



CATHOLIC MUTUAL GROUP®

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IMPORTANT INFORMATION FOR 2017 FESTIVALS

April 5, 2017

Dear Pastor, Business Manager or Festival Chairperson:

Enclosed are several documents relating to parish festivals for the Archdiocese of Milwaukee Participants' Protected Self-Insurance Program. If your parish has a festival chairperson, please give them this packet. Enclosed are two documents specifically pertaining to amusement rides. The first is a checklist from the Wisconsin Department of Commerce. The checklist should be used by parish staff or volunteer with a representative of the ride company to inspect the rides before opening for business. The second document should be signed by the owner/manager of the ride company, confirming their compliance with state laws. Both documents should be kept by the parish.

Also enclosed with this packet is an updated list of parish festival vendors who have signed a blanket Parish Festival Vendor Hold Harmless Agreement and provided a certificate of insurance, naming Parishes Operating in the Archdiocese of Milwaukee additional insured. Vendors on this list have been screened and meet all insurance requirements, so they do not need to sign a separate agreement or provide a certificate of insurance to participate in your festival. Please send us a copy of any contract (except those on the list) that contains indemnification or hold harmless language prior to signing.

At this time, bulk food vendors Gordon Foods and Sysco Eastern Wisconsin have met the requirements to be on the approved vendor list for their product, but not for their refrigerated trailers. Please send us any trailer contracts for review prior to signing.

Coverage is excluded for any accident/injuries/claims that arise out of aircraft rides and bungee devices. Program members are also prohibited from using vertical climbing walls at parish events. Do not allow air craft rides, vertical climbing or bungee runs at your festival.

Catholic Mutual has produced a safety/risk management video titled "Safe and Successful Parish Festivals", which should be watched by your parish festival team. The video can be accessed on the Catholic Mutual website: www.catholicmutual.org; login: 0065mil; password: service, by clicking on the "CMG Connect Online Training Hub" or directly at cmgconnect.org

Please contact our office if you have questions on this information. Thank you for your cooperation, and we wish you a successful festival!

Sincerely,

Molly Hatfield

Molly Hatfield
Claims/Risk Manager

P.O. Box 178
Menomonee Falls, WI 53052-0178
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The following is a list of vendors who have met The Archdiocese of Milwaukee Participants' Protected Self-Insurance Program's insurance requirements for the 2017 festival season.

COMPANY NAME

Alpha Baking Co.
Alpine Amusement Co. Inc.
American European Foods
Anderson's Corn Roast Concessions
Area Rental and Sales Co. LLC
Arnold's Environmental Services
Beechwood Sales and Service
Beer Capitol Distributing
Charnecke Tents, Inc.
Emerald City Catering & Events
Fun One, Inc.
General Rental Center (Pierce General Rental)
Gordon Food Service – *FOOD ONLY – NOT TRAILERS*
Harris Motor Sports, Inc.
JK Rentals, Inc.
LoDuca Brothers, Inc.
Midwest Speleo Cave LLC
Nutty Bavarian
Port-A-John, Inc.
Pritzlaff Wholesale Meats, Inc.
Rainbow Valley Rides, Inc.
Red's Novelty Ltd.
Rupena's Inc.
Saz's Hospitality Group
Sorice Services, LLC
Sysco Eastern Wisconsin – *FOOD ONLY – NOT TRAILERS*
Top Choice Rentals, Inc.
Wenzel Amazements
Wisconsin Fried Cheese Curds
Wisconsin Personal Protection Services

THE ARCHDIOCESE OF MILWAUKEE
PARTICIPANTS' PROTECTED SELF-INSURANCE PROGRAM
GUIDELINES FOR PARISH FESTIVALS

Catholic Mutual Group
P.O. Box 178
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The following safety and insurance guidelines are designed to assist festival committees in the planning and management of parish festivals. These guidelines focus on the main requirements of the Archdiocese of Milwaukee Participants' Protected Self-Insurance Program and safety recommendations to reduce or prevent the most common claims associated with parish festivals. The Archdiocese of Milwaukee Participants' Protected Self-Insurance Program has additional information available on specific parish festival safety issues. Please feel free to contact Catholic Mutual Group at (262) 255-6906 to request additional information or view risk management resources on the Catholic Mutual website by following the attached website instructions.

