



Identifying Liability Hazards in a Restaurant Environment

Restaurants owe a duty to provide a safe environment to their “business invitees” (customers, delivery persons and others on the premises for the benefit of the business). This means taking steps to eliminate or warn of dangerous conditions that may exist.

However, you cannot prevent liability losses and the insurance claims associated with them without first identifying the existing hazards. This requires

conducting a hazard identification and risk assessment survey. Once identified, hazards can be removed, mitigated or, in those cases where a fix is not possible, warnings can be put in place.

Self-Inspection

The following checklist, while not exhaustive, should help in identifying the most common hazards a restaurant will face.

Liability Hazard Checklist

Exterior Premises Inspection (If any hazards are checked YES, corrective action should be taken.)

Parking Lot	
Are there any potholes, ruts or depressions?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are any car stops damaged or in disrepair?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Does the parking lot lack proper lighting?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are vehicle parking lanes and handicapped spots clearly marked?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Does water pool in areas after it rains?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are areas of the parking lot prone to melting/refreezing conditions?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Sidewalks/Walkways/Building Aprons	
Are there any broken or uneven areas of concrete, pavement or wood planks?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Is the area slippery when wet?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do any areas lack proper lighting?	<input type="checkbox"/> No <input type="checkbox"/> Yes
If mats are placed at the entrance, are they uneven or in disrepair?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are there any low objects that may present a tripping hazard?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are any of the stair risers at different heights or in disrepair?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do the stairs lack a railing?	<input type="checkbox"/> No <input type="checkbox"/> Yes
If there is a railing, is it wobbly?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Is there any sort of excessive lip or rise at the entry door(s)?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Is the door hard to open or does it slam shut?	<input type="checkbox"/> No <input type="checkbox"/> Yes

Interior Inspection (If any hazards are checked YES, corrective action should be taken.)

Dining Area Flooring	
Is the flooring uneven in any areas?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are any areas of the floor prone to getting slippery when wet?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do any refrigeration coolers or drink dispensers cause the floor to get wet?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are mats that allow customers to wipe their feet prone to moving or bunching up?	<input type="checkbox"/> No <input type="checkbox"/> Yes

Dining Area Furniture	
Are any chairs, stools, tables or serving stands wobbly?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are any chairs, stools, tables or booths damaged revealing sharp edges?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are table legs positioned in such a way that they can be a tripping hazard?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are tables so close together that it causes patrons to bump chairs when they get up?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Kitchen	
Is the flooring uneven or slippery?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are garbage cans overflowing?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do dining utensils such as forks, spoons and knives display signs of poor washing?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Do kitchen utensils display signs of being poorly cleaned and stored?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are produce and other food items improperly refrigerated or stored?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are mandatory hand washing signs absent from the kitchen and bathroom?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are chemicals and sanitizers stored in a secure and dry location?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Gift Shop	
Is any product/merchandise placed low to the ground or does it stick out into an aisle?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Is any product/merchandise placed high, requiring customers to reach over their heads?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Are aisles overcrowded, making walking safely through the area a problem?	<input type="checkbox"/> No <input type="checkbox"/> Yes

Special Issues

Alcoholic Beverages

Restaurants that serve wine, beer and/or other alcoholic beverages have an additional liability hazard that must be addressed.

- All servers and bartenders should be trained how to ask for and confirm proof of legal age
- All employees should be trained to spot potentially inebriated customers. Consider Training Intervention Procedures (TIPS)
- Procedures for dealing with inebriated customers, including cutting them off from further alcoholic beverages, should be in place and known by all employees
- Written logs should be kept recording all such incidents

Cleaning Up Spills

Knowing what to do when drinks or food spill is the key to preventing customer slip and fall claims. Consider doing the following:

- Don't leave a spill on the floor to go get a mop or towels – stay there to keep customers away and ask another associate to get the cleanup items
- If necessary, put up “wet floor” warning signs
- Don't use a kitchen mop to clean the dining area floor – a kitchen mop can hold grease and leave the dining room floor slippery. Have a separate mop available for the dining area
- Don't reseal customers in areas that are still drying

Note: It's recommended that you have a regular program of inspections during the day so that you can address any issues that come up due to things such as spills or deliveries. In addition, an inspection log is recommended so you can document your safety activities. Finally, a comprehensive and well-documented training program for employees with regular refresher training is essential to fostering a safety-conscious environment.



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