

DOS & DON'TS: [û] Clear Snow and Ice from Company Property



In the winter, it's important that you clear the snow and ice from company walkways, sidewalks, parking lots, etc. or treat it with sand or de-icer. Snow and ice pose a slip-and-fall hazard to your workers. So like any other safety hazard, under the OHS laws, you must take reasonable steps to protect workers from them.

But workers aren't the only ones endangered by snowy or icy surfaces'and the OHS laws aren't the only laws with which you have to comply. Visitors to your property could also slip and fall on icy walkways. And under so-called 'occupiers' liability' laws, you could be liable for their injuries, especially if you were aware of the danger.

Look at what happened in a case from Saskatchewan. A man was walking down a public sidewalk on his way to a credit union. When he was within a few feet of the credit union's building, he slipped on a large patch of ice and broke his leg. He sued the credit union for his injuries under the province's occupiers' liability law.

The court ruled that the credit union was liable for the man's broken leg. It explained that, as an occupier of property, the credit union had a duty to use reasonable care to protect visitors from unusual dangers on the property. A downspout at the back of the credit union's building drained water across the sidewalk, which then froze to create ice. And there was

evidence that the credit union knew what was happening and that people had slipped on the ice. Thus, the credit union created a 'substantial hazard' on the sidewalk and so was liable for the man's injuries, ruled the court, ordering the credit union to pay him over \$17,000 in damages [*Olausen v. Gravelbourg Credit Union Ltd.*, [1996] S.J. No. 845, Dec. 20, 1996].

Insider Says: For more information on protecting visitors to your workplace, see '[How to Create a Visitor Safety Policy](#),' April 2005, p. 1. And here are some [tips](#) to protect your workers from having a heart attack while shoveling snow. Also, at [SafetySmart.com](#), you can get a [safety talk](#) on avoiding slips and falls in the winter. Not a subscriber to Safety Smart? Sign up for a [free trial](#).