MITIGATING LEGAL RISK

NOLS WRMC 2017

“Top 10” – Current Trouble Spots in the Recreation Industry – Let’s Get Some “Perspective”
1. Your Perspective

YOUR PRINCIPLES

- Can you define your principles? These are what will guide you....
Time is like a river that carries us forward into encounters with reality that require us to make decisions. We can’t stop our movement down this river and we can’t avoid those encounters. We can only approach them in the best possible way.
1. Information Management

- Administering, using, saving and accessing documents and information
2. Insurance

- Incredible relationship between you/your business and the insurer
3. Third Party Vendors

- Relationships to/with 3rd part vendors, control & allocating fault out front.
3. Employee Issues

OSHA

Relationship to employees – their files, training, qualifications and documentation.
4. **Client/Participant**

Relationship with client/participant. ‘Sharing’ fault or responsibility.
5. ERP

- Do you know what this is? Can you document that employees have the training and qualifications?
6. Risks

Your relationship with risks – inherent and simply negligent risks.
7. Marketing

- Relationship of your marketing to.... reality.
8. Release/Waiver

- Relationship of your product to your actual Release/Waiver.
9. **Overall industry.**

Relationship of your entity to larger industry. Inconsistencies and standards.
10. Return to Perspective

- Litigation more frequent and more hostile. It is tactical...
- Can’t (shouldn’t) act in ignorance of the whole.
Action Items

1. Use the above list to do roundtables with your staff and oversight (IE – managers and BOD’s) to look at where your organization needs work and focus. Make a calendar over next 6-18 months to accomplish your changes.

2. Use the above list to specifically examine your organization’s existing policies and procedures and see if they reflect the philosophy and capabilities of your organization.

3. Use the above list to accomplish internal trainings for your staff and periodically review trainings, philosophy, record keeping and organization goals.