

Little shop of horrors



ILLUSTRATION: ALBERT MCLUAR

How could this tragedy have been avoided?

by Gail H. Forsythe, LL.M.

“Is this where you cut dogs?” asked the frail, grey-haired lady who entered the veterinary office. The receptionist was puzzled. “Oh,” she responded, “you must mean the grooming shop next door.” “Thank you!” replied the dog owner and off she went with her elderly, curly-coated dogs, ‘Charlie’ and ‘Susie.’ Little did anyone realize she would return to the veterinary clinic under very tragic circumstances.

The owner entered the grooming shop. It was crowded and busy with people waiting their turn to leave their dogs for a day of grooming, bathing and nail clipping. The receptionist was doing several tasks at once: answering the phone, responding to retail inquiries and receiving the day’s grooming appointments. She was flustered in her attempts to respond to everyone. She called for the groomer’s assistant to come out, quickly muttered “bath and trim,” and Charlie and

Susie were taken to the grooming area.

The owner felt lost; she had wanted to discuss a particular hair cut. She was also worried about a change in Susie, who seemed to be having problems breathing these days. It was so busy that the owner gave up waiting for the assistant to return. She could see the assistant struggling to lift a huge dog into a tub without the aid of stairs. The assistant clearly did not have time to talk and the elderly woman did not want to be a bother.

When she returned that afternoon, she noticed the receptionist was terribly quiet and avoiding eye contact with her. The groomer came out, rang in the bill and yelled, “It’s about time you got here! We tried to reach you but couldn’t. You should know better than to leave such old dogs with us. They were fine ‘til we put them in the crate to dry. Charlie vomited all over himself when we were drying him. We can barely keep up – we don’t

have time to deal with this!”

The owner paid her bill and was then taken to the grooming area. She was horrified to find both dogs in one wooden crate with a blow dryer still in operation. The inside of the crate was incredibly hot. Susie was limp and appeared to be in a coma; Charlie was disoriented and in very bad shape. The owner frantically scooped Susie into her arms. She could not carry both dogs. The grooming assistant’s back was in agony so she could not help. The receptionist took pity on the owner and carried Charlie to the veterinary clinic next door.

Susie did not make it. She died at the clinic despite emergency measures. The vet concluded that the dogs were suffering from heat stroke. The owner was devastated. She had lost her beloved Susie, and Charlie would need to stay at the vet’s overnight. The vet bill seemed enormous. What went wrong?

A number of factors contributed to this tragic scenario that is based, in part, on an unreported case in British Columbia. They include:

- a shortage of reception staff. A more thorough and less rushed check-in procedure would have provided the opportunity for the owner and the groomer to discuss the desired grooming outcome and, most importantly, Susie's health. This discussion may have alerted the groomer to decline the dog or to monitor her more closely during the grooming process.
- a shortage of grooming staff. More staff would have allowed the groomer the time required to monitor the dogs while under the dryer.
- a failure to provide proper equipment and use it in a safe manner. The groomer's use of one wooden crate, without adequate ventilation, to blow dry two heavily coated dogs, was negligent. A reasonable groomer should have anticipated that the dogs required more space, ventilation and monitoring so they would not overheat. The shop owner also failed to provide adequate equipment for staff; a Worker's Compensation Board claim for the assistant's back injury is likely.
- a failure to recognize and properly handle an emergency. Staff should be trained to prevent dangerous situations, to recognize symptoms that require medical intervention and to seek veterinary attention. Under the circumstances, staff had a duty to ensure the dogs received immediate veterinary care; ignoring the problem and waiting for the owner put the dogs at further risk.

What can the owner do?

The dog owner has a claim in "contract" and in "tort" for negligence against the shop owner. Employees and independent, contractor groomers may also be sued if the shop is not incorporated. The owner is likely to recover a judgment for her court costs, veterinary costs, the cost of the grooming services and, given the dog's age and purpose, a fair sum to replace Susie. If Susie was a young, registered breeding/show or working dog, damages could include lost future in-

come due to reasonably anticipated puppy sales, stud services or revenue. This amount would likely be reduced by a percentage the court thinks fair to reflect contingencies – i.e., the dog may die or be infertile sooner than normal. In different circumstances, a court may reduce the award further if the owner was contributorily negligent by not alerting staff to the dog's medical condition.

What can the pet-grooming industry and consumers do?

Conscientious dog groomers want to protect the public; they are also concerned about the lack of provincial regulation of this industry. For example, in British Columbia, anyone can offer dog-grooming services regardless of experience or education. Some groomers are self-taught, some apprentice and others train at night school or a private grooming school. Many dog groomers are voluntarily taking standardized exams offered by International Professional Groomers Inc. A groomer who passes one set of exams is recognized by IPG as a Certified Groomer. A groomer who passes several

sets of exams is an IPG Certified Master Groomer. As in other unregulated industries, there is controversy whether a "piece of paper" guarantees a minimum level of competency. Without provincial regulation, it is imperative that consumers do their homework before selecting a groomer. Check out certification status, personal referrals, cleanliness, quality and adequacy of equipment, staff-to-dog ratio, Better Business Bureau complaint checks and personal attention. Your pet's life may depend on it.

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