

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



IS YOUR EMPLOYER LIABLE FOR YOUR EXPOSURE TO COVID-19?



The worldwide pandemic of this awful virus has created many new legal challenges.

If you contract the virus in your workplace the answer to whether your employer is liable is "maybe". The "yes" or "no" turns on a number of factual determinations. If you are a sailor and you have tested negative before you board a ship but come down with the virus while on the vessel a strong case can be made that you

somehow contracted this from exposure to another crew member or as a result of an unsanitary working/living environment while serving aboard. The duty of the shipowner is non-delegable to provide a safe and seaworthy ship. For shoreside maritime workers the likelihood of proving employer responsibility is going to be more difficult depending on any number of variables. Each case presents a number of factual determinations and challenges.

QUESTION FROM THE BRIDGE



I shipped out last month on a coastwise voyage as an engine department member for a company and they told me they had run out of masks and I should have brought my own aboard. Is this right?

Melvin, Norfolk, VA.

Answer:

Melvin, the shipping company should provide you with high quality personal protective equipment, including N95 masks as your job requires everyday contact with other crew members. Report the issue to your union if you belong to one and to the Human Resource department of the shipping company if it is a non-union operation.

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 many 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.

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