

**RELEASE OF LIABILITY FORM
SMITH ENGINEERING**

In consideration of the Stephen J.R. Smith Faculty of Engineering and Applied Science at Queen's University permitting on-campus activities as a:

Volunteer (working on behalf of the University without pay)

Visitor (carrying out an activity for a person or agency other than the University)

At

_____ (location of activity e.g. department or laboratory)

for the purpose of

(Nature of activity – description and purpose)

and, in acknowledgement of the fact that I willingly consent to do these activities with the knowledge and agreement of the department head, I,

_____ (name of visitor/volunteer)

herby release Queen's University, its officers, employees, agents, students, volunteers and visitors from any claim or action whatsoever for damages, loss or injury suffered by me, or any claim brought against me, arising as a result of said activities unless such damages, loss or injury is due to a negligent act or omission of Queen's University, its officers, employees, agents, students, or volunteers. I further acknowledge that, with the assistance of the department head or delegate, I have the responsibility of becoming familiar with all regulations, policies, procedures of the University regarding occupational health and safety matters relating to the conduct of my activities while at Queen's University.

Date of activity period from _____ to _____

Signatures:

Volunteer/visitor)

(date)

Supervisor

(date)

(department head)

(date)

Insurance Considerations

I. Volunteers

Departments of the University are often approached by individuals who wish to provide volunteer services. Volunteers make a valuable contribution to the work of many areas at Queen's. In some areas, volunteers are formally recognized and organized into groups such as the Queen's Alumni Association or the Gallery Association in the case of the Art Centre.

However, in many departments volunteers may not be formally recognized or associated with Queen's and may perform duties hazardous in nature. These people, and subsequently the University may be exposed to liability claims arising from their work unless it can be shown that "reasonable" precautions were taken to prevent injuries.

All persons who perform duties for the University, whether volunteers, students, or employees, are protected by the University's insurance for claims against them or Queen's arising out of the work they perform, providing the work is being performed on our behalf and has been approved by the Department Head.

Therefore, it is important that volunteers receive proper formal documentation of their assignment at Queen's in the form of a letter from the Department Head, setting out the terms and conditions, duration and description of the work to be performed. This documentation should be in place before the volunteer arrives in the Department. This formal documentation is particularly important in areas such as laboratories where the volunteers may be exposed to hazardous conditions, and for whom protection under Workers' Compensation is not available, as they are not employees of Queen's.

The Head should ensure that volunteers are familiar with all regulations and procedures of the University and the department regarding occupational health and safety. Because volunteers are not protected under our Workers' Compensation, the Head should ensure that volunteers are enrolled in a medical insurance plan such as OHIP or similar private medical plans.

As well as protecting the worker, Workers' Compensation also "protects" the employer, since a worker who receives compensation payments is not allowed to sue the employer for further compensation or damages. Under certain circumstances, volunteers and visitors who are injured while they are engaged in activities at the University could bring suit against the University and its staff. The formal documentation needed to provide protection to these persons will also minimize any liability claims they might make.

Obviously there will be many people who perform work of a short duration in non-hazardous conditions, for whom a formal letter of acknowledgement or special safety instructions are not required.

II. Visitors

Departments of the University may be approached by individuals who wish to use the University's facilities, such as labs, but who are not employed by Queen's, are not registered as Queen's students, nor viewed as volunteers, as they are not working on behalf of the University. We call these individuals "visitors".

University employees and/or students who undertake activities in labs, for example which are potentially hazardous, are protected by the University liability insurance coverage. Visitors however, expose themselves to personal liability for damages which occur due to their activities. Also, the University may be placed at risk since a damage claim resulting from the activities of a visitor may be directed at the University.

In addition, visitors may not be protected under Workers' Compensation. This also means they are able to sue the University and its staff and faculty if they receive injuries while on campus.

It is important therefore, that persons who fall into the category of "visitor" on campus receive the following formal documentation concerning their private work at Queen's.

- The Department must obtain a waiver/release signed by the visitor. A sample is attached and can be modified as appropriate.
- The visitor should receive a letter from the Department Head setting out the terms, conditions, duration, and description of the private work he or she is to perform while in the Department.
- The Department Head should ensure that the visitor is familiar with all regulations and procedures of the University and the Department regarding occupational health and safety. Evidence of protection under Workers' Compensation and/or a medical insurance plan such as OHIP or similar private medical plan should be obtained.
- There may be some "visitors" who are on campus for a short period of time (e.g. guest lecturers) for whom it would be inappropriate to obtain a waiver/release or other formal documentation.