Product Liability Training for Engineers and Engineering Managers

Training Objectives

This industry recommended training course has been developed for engineers and engineering managers working in the automotive industry who may be involved in:-

- Product planning and programme management
- The design and development of vehicles and their component systems
- Vehicle or component production and assembly
- Supply chain and Quality Management
- Product marketing and aftermarket support

This course will:-

- Develop the delegate's knowledge and understanding of the *Law and Legal System* in Europe and the USA
- Explains the principles of *Product Liability Law*, including:-
    - Negligence and your 'general duty of care'
    - Strict Liability, as defined by the EU Product Liability Directives
    - The US approach to Product Liability including the TREAD Act.
- Demonstrates how 'good management systems' based on IATF 16949:2016 and the AIAG 'core tools' can reduce or prevent potential product liability claims, and discusses their practical implementation.
- Provides practical guidance for engineers responsible for documenting or responding to concerns that may be raised
- Explains how companies should respond to potential problems identified during the development process, in production or service, and their obligation to notify regulators of known defects.
- Discusses the lessons that can be learnt from recent events in Europe and USA
- Discusses how 'management culture' can affect product liability risk
- Explains how disputes are resolved through litigation, and the evidence that may be used to pursue or defeat a claim

The training is delivered by an engineer with extensive experience of vehicle development, who has worked with vehicle manufacturers and component suppliers to investigate potential product liability claims, and has acted as an expert witness in litigation.

The course has been designed for people with no previous legal training, and uses real world case studies to develop the delegate's knowledge and understanding using interactive presentations and workshops

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Product Liability Agenda

First Session (Morning) 8:30 – 12:15	Second Session (Afternoon) 13:-00 – 16:45

Introduction to the Law
 	
• What is the Law?
 	
• Principles of Civil, Criminal Law and Contract law
 	
Negligence and Your Duty of Care
 	
• What is Negligence?
 	
• Examples of Negligence
  o Topical case study
 	
• Exercising Your Duty of Care using:-
  o ISO 9001 / IATF 16949
  o APQP and PPAP
  o FMEA's
  o Control Plans
  o Design validation
  o Problem reporting
 	
• Proving Negligence:-
  o The legal process
  o Finding the evidence through the Process of Discovery
  o Going to Court
  o Out of Court Settlements
 	
What can you write?
 	
• Practical guidance for document creation. management and retention
	A story of corporate failure
	
	• Using a real world example we will explore how 'management culture' and 'technical incompetence' combine to produce 'mega-claims'
	
	European Product Liability Directive
	
	• When is a product defective?
	
	• Who is Responsible?
	
	• Permitted defence arguments
	
	• Remedies
	
	European General Product Safety Directive
	
	• Principles and Application
	
	• Managing product recalls
	
	US Approach to Product Liability
	
	• US legal system and punitive damages
	
	• US regulators and the TREAD Act
	
	• Punitive damages and US juries
	
	Supply Chain Management
	
	• Quality management
	
	• Shared Liability
	
	The Criminal Law
	
	• Gross Negligence
	
	• Corporate Manslaughter

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Business Benefits

The course lays the foundations for 'safety culture' by:-

- Developing a common understanding of Product Liability Law,
- Enabling people to recognise and resolve potential problems at the first opportunity – avoiding the risk of litigation.
- Motivating people to use the quality management tools and techniques embedded in ISO 9001 / IATF 16949 and other in-house and public standards to manage and reduce risk throughout the product life cycle.

Delegate Feedback

Feedback from delegates has included the following comments:-

Opened our eyes to the importance of the tools and processes we use and situations that could occur if we don't take them seriously.

Good concise course with plenty of real examples to make it interesting

Enlightening subject - delivered very well

A lot of material that will need to be digested away from the classroom, the learning will carry on from now.

