

Potential Tort Liability Claim Checklist

If an accident or situation should occur at an Extension education activity that could result in a tort liability issue, report the incident to Judy Bacher, OSU Risk Management Office. Do not at any time admit responsibility for the incident. The State Risk Management Division will assign responsibility, if appropriate.

Following is a checklist of procedures to follow:

_____ Contact Judy Bacher (541-737-4712) and Jim Rutledge, State 4-H Program Leader (541-737-1737) within 48 hours of the incident.

OR

_____ You may send Judy and Jim a brief e-mail only to say you will be sending in a written report. Do not send any details on e-mail as it is not confidential. An e-mail might give the date and the general type of situation such as "accident at the fair." Then Judy and Jim will expect the written report or can contact you if they need more information.

_____ Prepare a written report **to be forwarded to Judy Bacher and Jim Rutledge within 10 days of the incident.** (This information may be submitted on the accident/incident report included here, or as a letter or report with all details.) The report should explain the circumstances of the incident, including:

- Time and place of the accident or event;
- Explanation of the circumstances giving rise to the potential claim;
- Name, address, and telephone number of each person involved or who witnessed the event;
- Statement of the circumstances from each person involved and/or witnesses.
- The name, title, address, and telephone number of the Extension representative (paid or volunteer) who was in charge of the program or event.

_____ Maintain a file documenting all conversations with potential claimants or other interested parties. Notes should include date, time, person's name, plus the context and content of the contact.

_____ If it becomes apparent that a claim is to be filed, encourage the claimants to file the claim through the Extension Agent or Specialist to the OSU Risk Management Office. However, the claimant may also file directly with the Director of Extension, OSU; the President of OSU; the Chancellor of the Board of Higher Education, Eugene; or the Director of the Department of General Services, Salem. (Claims must be filed within 90 days of the incident.)

Plan Ahead to Reduce Risk

To minimize the risk of a tort liability claim related to Extension activities, staff should make certain preparatory arrangements such as:

- Obtaining adequate adult supervision for all 4-H Youth Development activities.
- Providing adequate training and program preparation for volunteers and participants.
- Preparing detailed steps to take in case of an accident and training all volunteers on the process.
- Taking reasonable precautions to avoid, eliminate, or reduce hazards.
- Avoiding or minimizing the exposure of people to any high-risk aspects of a program.
- Arranging for a person with medical training, designated to act in medical situations, to be present when large numbers of youth, and/or adults are involved in an activity (fair, camp, etc.)