Welcome to the Farmers Market Boot Camp
Welcome and Introductions
- Ann Foster, WSFMA Board Member
- Jen Brown, WSFMA Staff Administrator

WSFMA History & Mission
- Karen Kinney, WSFMA Executive Director

WSFMA Programs and Services
- Jen Brown, WSFMA Staff Administrator
- Vade Donaldson, Food Access Programs Manager

FMC Programs and Services
- Sara Padilla, Farmers Market Coalition (FMC)

Risk Management & Liability Insurance 101
- Larry Spilker, Campbell Risk Management
- Jen Brown, WSFMA Staff Administrator
Tables are all located in the Fir Ballroom

Table sessions are 25 minutes each.

- **Table 1: Measurement & Data Collection**
  - Ivy Fox, Market Manager, Neighborhood Farmers Markets

- **Table 2: Using & Applying the Roots Guidelines as the Foundation of your Market Rules**
  - Karen Kinney, WSFMA Executive Director

- **Table 3: Farm Vendor Recruitment: Keeping the “Farm” in your Farmers Market**
  - Suzanne Monroe-Santos, Consultant and Owner of MarketsMarkets, former Market Director in Austin, TX
  - Ann Foster, Market Manager and WSFMA board member
List of Resources:
Farmers Market Boot Camp

WSFMA Membership Programs and Services
WSFMA Membership – 3 Ways to Join

WSFMA is a statewide, nonprofit membership organization that supports vibrant and sustainable farmers markets in Washington State through member services, education and advocacy. Membership supports the work of the organization and gives strength to our collective voice.

- Farmers Market Membership
- Farm Membership
- Friends of WSFMA
WSFMA FARMERS MARKET MEMBERSHIP PROGRAM

WSFMA member markets are committed to an agriculturally based farmers market system based on the WSFMA Roots Guidelines.

Membership requirements include:

- Average of 5 farmers per market day
- Strive to adhere to WSFMA Roots Guidelines
- Report annual sales by vendor category and meet WSFMA Gross Sales Formulas
- Carry commercial general liability insurance with WSFMA as Additional Insured
- Complete annual membership application
- Pay annual membership dues
WSFMA Programs and Services for Farmers Markets

- Training and Education
- Access to affordable, comprehensive liability insurance
- Annual Statewide Farmers Market Directory
- Advocacy and Action Alerts
- Resources and Consulting
- Networking Opportunities
- Market Manager Listserv
- Joint Membership in Farmers Market Coalition
- Free Promotional Materials
- Food Access Tools, Resources and Partnerships
- Data Collection and Reporting
- Grant-funded activities that promote and increase specialty crop sales at farmers markets
WSFMA FARM MEMBERSHIP PROGRAM

Farm membership is open to any farm growing produce, plants or botanicals, or raising animals for direct sale at farmers markets on land they own, lease or rent in the State of Washington. Farm membership is also open to seafood vendors who are legal residents of WA State, who own, lease, or operate the fishing vessel or parcel of land where the seafood is caught or harvested for direct sale at farmers markets.

Membership requirements include:

- Strive to adhere to WSFMA Roots Guidelines
- Complete annual membership application
- Pay annual membership dues
WSFMA Programs and Services for Farmers

- Training and Education
- Access to affordable, comprehensive liability insurance
- Advocacy and Action Alerts
- Resources and Consulting
- Networking Opportunities
- Subscription to WSFMA Food Access, Farms and Farmers Markets Listserv
- Direct Marketing Materials and Tip Sheets
- Free Promotional Materials
- Food Access Tools, Resources and Partnerships
- Grant-funded activities that promote and increase specialty crop sales at farmers markets
FRIENDS OF WSFMA MEMBERSHIP PROGRAM

Friends of WSFMA are individuals, vendors, businesses and organizations who value farmers markets and wish to support WSFMA’s work to ensure all Washington residents have access to healthy food at vibrant farmers markets.

Benefits of Membership

**Free!** Copies of Annual WA State Farmers Market Directory
Action Alerts about Food and Farming Policy that impacts farmers markets
Subscription to WSFMA Food Access, Farms and Farmers Markets Listserv
The satisfaction of knowing you support the work of WSFMA and give strength to our collective voice
Questions about Membership?
Please visit us at the WSFMA information table in the hotel lobby while you’re at the conference. Contact WSFMA at (206) 706-5198 or email membership@wafarmersmarkets.com.

WSFMA Membership – Leadership for Farmers Markets and Producers
2016 WSFMA Annual Conference
Farmers Market Boot Camp

Risk Management and Liability
Insurance 101
What is risk management?

- Preventive measures that:
  - maximize safety & security and
  - minimize the chance of accidents and financial loss

- Liability insurance that covers potential losses if and when they occur

- Good business practices
Keeping a farmers market safe and secure depends on:

- Market Staff
- Market Board
- Vendors

But it’s the Market Manager who sets the tone and creates a *culture of safety* that protects the market from financial loss.
Where is a market exposed to risk?

- Physical and structural safety
- Points of ingress, egress and traffic flow
- Market policies and procedures
- Employee and vendor handbooks, guidelines & applications
- Safety procedures and walk-throughs
- Documentation practices and incident reporting
- Market, vendor and board insurance gaps
- Security and emergency preparedness, response and communications
- Food safety and sampling
- Licenses and permits
- Cash handling procedures
- Employees and volunteers
4 Ways to Handle Risk

Eliminate the Risk

• A vendor rule that prohibits vendors from packing up and driving into the market before market closing when shoppers are present can eliminate the risk of accidents involving vendor’s vehicles and shoppers

• Closing the market early due to hazardous conditions can eliminate risk or injury to people and property
Reduce the Risk

- WSFMA requires member markets to comply with Canopy 101 safety standards that require compliant canopy weights to be in place at all times, thus reducing the risk of injury to people or property.

