

Panel: Mat Safety and Legal Repercussions

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MODERATOR: BILL DOUGHERTY, VICE PRESIDENT, POSITEK RFID L.P.



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Douglas Waldman

PRESIDENT, SUPERIOR LINEN SERVICE



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Slip, Trip or Fall?

Slip

- Cause: Wet, Slippery Surface
- Direction of Fall: Typically to back or side
- Injury to Back of Body



Trip

- Cause: Uneven surface or object in path
- Direction of Fall: Typically forward
- Injury to Front of Body



Fall

- What happens after Slip or Trip



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Does it Matter?

Mats protect against Slips and Trips but a Fall hurts either way

The Difference can matter in a Lawsuit

- Is Testimony Consistent
- Is your documentation consistent

Typically Mat lawsuits follow the formula:

- Slips happen when there is not a mat
- Trips happen when there is a mat

But anything is possible, and no accident has to follow a traditional pattern

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Disclaimer

I am not an attorney

- *But I pay them a lot of money*

We all have them in our contracts

But does any one read them?

If the customer does not read it, is it enforceable?



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The Bold and the Beautiful

Uniform Commercial Code

- Most states follow it
- But most states have their own rules as well

Requires Waiver of Liability to be **CONSPICUOUS**

- _____ **Initial Here**

Conspicuous

- clearly stands out from the rest of the contract and draws the eye of the reader
- Bold, Different Color, Large Type, All Caps, etc.

Unfortunately

- Always open to interpretation and legal challenge



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Do you have exposure if?

Someone in your customer's location trips on your mat?

- Possibly
- Examples

Someone in your customers location slips where there is no mat?

- Possibly
- Examples

Don't Oversell

- Marketing Brochures should not contradict your contract waivers
- Examples



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Keep it Whole

Small changes to the mat can cause big trouble

Let the Experts modify the mats

- Changing size
- Adding RFID chips
- Repairing tears

If you do it, follow the instructions



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Keep it Clean

Mats and 3rd Party Certifications

- What formula do you use on mats?



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The News is Good

For most of us the news is good.

Depending on where you live

- While mat trip and fall lawsuits do occur against laundries, they are rarely lost

But one is enough

- They are a pain and take time
- You cannot be 100% insulated from risk if you sell anything.
- So do what you can to limit your exposure



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**ELIMINATE
CREEPY, SHIFTY & TRIPPY
RENTAL MATS**

**WATCH YOUR STEP!
RENTAL MATS CREEP, SHIFT AND BUNCH UP.**

**SPECIAL OFFER!
GRIPPY STARTER PACK
ONLY \$86**
(REGULAR PRICE \$129.00)
\$50 PROMO CODE:
STARTGRIP

READY TO TAKE CONTROL
OF YOUR FLOOR

GET STARTED WITH PIG GRIPPY MAT!

PIG Grippy Starter Pack includes a 36" x 25" PIG Grippy Floor Mat Roll, Safety Cutting Knife and Installation Tool. Offer expires in 2 weeks. Limit one per customer.

Turn the page to learn more about PIG Grippy Floor Mat.

Phone: 1-800-HOT-ROGS® (468-4647) • Fax: 1-800-621-PIGS (621-7447) • Web: newpig.com

JOIN THE GRIPPY REVOLUTION TO ELIMINATE SLIPS, TRIPS AND FALLS!

**TAKE CONTROL OF YOUR FLOOR
SAFETY WITH PIG GRIPPY MAT**

RENTAL MATS CREEP, SHIFT AND TRIP YOU UP.

Rental mats are supposed to keep your floor clean and safe, but they're just expensive, labor-intensive trip hazards that:

- Creep and shift out of position
- Bunch up and don't stay flat
- Jam under doors and hang up carts
- Don't stop water and dirt from tracking in

Rental mats bunch up, creep and shift.

PIG GRIPPY MAT STOPS SLIPS, TRIPS AND FALLS.

Eliminate creepy rental mats! Adhesive-backed PIG Grippy Floor Mat sticks and stays put to keep your floor clean and safe:

- Won't creep or shift out of position
- Stays flat and won't bunch up
- Doesn't hang up doors, carts or pallet jacks
- Absorbs water and traps dirt at the floor

Special adhesive back sticks and stays put.

EASY TO USE, EASY TO CLEAN AND SAVES UP TO 50%.

