

The CYA Game

It's a sad fact of business life that steps must be taken to protect against liability, and Lucky has some excellent suggestions for you.

By
Lucky Mazzone



The name of the game is CYA and the rules are simple: DOCUMENTATION, DOCUMENTATION, more DOCUMENTATION and finally, INSURANCE.

Every active safe and vault technician should be playing this game at all times, but, unfortunately, most are too busy concentrating on improving their technique, upgrading their tools, expanding their knowledge and doing their thing. Hopefully, all this effort is producing increased income and satisfaction by enhancing production, professional image, and a higher standard of living for their families. The "Great American Dream," right? However, the more successful the tech is in achieving his goals, the greater the risk of the consequences of not playing this all important game of CYA. How could this be? Let's talk about it.

YOU'RE "IT"

Each and every time a technician touches a safe or vault, said technician is buying a piece of the action. Take a simple combination change, for instance: each time you perform this service for a customer, you assume the risk of an accusation of unauthorized disclosure of the new combination should anyone remove the contents of the safe and leave no evidence of forcible entry.

Another more common problem which often arises from a simple combination change occurs when there is a lockout of the container due to some cause totally unrelated to the combination change. The technician who did the combination change is the last person who "worked on it"; hence, this person must be "responsible" for the lockout. This is a logical conclusion for the owner of the safe to reach.

The only protection a technician has in these situations is his reputation, credibility and whatever documentation he can produce indicating exactly who was furnished the new combination (with their signature acknowledging receipt) and exactly what service was performed on the container. Any attorney will tell you that documentation is the most effective

protection. Sure, reputation and credibility are very important, but documentation is absolutely essential. Reputation is based on past conduct; credibility is based upon your reputation and how you relate to facts based upon your best knowledge and recollection of them. Documentation does not rely upon memory in relation to fact; documentation is a record of fact.

FORCED ENTRY

In the situation where the technician has done a forced entry of a safe or vault, the potential liability involved escalates to the point where documentation is essential to survival in business.

Let's think about just what a technician is buying into when he forces open a safe or vault. First, he has penetrated a container that is designed to resist penetration. In essence, he has compromised the designed security of the container. Most safes or vaults are bought solely because the buyer was required by his insurance carrier to have a container designed and built to afford a specific minimum level of security to qualify for insurance coverage on the contents. Here, we could engage in a meaningless, never-ending argument in regard to the standards used to ensure this level of security, but let's leave that to another time and another forum.

The problem we are now addressing is what to do about the container we have just violated. Any professional safe technician is capable of making a repair of his penetration which will equal or, more likely, exceed the original resistance of the container; but how does he prove he did so unless he has established a routine procedure for documenting every repair he makes on every container he penetrates?

Why does a technician have to be prepared to prove he did indeed properly restore at least the designed security of a container he penetrated? Just suppose (God forbid) an industrious, competent burglar comes along and successfully penetrates the area of your repair and makes off with all the goodies. If you are an expert player of the game of CYA and have established a routine procedure of documenting every service you perform on every container on which you work your magic, your insurance carrier (last rule of the game, remember?) will not hesitate to defend any claim made against you alleging negligence in the repair of a forced container, "thus creating a path of lessened resistance" which resulted in the looting of the container.

Funny thing about insurance people; while they bleed profusely any time they pay a claim against one of their insureds, they also routinely pay most claims their legal department feels shaky about defending. How does this affect a safe technician? Reputation is based not only upon actual performance but also upon perceived performance. It doesn't require many paid claims to do great damage to any insurance carrier's perception of your performance and therefore your reputation—and consequently, your insurability. Your credibility as a professional technician likewise suffers.