PROHIBITED ACTIVITIES

Coverage is excluded for any accidents/injuries/claims that arise out of aircraft rides and bungee devices. Program members are also prohibited from using vertical climbing walls at parish events. Do not allow aircraft rides, vertical climbing or bungee runs at your festival.

FESTIVAL SUPERVISION

Good planning and supervision are the foundation for holding a successful parish festival. Parishes should have a festival chairman that is responsible for communicating all policies and procedures to parish festival workers. In addition to a festival chairman, each operational area of a parish festival should have a supervisor. As with the festival chairman, the supervisor's responsibility will be to alert parish festival workers of policies and procedures. It is strongly recommended that parishes develop written guidelines for the operation of their festivals that are handed out to all volunteer supervisors and workers. It is our experience that many problems occur at festivals when policies and procedures are not formalized and communicated to the proper individuals. On the contrary, we have found that parishes that utilize and implement a well-organized plan have a successful and safe parish festival.

CERTIFICATES OF INSURANCE AND PARISH FESTIVAL VENDOR AGREEMENT

The Parish Festival Vendor Hold Harmless/Indemnity Agreement should be signed by vendors who provide services at parish festivals. The Parish Festival Vendor Agreement must be signed by the following types of parish festival vendors:

1. Ride and game vendors
2. Tent companies
3. Security companies
4. Suppliers of large quantities of food
5. Vendors who provide medical services

The Parish Festival Vendor Agreement requires the festival amusement ride vendor to provide the parish with a certificate of insurance documenting general liability coverage in the amount of two million (\$2,000,000) dollars per occurrence. All other parish festival vendors are required to provide \$1,000,000 in general liability coverage. The certificates of insurance must name your parish as an additional insured. It is not adequate to obtain a certificate of insurance from a parish festival vendor that names the parish as a "certificate holder."

Use of the Parish Festival Vendor Hold Harmless/Indemnity Agreement is not optional. It has been

specifically designed to transfer liability risks and protect the assets of your parish and the Archdiocese of Milwaukee Participants' Protected Self-Insurance Program. Failure to use the agreement could result in an insurance premium surcharge in subsequent years.

Some festival vendors provide the protected self-insurance program with a blanket Parish Festival Vendor Hold Harmless/Indemnity Agreement and certificate of insurance. These vendors have been compiled into an approved vendor list, which is mailed to parishes in early April. If a festival vendor does not appear on the approved vendor list, they must sign the Parish Festival Vendor Hold Harmless/Indemnity Agreement (copy attached) and provide a certificate of insurance that names your parish as an additional insured.

WHAT IS AN ADDITIONAL INSURED?

Many parish festival chairmen have a difficult time determining whether or not a parish festival vendor has actually added the parish as an additional insured. It is very important that the parish be listed as an additional insured rather than as a "certificate holder". The certificate of insurance will state on the face that your parish is named additional insured.

MUSIC/ENTERTAINMENT

If the musical acts/entertainment that you want to book for your festival do not have insurance and therefore do not comply with the Parish Festival Vendor Hold Harmless Agreement, have each individual sign the Adult Hold Harmless Agreement.

DO NOT SIGN CONTRACTS WITHOUT APPROVAL

It is very important to read a contract before signing it. It is equally important to understand what the contract says. For this reason, the Archdiocese of Milwaukee Participants' Protected Self-Insurance Program has a contract review policy. Contracts that parish festival chairmen sign that contain hold harmless, indemnity or similar insurance wording must be reviewed by Catholic Mutual.

In the past, parishes have signed contracts for the festival that contained unfavorable wording. Most of the unfavorable contracts contained hold harmless and indemnity wording that required the parish to pay for any type of claim that happened during the parish festival. Since the insurance program does not cover "any" type of claim that "ever" happens, parishes that signed these types of contracts were actually risking parish assets.

Another type of unfavorable contract commonly signed by parishes is a contract requiring the parish to be responsible for "any" damage that occurs to equipment that is rented. In these instances, the parish has agreed to pay for damage to the equipment regardless of how it happens even if the damage was due to natural causes such as wind, lightning, or a mechanical problem. The insurance program does not provide automatic insurance coverage for another organization's property. Considering this, the parish could be responsible for the damaged equipment.

