

SAFE HARBOR

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

May 2012



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.



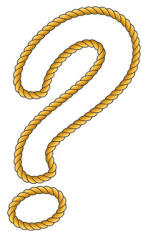
THE RIGHT TOOL FOR THE RIGHT JOB CAN ADD YEARS TO YOUR CAREER

Selecting the right tool for the job makes the task easier to complete and the job safer. All too often vessels are not properly equipped with tools required to properly maintain the vessel. And, while at sea, sailors don't have the luxury of stopping off at the local hardware store to pick up the right tool if it's not already on the ship. Tools often get misplaced or broken, and sailors are forced to come up with creative solutions to substitute for a missing tool.

Unfortunately, these impromptu solutions can lead to serious injuries and shipping companies have sought to deny rightful financial compensation by attempting to place blame solely on the sailor by alleging that the seaman wasn't using the right tool for the job. Fortunately, there is protective maritime law which burdens the employer and vessel with the non-delegable responsibility to provide the proper equipment or tools.

In order to better protect yourself and your shipmates, if you notice that tools are missing, inform your supervisor and let him know which tools should be obtained for the ship. More importantly, if you feel you cannot complete a task safely because the ship does not have the proper tools, **DON'T DO THE JOB!** Tell your supervisor that the job order can't be completed safely without the proper tools. Making a written record of your grievance or request strengthens your position should issues later arise.

QUESTION FROM THE BRIDGE



Dear Mr. Cavin,

"As part of my overtime shift I am asked to use a needle gun and a chipper to remove rust and paint build-up all over the vessel. Sometimes after a few hours of use my fingers are tingling. Is it dangerous to use these types of tools too long?"

- Jim S., Oregon

STOP using any tool if you are experiencing tingling or numbness. There are strict time limitations established by the manufacturer when using a pneumatic tool such as a needle gun or chipper. Overuse can lead to a permanent injury which may prevent you from returning to sea.

Ask to see the manufacturer's guidelines or the tool's owners manual. That documentation should list specific time recommendations to prevent injury.

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, 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