Retain the Risk

- Monitor, document, and provide training to minimize the likelihood of manageable risk situations becoming issues.
Transfer the Risk

• Include a hold harmless agreement in vendor contracts, theoretically transferring risk from the market to the vendor

• Purchase adequate liability insurance to cover potential incidents

• Require vendors to carry liability insurance naming the market as Additional Insured
Don’t plan on using your insurance! Instead, take steps to create a **Culture of Safety**

- Market day safety walk-through with safety checklist
- Document safety concerns as they arise and are mitigated
- Eliminate and/or call attention to obstacles that can’t be eliminated
- Communicate safety concerns, procedures and requirements regularly to market staff and vendors; document communications
- Provide and document Incident Response Training
- Practice Canopy Safety 101 and include in market rules!
- Ensure that vendors follow food safety practices and are properly licensed
- Require vendors to sign off on market rules
- Be consistent in enforcing market rules and documenting infractions
More tips for creating a Culture of Safety

✓ Maintain a good filing system for documentation
✓ Include hold harmless agreements in vendor applications
✓ Require/recommend that vendors carry general and product liability insurance that names the market an Additional Insured
✓ Have cash handling procedures in place for vendors and market staff
✓ Develop and enforce strong written anti-discrimination and harassment policies to create a fair and equitable market environment for vendors and market staff; train and practice cultural competency
✓ Document volunteer hours and create volunteer job descriptions
✓ Review market-site boundaries with property owner to understand who is responsible for maintaining what
✓ DOCUMENT, DOCUMENT, DOCUMENT!!!
What to Do In the Event of an Accident or Injury

Despite all your safety efforts, accidents do happen. When they do, you need to document the incident and the follow-up measures taken and make sure your documentation is retained securely.

• It’s the right thing to do
• It helps defend your position if a claim is filed
• Claims can be filed up to 7 years later when market personnel have moved on and documentation becomes critical in defending a claim

What are the most common incidents at farmers markets?

• Trip and fall accidents
• Unsecured canopies injuring people and/or property
• Vehicular accidents
Establish Incident Procedures

- Communicate regularly, verbally and in writing, with market staff, volunteers and vendors about procedures to follow in the event of an accident or injury
- Use an incident report form to gather information in one place
- Take pictures or draw diagrams of the scene
- Interview witnesses and document responses
- Document whether aid is given on-site and if victims were transported to medical facilities from the scene or left unassisted
- Document actions taken by market staff on the scene and afterwards to make repairs or mitigate future incidents
- Call your insurance agent to report incident and follow-up measures taken
- File all documentation in an organized and secure manner

Established incident procedures help your insurance agent act on your behalf to reach settlement, avoid lawsuit and defend your claim, if necessary.
What is Farmers Market Liability Insurance and What Does It Typically Cover?

Commercial General Liability policies, such as the Farmers Market Insurance offered by Campbell Risk Management through WSFMA and FMC cover:

- Incidents arising from *regular market activities* which:
  - Are caused by the market’s negligence;
  - Cause injuries to shoppers, vendors or the public;
  - Cause property damage
- Legal defense expenses of the market and/or Additional Insureds
- Medical Expenses
Examples of Farmers Market Incidents

- A customer trips on an improperly covered electrical cord and breaks a wrist. The policy can cover medical expenses and, if the customer sues, legal fees and settlement.
- A customer gets food poisoning from an item sold by a vendor at the market. The vendor is sued for selling it and the market is sued for negligence. The policy can cover medical expenses plus legal fees and settlement. If the vendor signed a hold harmless agreement and has adequate general and product liability insurance, their policy may cover the market’s legal expenses.
- Farmers Market insurance can cover accidents and injuries that are not attributable to a specific vendor.
- Even if a specific vendor seems responsible for causing or contributing to an accident or injury, claimants tend to sue everyone involved: the vendor, the market, the Board, the market Manager, and sometimes the property owner.
What is Typically Not Covered?

• Employee injuries
• Employment-related claims
• Loss of revenue
• Allegations made against market board of directors
• Liquor Legal Liability
• Special events outside the scope of “regular market activities”
• Vendor products, liability or negligence
What other kinds of liability insurance are available?

- Vendor General and Product Liability
- Officers and Directors Liability
- Worker’s Compensation
- Property Insurance
- Special Event Coverage
How Much Is Farmers Market Liability Insurance and How Are Premiums Determined?

- Campbell’s general liability insurance premiums are based on estimated annual gross market revenue.
- Premiums for multi-market operations are based on gross revenue for all market locations combined and a single policy covers all locations.
- Most single market policies run $275 – 650* per year.
- *Markets with $100,000+ in estimated gross market revenue are underwritten individually with cost depending on organization status, location, and physical description.
How Can I Learn More About Farmers Market and Vendor Liability Insurance?

Contact Larry Spilker at Campbell Risk Management, (800) 730-7475, Ext. 2013 or lspilker@campbellrisk.com

Talk to Jen Brown, WSFMA Staff Administrator, at the conference or call (206) 706-5198 or email office@wafarmersmarkets.com

WSFMA Website: General Liability Insurance

Check out the excellent resources provided by the Farmers Market Coalition: Market Manager FAQ’s and Resource Library: Insurance, Liability and Licensing

Nonprofit Risk Management Center: Excellent resources, e-newsletter and training materials
CREATE A CULTURE OF MARKET SAFETY!

Jen Brown, WSFMA Staff Administrator  
Larry Spilker, Campbell Risk Management  
February 4, 2016