



*This article presents general guidelines for Georgia nonprofit organizations as of the date written and should not be construed as legal advice. Always consult an attorney to address your particular situation.*

## **HAS YOUR NONPROFIT RECENTLY PIVOTED TO PROVIDE FOOD SERVICES OR DELIVERY?**

Your in-person programming does not work in the current COVID-19 paradigm, but the needs in the community are now greater than ever before. Have you recently pivoted to respond to the new needs of your clients during COVID-19? Maybe instead of tutoring children, you are delivering meals to their homes or you have expanded from food pantry to food delivery. As you quickly shift to this new programming, take a moment to consider how you can limit risk to your organization by addressing liability and other issues.

- *Do your liability releases match your new services?* If your nonprofit never delivered food before, and now you find yourself in that area, your liability releases with volunteers and/or participants may not take into consideration such high-risk activities as driving or lifting heavy boxes. You can find more information about liability releases and COVID [HERE](#). You should take a look at your waiver and consult with your attorney to determine if it needs to be updated to reflect your temporary new programming or services.
- *How is the food collected and distributed?* If the food is being stored and sorted at your facility, you should ensure that proper safety protocols are taken to mitigate the spread of COVID-19. Stagger work or volunteer schedules or physically separate work stations so that there is ample space for individuals to maintain social distance. Make sure anyone assisting with sorting and distributing food has masks gloves, and access to hand washing stations or hand sanitizer. The CDC has resources that specifically apply to [food delivery](#) and [community based organizations](#).
- *What is your responsibility to inspect food before you deliver it?* If food your nonprofit provides causes an illness to an individual, what legal risk does that pose for your organization? There are broad protections for organizations that receive and distribute food for donations, but your organization does still have certain responsibilities in inspecting and delivery. You will find more information in [this webcast](#) and [this article](#).
- *Do you have the proper insurance?* If your programming has changed, such as employees are now using their own cars to delivering food to participants, there is a chance your current insurance policies are insufficient. Reach out to your insurance agent to make sure your existing policies cover you in the event of an accident.
- *What funds are covering your nonprofit's new services?* If your organization received restricted grant monies specifically to accommodate your new temporary services, be sure to review and comply with any relevant grant reporting requirements.

Reach out to your PBPA attorney for assistance with reviewing your liability releases and addressing other potential risks.

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