

SUCCESSFUL INDUSTRIAL INJURY CLAIM STEPS

If you have recently suffered a workplace industrial injury then there is a chance that the accident just put your career on the line. Yet less than 1 in 10 people injured in an industrial accident in the UK will claim for compensation from their employers or the state.

So, is it the case in Britain that we don't like to sue our employers or the state for compensation following a workplace injury, or is it that we are simply not aware of what our rights are?

Employers' Duty

Although there are protections in place for employees for many years such as employers should comply with a general duty towards the level of health and safety standards in a workplace. It was only following Britain's entry into the European Union that these laws became more than a toothless tiger and started to bite back.

Today, employers have a duty to ensure that your overall safety in the workplace is free from the risk of an accident injury by ensuring:

- that they employ competent co-workers to work with you;
- that they provide you with adequate materials;
- that the equipment you use complies with safety requirements;
- that you are provided with protective clothing (if needed); and
- that proper training and adequate supervision be provided to minimise the risk of any workplace injury.

Industrial Accident Claim

Such is the scope of the UK and EU law, it protects employees from an industrial accident. If you do need to make an industrial injury claim you will probably be fighting under one of these legislations:

- The Management of Health and Safety at Work Regulations (1992): which imposes a requirement that employers make an assessment of any foreseeable risk of exposure to a workplace injury and if such a risk exists to take action to prevent such;
- The Workplace (Health, Safety and Welfare) Regulations (1992): which imposes a duty on employers to ensure the safety of their employees with respect to the maintenance of the workplace, its ventilation, temperature, lighting, etc.;
- The Manual Handling Operations Regulations (1992): which imposes a requirement that, in as much as it is possible, employers should avoid employees needing to undertake manual handling operations at work that involve an element of risk;
- The Personal Protective Equipment at Work Regulations (1992): which requires employers to provide employees with adequate protective clothing if they are exposed to any risk (such as protective glasses); and
- The Provision and Use of Work Equipment Regulations (1998): under which employers are required to ensure that equipment used by their employees is fit for the purpose.

Industrial Injury Solicitor

Having said that there are adequate provisions in place to protect employees in the case of any workplace injury. Unfortunately lots of employers in the UK are either unaware of their duty of care or simply refuse to comply with it.

In such circumstances, while there will almost certainly be a case for industrial injury compensation, to ensure that your rights as an employee are adequately being protected and that you receive fair and impartial advice on what your rights are under the relevant laws. You should seek the advice of an industrial injury solicitor following an industrial accident.

Even in circumstances where you are on good terms with your employer, if you want to make sure that your industrial injury claim will compensate you to the maximum you are allowed under the law, you should ask an industrial injury lawyer for his advice and assistance in handling your case.

Keep in mind that the solicitor will have your best interests at heart, whereas your employer will have the company's best interests at heart.

Ensure To Pursue With An Accident Claim

Finally, if you are in an unfortunate position to be recovering from a work injury and are considering your options as to whether or not to bring a claim against your employer, remember that you owe your employer nothing, whereas your employer owed you a duty to ensure you don't get injured at work!

What's more, if you don't make a claim for industrial injury compensation, do you really believe that 5 years down the road from now your employer is going to remember who you are as you struggle by on benefits?