Good use of case studies

Very useful and informative

Great course – good information

Very enjoyable – many thanks

More people from production and planning teams should attend

From a company perspective we should identify this as pre-cursor for any new starter within 6 months of the start of employment

Very passionate about product liability and knows what he is talking about

Very knowledgeable and enthusiastic, one of the best trainers I have experienced

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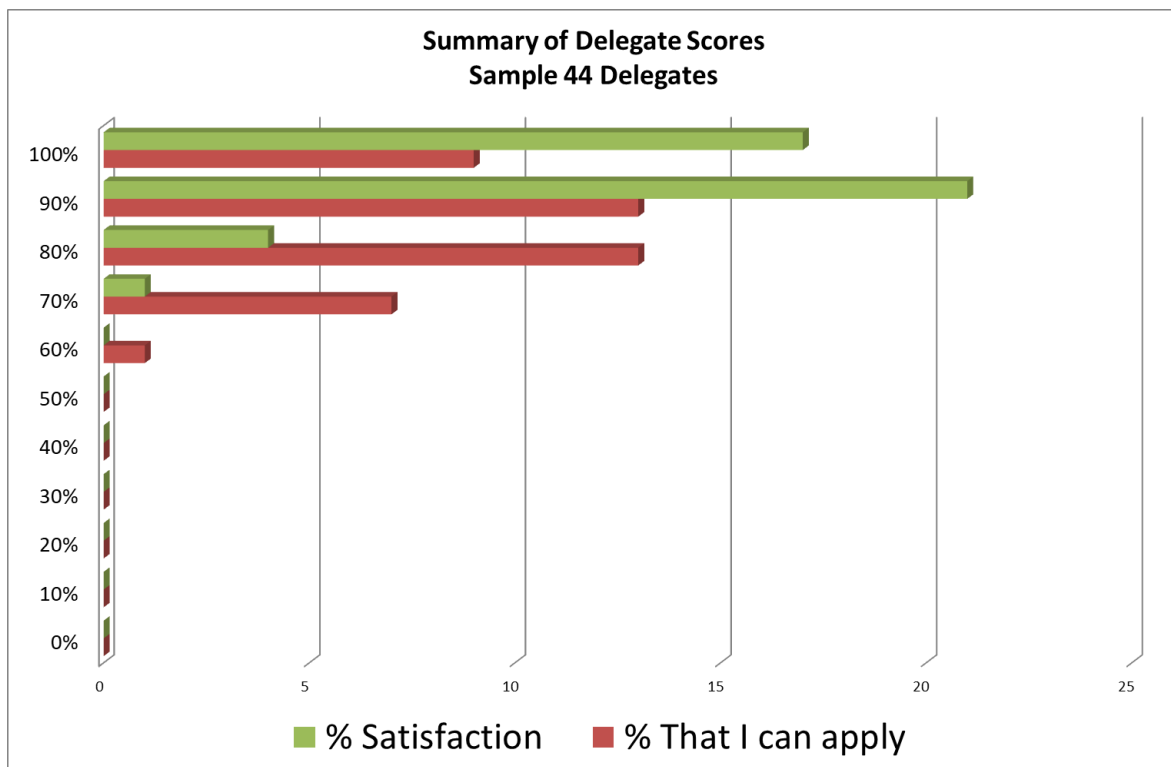*A well-presented tutorial, 80% of what I was taught can be applied*

It was very helpful to lean and be briefed in topics which I would not usually know

Thought provoking and opens my eyes to how much is involved

Was a well delivered course.

Very interesting and enlightening

The course was interactive and well delivered

**Summary of Delegate Scores
Sample 44 Delegates**

Legend: ■ % Satisfaction ■ % That I can apply

Accreditation

This course was awarded 'Industry Recommended Status' by the Automotive Academy in 2005, and since then we have continued to develop and update the course to reflect changes in the law and industry trends.

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Course Location

This training is normally delivered as an 'in-house course' for up to 15 people, allowing delegates to apply the principles to their own work environment, and discuss sensitive issues in a secure and confidential environment.

Legal Advice

Stunell Technology is an *engineering management consultancy*, and:-:-

- **We strongly recommend** that you obtain legal advice from a qualified lawyer when contemplating any form of legal action or dealing with specific complaints made against you
- *We will not provide legal advice* regarding any claims that may have been made against you, but may consider providing an Expert Opinion on technical matter is asked to do so.

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