

# Kill'em With Kindness

by CHARLES F. GFELLER

## Well-trained, friendly employees are the foot soldiers of risk management.

One of the most common threads to lawsuits against skating rinks, and recreational facilities generally, is the customer who feels that he or she has been mistreated following an incident. Accidents happen. Injuries happen. Certainly, many plaintiffs (those who bring lawsuits) do not necessarily recognize these realities, but sometimes even they do. For those plaintiffs who start out understanding that injuries can happen, oftentimes the reason they ultimately decide to bring a lawsuit is because they feel that after the incident, the rink personnel failed to handle the situation properly. This is where proper training and supervision plays a vital role in risk management. Rink employees who interact with customers are the front line soldiers of risk management.

Skateguards, front desk attendants, managers-on-duty, and any other employees who may come into direct contact with customers must know how to handle people who have just suffered an unexpected injury. These customers are obviously not happy; they are often embarrassed, and they have a tendency to become irritated. Employees who are properly trained can help to diffuse the situation, and in doing so, they may also help to avoid a potential lawsuit.

The typical complaint is that after an injury, the staff does not react quickly enough or exhibit enough personal concern for the situation. Rink employees do not need to be paramedics or render first aid; they simply need to demonstrate a baseline level of attentiveness and concern. If a customer says she is injured, do not argue the point; instead, ask

whether the customer needs ice and/or an ambulance. All too often, plaintiffs later say that the rink personnel were rude and did not care; it is even common to hear plaintiffs say that the employees did not believe they were injured. Properly trained employees should not engage in a debate over whether an injury has occurred; they need to focus on helping the person and properly documenting the incident.

Another source of discontent for plaintiffs comes after skater-skater collisions. If two skaters collide, and one is injured, the injured party (or his family) will typically want to be provided with the name and contact number of the other skater. The injured party will usually ask the rink to get involved in securing this information and providing it to him or her. Rink employees need to be prepared for this situation. If the rink makes the decision that it is not in the business of playing traffic cop, then its employees need to have a friendly, concise explanation for why they cannot provide the personal information of the other skater. If the

message is delivered the proper way, then hopefully the injured party will understand and move on, or at least save the issue for a subsequent discussion with the manager, rather than become even more upset by the rink's lack of "care" under the circumstances.

After someone is injured, the rink needs to show that it cares. After all — it does. Be courteous; show concern. Follow up with a call to the injured person the next day just to check in. Follow the Golden Rule — employees should treat injured customers the way that they, themselves, would want to be treated. Be prepared to handle upset customers. Be prepared to diffuse a potentially argumentative scene. The front line risk management soldiers are the rink personnel who deal with customers. Make certain that they are ready for common situations, and they will do a better job protecting the facility. ★

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