Parish festival chairmen should never sign a contract that contains wording described above. You should only accept responsibility for claims or property damage that the parish would be legally responsible for in the absence of the contract. Remember that no matter how small a contract may be, if it contains unfavorable hold harmless, indemnity or reimbursement wording, the parish is risking severe financial burden if a liability claim or property damage occurs. To ensure that Catholic Mutual has adequate time to review a contract, please allow at

least 10 business days for review. When signing a contract before it has been approved is a necessity, write on the contract, **“Contract is contingent upon the approval of our insurance company representative.”** This will allow you to void the contract if necessary.

SAFETY ON FESTIVAL GROUNDS

Most claims associated with parish festivals result from trips, slips and falls on parish grounds. Many of these accidents can be prevented with proper planning and periodic inspections of the grounds during the festival. Below we have identified some common physical safety hazards at festivals along with suggestions to alleviate the safety hazard and reduce the parish's liability in the event of an accident.

- Electrical cords and hoses - electrical cords and hoses in walkways present a tremendous trip hazard at parish festivals. Vinyl cord and hose protectors should be used to combat these trip hazards and reduce the parish's liability. Other ways of dealing with these trip hazards are taping or tacking down the loose cords and hoses or placing orange cones at either end of a cord or hose extending across a walkway identifying its presence.
- Lighting - as the majority of parish festivals extend into the evening hours, adequate lighting is essential to reduce the parish's liability in the evening. The festival grounds themselves should be well lit along with parking areas. Temporary lighting should be rented and utilized to ensure adequate lighting.
- Tent stakes and ropes - tent stakes and ropes should be brightly colored or marked with orange flags or cones to identify their presence and reduce the likelihood of someone tripping over a stake or rope.
- Debris on grounds - many accidents occur when people slip on food or litter on festival grounds. Although it is difficult to completely eliminate this problem, the festival should provide plenty of trash receptacles that are periodically emptied to ensure that patrons of the festivals have an area to place litter. In addition to providing trash receptacles, the grounds should be periodically inspected and cleaned.
- Watch Catholic Mutual's website video, "Preventing Slips, Trips and Falls", instructions attached.

SECURITY

Parish festivals need a security plan. Formal security is necessary as parish festivals deal with large amounts of money and high volumes of people. It is highly recommended that parishes utilize security rental agencies. When hiring private security, be sure to check references and verify that you have hired a reputable security company. Once a security company is hired, allow the company to manage and supervise their own employees. Remember that the security company is a professional organization with experience in providing security at events such as parish festivals.

When confrontations between festivalgoers do occur, allow security personnel to handle these types of situations. Parish festival volunteers are not trained to deal with these types of situations and in many cases make the situation worse. The parish can be held liable in cases where a festival worker attempting to break up a fight inadvertently causes an injury.

Security during non-festival hours is as important as security during festival hours. During periods when the

festival is not operating, vandalism and theft can occur on festival grounds. For this reason, it is highly recommended that security guards be used during non-festival operating evening hours. In addition to private security, lighting is very important. Lighting should be maintained as a security measure even when the festival is not operating. The presence of night security guards and lights will deter potential vandals and thieves.

MEDICAL SERVICES

As injuries do occur at parish festivals, it is very important that medical services be utilized to reduce the effects of the injury. This is important from both a medical and legal standpoint. The type of medical service needed at a parish festival will vary by the size and type of activities at the festival. For small family-oriented festivals, it is adequate to simply have first aid supplies available in the event of injury. For festivals ranging from 500 to 1500 people, the festival should have a first aid station on festival grounds. For festivals that exceed 1500 people, parishes should consider contracting with a medical provider or ambulance service to be onsite.

First aid stations staffed by trained first aid or medical staff should be visible and easily identified by an injured person and be equipped to deal with minor injuries such as cuts, abrasions, and sprains. When a major injury occurs, an ambulance should be called immediately. Whenever medical treatment is provided, it should be documented with a written record. If an individual denies medical treatment, a signed refusal of medical treatment should be obtained from that individual. Written documentation of patients should include a name, nature of injury, type of treatment and the time. If the parish owns an AED, it should be placed in the first aid tent.

