

# Course Syllabus

## Course Identification

Slip and Fall Liability Claims: 'Tis the Season

Alberta Accreditation Committee Course ID # 56110

Continuing Education Credit Hours: 3.75 Hours

Classes of Certificate: General Insurance and Insurance Adjuster

## Course Description

A slip (or trip) and fall often results in serious injury leaving the injured victims to face months and sometimes years of treatment before they return to a productive role in society. Such claims create multiple opportunities for fraud as claimants can often fabricate, or contribute to, the very circumstances they allege caused their injuries.

Topics discussed support participants understanding of the unique nature of slip and fall liability claims and the laws that influence the determination of legal responsibility. Participants explore the processes involved in investigating, negotiating and settling slip and fall liability claims. Participants discuss common injuries and treatment, discover the challenges faced in settling such claims and apply strategies for successful investigation.

## Course Schedule

Lesson 1	The Occupier Defined, Legal Responsibilities	30 minutes
Lesson 2	Claim Defence Considerations	60 minutes
Lesson 3	Residential Risk Liability Exposures and Claims	30 minutes
<i>BREAK</i>		<i>15 minutes!</i>
Lesson 4	Commercial Risk Liability Exposures and Claims	30 minutes
Lesson 5	Municipal Risk Liability Exposures and Claims	30 minutes
Lesson 6	Injuries, Treatment, Fraud Awareness	30 minutes
Learning Exercise: Claim Scenario		15 minutes

# Course Syllabus

## Course Outline

### **Lesson 1: The Occupier Defined, Legal Responsibilities**

#### *Learning Outcomes*

- *Define the occupier's standard (duty) of care established through common and statute laws.*
- *Describe, and provide examples of, the common law categories of visitors to premises.*
- *Explain the differences in the standard of care among commercial and residential risks.*

#### Topics Covered

1. Standard (Duty) of Care
2. Categories of Visitors to Premises
3. Commercial v. Residential

### **Lesson 2: Claim Defence Considerations**

#### *Learning Outcomes*

- *Identify the challenges of litigating slip and fall liability claims with respect to common legal issues.*
- *Explain defences commonly available to defendants.*
- *Describe how indemnity and contribution influence defence strategies.*
- *Describe how nuisance and contributory negligence affect defence.*
- *Explain the importance of evidence and documentation in successful defence.*

#### Topics Covered

1. Challenges of Litigation
2. Legal Issues
3. Common Defences
4. Indemnity and Contribution
5. Nuisance
6. Contributory Negligence
7. Evidence and Documentation

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## Course Outline: Continued

### **Lesson 3: Residential Risk Liability Exposures and Claims**

#### *Learning Outcomes*

- *Define and give examples of residential premises liability risk exposures.*
- *Explain the responsibility of the residential occupier for public access areas arising under municipal standards.*

#### Topics Covered

1. Residential Premises
2. Public Access Areas

### **Lesson 4: Commercial Risk Liability Exposures and Claims**

#### *Learning Outcomes*

- *Define and give examples of commercial premises liability risk exposures.*
- *Explain the responsibility of principals for independent contractors hired to maintain commercial premises.*
- *Identify the challenges created by overlapping liability coverages.*

#### Topics Covered

1. Commercial Premises
2. Principal and Independent Contractors
3. Overlapping Liability Coverages

### **Lesson 5: Municipal Liability Risk Exposures and Claims**

#### *Learning Outcomes*

- *Define and give examples of common premises liability exposures for municipalities.*
- *Explain general categories of municipal statutes that affect legal liability.*
- *Outline common factors that influence claim defence.*

#### Topics Covered

1. Municipal Premises
2. Municipal Liability
3. Claim Defence Factors

# Course Syllabus

## Course Outline: Continued

### **Lesson 6: Injuries, Treatment, Fraud Awareness**

#### *Learning Outcomes*

- *Describe injuries common to slip or trip and fall occurrences and identify common treatment protocols.*
- *Identify fraud indicators common to slip or trip and fall injury claims.*

#### Topics Covered

1. Injuries and Treatment
2. Fraud Indicators

### **Learning Exercise: Claim Scenario**

#### *Learning Outcome*

- *Create a checklist to use as a resource for investigating a slip or trip and fall liability claim.*

#### Learner Instructions

- 1) *List FIVE documents you would request, FIVE (5) questions you would ask, and FIVE (5) information resources you could consult in your investigation.*
- 2) *Share results with your team members.*