

SAFE HARBOR

A monthly newsletter for the Maritime worker from
The Law Offices of Lyle C. Cavin, Jr.

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Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information informative and helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



A DROP OF OIL CAN END A CAREER



To a seaman, the dangers of oil on the deck should be obvious. To limit the crew's exposure to that danger many spaces aboard vessels have containment areas to prevent leaking oil from flowing out on to decks and walkways. However, it's not always the large obvious leak that creates the hazard.

Machinery requiring oil is not isolated to the engine room or to below deck. Winches, compressors, pumps, and other machinery out on deck all require oil and often times these machines are located in an area where, if they were to leak, there is no containment area. Making matters worse, there is frequently no regularly followed maintenance program for these machines, thus they are at an increased risk of leakage. Additionally, there is often confusion as to which department (Deck or Engine) is responsible for the maintenance of these various machines.

Many times only a few drops of oil can cause a career ending injury and these rarely checked machines are too often the culprit. Remember, if you see ANY oil on the outside of ANY machine, it may produce a hazard on a walking surface. Report all leaks immediately and insist that the potential hazard be documented.

Question from the bridge:



Dear Mr. Cavin,

Back in March I suffered an injury while working on a tanker. I fell on deck because there was no non-skid material and the deck was slippery. I need surgery and my doctor told me I would be out at least eight months. What am I going to do for income for this long?

Dave H. - Portland, OR

Dave,

If you are a Jones Act seaman your employer is required to pay "maintenance and cure". The maintenance will help you pay your bills. The obligation for your Jones Act employer to pay maintenance is mandatory and all you need demonstrate is that your injury or illness arose during your service aboard the vessel or was the result of your service on the vessel. It is a no fault system.

Additionally, you will likely be eligible for state disability benefits and in cases of longer disability, you may be entitled to Social Security benefits. It is important to apply for state disability benefits as soon as possible as there can be a delay in receipt of those benefits. Despite any delay, you will be paid retroactively to the date of injury in most all cases. Your treating physician must complete portions of these forms as well to document your disability.

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates with a Jones Act injury claim or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer more than 150 combined years of courtroom and negotiated claims settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr. & Associates

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1888CREWLAW or 1888-273-9529

510-444-2501

Fax: 510-444-4209

www.sealawyer.com