



Summer Liabilities: What Firms Need to Know in Peak Season

With longer days and heavier workloads, the peak summer season brings the increased risk of expensive injury and liability claims to even the most careful landscaping or nursery crew.

In this article, we'll cover how two valuable insurance types help protect your bottom line and ways you can safeguard your crew and clients through comprehensive coverage and safety practices.

General Liability vs. Business Owner's Policy (BOP)

As a small business owner, there are two major types of insurance you should consider carrying to insulate your business against claims arising from your operations.

General liability insurance helps protect your bottom line against:

- **Physical injury or property damage** to a third party, such as medical expenses and repair costs.
- **Defense costs**, including any judgment or settlement amounts.
- **Personal and advertising injury** for any claims alleging defamation, deceptive or misleading advertising practices and trademark or copyright infringement.

Depending on the needs of your small business, it's possible that a general liability policy will be enough to handle claims arising from property damage or physical injury. However, a BOP offers greater protection from claims by combining commercial property and business income insurance. Here's how:

- **General liability insurance** – BOP holders get all the benefits of general liability insurance, helping to protect your business against claims of bodily injury, property damage or advertising injury.
- **Commercial property insurance** – Get valuable assistance for your physical assets, such as your building, equipment, tools and inventory, if they are damaged or lost due to covered events, including extreme weather, fire, theft or vandalism.
- **Business income insurance** – Safely weather temporary shutdowns, whether caused by property damage or extreme weather, with business income insurance designed to help you replace lost revenue.



Accessing bundled policies through a BOP is easy and convenient for small businesses while also offering greater protection and peace of mind. If you're unsure whether a standalone general liability policy or BOP would work best for your small business, contact MNLA's insurance expert, Ashley Thomas, for a free risk analysis and to explore your coverage options.

Understanding Your Liabilities

As a landscaper or nursery owner, you use heavy machinery, chemicals and equipment that could result in significant bodily or property damage should something go awry. Here are some examples of the hazards of your busy season and ways your general liability or BOP can help.

Bodily Injury

A member of your crew is mowing a client's lawn when the blade strikes a rock, causing it to fly through the air and hit a mother playing with her small child in the next yard over. The child is inconsolable, and the mother needs medical attention, resulting in a visit to the hospital for concussion protocol and stitches.

Without proper insurance coverage, your company would be forced to pay the bill for her emergency care out of pocket. A general liability policy will help in this situation by covering the cost of her medical care, while a BOP will handle this and help with costs associated with repairing the chipped mower blade.

Property Damage

Imagine you're on a complex job site where your client wants you to dig a deep, natural-looking pond. Your crew goes out to lunch one day and comes back to a hubbub of flashing lights and emergency vehicles.

It turns out your client's neighbors let out their prize-winning, pure-white Bichon Frisé to use the bathroom, who quickly wandered into the neighbor's property and fell into the open hole marking the future pond. Concerned about their wayward pet, the owners embarked on a search and climbed down into the hole to rescue it, only for one of them to twist their ankle and become trapped with their pooch at the bottom.

Once they're rescued, the mud-covered neighbors are upset — they allege your lack of oversight and barriers around the hole led to the injury. They want you to cover the cost of their medical care and dog grooming to get their Bichon Frisé back in show shape.

Fortunately, your general liability or BOP coverage makes it easy for the owner to get the medical care they need. While pets are considered property under the law, general liability coverage typically excludes coverage for animals or requires specific pet liability insurance, so it's best to speak with an expert before shelling out for the top-tier show dog treatment.

Product Liability

When your nursery business transports plants to a job site, it's your job to examine them for any issues as a final check. You sift your way through dozens of native grasses, but don't find anything concerning and give the shipment the all-clear.

Unfortunately, you get a call a few days later from the landscaper letting you know that all the plants have developed weird, egg-like bubbles on their main stalks. You quickly head over, where you face the inevitable: your examination didn't find the invasive pests hitching a ride, and now their property faces a potential infestation.

With your insurance coverage, you can cover the cost of remediation to remove the infected plants and treat the yard to prevent any damage to their existing plants, something that could easily cost thousands of dollars.

Risk Management Strategies for Your Business

Carrying the right coverage can help protect your bottom line and reputation should something go awry at the job site, but that's only one half of the equation when it comes to managing your risk. Being proactive and setting guidelines at the job site and your brick-and-mortar locations can help reduce your exposure to threats and give you powerful peace of mind.

Try incorporating these guidelines to help protect your business:

- ✓ **Establish regular safety training** – Cover essential items, like how to safely use equipment, handle any hazardous chemicals and what to do in the event of an emergency. Make this part of the onboarding process and an annual training event to ensure the lessons stick.
- ✓ **Keep your equipment running well** – From trucks to handheld equipment and heavy machinery, every item your employees interact with and take to a job site should be regularly inspected and tuned up to prevent avoidable accidents. This can include items, like worn chainsaw blades, chipped safety glasses and temperamental vehicles.
- ✓ **Clearly designate your job site** – While your customers know there will be heavy machinery or hazardous chemicals on the property, the rest of the neighborhood doesn't. Use clear signage and barriers to keep the public away from your work site as a way to prevent people — and pets — from wandering into danger.
- ✓ **Document your policies** – Keep records of all your safety protocols, maintenance trackers and employee training events. These can help support your position if an employee claims they weren't properly taught or a client takes you to court on a claim related to safety.

Don't leave your business vulnerable to high-cost claims in the event of property damage or personal injury. By carrying the correct portfolio of comprehensive insurance — whether a general liability policy or a bundled collection of coverages known as a BOP — you can help insulate your business and bottom line against whatever comes your way.

Contact MNLA's insurance expert, Ashley Thomas, for a free risk analysis and to get a better understanding of whether a standalone general liability policy or BOP is better for the unique needs of your business. Learn more about available coverage at gallagheraffinity.com/MNLA or contact Thomas at [918.764.1619](tel:918.764.1619) or ashley_thomas@ajg.com for a coverage review.

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