ACCIDENT PREVENTION/INSURANCE RISK NEWSLETTER

SUMMER 2023

SERVICE OF ALCOHOL

State Accident Prevention Chairs and Lodge Accident Prevention Managers should continuously repeat the message about alcohol. The Membership must be reminded of a $28,000,000 verdict against Lodge Officers and Lodge Members in Pennsylvania. A jury found that a non member was improperly served alcohol while attending an Elks sponsored function.

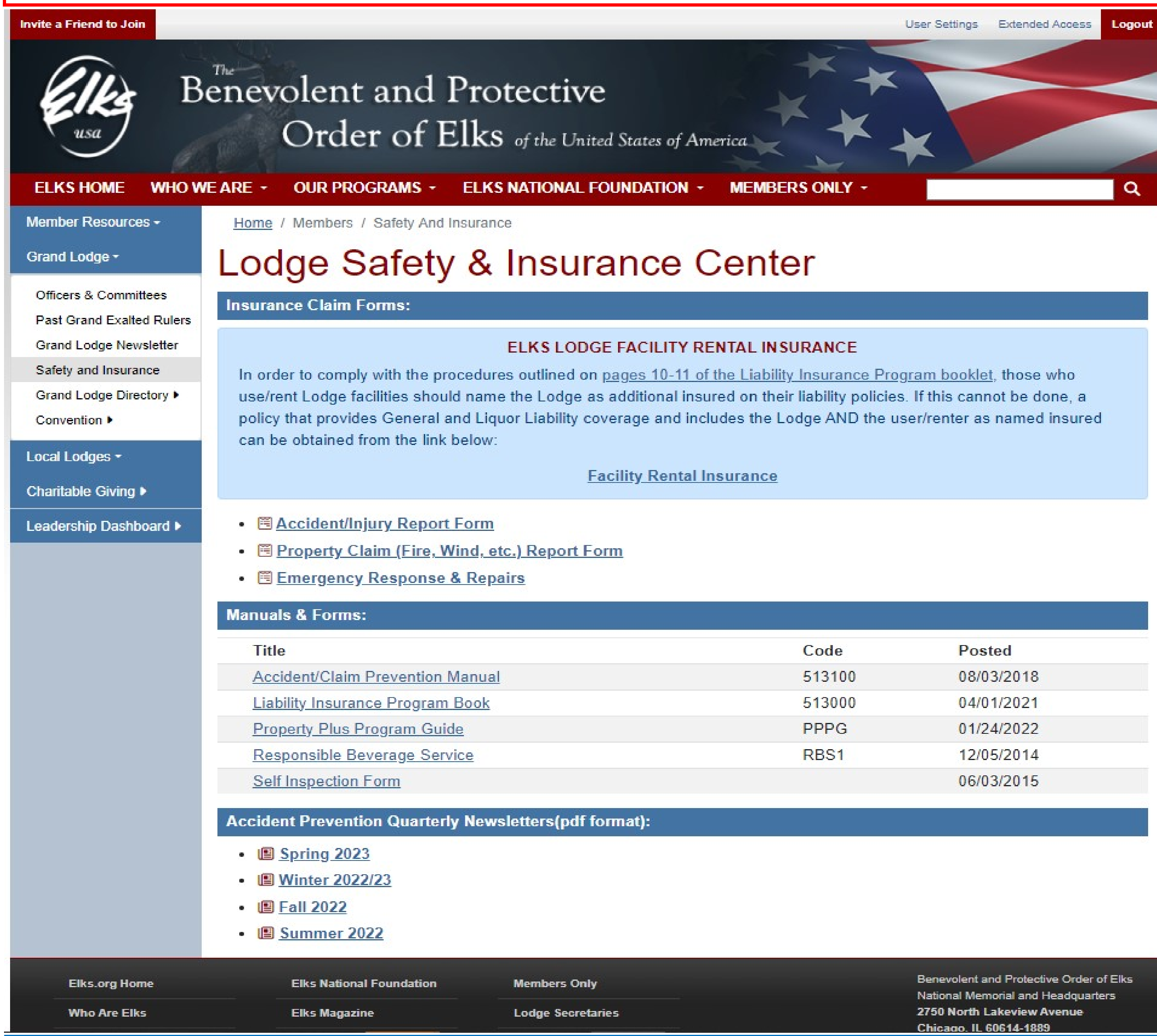
Lodges have a liquor license and maintain bar facilities to provide the service of alcohol to Lodge Members and their guests. Under no circumstances should Lodges view the service of alcohol as a commercial activity for service to the public.

Those serving alcohol should be trained to count the number of drinks provided to a Member or guest. It is strongly recommended that all those involved in the service of alcohol, including volunteers, take a training course.