PIG Grippy Floor Mat is a snap to install:

- Cut to size for walk-off entry runners
- Create custom-sized floor mats anywhere

Cleaning the floor is a breeze:

- You never have to pick up Grippy Mat
- Sweep, vacuum or use your floor scrubber
- You can even wet mop excess water

So durable, you can leave it down for up to 12 weeks.

- Saves up to 50% a year over rentals
- Peels up easily when it's time for new mats

PIG Grippy Floor Mat is easy to keep clean — you can even run your floor scrubber over it.

"I got a sample of the PIG Grippy Floor Mat, and was quite impressed... Just vacuum regularly and target hosing a scrubber replace them... **REALLY** cut the expense for me, not to mention the reduced trip hazard!" — Ed, mepco.com

GET STARTED WITH PIG GRIPPY FLOOR MAT AT NEWPIG.COM/STARTERPACK

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Scott Voss

FIELD ENGINEERING MANAGER, ARAMARK

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Vince Del Rossi

OWNER, PRESIDENT, HEALTH MATS COMPANY



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Liability...it happens.

OUR LEGAL POSITION

Health Mats is not onsite to monitor the mat 24/7

The mat is in the care of the customer

The customer is responsible for contacting us should they have a concern.

20. At all times relevant hereto, the DEFENDANTS, individually and/or collectively owned, operated, managed, maintained, possessed and/or controlled an enclosed vestibule located between the entrance of the STORE and the parking lot of the PROPERTY (hereinafter, the "Vestibule").

21. [REDACTED] was a customer and/or business invitee upon the PROPERTY and, while attempting to walk from the entrance of the STORE, through the VESTIBULE and out to the parking lot of the PROPERTY, was caused to sustain various injuries as a result of tripping due to the dangerous and defective condition that the DEFENDANTS created and/or permitted to exist within the VESTIBULE, more specifically [REDACTED] located adjacent to the exterior doors of the VESTIBULE.

22. Immediately after tripping on the aforementioned rug and/or mat, Plaintiff, [REDACTED] fell forward and struck her face on the frame and glass of the doors of the VESTIBULE and then landed on her hands and knees.

23. As a direct result of the aforementioned incident, Plaintiff, [REDACTED] sustained severe and permanent internal and external injuries in and about her body and limbs, more specifically: C5-6 disc herniation with cord abutment confirmed by MRI requiring multiple right C5-6 cervical interlaminar epidural steroid injections under fluoroscopic guidance [REDACTED]

[REDACTED] allograft instrumentation) and then trigger point injections all resulting in permanent residual injuries and scarring, C4-5 disc bulge confirmed by MRI, cervical radiculopathy with pain, numbness and tingling traveling to the right shoulder and arm, cervical trapezius sprain and strain, facial bruising / contusions, jaw pain with contusion, bilateral hand bruising / contusions with sprain and strain, bilateral knee bruising / contusions with sprain and strain and a severe and permanent shock to her nervous system, all of which have caused her and will continue to cause her great pain and agony, and will continue to prevent her in the future from attending to her daily duties and occupations, all to her great financial damage and loss.



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How to prevent liability

Language - Verbal, Written, Digital
Terms and Conditions - need to be consistent on all materials

- Located on the agreement and also the invoice.
- Customer to sign on the invoice acknowledging receipt.
- Note: On the Invoice there is a statement advising the client to see terms and conditions on the backside.



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How we address liability

Health Mats Position

The customer is responsible for caring for the mats should they need to move them or store them.

Instructions for Care of Rental Mats are provided in our video and in a handout brochure.

Video:

Website - We are sharing the video on our website and referencing it in a blog post about mat safety.

YouTube - the video is supported on a company YouTube Channel.



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Product Perspective

PROVIDING THE RIGHT PRODUCT FOR THE RIGHT APPLICATION



| MOUNTVILLE MILLS | TYLER FOWLER | PRESIDENT - TEXTILE RENTAL DIVISION



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Mats **Prevent** Accidents Before They Happen!

