

55.02 Construction Negligence--Duty

A party who retained some control over the safety of the work has a duty to exercise that control with ordinary care.

Notes on Use

This should be used in conjunction with IPI 55.03.

Comment

See *Restatement (Second) of Torts* § 414, the Comment to IPI 55.01, and the Introduction to this section.

(*Cf. Restatement (Second) of Torts* § 414: “one who entrusts work to an independent contractor, but who retains the control of any part of the work, is subject to liability for physical harm to others for whose safety the employer owes a duty to exercise reasonable care, which is caused by his failure to exercise his control with reasonable care.”).

Comment approved January 2015.