Why slips, trips and falls are a growing problem for Canadian business

Since the early 1990s, both the number of insurance claims and the amounts paid to those injured in slip and fall incidents on business premises across Canada have increased dramatically. If your customers or other visiting parties hurt themselves on your premises, they can sue you.

Our legal environment is following U.S. trends to an ever-increasing degree. Members of the public in Canada are now much more likely to sue when they trip, slip or fall – and injure themselves on your premises. And Canadian courts are proving more willing to make findings of negligence against businesses and award more compensation to injured parties.

The increase in the number of slip-and-fall claims, combined with the increase in the amounts insurance companies pay to cover these claims, are resulting in increased insurance premiums for all of us – even for those businesses which have never had a claim. (One of the basic principles of insurance is that premiums collected from many pay the losses of a few. If "the few" increase in number, so must the insurance premiums of all). Uncontrolled, the slip-and-fall claims spiral will result in insurance being more expensive for every Canadian business and more difficult for many organizations to obtain.

Some statistics for you to consider:

The Canadian Institute for Health Information in their January 2006 report summaries hospitalizations due to falls. Their report states:

Unintentional Falls
In 2002-2003 and 2003-2004, more than one-half (57%)of all injury hospitalizations were due to unintentional falls. These injuries accounted for 1,369,131 days in hospital in 2002-2003 and 1,329,968 days in hospital in 2003 -2004. This represented 70% and 68% of all patient days in hospital due to injury, in 2002- 2003 and 2003-2004, respectively. There were 5,304 and 5,327 in-hospital deaths among cases hospitalized due to an unintentional fall in 2002.2003 and 2003.2004, respectively, representing over three-quarters of all injury in-hospital deaths. Fall-related injury cases stayed in hospital for an average of 12.4 and 11.9 days, however cases that died due to unintentional falls stayed 21.7 and 20.0 days in hospital.

The most common specified cause of unintentional falls among all cases was slipping, tripping and stumbling representing 30% of all causes of unintentional falls in both 2002-2003 and 2003-2004. This was the most common type of fall for all age groups, with the exception of children and youth. Among cases under 20 years of age, the most common type of fall was a fall from one level to another representing 37% and 38% of all unintentional falls in this age group for 2002 -2003 and 2003 -2004, respectively.

Canadian Centre for Occupational Health and Safety (CCOHS) reports:
In Canada some sixty thousand workers get injured annually due to fall accidents. This number represents about fifteen percent of the "time-loss injuries" that were accepted by workers' compensation boards or commissions across Canada. While not representing significant economic loss, they account for a lot of pain and suffering and sometimes (much too often) even death. All these, in most of cases, do not have to happen. What is needed is:

- Better understanding of how fall accidents happen,
- Better identification of the trouble areas, and
- The elimination or minimization of the hazards of falling.

How do falls happen?