Inside this issue:

The Elks Insurance Program Is Paperless

1. Go to *Elks.Org*
2. Click on Members Only
3. Click on Safety & Insurance
4. See the webpage below



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Elks usa

The Benevolent and Protective Order of Elks of the United States of America

ELKS HOME WHO WE ARE OUR PROGRAMS ELKS NATIONAL FOUNDATION MEMBERS ONLY

Member Resources

Grand Lodge

- Officers & Committees
- Past Grand Exalted Rulers
- Grand Lodge Newsletter
- Safety and Insurance
- Grand Lodge Directory
- Convention

Local Lodges

Charitable Giving

Leadership Dashboard

Home / Members / Safety And Insurance

Lodge Safety & Insurance Center

Insurance Claim Forms:

ELKS LODGE FACILITY RENTAL INSURANCE

In order to comply with the procedures outlined on pages 10-11 of the Liability Insurance Program booklet, those who use/rent Lodge facilities should name the Lodge as additional insured on their liability policies. If this cannot be done, a policy that provides General and Liquor Liability coverage and includes the Lodge AND the user/renter as named insured can be obtained from the link below:

Facility Rental Insurance

- Accident/Injury Report Form
- Property Claim (Fire, Wind, etc.) Report Form
- Emergency Response & Repairs

Manuals & Forms:

Title	Code	Posted
Accident/Claim Prevention Manual	513100	08/03/2018
Liability Insurance Program Book	513000	04/01/2021
Property Plus Program Guide	PPPG	01/24/2022
Responsible Beverage Service	RBS1	12/05/2014
Self Inspection Form		06/03/2015

Accident Prevention Quarterly Newsletters(pdf format):

- Spring 2023
- Winter 2022/23
- Fall 2022
- Summer 2022

Elks.org Home Elks National Foundation Members Only
Who Are Elks Elks Magazine Lodge Secretaries

Benevolent and Protective Order of Elks
National Memorial and Headquarters
2750 North Lakeview Avenue
Chicago, IL 60614-1889

Parades

The city, state or county will want to be named as additional insured under the Elks Master Liability Program, however such certificates will not be issued. The Master Liability Program will not provide *additional* insured certificates to parades organizers, towns and cities. The Lodge must purchase special parade insurance from either a local insurance agent or Gallagher Insurance (800) 421-3557.

SAFETY AT THE LAKE AND ON THE GOLF COURSE

- Create a written list of all participants at Lodge fishing events
- Confirm that the starter knows the identity of your foursome
- Abide by all rules at the lake and marina
- Follow the direction of the Marshal/Ranger on the course
- Limit alcohol consumption, drink responsibly
- Pass on to your children what your parents taught you
- Teach your children to respect the sport
- Appreciate the leisure time with your family and friends

Workers' Compensation insurance for Lodges

Local Lodges may obtain Workers' Compensation Insurance through **Gallagher Insurance** that provides individually written policies and offers the following:

- Lodges should get comparison quotes to determine if the current policy is competitively priced
- The potential to offer Lodges a lower rate when compared to rates typically used
- Coverage for volunteers, ***only if your State Insurance Regulatory Agency allows insurance companies to provide workers' compensation insurance for those who volunteer at a Lodge***
- Contact Gallagher Insurance at (800) 421-3557 to obtain a quote

INDEMNIFICATION/RELEASE FORMS

Pages 10-11 of the *Liability Insurance Program* booklet, indicate the need for individuals or entities using the Lodge facilities to provide evidence of insurance that names the Lodge as additional insured ***and*** a signed indemnity form.

Those individuals or entities in need of a special event policy can contact Gallagher Insurance at (800) 421-3557 for more information on how to obtain such coverage.

Many Lodges also conduct events such as car shows and sporting events at the Lodge. Some Lodges also offer facilities that accommodate RVs and trailers. Pages 13 and 14 of the *Liability Insurance Program* booklet indicate the need for those participating in such events or using the Lodge facilities, to sign release forms that should include parental consent when necessary.

SERVICE OF ALCOHOL AWAY FROM THE LODGE

In the aftermath of the $28,000,000 jury verdict, it is important for each Lodge to constantly review its procedures related to the service of alcohol. Non Profits should keep the following in mind:

- All Lodges are Non Profit organizations;
- For Profit Businesses may approach Non Profits with "deals to raise money" for the Non Profit;
- The Non Profit is offered a share of the liquor sales in exchange for providing liquor liability insurance;
- The For Profit Business must make money in order to meet its business goals;
- For Profit Businesses may ask the Non Profit to be responsible for liquor liability insurance;
- The Elks Insurance Program does not provide liquor liability insurance for these types of events;
- State and local laws may prohibit events away from the Lodge or require an event liquor license; and
- The Lodge must follow State and local laws and regulations to avoid losing the Lodge's liquor license.

