**Dealer**

**Loss and Damage Claims Procedure**

**DEPARTMENT CHECKLIST**

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| **Receiving Department Responsibilities** |

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| When to File a Claim: |

* + If you are requesting a credit for a shortage, total loss or damage, your company is responsible to provide NACCO with the proper documentation to allow NACCO to file a freight claim, against the carrier, to recover the amount of the Credit Memo.

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| Who to File the Claim Against: |

* Freight claims against the carrier can only be filed for Dock Receiving shortages or damages.
  + Detail/Packing List Receiving shortages or damages should be filed against NACCO
* In other words, if the shipment is short a carton or a pallet, or there is any type of damage to the shipment, the claim should be filed against the carrier.
* If there is a Packing List Exception, and a shortage or damage exists, the claim is filed against NACCO.

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| Steps for Filing: |

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| * Inspect the shipment and check for signs of damage | Check for the following:   * Crushed carton * Wet or leaking cartons * Opened boxes * Torn stretch wrap * Toppled pallets or stacks * Missing boxes |
| * Count the pallets & cartons | Be sure to include the number of cartons received. If the shipment consists of pallets be sure you indicate the number of pallets received. |
| * If there is a carton count, such as 2 pallets said to contain 20 cartons, count the cartons | Do not just sign for the pallets, or else you will not be able to claim any missing cartons later. |
| * Tell the driver and note the exception(s) on the Delivery Receipt. | Note ALL exceptions. Be as detailed as possible. |
| * Ensure that the driver signs the Delivery Receipt validating that the exception exists. |  |
| * DO NOT sign a freight bill with “subject to inspection” | This will not stand up during the claim negotiations. |
| * If the driver refuses to sign the Delivery Receipt, contact the driver’s terminal and advise them. |  |
| * Take photos of the damage. | If the shipment is damaged while in the truck take pictures before, during and after unloading. |
| * If the cartons are open or torn, tell the driver you need to count the contents | If he refuses to be there during the count, contact the driver’s terminal and advise them. |
| * If you do not agree with the driver’s comments on the freight bill, **DO NOT** sign it. | Signing the freight bill indicates that you agree with the driver and his comments. |
| * Complete the OS&D form provided with this packet and fax or email it to NACCO Customer Service as soon as possible. |  |

*As a final note, it's always better to provide more evidence and data than not enough.*

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| **Inspection Responsibilities** |

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| An inspection report of your findings needs to be created as part of the claim documentation. Here's what it should cover: | |
| * Inspect & test the products | Determine if the damaged products are:   * Reusable * A total loss * Repairable * Should be returned to the supplier |
| * If repairable, provide the estimated cost to repair the damaged units |  |
| * If they are a total loss, provide a description of the damages and an explanation as to why the unit can't be repaired |  |

### Remember:

* The damaged unit(s) and the packaging material must be kept until notified by NACCO, or by the carrier in writing
* Never give any salvage to the carrier unless authorized in writing by NACCO or the carrier Department.

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| **Disposition of Damaged Merchandise** |

* NACCO based on the type of damage and where the product was shipped from, NACCO will provide Return Instructions.

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| **Return Responsibilities** |

To ensure that you will receive proper credit, when returning damage product, the following processes and instructions must be followed:

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| * The damaged product must be return to the shipper via the same carrier that caused the damage |
| * The BOL is to be marked Free Astray – Due To Damage |
| * A copy of the signed BOL and carrier Pro number, covering the return, must be return to (Customer to Determine) |