

SAFE HARBOR

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

June 2018



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 helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



ARE HARBOR WORKERS PAID THEIR CORRECT TEMPORARY DISABILITY?



Longshoremen and other harbor workers who suffer injury or illness related to their job are paid 2/3 of their Average Weekly Wage (AWW). However, there are at least three different methods by which this sum can be calculated based upon past earnings. If you are receiving this compensation benefit make sure you are being paid the correct amount. The most frequently calculated rate is based on the worker's past 52 weeks of earnings. However, this is not the only method by which it may be calculated if the worker has not fulfilled that length of employment. Be sure and double check and get proper legal advice as to how your Average Weekly Wage is calculated so that you are not shortchanged by your employer or their insurance carrier.

QUESTION FROM THE BRIDGE



I am a longshoreman who was injured recently and I have received a compensation check which seems less than the 2/3 of my last few paychecks. How do I know I am being fairly compensated while off work?

*Travis, D.
Oakland, CA*

Answer:

Travis,

You may not be receiving the proper amount and the first thing you need to do is inquire as to how they calculated your rate. After this, if the explanation is unclear or you need further advice contact a maritime attorney experienced in the L&H Compensation Act. If you have worked less than a full 52 weeks there are other more favorable methods of calculating your Average Weekly Wage under the Act that should be checked out. Employers often use the method of calculation most beneficial to their economic interests.

The Law Offices of Lyle C. Cavin, Jr.
428 Alice St., Suite 128
Oakland, CA 94607

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 for 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.

Law Offices of Lyle C. Cavin, Jr. & Associates
"Serving the Merchant Mariner Since 1970"
1888CREWLAW or 1888-273-9529

510-444-2501 Fax: 510-444-4209

428 Alice St., Suite 128, Oakland, CA 94607

www.sealawyer.com