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To Analyze Who Else Owns This Loss

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Remember the Following:

1. Aristotle said in 350 BC, "Accidents are without cause."
2. Most workplace injuries and property damage losses are predictable, preventable and have multiple causes.
3. If Aristotle was correct then most workplace injuries and property damage losses are not accidents since they have a cause or multiple causes. They are amputations, fatalities, fires or collapses, for example.
4. Fire investigations should be performed using NFPA 921.
5. First, locate the origin; then determine the cause; analyze the spread; and create an involvement matrix, if required, to affix responsibility.
6. Remember, cause drives responsibility.
7. To determine the cause of the fire or explosion, determine the ignition source, fuel source and the circumstances that caused them to come together.
8. Look to see if there are conditions of defect in the machinery and equipment.
9. Safety is not just the responsibility of the user. Analyze the design first, and then look at what the user did.
10. If a light bulb wired in series with a group of switches is analogous to a property damage claim, then each switch is analogous to a cause of the loss. Most people want to only look at the last switch as the cause of the loss, when in fact all switches are causes of the incident
11. You have a products liability case against the machine manufacturer if you can prove;
 1. The product was defective when used
 2. The defect existed when the product was manufactured,
 3. The defect was the proximate cause of the injury,
 4. The specific use of the product that caused the injury was reasonably foreseeable.