Local police and hospitals should be alerted prior to a parish festival so these entities are aware of the possibility for the need of emergency medical services. Hospitals and emergency centers should be given relevant information such as the dates and hours of the festival, number of people anticipated at the festival, along with the types of activities at the festival that could cause injuries. A contact should be made at emergency centers and hospitals and lists of 24-hour telephone emergency numbers should be made available to festival personnel.

ALCOHOL

Beer and wine coolers are sold at many parish festivals. Parishes should be aware that they are potentially liable for property damage or injury claims resulting from individuals who became intoxicated at a parish festival. Specifically, parishes must never serve with minors and make sure that people who are obviously intoxicated are not sold alcoholic beverages and not allowed to drive themselves home. Below are some recommendations that can reduce the parish's liability in the event of an alcohol-related accident.

- Licensed bartenders must be present in the beer tent at all times.
- Individuals with a temporary bartender's license are not allowed to supervise unlicensed bartenders.
- All bartenders should be at least 21 years of age and should not be allowed to consume alcohol while they are working behind the bar.
- A plan should be in place to handle individuals who have had too much to drink. The plan should include the necessary security to assist the bartender who is refusing service to an intoxicated individual, along with providing alternate methods of transportation to individuals who are too intoxicated to drive their vehicles.
- Identification should be checked to ensure that individuals under the age of 21 are not served alcohol. A good rule of thumb is to check the identification of any individual that appears to be under the age of 30.
- Alcohol should not be given away as a prize or raffle.

One of the following two set ups is highly recommended for the sale of beer:

1. "The Beer Garden" atmosphere - a fence should be placed around the perimeter of the tent providing a beer garden atmosphere. Security should be placed at both entrances and exits to the beer garden. At the entrance to the beer garden, security will be responsible for identifications to ensure that individuals are of legal age to consume alcohol. At the exit points, security will be responsible for not allowing alcohol outside the beer garden area. If alcohol is allowed outside the beer garden area, security should limit the amount of beer or wine coolers that one individual can remove from the beer garden area.
2. "Bracelet Booth" - in lieu of a beer garden, a bracelet booth can be set up where identifications are checked to ensure people are of legal age to consume alcohol. An individual that has shown proper identification will be furnished with a colored bracelet designating that they are of legal age to consume alcohol at the parish festival. Security and festival workers would have the responsibility of patrolling and monitoring the grounds to ensure that individuals consuming alcohol are wearing the necessary bracelet.

MONEY

The protected self-insurance program recommends the use of a "ticket system" at parish festivals. A ticket system allows festival participants to purchase tickets at ticket booths that can be exchanged for rides, food, beverages, or other items for sale at the parish festival. The purpose of the ticket system is to reduce the amount of cash flowing through the parish festival at various booths. Instead of each individual booth handling cash, money will be handled at centrally located ticket booths. The use of a ticket system will reduce the risk of loss associated with theft or mysterious disappearance of festival revenues. In addition to reducing the possibility of theft, the ticket system provides an excellent internal control to monitor cash flows at parish festivals.

If your parish festival is successful, large amounts of cash will accumulate throughout the day and evening. The parish should have a pre-determined plan to deal with cash as it flows through the festival. A good plan should accomplish the following:

- Cash should be collected from the ticket booth or festival stands at regular intervals.
- Groups of three or more individuals should be responsible for the transfer of cash from festival stands to a centralized location.
- Cash that accumulates at the festival's centralized location should be stored in a locked safe that is guarded by security.
- Cash should always be counted by at least two people and counting documentation, such as tally sheets and adding machine tapes, must be retained.
- Bank deposits using tamper-proof deposit bags should be made at regular intervals during the festival. Cash should not be allowed to accumulate in the safe until completion of the festival.
- When collecting cash from festival stands or taking deposits to the bank, both times and routes of the collections or deposits should be varied to eliminate a pattern from developing.
- If revenues are high, consider hiring an armored car service to deliver deposits to the bank.

