



## Ankin Law Office LLC

Protecting the Rights of Injured Workers

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## Illinois Court on Snow Removal Contractor's Liability For Slip & Fall



If an employee slips and falls on snow and ice that accumulated outside of a building at which she worked, who is liable for the injuries? Does the snow removal contractor bear some responsibility? In March, the Appellate Court of Illinois, First District, addressed that very question in *Williams v. Sebert Landscape Company*, No. 1–10–1794.

In *Williams*, the [personal injury plaintiff](#) was injured when she walked out of her place of employment, the post office. As she walked across the parking lot, towards her car, she slipped and fell on a patch of ice. She alleged that the ice had accumulated from a melted runoff from a pile of snow left in the middle of the lot a few days earlier by the snow removal contractor.

The Court explained that Sebert, the snow removal contractor, owed the plaintiff the duty of care owed in an ordinary negligence case, since it did not have the power to control over the property by excluding people from entering the property and thus did not stand in the shoes of the owner of the property:

Nothing in the record indicates that Sebert intended to exert control over the parking lot in any way...(and therefore) Williams had to establish ordinary negligence and not the heightened standard for an owner-occupier...(Accordingly) (i)f Sebert had negligently plowed the parking lot at the Busse Highway property and that negligence was the proximate cause of Williams' injury, then Sebert is liable.

Accordingly, the Court concluded that the trial court improperly held the plaintiff to a higher standard of proof in respect to Sebert and remanded the matter back to the trial court for a new trial. This was a good decision for the plaintiff since she had already settled with the owner and this decision also gave her a second bite at the apple in regard to the proving Sebert's liability.

Howard Ankin of Ankin Law Office LLC ([www.ankinlaw.com](http://www.ankinlaw.com)) handles [workers' compensation](#) and [personal injury cases](#). Mr. Ankin can be reached at (312) 346-8780 and [howard@ankinlaw.com](mailto:howard@ankinlaw.com).

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