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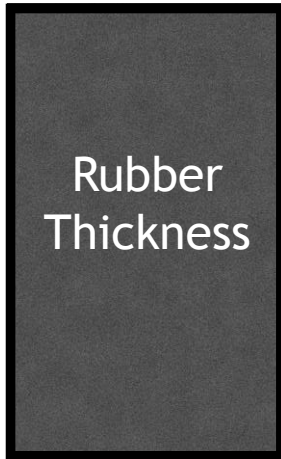
All Accounts Are Not Created Equally



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Product Options



Thicker Rubber = More Weight

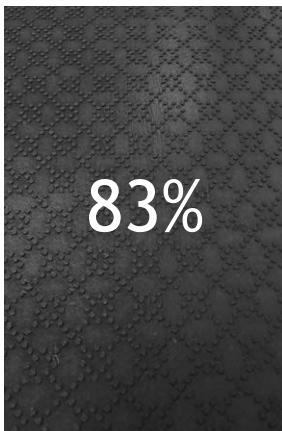
Weight Per Square Foot - Rubber Thickness		
52 Mil	65 Mil	90 Mil
.46 lbs./ft ²	0.53 lbs./ft ²	0.66 lbs./ft ²
3 x 10 Standard Carpeted Mat		
52 Mil	65 Mil	90 Mil
13.80 lbs.	16.00 lbs.	19.67 lbs.
Industry Average		
52 Mil	65 Mil	90 Mil
72%	17%	11%



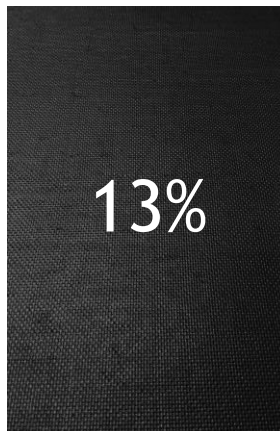
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Rubber Backing Types

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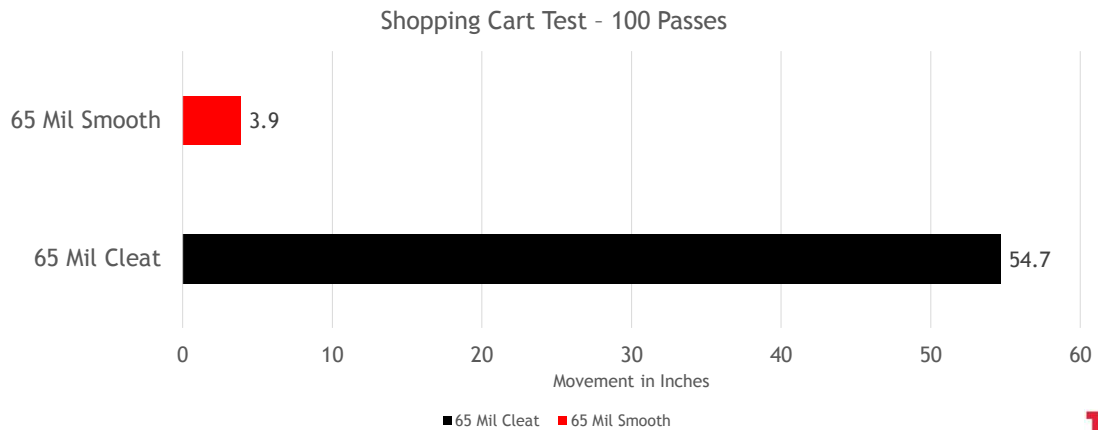


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Placement Stability Tests

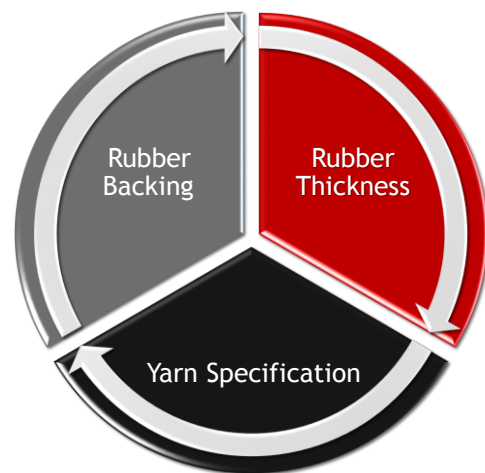


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Product Development

3 Basic Components



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Product Types



Plush™

- 90 Mil Rubber
- 50% More Carpet

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Product Types



TrackStar™

- 90 Mil Mat
- Waterdam Borders

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Product Types

Waterhog Plus™

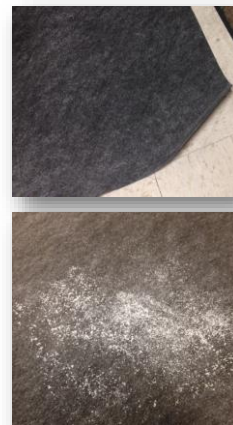
- 90 Mil Backing
- Waterdam Borders
- Rigid P.E.T. Fabric



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Your Competition



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QUESTIONS?