SAFETY COORDINATOR

Parish festivals should create a position called "safety coordinator." The safety coordinator will be responsible for making sure that all of the protected self-insurance program's recommendations are met. The designated safety coordinator will also be responsible for making periodic inspections of the festival grounds during the festival. Obviously, any physical safety hazards that are detected by the safety coordinator should be dealt with immediately. It is highly recommended that the safety coordinator utilize a logbook, indicating the time inspections take place and the condition of the festival grounds.

It is recommended that the safety coordinator videotape the parish festival grounds once the festival set up is complete. This will assist in any recreations of the festival premises that must be done for litigation. Dioceses that have utilized an onsite safety coordinator at parish festivals have been very successful in reducing the number of claims associated with parish festivals. An onsite safety coordinator will also greatly reduce the parish's liability in the event of a loss, as it will illustrate the parish exercised due diligence in attempting to eliminate safety hazards.

TRANSPORTATION

The parish is potentially liable for the auto liability of staff or volunteers who drive for the parish. Driving duties should be limited to a select number of properly screened individuals. Approved drivers should watch "Be Smart – Drive Safe" on the Catholic Mutual website, and the festival chair should watch "Church Transportation – Is It Necessary and Ministry-Based?"

CLAIM PROCEDURES

All festival volunteers need to be told to immediately report any injuries to the festival chair. When a claim takes place, an accident report should be filled out by the festival chair and forwarded to Catholic Mutual on the next workday. The written accident report should include an in-depth description of how the accident happened. The report should also include the name, address, phone number, and date of birth of any injured person, along with the names and phone numbers of potential witnesses. The report should be completed by parish staff or a trusted volunteer, not the injured person.

Often when an accident occurs, it is difficult to reconstruct how it happened or what the premises looked like at the time of the accident. For this reason, the festival safety coordinator should photograph accident scenes to preserve the appearance of the accident site.

If an individual that is injured on festival grounds asks for immediate contact with the festival's insurance carrier, contact Catholic Mutual prior to sending the written accident report. Often a potential claimant will contact an attorney because the insurance company has not contacted him or her in a timely fashion. Attached is an accident report that should be made available to all operational supervisors and security staff.

THANK YOU

Thank you for taking the time to read this material. As noted earlier, Catholic Mutual has supplemental material regarding parish festival safety on the Catholic Mutual website under the Risk Management tab. Please feel free to contact us at (262) 255-6906 with any questions that may arise.

Dear Amusement Ride Sponsor,

We have put together a list of items that may be a helpful reference when setting up for your event:

Yes	No	
		Has the ride been registered? If so, is the sticker on the ride and visible to the public?
		Have you been provided proof of insurance on the ride(s)?
		Do any of the rides have red tag violations?
		Is there a height/weight restriction on the ride? If so, is it posted?
		Does the ride have a dedicated operator over 18 years of age or older?
		Are ride operators present whenever the ride is running?
		Are there any signs of operator impairment?
		Are power cables in pedestrian walkways secured to prevent tripping?
		Are fences/barricades in place to ensure patron safety from moving part rides?
		Are fire extinguishers appropriately placed? (Coordinate with local fire inspector.)
		Are inflatable rides secured using all tie-down points?
		Are the rides maintained in a clean and sanitary condition?
		Are there trash containers around all rides?
		Have you reviewed SPS 334.43 - Responsibility of Sponsors?

SPS 334.43 Responsibility of Sponsors

- (1) Any person, group or business contracting or leasing for the installation and use of amusement rides shall carry a condition in a contract or agreement that the amusement ride owner meets the conditions of this chapter prior to the opening for use by frequenters.
- (2) Before any amusement ride is operated, the owner of the amusement ride shall provide a copy of the insurance contract required under SPS 334.035 to the person, group, or business contracting or leasing the installation and use of the amusement ride.

Verification of Compliance with WI SPS 334.43 - Responsibility of Sponsors

This document should be presented to any person, group or business supplying amusement rides at your parish festival.

_____ affirms that the rides being
(Company/individual)
provided at this parish event have been registered with the Wisconsin Department of Commerce
in accordance with WI SPS 334.04 and proof of insurance for same rides has been provided to
the Wisconsin Department of Commerce in accordance with WI SPS 334.35.

Name of company/individual

Signed by _____

its _____

Date: _____