



<b>Name:</b>	<b>Date:</b>
<b>Affiliate:</b>	<b>Instructor:</b>

## Liability Assignment for the NL Program

**Total Mark: /30**



### INSTRUCTIONS

- Write your name on the assignment cover sheet.
- Read the story and answer the questions in the assignment booklet referencing the *Alert: Lifeguarding in Action* manual (Chapter 8), the *2010 BC Pool Regulation* and the NL Candidate Workbook.
- Give the completed assignment to your Instructor on the due date.

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# Liability Assignment

## **STORY**

Krista, Stephanie and Heath were the lifeguards at the Scranton Community Aquatic Centre in Hazelton, BC. The aging pool was a 25m "L-shape" indoor pool with a large hot tub. The maximum bather load for the facility was 300 patrons.

Lifeguards were all given a red t-shirt, black shorts, a fanny pack, and a whistle upon employment. All items were to be worn during each shift.

On an early spring day, the pool was offering a special event commemorating its 25<sup>th</sup> anniversary. They offered a special rate of \$1.25 per person for the 3-hour swim. The event was being led by the pool supervisor on duty that day, Gary. During his opening checks, he noticed that he could not see the pattern of the main drain due to cloudy water. Not wanting to cancel the event, he decided to see if it would clear up.

It was an incredibly popular event, far exceeding the numbers expected. Halfway through the event, Gary did a head count and counted 325 people. Noting that many people were just sitting in chairs on the pool deck watching the event, he decided to let them all stay. He did inform the front desk to stop letting in any more patrons.

Krista had accidentally dropped her whistle at the bottom of the deep end at the beginning of the event, but as a new guard was too embarrassed to ask a patron to retrieve it. Stephanie, having left her guard shirt at home, was wearing an orange t-shirt instead. She felt quite overwhelmed at the number of people she was guarding, but as a senior guard didn't want to seem incapable by asking for an additional guard. Heath had missed the previous inservice, but needing guards to work the event, Gary told him it would be fine if he worked that day.

Joel, a ten-year-old boy and one of the pool regulars, was playing with his friends in the deep end during the event. He approached Heath to ask if he had seen his six-year-old friend Colin, who he had been playing with him in the deep end. Heath, who had been texting his friend at the time, put his phone away and signaled to Krista that there was a missing person. Krista started clearing the pool but had difficulty doing so without her whistle. Stephanie immediately started searching the pool deck and change rooms for Colin. Heath and Joel walked around the pool looking for him.

Suddenly a patron called out for help, notifying the lifeguards of a lifeless body at the bottom of the deep end. Heath and Krista dove in to retrieve the victim. They removed the victim at the closest deep edge, 15m away from the focal point and emergency equipment. Heath and Krista immediately began performing CPR without a pocket mask, reassessing and switching roles every 2 minutes.

After completing a full change room check, Stephanie noticed a large crowd at the deep end and ran over, bringing the AED and oxygen unit. After hearing a patron ask if anyone had called 911, Stephanie immediately ran to the guard room to make an EMS call.

Krista and Heath stopped CPR to initiate the AED protocol. Upon turning on the AED unit, the battery icon was flashing, indicating low power before shutting off. The guards resumed CPR using a 10 lpm flow rate of oxygen. Now that the oxygen unit was set up, the lifeguards started using a shared pocket mask.

Paramedics arrived 15 minutes later and took the victim to hospital. The victim sustained permanent brain damage and the parents are seeking legal restitution.

