

Woodturning class: release of liability, assumption of risk & consent

Please read this before you sign. It is a legal agreement: by signing it you give up some of your legal rights, including the right to sue for some injuries.

Participant's full name _____ Date of the class _____

1 Who this agreement is with

In this agreement, "Special Tree Service" means Kaleb Nakanelua, doing business as Special Tree Service, and anyone who helps him run the class. "The class" means the woodturning class on the date above at the Special Tree Service shop in Kāneʻohe, Hawaiʻi, including all time at the shop and on its grounds before, during and after turning. "I" and "me" mean the participant named above.

2 What the class involves

In the class I will use a powered wood lathe, which spins a piece of wood at speed, and I will hold sharp turning tools against the spinning wood to shape it. I will also sand the wood and rub in a finishing oil. Kaleb teaches and supervises throughout.

3 The risks of woodturning

Woodturning has risks that remain even when everyone takes care. Special Tree Service has told me about them, including these:

- The spinning wood can catch a tool, pull it from my hands or force it against the tool rest.
- The wood can crack, split or come loose from the lathe and be thrown with great force.
- Contact with the spinning wood, the chuck or other moving parts of the lathe can cause cuts, bruises, broken bones or worse.
- Hair, sleeves, gloves, jewelry or anything loose can be caught by the spinning wood or the lathe and pull me in.
- The turning tools, knives and saws are sharp and can cut or puncture.
- Chips, shavings, splinters, dust and pieces of wood or bark can fly into my face and eyes, even while I wear a face shield.
- Wood dust can irritate my eyes, skin, nose, throat and lungs. Some woods can cause rashes or allergic reactions (mango, for one, is in the same plant family as poison ivy), and finishing oils can irritate skin.
- Wood and tools can get hot enough from friction to burn.
- The shop has noise, electrical equipment, heavy pieces of wood to lift, shavings and cords to slip or trip on, uneven ground, heat, humidity and insects.
- Standing, lifting and working with tools for hours can cause strain, tiredness or dehydration, and can make an existing condition worse.

Any of these can cause serious injury, including loss of sight, loss of fingers, scarring or permanent disability, and in rare cases death.

4 What Special Tree Service does

Before I turn, Kaleb shows me how the lathe and the tools work and goes over the safety rules. He provides a face shield and the other safety gear, and he is with me while the lathe runs. He can stop me, or end my part in the class, at any time if he believes it is unsafe.

5 What I agree to do

- Follow every instruction and safety rule, and ask whenever I am unsure.
- Wear the face shield whenever the lathe is running, and use the other safety gear I am given.
- Wear closed-toe shoes, tie back long hair, and take off rings, bracelets, necklaces and anything loose or dangling before I turn.
- Not take part while affected by alcohol, drugs or any medication that affects my alertness.
- Tell Kaleb before the class about any medical condition, injury, allergy (including to wood), pregnancy or medication that could affect my safety, and tell him at once if I feel unwell.
- Stop and step back from the lathe whenever Kaleb tells me to.

6 My health

I confirm that I am physically able to take part, that I have told Kaleb about anything that could affect my safety, and that I will tell him if anything changes. I agree that Special Tree Service may give me first aid and, if I cannot decide for myself, may call for emergency medical care and transport for me. I am responsible for the cost of any medical care I receive.

Emergency contact _____ Phone _____

7 I accept the risks

I have read the risks in section 3. I understand them, including that care cannot remove them all, and I choose to take part. I accept these risks and any other risks of the class, known or unknown. I confirm that Special Tree Service has fully disclosed the inherent risks of the class to me, that I am physically able to take part, and that I will be given the instruction I need to take part safely.

Initials _____

8 Release of liability

To the fullest extent the law of Hawai'i allows, I release Special Tree Service from, and agree not to sue it for, any claim for injury, illness or death, and for loss of or damage to property, that arises from the inherent risks of the class described in section 3 or in any other way from my taking part in the class. This includes claims caused by the ordinary negligence of Special Tree Service, to the extent the law allows them to be released. It does not include claims caused by gross negligence or willful misconduct.

Initials _____

9 My own actions

If my own careless or deliberate actions in the class cause injury or damage to anyone else, I am responsible for them, and I will cover any claim brought against Special Tree Service because of them, including reasonable legal costs.

Initials _____

10 Photos (optional)

☐ Yes ☐ No

Special Tree Service may use photos or video of me and my work taken during the class on its website and social media, without payment to me. I can withdraw this later by telling Kaleb in writing; posts already made may stay up.

11 Participants under 18

Someone under 18 may take part only with a parent or legal guardian at the shop for the whole class, and only if that parent or guardian signs below. By signing, the parent or guardian gives permission for the minor to take part; confirms they have read this agreement and gone over it with the minor; agrees to its terms for themselves and, to the extent the law allows, on the minor's behalf; and agrees, to the extent the law allows, to cover any claim brought by or for the minor against Special Tree Service that this agreement would bar if the minor were an adult.

12 General terms

- The law of the State of Hawai'i governs this agreement, and any dispute about it will be heard in the courts of the State of Hawai'i on O'ahu.
- If any part of it cannot be enforced, the rest still applies, and that part applies as far as the law allows.
- It is the whole agreement between us about the risks of the class, and it replaces anything said or written before about them.
- A copy, scan or photo of this signed agreement counts the same as the original.

13 Signatures

I have read all of this agreement and had the chance to ask Kaleb about anything in it. I understand it, and I sign it of my own free will, knowing that by signing I give up legal rights. I am 18 or older, or my parent or guardian signs below.

Participant

Signature _____ Date _____
Printed name _____ Phone _____
Email _____

Parent or legal guardian (if the participant is under 18)

Signature _____ Date _____
Printed name _____ Relationship _____

For Special Tree Service

Kaleb Nakanelua, signature _____ Date _____