

Video Surveillance in Restaurants Consideration for Restaurant Tavern and Bar Owners & Operators

Video cameras in restaurants can be electronic witnesses for courts, police officers, and insurance companies. Picture these common scenarios where video footage can be used:

- An employee reports being injured in a fall in the kitchen, then files a workers' compensation claim. A video camera can confirm the claim's validity and reveal lapses in safety procedures.
- An armed robbery at a drive-through restaurant leaves the cash drawer dry. Video footage can help the police identify the culprit and help the restaurant's insurance provider determine if the robbery is a covered loss.
- Food inventory runs out sooner than expected. The video can help pinpoint whether employee theft is the cause and make sure innocent workers aren't wrongfully accused.
- A food-borne illness sickens dozens of restaurant patrons. A video feed in the food-prep area can show how workers handled food on the day of the incident.



Because video surveillance can run 24/7 and keep watch when nobody is looking, it can be a boon both to restaurants and patrons. However, restaurant owners need to understand that video cameras are not a cure-all. They just happen to do one thing really well: preserve photographic evidence.



How video surveillance can help restaurants

Like any business that deals with large numbers of people — and all the potential liabilities they represent — a restaurant must be managed with an eye toward risk reduction. Although you can't remove every risk, the steps you take to minimize the more common risks, can help lower the likelihood of your workers, customers, and vendors suffering an injury or worse.

Risk management helps preserve the well-being of the people who matter most to you, while helping you make sure you're prepared when liabilities arise. Because video cameras watch people, they can help settle liability claims arising from the following:

- Crime: Armed robberies, arson, and employee thefts
- Accidents: Slips, trips, falls, and workers' compensation claims
- Serving liquor: Violence and customer car accidents
- Preparing food: Allergies, food poisoning, and foodborne pathogens

These incidents require evidence to establish causality and determine who is responsible for monetary damages. Furthermore, people who know they're on video have an incentive to follow safety procedures and avoid criminal prosecution.



Potential limits of video surveillance in restaurants

Video surveillance can provide key evidence of liability — except when it can't. It's important to acknowledge this reality when you embrace video technology for restaurant security.

For all their advantages, video cameras have fundamental legal and practical limits.

- **Legal:** Your workers have a reasonable expectation of privacy in some areas of your restaurant; therefore, video feeds can't be installed in restrooms, shower areas, locker rooms, and similar places. "When employers use video cameras to monitor employees, they must have a legitimate business reason," noted the website FindLaw.com. "State privacy laws may determine the extent at which video monitoring is considered legitimate and therefore lawful (check with your state labor agency for more details)."¹ It's important to consult with local legal experts regarding employee privacy when you set up video feeds.
- **Practical:** Video cameras are not free, and video evidence must be managed. It may not be practical to place a camera every place where your restaurant might be exposed to a potential liability. You can either take on the purchase and management of your video system yourself, or hire experts to do it. Regardless, you have to weigh the cost of video coverage against the benefit it supplies to your restaurant.

Video cameras can hold everybody accountable, including managers and owners. Implementing and enforcing strong safety policies are better ideas than installing cameras and hoping they keep everybody honest.

Although video cameras are not magic bullets, their strengths can far outweigh the weaknesses, provided your video surveillance system is implemented properly.

¹ "Can Employers Use Video Cameras to Monitor Workers?" FindLaw.com. Accessed 26 April 2019.

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