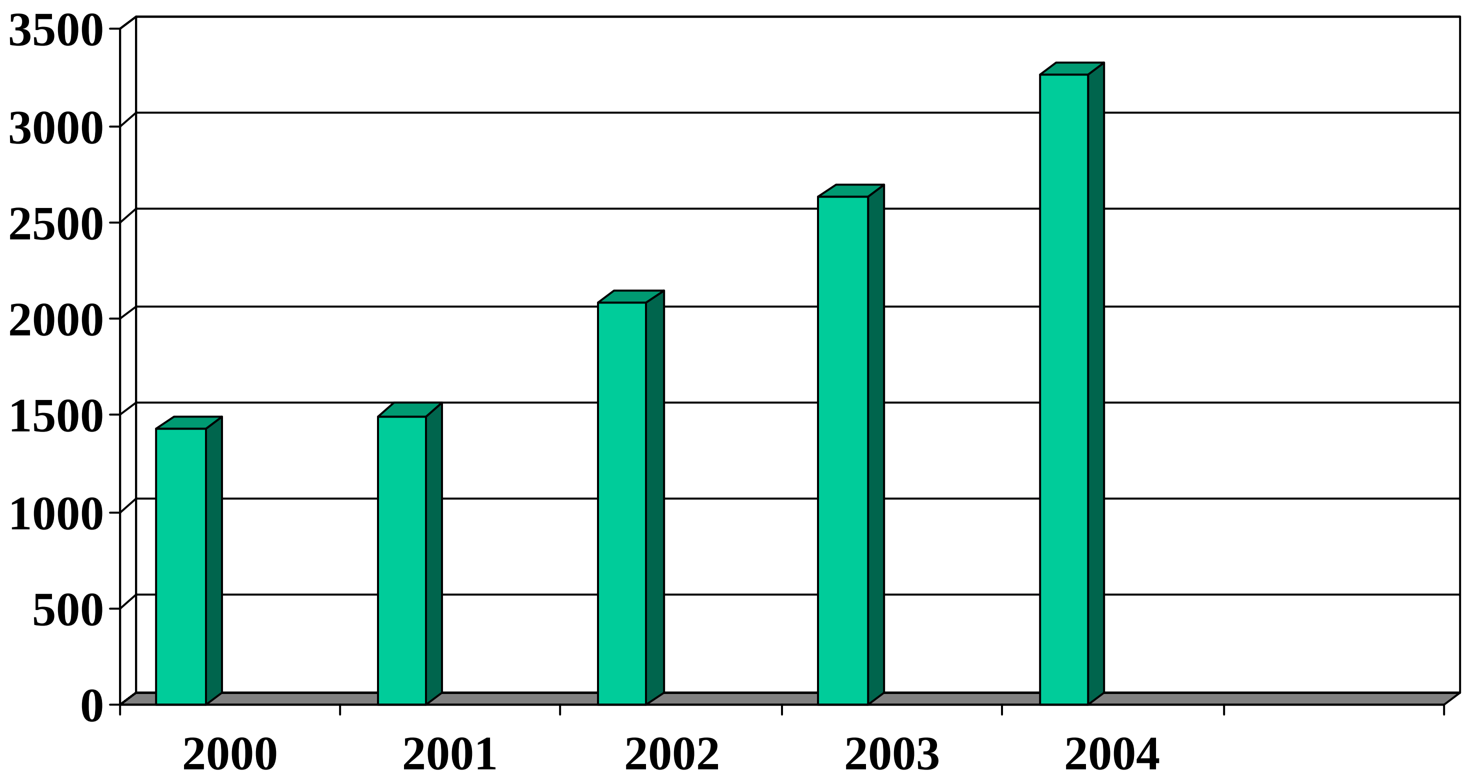
Statistics show that the majority (60 percent) of falls happen on the same level resulting from slips and trips. The remaining 40 percent are falls from a height. Here are some disturbing statistics regarding "falls on the same level" (slips and trips). The stats regarding trips from one level to another are just as disturbing.

- Over 540,000 slip/fall injuries requiring hospital care occur in North America each year.
- Slip/falls account for over 300,000 disabling injuries and 20,000 deaths per year. It is the second leading cause of accidental death and disability after automobile accidents.
- Slip/falls kill more workers than ALL other forms of work-related accidents combined.
- Slip/falls are the leading cause of death in the workplace and the source of more than 57% of all disabling injuries. Slip-fall accidents account for 30% of ALL reported injuries.

- Slip/falls cause an estimated 104 million lost workdays / year - 65% of all lost man-hours.
- Worker's Compensation claims over $1.8 Billion per year - 40% of all accident claims.
- Slip/falls are the No. 1 cause of accidents in hotels, restaurants and public buildings - 70% occur on flat and level surfaces.
- WCB and public liability insurance rates increase on average 30% per year.

From an Insurance perspective, the amount of losses continues to grow as well. Below are the liability losses in Canada from 2000 to 2004. These statistics include all types of liability losses but slip and fall losses make up a significant percentage of the overall liability losess and the trend would therefore be consistent for this type of liability loss.

LIABILITY LOSS AMOUNT PAID IN CANADA FOR YEARS 2000-2004



Source: IBC, based on data from Statistics Canada, OSFI, A.M. Best Canada's *Statement File*, MSA Researcher and *Canadian Insurance*.

The trend towards bigger injury awards is continuing as well.

The chart below outlines the ranges of injury awards from court actions for types of injuries listed for the last three decades.

Injury	**1980's $**	**1990's $**	**2000's $**
Severe Head	100 - 200,000	150 - 285,000	150 - 300,000
Psychological	30 - 60,000	60 - 125,000	75 - 200.000
Neck -non surgical	5 - 45,000	40 - 75,000	50 - 190.,000
Back-non surgical	5 - 60,000	40 - 75,000	85 - 150,000
Shoulder	10 - 40,000	40 - 80,000	75 - 125,000
Arm/elbow	7.5 - 25,000	20 - 45,000	30 - 75,000
Wrist	35 - 60,000	25 - 50,000	40 - 55,000
Hip	10 - 60,000	40 - 90,000	55 - 165,000
Leg	25 - 60,000	25 - 75,000	35 - 175,000
Knee	5 -35,000	50 - 90,000	65 - 110.,000
Ankle	5 – 35,000	25 - 75,000	35 - 100,000
Fatality – Adult	25 - 50,000	50 - 75,000	50 - 135,000

Source: Superior Court of Justice, Compendium of Damage Awards for Personal Injury Actions Across Ontario – 1999- 2005