Proper documentation of every service and/or repair you perform also greatly enhances the marketability of your services. It creates a tangible record of your professionalism with every customer you serve. Let's say you are called by the manager of a local branch of a large chain store to solve a lockout on the safe. You do your usual magic; open the safe, repair it and furnish the manager with a report stating exactly what caused the lockout, how you solved it (i.e., drilled it open), exactly how you repaired it (including the procedure used to patch your hole), and suggestions as to how this problem can be avoided in the future. A copy of this report is also sent to the chain's security department. This simple procedure takes you only a few minutes and accomplishes a couple of priceless things: 1) it makes it easier for the manager to justify the expense incurred, and 2) it makes the security department aware of the exact condition of this specific safe (forced open, but security full restored) without conducting an on-site inspection of the safe (which cannot disclose the actual composition of the material used in the patch anyway); thus, the document removes the guesswork involved in actual inspection.

Net result: the store manager appreciates the help you have given in justifying the cost incurred (making it easier to get your money); the security manager appreciates being kept up to date on the physical status of this specific safe and decides to demand such documentation on all future forced openings. Guess what? You are the only guy in the neighborhood who routinely provides such documentation! Fact: eight out of ten security managers of chain stores I've spoken with have never

received such an unsolicited document. Who do they call next time?

Compare the above scenario with the usual situation where the only documentation provided is a greasy copy of an invoice which says "Drill open safe; repair safe; please pay this invoice."

Put yourself in the place of the security manager of a large chain, responsible for the security of a hundred or so safes. Which would you prefer to receive?

Generic invoices and job work orders are acceptable in most industries, but the security industry has special requirements due to its very nature. All invoices, job work orders and reports should be designed specifically for the purpose intended. The cost is small relative to the protection afforded and the professional image projected.

I have included here for your information copies of two forms which I have used over the past several years as an illustration of what I am advocating. These forms have been modified many times in response to different needs, but they have always contained the same basic information. The comments these forms have evoked from customers over the years has been extremely gratifying. There is no way I could ever accurately measure the additional business they have brought me.

I'm sure you'll find that instituting a similar routine in your own business will pay you dividends far outweighing the few minutes it takes to keep these kinds of records.



If you think that we're paying too much attention to this issue, you've either been extremely lucky with your customers or you haven't been in business very long. In the near future we'll have an article on specific repair methods to help further clarify this murky area.

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CONFIDENTIAL REPORT OF FORCED OPENING OF SAFE/VAULT

Report No. _____ Date: _____ Ref. to Invoice No.: _____

TO: _____ FROM: _____

Location of safe/vault: _____ Description of unit: _____

Mfg.: _____

Model No.: _____

Rating: _____

Serial #: _____

Type: _____

AUTHORIZED BY: _____ **TITLE:** _____

Date: _____ Time: _____

METHOD OF OPENING: Drill Manipulate Thermal Lance
 Other (describe): _____

CAUSE OF LOCKOUT: Wrong comb. Lock failure Handle failure
 Boltwork failure Relock failure Burglary attempt Other (describe): _____

Unit repaired? Yes No **Warranty malfunction report filed?** Yes No

Repair authorized/refused by: _____ **Date:** _____

Repair procedure (describe fully): _____

Comments: _____

Date completed: _____

Technician: _____

Received by: _____

PLEASE FURNISH YOUR SECURITY DEPARTMENT A COPY OF THIS REPORT

SAFE AND/OR VAULT SERVICE REPORT

Report No. _____ Date: _____ Ref. to Invoice No.: _____

TO: _____ FROM: _____

Location of safe/vault: _____

Description of unit: _____

Mfg.: _____

Model No.: _____

Rating: _____

Serial #: _____

Type: _____

AUTHORIZED BY: _____ **TITLE:** _____

Date: _____ Time: _____

SERVICE REQUESTED: Comb. change Lock service Adjust door
 Service bolt work Contract Maintenance Other (describe) _____

SERVICE PERFORMED: _____

PARTS REPLACED: Comb. lock Key lock Dial Dial ring Handle
 Handle cam Hinge(s) Hinge blocks Hinge pins Hinge Spring Other
(Describe): _____

PARTS REPAIRED: _____

COMMENTS: _____

Technician: _____ Date: _____
(Print) (Sign)

NEW COMBINATION TO: _____

_____ Title _____ Date: _____
(Print) (Signature Please)

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