

# Using Warnings and Instructions to Increase Safety and Reduce Liability

June 7 – 9, 2022 - Online





**Interdisciplinary Professional Programs** 



# Using Warnings and Instructions to Increase Safety and Reduce Liability



June 7 – 9, 2022 = Online

## **Course Benefits**

The most cost-effective way to increase the safety of your product while decreasing product liability exposure is by developing effective warnings and instructions.

### **Course Objectives**

In this course, you will review factors useful in evaluating effective warnings and instructions to increase the safety of your product. You will examine the current legal duty to warn and instruct while evaluating recent court interpretations of this duty. You will also learn how to test and revise warnings and instructions. You will learn about ANSI Z535.4-2016 regarding product safety signs and labels, along with product safety issues in the global market place.

## Who Should Attend

- Managers
- Engineers
- Technical writers
- Product safety specialists
- Anyone responsible for creating or reviewing instructions and warnings

# Instructor Information

**Charles Burhans** is a Senior Consultant. His recent professional activities include development and evaluation of warnings and instructions and product literature, analysis of standards, accident investigation, and the development of safety training materials and product safety/integrity documentation. While at the University of Michigan, he was an Instructional Assistant for Product and Occupational Safety Management courses in the Industrial and Operations Engineering Department. Mr. Burhans is a member of the American National Standards Institute (ANSI) Z535.6 Subcommittee on Product Safety Information in Product Manuals, Instructions, and Other Collateral Materials. He received bachelor's and master's degrees from the University of Michigan in Industrial and Operations Engineering.

**Cal Burnton, JD** has tried and won numerous complex toxic tort and product liability cases, earning a national reputation for his ability to coordinate, manage, and defend mass toxic tort and complex product liability cases with a special emphasis on high-risk matters involving novel legal, scientific, and environmental theories. His clients have included leading manufacturers and sellers of products such as chemicals, health care appliances, medical devices, electrical equipment, firearms, printing presses, industrial machinery, and power tools. Mr. Burnton is a trusted counselor to his clients, advising them on issues regarding, product liability, government regulations, product safety, and related matters. Throughout the years, he has represented corporate clients in both federal and state courts in almost every state across the country.

Angela Lambert has 15 years of experience in product safety, warnings, and liability. In her role at Clarion Safety, she collaborates with manufacturers-as well as industry partners and advocates-on labels, signs and markings that can help reduce risk and protect people. That includes having a keen understanding of visual safety communication standards, as well as safety label content/design, color systems and print production. From a standards perspective, Ms. Lambert is actively involved at the leadership level in the ANSI and ISO standards for product safety. She is chair of the ANSI Z535.1 subcommittee, leading the standard that focuses on colors used in visual safety communication, a delegate representative to the ANSI Z535 committee, and a delegate representative to ANSI for the ISO/TC 145 SC2 WG 1 committee, responsible for the library of ISO 7010 registered symbols and the ISO 3864 set of standards.

**Dr. Patricia Robinson** brings more than 40 years of experience to consulting and training in product safety, particularly in the area of warnings and instructions. She is the author of Writing and Designing Manuals and Warnings (5th edition), as well as other books and articles. Dr. Robinson has helped more than one hundred national and international companies improve their warnings and instructions, addressing safety issues in a wide variety of consumer and industrial products ranging from infant car seats to high- wall coal-mining machines.

Dr. Robinson brings a unique blend of skills and experience to her consulting. She began her work in instructions and warnings while serving on the faculty of the University of Wisconsin-Madison College of Engineering. In addition to developing curriculum and teaching technical communication courses, Dr. Robinson helped develop and served as the first Director of the Technical Communication Certificate program and served as Program Director for continuing education courses in technical communication, including product documentation. She continues to teach regularly at product safety conferences and seminars.

# Earn Continuing Education Credit

By participating in this course, you will earn 10 Professional Development Hours (PDH) or 1.0 Continuing Education Units (CEU).





# Using Warnings and Instructions to Increase Safety and Reduce Liability

June 7 – 9, 2022 = Online

### **Course Outline**

#### **Module One**

# Duty to Warn and Instruct: Legal Responsibility

- No guarantees
- Broad and important topic
- Key: Being organized
- Theories of liability: Negligence/strict liability
- Factors in determining whether a duty exists
- Warnings vs. instructions

# There is No Duty to Warn Where Hazard Is Open and Obvious

- Debate of what is open and obvious
- Know the use of the product

#### Unintended/Unforeseeable Misuse

- Foreseeability
- Know the use of the product

#### **Environmental Test**

- Modifications
- Adequacy of warnings
- Factors

# Causation: Did the Failure to Warn Cause the Accident?

- History
- Factors
- Warnings/retrofit/recall

#### How to Improve Your Product

- Be organized
- Documentation and its importance
- The role of sales/service



#### **Module Two**

#### The ANSI Z535 Standards for Product Safety Signs and Labels

- Guidelines for content of product safety signs (hazard nature, seriousness, consequence, avoidance)
- Guidelines for the format of product safety signs (signal word, color, pictorials, word messages)

#### International Standards

- ISO standards for product warnings
- EC machine safety directive

# International Standard Harmonization

- US standards harmonization
- ANSI Z535 revision
- ISO 3864 revision

#### **Durability Considerations**

- Product environment
- Product surface
- Material choices

#### **Team-Based Workshop Activity**

- Evaluate warning
- Develop recommendations
- Team presentations

#### **Module Three**

#### Writing and Designing Manuals and Warnings

#### **Integrating Product Safety**

- How to conduct a hazard analysis
- Designing instructions and warnings for users

#### **Designing Instructions**

- Who is your user?
- What you see is what you read...or not
- What to put in...and what to leave out

#### Designing Warnings and Safety Messages

• Liability prevention vs. product safety

#### **Module Four**

#### Evaluating Warnings and Instructions

#### **Evaluation Considerations**

- When to evaluate
- Evaluation methods
- When and how to document
- Evaluation workshop

#### Complete Evaluation and Final Adjournment

### Schedule

Live synchronous instruction will be held online via Zoom web conference

#### Day 1

8:00 a.m. to 8:30 a.m. Registration 8:30 a.m. to 11:30 a.m. Class

#### Day 2 – 3

8:30 a.m. to 11:30 a.m. Class

#### **Testimonials**

"The program is very well-rounded and covers each of the elements of warnings and instructions in a thorough, effective, and interesting manner."

"I'd be hard pressed to say what was best—there was so much useful information, and the outside experts were super."

"Good, consistent information throughout the presentations. Everyone had the same message for action by companies for warnings and instruction."

### **Have Questions?**

Call toll free 800-462-0876 and ask for

Program Director: Susan Ottmann sottmann@wisc.edu, 608-262-3516

Program Support: Christine Congdon christine.congdon@wisc.edu, 608-890-0866

or email custserv@interpro.wisc.edu



# **Enroll Today!**

#### **Online:**

To enroll, or for complete course schedule, instructor biographies, cancellation policies, discounts and other information, visit **interpro.wisc.edu/RA00497** 

Phone:

800-462-0876 or 608-262-1299 (TDD 265-2370)

### **General Information**

Fee Covers Course materials and online instruction.

**Course Materials** Although not required, course attendees are encouraged to bring ANSI Z535.4 and ANSI Z535.6 to class.

**Cancellation** If you cannot attend please notify us at least seven days prior to the course start, and we will refund your fee. Cancellations received after this date and no-shows are subject to a \$150 administrative fee per course. You may enroll a substitute at any time before the course starts.

Location This course will be held online

