

THE DARK SIDE OF SPORTS

Can Spotters Be Sued?

Coaches and PE instructors must focus on doing their job when they are on the job

QUESTION: Can spotters be sued if they spot improperly and an injury results?

ANSWER: Yes. There have been cases where spotters have been brought in as defendants in litigations. Spotting in a weightroom is also a skill, just as spotting in gymnastics is a skill. Not everybody knows how to spot, say, a “round off, flip flop, double back” on-the-floor exercise. You need to be trained to understand how to spot that skill.

Even though it looks simple to spot a bench press, for example, when the weights get heavier and heavier you have to be well skilled and have enough strength yourself to spot. Some people spot simply because they think nothing is going to happen, and they just want to be there to enable someone to lift and feel good. That’s great – except that if the lifter really does need your skill and you don’t have it, then you could be held liable for not performing the job that you agreed to do.



Proper spotting, especially in lifts such as the towel bench press where heavy weights are used, is important to prevent injuries and reduce liability.

If you, as a coach or PE instructor, are spotting someone but don’t know how to spot properly, and one of your athletes gets hurt while you’re spotting, certainly that’s a supervision

issue and it’s also a spotting issue. Spotting is a skill, and people have to understand they must not spot anyone unless they understand the lift, know the lifter and know how to spot. BFS

The Dark Side of Sports is a question-and-answer feature by Dr. Marc Rabinoff that answers questions about safety and liability based upon actual litigations. You can watch a free video presentation of Dr. Rabinoff’s question-and-answer column by visiting our website, biggerfasterstronger.com.



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The Value of Certification

What the legal system thinks about the value of certification

QUESTION: Does having a strength coaching or personal training certification decrease your liability in the weightroom?

ANSWER: First, to add some context to my answer, you should know I've been a professor for 40 years, 31 of them in the Human Performance and Sport Department at Metro State College in Denver; and I've also been an administrator. So whether we're talking about continuing education or formal education at the undergraduate or graduate level, I am 100 percent behind education.

Education is critical, especially in conditioning programs that use weight training equipment. But does it *reduce* liability? Liability always stays the same because, by definition, you remain liable for the children, the athletes and the students who are under your control.

What certification does do is give you a formidable defense to prove that you were well trained and knew what you were doing. And it's a lot easier to prove that if you've gone through a training program.

The best certification programs are cognitive, by requiring study and testing on material from research and lit-



This January a new group of trainees came to BFS headquarters in Salt Lake City to begin their two-year educational process of becoming BFS clinicians.

erature, and include a practical exam. In the practical, you have to demonstrate to an expert instructor that you actually know how to teach those lifts and how to spot them. The testing should also show that you know the environment: everything from how to use the benches to the protective matting to the collars.

Once you put a badge on that says Joe Smith or Mary Jones is a fitness instructor or coach, your actions are included within the concept of what a reasonable and prudent person would

have done in the same and similar circumstances. That's basically a legal concept that will apply in issues of negligence and standard of care.

So, in answer to your question, *Does certification reduce liability?* – no. But what it does do is tell a jury – if it comes to that – that you studied and learned the material. And that looks much, much better to a jury than if you just read some magazines and decided to teach weight training or teach personal training. BFS

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