

Why you need an elevator safety plan

Broken elevators are more than just a nuisance. They are a catastrophic injury waiting to happen...

Elevator accidents are often fatal or permanently disabling, so lawsuits with massive awards can be expected. Defendants named in those complaints can include the apartment building owner, the condominium board, the property manager, the elevator maintenance company, and even the builder or installer.

Commercial liability claims for such injuries can be financially burdensome, but the bad reputation an incident can generate can mar an otherwise positive reputation for a long time. Think of these words: "Oh, that's the place that man fell into the elevator shaft." Even if the injured person recovers, the event can be a long-term marketing nightmare!

It's not only chronically troublesome elevators that cause such events, though units with multiple malfunctions may be seen as a particularly lawsuit-worthy problem if someone gets injured by one.

The key is regular, high-quality maintenance and immediate responsiveness to breakdowns and smaller problems. Going beyond the minimum maintenance protocol required by your local regulator is a solid step in the right direction. That could include a daily test by an employee along with a record of those tests.

Elevator problems include malfunctioning doors that either close on people or don't close all the way; car problems, such as stopping before or after the floor (which coupled with doors that open can be deadly), and cars that cease operating in the shaft. Cables, motors, air vents, and intercoms can all deteriorate or fail. So be on the lookout for all of these as you implement your safety testing protocol.

Here are some examples of elevator injuries:

- Doors that close on people knocking them down
- Doors that catch clothing and lead to serious limb injuries
- Call boxes and buttons that don't work in emergencies and allow people to be stranded in frightening situations
- Doors opening to cavernous elevator shafts leading to catastrophic falls
- Cables that fail leading to impact injuries

With dozens more potential problems, from electrical to mechanical to simple slip and fall issues, apartment owners, property managers and condo boards need to adopt a comprehensive elevator risk management program to complement their multiunit residential insurance coverage.

In addition to the elevator maintenance plan and the emergency management plan, there needs to be documentation to capture the steps that you took in providing this high level plan so you can prove what you did in the case of a claim. How about warning signs and barriers? Do you have something to deploy the minute the issue arises?

Have you discussed elevator safety at a recent staff or management meeting? If not, it might be time to put it on the agenda. If you've implemented an elevator safety plan, please share it!

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