

UNISON Personal Injury Legal Services

Spring 2014



CYMRU/WALES

Legal Helpline 0800 0 857 857 Minicom 0800 0967 968

School kitchen worker compensated after agonising injury

A KITCHEN worker at Pengar School in Llanelli, who was left in agony after continually lifting sacks of potatoes onto a trolley, has secured compensation with the help of UNISON.

The potato-peeling machine in Tina Bowen's school kitchen had been broken for a long time.

As a result, she had to use a machine at a different school that left her manually lifting the heavy sacks of potatoes onto a trolley and pushing them across a car park.

She would then have to load the clean potatoes back onto the trolley to take them back to Pengar School to be cooked.

Absent for six months

During one trip, Tina felt severe pain in her left shoulder. She was absent from work for six months, during which time she lost vital earnings and struggled with the simplest of day to day tasks.

Following her injury, Tina contacted UNISON, who referred her case to personal injury specialists Thompsons Solicitors who investigated her case.

Together, UNISON and Thompsons secured several thousand pounds on Tina's behalf by proving that Carmarthenshire County Council had not followed basic health and safety rules.

Career ended by manual handling accident

A UNISON member has received £4,000 in compensation after injuring her back at work.

The community care assistant from Swansea regularly lifted an elderly man, who weighed around 20 stone, from his bed to a wheelchair using an overhead hoist.

Support not given

The 56-year-old carer had asked her employer, City and Council of Swansea, for a sling with handles to make the procedure easier but they failed to provide this additional support.

During a routine visit to the man's home in October 2009, she was moving him from the hoist to the chair when she felt a sharp pain in her lower back.

The accident accelerated the onset of symptoms of a degenerative condition in her spine and since her accident, she has been unable to return to work because she cannot carry out the manual handling tasks the job requires.

The member underwent a course of physiotherapy and painkillers to help control the symptoms in her back but still has on-going pain.

Injured paramedic secures significant compensation

A paramedic has been awarded significant compensation after action by UNISON.

The 53-year-old had to manually lift a patient into the back of an ambulance using a 'carry chair' because it wasn't fitted with a tail lift.

The awkward maneuverability of the carry chair caused the paramedic to strain under the weight of the patient.

The incident exacerbated an existing back injury that had also been caused by lifting a patient while on duty.

The paramedic had to have physiotherapy and was unable to work for four and a half months.

DON'T FORGET

**UNISON is
here to help,
whether it's for
you or a
member of
your family**

T THOMPSONS
SOLICITORS

Injured automotive assessor forced to retire after fall

AN AUTOMOTIVE assessor employed by Blaenau Gwent County Borough Council, who was injured by a colleague's mistake, has secured £10,000 in compensation.

John Williams, a UNISON member of nine years, was leaning into a car on a mechanical ramp to inspect the handbrake when, without his knowledge, a trainee colleague raised the ramp from ground level.

Having completed the checks John

stepped backwards out of the vehicle – expecting to place his feet onto the ground – and instead found himself falling five feet onto the concrete floor below.

John sustained neck, shoulder and lower back injuries and contacted his union, UNISON, for support. UNISON put him in touch with Thompsons Solicitors who successfully pursued a case on his behalf.

Thompson's medical investigations

detailed the injuries to John's neck and back but also revealed existing arthritis that was made worse by the impact.

The combination of his injuries forced John into early retirement from a job he enjoyed.

Blaenau Gwent County Borough Council was forced to admit it had breached its health and safety obligations by failing to provide adequate training and supervision to the trainee.

Compensation after fall from ladder

A UNISON member, who was injured at work when he fell off a ladder, has received £35,000 in compensation.

The member was using a tallelescope ladder (a ladder mounted on a base frame) to help clear away equipment after a school concert. He climbed the ladder and was being wheeled around by his colleague.

As the ladder was being moved, it toppled over, causing the member to fall off and fracture his arm.

Although he made a good recovery, he was left with a scar and was unable to return to his passion of playing rugby.

The Health and Safety Executive investigated the case and found that the way this work was carried out was unsafe.

The member should never have been on the ladder as he was in excess of the maximum weight limit.

Although there was a label on the ladder to warn of this weight capacity, the member was dyslexic and no allowance was made for this. The ladder should not have been moved when somebody was working on top of it and outriggers should have been used to stabilise it.

The member's employers admitted primary liability but sought to reduce the amount of compensation by alleging the member was partly to blame.

A settlement was eventually reached after court proceedings were issued.

Free Legal Advice for you and your family

As a UNISON member you receive:

Free legal advice and representation on:

- Personal Injury at work (including assaults)
- Personal injury away from work
- Road traffic accident injury
- Holiday injury
- Slips and trips at or away from work
- Industrial disease or illness at work
- Employment law accessed through your UNISON branch

For UNISON family members we also offer:

Free legal advice and representation on:

- Personal injury away from work
- Road traffic accident injury
- Holiday injury
- Slips and trips away from work

Special terms for clinical negligence cases

Reduced rates for conveyancing and family member Wills

About Thompsons

Thompsons Solicitors is the largest national specialist personal injury practice in the country with over 1000 staff in a network of offices nationwide.

We secure over £150 million compensation each year for people who have been injured and suffered loss as a result of accidents caused by the carelessness of others. Thompsons only works for injured people, never for insurance companies or employers.

Please email newsletters@thompsons.law.co.uk to let us know if this newsletter was helpful and what topics you would like covered in future.

Legal Helpline 0800 0 857 857

Minicom 0800 0967 968 for hearing impaired Mon-Fri

6am-midnight Sat 9am-4pm



STANDING UP FOR YOU