

## Domestic or Personal Service Workers

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Individuals can face many demands...a job, family, your hobbies, volunteer work, your children's school and recreational obligations, the lawn and garden, house cleaning, repairs and on and on. Like many of your peers, you might find that you just don't have the time to get all of it done. Also, like many of your friends and neighbors, you may be "outsourcing" some of your responsibilities. Increasingly, people are hiring others to either assist or to take over duties such as:

- child-rearing
- gardening
- decorating
- housecleaning
- laundry
- grocery shopping
- personal errands
- child-transport
- minor home repairs
- lawn maintenance
- meal preparation
- exercise

While such help used to fall under the auspices of butlers, maids and nannies, today, individual specialists are providing similar services on either a part-time or full-time basis.

### Personal Services and Personal Liability

When personal services are provided by a commercial business, such as a limousine or laundry service or a lawn care company, there's generally no need to worry about being held liable for injury to another person or their property.

Example: The Burlies never had time to take care of their lawn. As their grass grew thinner and the weeds spread, Mr. Burlie decided to sign-up for the "Green Thumb" package from Lucky's Lawn Services. One afternoon, a Lucky Lawn specialist arrived at the Burlie's home, unraveled a hose and began to spray a weedkiller. A few minutes later, Stevie, who lived several homes away from the Burlies, came rushing by on his skates. Stevie didn't see the hose until it tangled his wheels and sent him headlong onto the cement sidewalk. In this instance, Lucky's Lawn Services would be responsible for the injuries.

However, as individuals are hired by Joe and Jane America to perform personal services, the responsibility for injuring other people or damaging the property of others may begin to fall upon Joe and Jane. In these cases, will Joe and Jane have any help in paying for damages or injuries?.

### Homeowners Insurance to The Rescue

A person who employs the services of another may be held legally liable should the "employee" cause an accident. Can the average person who is guilty of nothing more than trying to make their lives a little less hectic depend upon their homeowners insurance for protection? Well, coverage depends upon the details surrounding an event. Generally a homeowners policy will exclude coverage for losses that are related to the covered person's (insured's) business or when other coverage, such as workers compensation or disability insurance, should apply to the loss.

Example: Molly Kelp really likes her neighbors' son, Peter, who is home from college. Molly knows that Peter is struggling for money to keep attending school, so she occasionally hires him to do jobs around her home. One day, she asks him to trim the branches of a tree that is in the front of her home. The branches are low enough to disturb traffic in the street. Peter jumps down from the ladder he's using for the job at the same time that a car is passing by. The ladder tips over onto the car's hood and the surprised driver swerves off the street and into the front of another neighbor's home. In this case, Molly's homeowner policy may apply to the damages caused by Peter. Why? Because the work was strictly related to Molly's use of her residence. If Peter caused an accident while carrying a ladder to paint Molly's law office which is next door to her home; coverage would be excluded.

### Do Your "Homework" On Personal Services

If you're not sure about what happens when a person you hire causes a loss, you need to do your homework. Discuss the details

with an insurance professional and bring a copy of your insurance policy. Between the two of you, you should be able to make sure that your needs are covered.

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