

Unite Personal Injury Legal Services

NORTH WEST

Autumn/Winter 2013

Legal Helpline 0800 709 007



Seven figure compensation for Sellafield worker

A WORKINGTON grand-father lost his leg after an accident at work.

Kenneth Brown, aged 64, was working for Johnson Controls as a mechanical fitter and as a sub-contractor at their Sellafield site.

He was knocked down and had his left leg crushed by a cherry picker driven by another worker. Mr Brown sustained extensive crush injuries to his left leg, which consequently needed to be amputated above the knee.

Health and Safety Executive investigation

The Health and Safety Executive investigated the accident and reported that Johnson Controls had been guilty of a number of breaches of health and safety legislation.

The investigation found that Mr Brown and other staff at Johnsons Controls had escorted cherry pickers on foot several times a month, for at least 14 months, prior to the injury. The only advice the company gave to

its employees when directing cherry pickers was to wear a high visibility waistcoat. No specific training was provided.

Although Mr Brown's employers pleaded guilty to breaching health and safety laws, legal representatives of Johnson Controls still alleged that Mr Brown was partly to blame for the accident.

Compensation

However, Unite Legal Services, working with Thompsons Solicitors, was eventually able to secure compensation from the member's employers, with Mr Brown receiving a full award of damages.

Commenting on the case, Unite regional secretary, Mick Whitley, said: "Mr Brown suffered horrific injuries because his employer ignored fundamental health and safety procedures.

"It is completely unacceptable for an employer to shirk responsibility and try to blame the injured worker"

Aircraft worker permanently disabled after fall from height

AN AIRCRAFT engineer who has been left permanently disabled after falling at work has received compensation from his employers.

The 40-year-old Unite the Union member was carrying out fuel checks on a Boeing 767 from a scissor lift working about 25 feet off the ground.

The door retracted inside the fuselage as expected when suddenly the emergency slide raft deployed and inflated, collided with the scissor lift and caused the member to fall to the ground. He sustained serious leg and spinal injuries.

While his injuries have healed well and he has been able to return to work, underlying difficulties remain and further surgery is likely in the future.

Although liability was admitted by his employer at an early stage, this case highlights the importance of risk assessments as well as the importance of taking into account human factors when carrying out safety critical maintenance tasks at height.

FREE legal help and advice is available to members and their immediate families

Compensation secured for occupational asthma

A UNITE the Union member from Morecambe has secured compensation after developing occupational asthma resulting from exposure to wood dust over the course of eight years working as a joiner at the Heysham power station.

Peter Boyd had to cut plywood, hardwood and Bakelite using tools such as circular saws, hand-held grinders, jig saws and chop saws.

Ineffective ventilation

During his employment at Heysham, the environments in which he worked

did not have effective ventilation systems and some did not have any extraction or ventilation at all.

Mr Boyd was exposed to large amounts of wood dust and his employers failed to mitigate against this hazard by supplying personal protective equipment or carrying out the necessary risk assessments.

Unite Legal Services, working with Thompsons Solicitors, secured £65,000 in compensation for the occupational asthma that Mr Boyd contracted as a result of these unsafe working environments and from which he continues to suffer.

Unsafe working environment causes fractured foot

UNITE THE Union member Rodney Sayle was working with Alpha Flight Services at Manchester Airport when his left foot went down a drain hole causing him to twist it.

Mr Sayle immediately attended A&E where he discovered he had fractured his metatarsal. The member had to attend a pain management consultant to cope with the day-to-day pain.

Thompsons Solicitors represented Mr Sayle and agreed compensation with his employers of £42,500, a significant increase on the original offer put forward.

Dislocated elbow from fall at work

A UNITE member from St Helens has secured compensation from his employer after he fell at work because he tripped over an exposed bolt fixed to the floor.

John Stewart, a worker at a packaging company in Wigan, was carrying out his duties when he tripped over the raised bolt and fell on his left side. He sustained a dislocated elbow, a chipped bone in his elbow, and pain and discomfort in his shoulder.

Eventually, the employer admitted liability for the accident and fitted a metal plate to cover the bolt and painted a yellow warning line on the floor.

Unite Legal Services worked on Mr Stewart's behalf to secure over £5,000 in compensation, but were forced to launch court proceedings when liability was initially denied.

Thompsons' Regional Serious Injury Team

IF YOU, a family member or friend suffers a serious or 'catastrophic injury' life is likely to become difficult.

- Spinal injuries, brain injuries, severe burns, amputations and fatalities change lives forever.
- 24-hour care may become a necessity.
- Special equipment, adaptations to the home and months of rehabilitation may be required.
- Sadly, for some people, their serious injury will mean the end of their working lives.

Cases involving serious or 'catastrophic injury' often lead to multi-million pound settlements and can take many years to conclude, so a relationship that you trust really matters.

Thompsons Regional Serious Injury Team can provide specialist advice and representation, and start to help you immediately with what you need.

We will also work closely with Unite to ensure that a link is maintained with employers and work colleagues whilst you or your family member make progress with medical treatment and rehabilitation.

In addition to our expert legal advice we can also offer and advise on:

- Hospital Visits
 - Family visits at home or in hospital
 - Needs assessments
 - Rehabilitation support
 - Financial support/welfare benefits
 - Advice on health and social care services
 - Practical and emotional support
 - Capacity and decision making
- For more information about the Regional Serious Injury Team and how we can help you please contact:
Imogen Wetton
0161 819 3500
imogenwetton@thompsons.law.co.uk

Did you know?

As a Unite member you have the benefit of the union's free legal scheme which includes:

- Personal injury claims at home, work or abroad
- An Extended Personal Injury service for members' immediate families who are not in employment for non-work related accidents or diseases
- Initial advice on any legal subject
- Free wills for you and your partner
- Reduced price conveyancing
- Employment and criminal advice