# SCRANTON AQUATIC CENTRE – POOL SAFETY PLAN

*The following are several sections from the Pool Safety Plan for the Scranton Aquatic Centre. This document supplements the Liability Assignment.*

## SECTION 1 – ADMINISTRATION

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- Facility Identification
  - Name: Scranton Aquatic Centre
  - Address: 123 Takeout Drive, Hazelton, BC
  - Date facility opened: Feb 23, 1986
  - Date facility renovated: n/a
  - Facility site plan: Available at City Hall Records
- Pool Safety Plan Identification
  - Plan prepared by: L. Cheng, Aquatic Director
  - Date plan prepared: Feb 1, 2011
  - Date plan updated: n/a

## SECTION 2 – TRAINING GUIDELINES

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- Lifeguard qualifications
  - 17 years of age
  - Trained in the Pool Safety Plan
  - Certifications to include:
    - NL Pool                      Valid within 2 years
    - SFA/AEC                      Valid within 3 years
    - CPR 'C'/AED              Valid within 1 year
- New Staff Training
  - Orientation to facility
  - Trained in the Pool Safety Plan
  - Shadow shifts required
- Regular Inservice Training
  - Inservices regularly scheduled and on-going; inservice training occurs 3 times per year. A lifeguard who does not attend an inservice is not permitted to work.
  - Trained in the Pool Safety Plan
  - Other Training Programs
    - WorkSafeBC training for new and young workers
    - WHMIS/TDG
    - Customer service

## **SECTION 5 – LIFEGUARD OPERATING PROCEDURES**

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- Minimum number of staff required to open the facility  
2 Lifeguards      0 Maintenance      1 Cashier
- Facility bather load restrictions (maximum number of patrons admitted to the facilities)  
Main Pool - 275      Whirlpool - 25
- Lifeguard-to-patron ratio  
1 lifeguard(s) to 40 patron(s)
- Communications (telephone, public address systems)
- Signals (whistles)
- Dress code (black shorts, red "Lifeguard" t-shirt)
- Lifesaving and first aid equipment available
  - o Rescue aids located around the pool deck for quick/easy access
  - o Emergency telephone
  - o Minimum of a #2 first aid kit as per WorkSafeBC
  - o Personal protective equipment including pocket mask and gloves
  - o A V-Block spine board (with at least 3 straps and a head-securing device)
  - o D-sized oxygen unit with regulator and protective carrying case
  - o Spare oxygen tank
  - o Full set of oropharyngeal airways
  - o A.E.D. (defibrillator)
  - o 1 set of 10 lb sandbags
  - o 1 waterproof flashlight

## **SECTION 8 – FACILITY MAINTENANCE**

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- Daily cleaning schedules in place to include frequency of cleaning
- Information on the chemicals used for maintenance including safety information on the storage and handling of cleaning chemicals
- MSDS binder located in lifeguard room and maintenance office

## **SECTION 9 – POOL CHEMICALS**

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- Pool chemistry parameters
  - o Disinfection: Gas chlorine system used. Levels: *See BC Pool Regulation*
  - o pH levels: *See BC Pool Regulation*
  - o Total alkalinity: 80-120 ppm
  - o Calcium hardness: 180-220 ppm
  - o Water temperature: Main Pool: 30°C (85°F); Whirlpool: 40°C (104°F)
- Frequency of testing: Every 4 hours

## QUESTIONS

Reference Chapter 8 of the *Alert: Lifeguarding in Action manual, the 2010 BC Pool Regulation and the NL Candidate Workbook*.

- How many lifeguards should be guarding, according to: (2)
  - BC Industry Standard? \_\_\_\_\_
  - Scranton Pool Safety Plan? \_\_\_\_\_
- List 10 conditions that should not have existed and how they should have been prevented. (10)

Condition	Prevention

- Where does the responsibility ultimately lie for everything that happens at the pool? (1)

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4. Referring to the *Alert* and the *NL Candidate Workbook*, define the following terms. (4)

**Statutory Liability**

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**Occupier Liability**

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**Vicarious Liability**

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**Negligence**

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5. Give an example of each type of liability, **from the Hazelton story**. (4)

**Statutory Liability**

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**Occupier Liability**

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**Vicarious Liability**

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**Negligence**

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6. What are the three elements which must be proven in a lawsuit concerning negligence? (3)

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

7. Why will Colin and his parents attempt a lawsuit? (2)

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8. Immediately following the incident, a reporter asked the lifeguards what happened. What would be the best response? (2)

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9. Six months later, Krista has Hepatitis B. She believes she got it from Heath. (2)

How is that possible?

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How could it have been prevented?

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