SUMMER PATIOS & DECKS

Now is the time to make sure that Lodges' outdoor areas are in good condition, safe, clean and ready for use by Members and Guests. Consider the following at this time of year:

- Inspect and clean the surfaces of all decks and patios;
- If smoking is permitted, make sure there are receptacles;
- A deck should be inspected to make sure that it is safe;
- Deck repairs should be completed by a licensed and insured contractor;
- Inspect and clean all outdoor tables and chairs;
- Make sure there is adequate lighting for after dark events;
- Inspect all umbrellas/stands to ensure that the umbrella is anchored;
- Have a plan to secure outdoor furniture during summer storms;
- Discard any worn or damaged outdoor furniture and;
- Determine whether a permit is necessary before undertaking repairs.

Pool Safety

Lodges should consider the following for this season:

1. Make sure that all state/local rules, requirements and procedures are followed;
2. Comply with laws requiring trained and certified lifeguards;
3. Control access to the pools, so that they can be properly secured when not in use;
4. Pools should have signs indicating that pool patrons swim at their own risk;
5. Remove diving boards and other such equipment, including slides;
6. Pools should have signs indicating that all minor children should be accompanied by parents or guardians;
7. Pools must be inspected on a frequent basis and any necessary repairs must be addressed immediately;
8. Prohibit dangerous activities, such as horseplay and running;
9. Absolutely no diving from a pool deck into depths less than 9 feet, according to the American Red Cross;
10. Self service coolers should not be allowed;
11. Glass should not be permitted in the pool area; and
12. Alcoholic beverages should not be served poolside.

Employee/Member Theft

Crime losses have been reported that involved Lodge employees, officers and Members. These claims could have been avoided, or mitigated, if Lodge management had used the following good business practices and common sense:

- Do not tempt an Officer, Member or Employee;
- Create checks and balances by not allowing only one person to have control over all aspects of the process;
- Internal audits should be conducted without prior notice;
- External audits should review all operations concerning the handling of money and invoices;
- It is strongly recommended that a two-signature procedure be established;
- No one should be allowed to obtain credit for the Lodge without approval of the Lodge;
- The Lodge should consider hiring an accountant to review all financial documents on a regular basis;
- The Property Plus Program provides $50,000 coverage for Employee Dishonesty and Forgery and;
- Anyone handling the "books" should welcome inquires since it will show they are doing a good job!

LODGE RENTAL AGREEMENTS

The following should be included in all rental agreements:

- Conform to the Order's Statutes regarding closed door requirements;
- Follow pages 10-11 of the 2023-2024 Master Liability Insurance Program booklet;
- Require a certificate of insurance naming the Lodge as additional insured;
- State all rental fees and a clearly defined cancellation policy;
- Service of alcohol will be controlled by the Lodge, no outside alcohol is allowed;
- The self-service of alcohol, including the use of pitchers and self-service kegs is not allowed;
- The Lodge will follow all legal requirements regarding the service of alcoholic beverages;
- The Lodge will reserve the right to refuse service to anyone at the discretion of the servers;
- The Lodge must not sign an agreement assuming responsibility for hired security personnel; and
- The Lodge has the right to stop inappropriate behavior and shut the event down entirely.

If a renter cannot provide an additional insured certificate insurance naming the Lodge as an additional insured, contact Gallagher's Facility Rental Program at (800) 421-3557 (or the Elks' website) to obtain General Liability and Liquor Liability coverage for the Lodge and the renter.

ROOF MAINTENANCE

- Claims for water leakage frequently arise from a Lodge failing to properly maintain a roof.
- Regardless of the roof design or roofing materials involved, all roofs experience wear and tear.
- The lifespan of a roof can be extended by proper maintenance.
- The Property Plus Program only pays for unexpected losses, not wear and tear.
- The Property Plus Program will not pay to replace a roof at the end of its lifespan or replace a roof due to a lack of maintenance.

REMOVAL OF HAZARDOUS MATERIAL

Hazardous materials such as asbestos and lead, may be in siding, roofing materials, insulation and pipes. All work with hazardous materials can only be performed by properly certified/licensed/bonded/insured contractors. It is important that all local, state and Federal regulations, laws and/or procedures are followed.

The mishandling of hazardous materials can result in fines assessed against the Lodge, Officers and Members. The Elks Insurance Program does not pay fines or penalties assessed against Members, Officers and or the Lodge.