a sizeable sum for "intentional infliction of emotional distress," because the child refused to go back into the building where the incident took place. Unfortunately, the attorney for the guardian was able to establish a pattern of behavior by showing that the volunteer had struck children before on the playground in an effort to discipline them.

Claims can arise from either volunteer action *or* inaction.

- A small number of claims have been made alleging that the volunteer defamed someone else by reporting supposed false evidence of child abuse by a parent or foster parent, or family member abuse of an elderly relative.
- In other instances, claims allege volunteer negligence for failure to report known abuse.

Other volunteer liability claims involve accidental injury or damage to someone else or their property.

- One injury claim resulted when a volunteer was pushing an elderly person in a wheelchair. Thinking the wheelchair was going too fast, the elderly rider put his feet out to slow the motion and was thrown out and injured.
  - Volunteers should be trained to provide clear communication to infirm individuals who might have heightened fear of injury. "Are you comfortable? All right, let's go. Is this about the right speed? Tell me if I'm going too fast."
- Another example of possible claims involves meal-delivery program volunteers who could drop a hot meal on a client, causing burns.
- A property-damage claim example occurred when a developmentally challenged volunteer assigned to vocational training at a supermarket broke a glass door when attempting to push shopping carts through in the wrong direction.



As noted earlier, the keys to reducing the kind of risks mentioned above are a thorough understanding of the task, confirming volunteer abilities, and providing proper training and equipment. In addition, make certain volunteers understand the required chain of command for reporting problems encountered during their work. The volunteer should report any issues directly to you or another assigned individual within your organization who can then appropriately report incidents to social services personnel, police or other authorities. With this reporting structure, the organization maintains control and reduces risk exposure for the volunteer.

### **Excess automobile liability**

There are several primary causes of volunteer driving accidents that result in excess automobile liability claims.

- The most frequent cause of these claims is accidents at intersections – running a red light or stop sign, failure to yield right of way, turning from the wrong lane, or following too closely.
- Another leading source of claims is volunteers who back into other vehicles, objects or pedestrians.
- An additional contributing factor is poor visibility in inclement weather.
- In all instances, volunteers should be continually reminded to avoid distractions, carefully approach intersections, know their route ahead of time, and allow extra time in bad weather. (For additional information on common vehicle accidents and how to avoid them, VIS offers a number of “Preventer Papers.” You can request the table of contents or the complete papers by contacting Executive Director William Henry at 800.222.8920, or [bhenry@cimaworld.com](mailto:bhenry@cimaworld.com).

A principal advantage of VIS excess automobile liability coverage is that it protects your volunteers when driving not only as part of their volunteer work, but as they are driving to and from that work as well.

- Consider the experience of a volunteer who was driving *to* her work assignment with an employee of the nonprofit organization as a passenger. When she failed to yield right-of-way and collided with another vehicle, her passenger and two occupants of the other vehicle were injured.
- The volunteer’s own auto insurer paid the policy limits for medical payments to the occupants of the other vehicle, but the injured nonprofit employee who had been a passenger demanded \$225,000 for her injuries – far above the \$25,000 limit of the volunteer’s own insurance.



### *Coverage for good.™*

- Because workers' compensation in all states excludes injuries that occur when an employee is going *to* or *from* work, a judge ruled that the nonprofit organization's workers' compensation insurer was not liable for the passenger's injuries.
- Fortunately, the VIS excess automobile liability policy does not carry such a restriction, so it paid the \$200,000 difference between the volunteer's own policy limits and the amount demanded by the injured employee passenger.

### **Protect your most valuable asset--volunteers**

The above recommendations and examples are intended start you thinking about ways to reduce your volunteers' exposure to risks. Yet because it is impossible to eliminate claims altogether, VIS offers coverage in the three policy categories described above, and each policy option is available either individually or in any combination. All provide valuable assurance and safety for your volunteers and can be purchased for only a few dollars per volunteer. To learn more about VIS and its insurance program, please visit the "Volunteer Center" at [www.cimaworld.com](http://www.cimaworld.com).