

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.



ARE YOU FIT FOR DUTY?



Merchant mariners who suffer an illness or injury must eventually be declared Fit for Duty to return to their seafaring jobs or declared Permanently Not Fit For Duty. The standards associated with that determination can be complicated. It is well-known that a mariner must be able to perform all the rigors associated with his job requirements. For mariners there is no "light duty" status. One must be fit for duty without restriction or not at all.

Many medical practitioners do not understand this concept or have difficulty interpreting it. This can lead to problems when a mariner attempts to return to work or obtain his or her maintenance payments or other disability benefits to which he or she may be entitled. Make sure your doctor understands it is "all or nothing" in terms of medical/duty status!

QUESTION FROM THE BRIDGE



Dear Counsel,

My doctor wants to release me to return to sea but is not entirely convinced I will be able to perform all of the heavier duties required of a deckhand. How can I protect myself under the circumstances?

Bill H., San Pedro

Dear Bill,

There are Coast Guard published guidelines on determination of duty status. Your doctor needs to consult these guidelines. However, where the physician doesn't have access to these guidelines ask him to declare you "Fit For Duty on a trial basis". This lets the ship-owner know that you may require further follow-up and/or medical care.

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

"Serving the Merchant Mariner Since 1970"

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