

## EXERCISING VIRTUAL RISK MANAGEMENT



**"No matter how slow  
you go, you are still  
lapping everybody on  
the couch."**

**~Unknown~**

In these days of the 'stay at home' and 'stay 2 metres apart', many organisations are offering virtual classes – for almost anything. Customer-focused employees are to be commended for developing a quick response to their clients' needs. One popular program being offered is recreational virtual exercise programs that can be done in the comfort(?) of your own home. These programs can be fun, entertaining and helpful to shut-in viewers.

Keep in mind, while this is a new offering by many public and nonprofit organizations, online wellness programs have existed long before we were urged to quarantine. There are hundreds, likely thousands, of fitness influencers, workout apps and virtual classes accessible to computer, phone or tablet users with minimal to zero required gym equipment. A quick Google search for "YouTube exercise videos" gives results of 616,000,000. No need to buy new, attractive clothing to fit in at the gym! And, at-home workouts are inexpensive, often free services.

### Managing Social Media Risk

You've probably already addressed the importance of managing employee social media use as part of your organisations social media policy long before Covid-19. The sudden need to offer an expanded menu of informational and recreational sessions has produced a whole new meaning to the idea of 'safe' communications. There are many useful methods you can use for protection from claims that can be inadvertently costly in terms of dollars, time, and publicity. A few ideas you can consider are:

1. If you already have a social media policy for employees, review it to determine how it applies to the current situation and planned programs.
2. If you don't already have a social media policy – develop one!
3. Designate a key person as the eyes and ears of your social media presence. This person should review posted programs and be a valuable resource for taking and investigating issues relating to posting during the current crises.
4. Have your IT department thoroughly screen the methods used to develop and post the video to ensure security meets or exceeds your standards.
5. Document: Determine what your records retention by-law requires for records of this type; at the least keep a copy of the recorded session for the proscription period in your jurisdiction.

6. Ensure each 'presenter' is informed of any topics/issues that are unacceptable to use during programs. Screen each episode for offending content prior to taking it live. Language that may seem innocuous in a relatively homogenous classroom setting may be maddening to a mixed, on-line, audience.
7. Inform all employees using social media of the appropriate process to follow if or when complaints about privacy breaches, offending content, etc. are received.
8. Be prepared to remove offending content from the internet. Take-down requests require review, but you can take-down a large proportion of offending content on social media sites with readily-available tools.

Sara Gill, Paralegal at the Town of Aurora, also has a few tips for reducing the risk of online exercise programs offered by municipalities. These include:

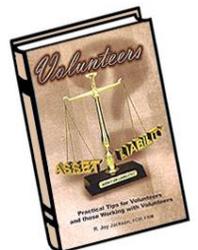
9. Require the employee/demonstrator to sign a document acknowledging that the employer holds copyright and reproduction rights indefinitely.
10. The trainer should give open with a statement for users to practice health and safety (e.g. go at your own pace, if you are feeling unwell - stop, wear appropriate clothing/shoes, etc.)
11. Remember that Occupational Health and Safety laws apply even when staff are filming the videos away from the employer's premises, their own home for example.
12. Always use music licensed for this type of purpose;
13. The supervisor/manager should assess the demonstration area to ensure suitability for the activity.
14. Do not permit non-employees to be visible in the video.
15. Include a liability disclaimer at the beginning of the video.
16. Develop an online registration form that includes a standard fitness waiver.

At the end of the day, it is important to balance the amount of risk with the amount of reward. In the situation we find ourselves in it is important to keep customers needs in mind. When there is no charge for the service being offered the risk of liability, provided precautions are taken, are probably going to be low.

---

***Volunteers: Asset or Liability?*** Some people think volunteers are an asset – others see them as liabilities. What do you think? This handy reference manual gives you quick access to information showing they can be both. You can quickly and easily find pertinent information to let your organisation leverage their efforts while minimizing the liability. More efficient, effective management strategies save you time and money. To order visit ...

<https://www.cunnart.com/cunnartbooks.html>



Disclaimer: This newsletter is produced by Cunnart Associates. Articles are provided for general information only. Readers should make their own inquiries before making any decisions. Cunnart Associates attempts to maintain up-to-date information from reliable sources; however, no responsibility is accepted for any errors or omissions or results of any actions based upon this information. If you have any question please contact Cunnart Associates.