



Test Lifting Warning



BA successfully defended a personal injury claim at Uxbridge County Court as the Judge agreed the Pristine Conditioning Training was appropriate training and the member failed to follow his training so the claim was dismissed and he did not receive any compensation. It should be mentioned that this case was not handled by us.



Based on this recent case, BA are now either denying fault or alleging you are partly to blame for causing your accident in most heavy bag cases.

BA argue that Pristine Condition Training teaches employees to test lift every bag and if the training was followed, then the employee would have test-lifted, realised the bag was heavy and sought assistance.



We are not overly concerned about the Court's decision in the above case, as, when reading the Judge's comments it becomes clear that he found the member dishonest and therefore found a way to dismiss his claim.

That being said, it will not stop BA relying on the court's decision. Moreover, there are lessons to be learned from the Court's judgment.



Namely, make sure you complete the Heavy Bag Reporting Form, ensure that the e-basis report states the bag was heavy, and weigh the bag.

If you cannot weigh the bag, ask a colleague to assess the approximate weight of the bag so that he can be a witness to weight.

Equally, be a witness about test lifting. What we are trying to demonstrate by witness evidence is that test lifting is not practical, that if every bag was test lifted the blue light would go on, your bonus would be affected and your manager would have a word.

We recently won £14,000.00 for a member who suffered a hernia, requiring surgery, when lifting a heavy bag.

BA admitted fault but alleged that the member was partly to blame for failing to test lift and therefore his compensation should be reduced by 20%.

After issuing the case to Court and not backing down from our view that the member was not to blame whatsoever, we settled the claim for 100% liability and the member received his full compensation.

START YOUR CLAIM NOW

Call us Freephone 0800 526 368
to start your claim for FREE.

Social Media in the Workplace



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TRIP ON BROKEN PAVING SLAB - £6,700 COMPENSATION

A member working at Heathrow airport tripped and fell sustaining an injury to both knees and was off work for 3 weeks. BAA admitted responsibility and compensation was agreed.

DRIVER WINS £20,300 FOR DEFECT ON VEHICLE

A member noticed his load was not properly fastened. He climbed on the back to re-fasten the straps when they gave way throwing him from the vehicle.

He dislocated his shoulder and fractured his wrist. His employer admitted responsibility as the investigation proved the straps had previously broken and they had been stapled with an office stapler suitable for paper.

The use of social media has radically changed the workplace. However, the introduction of social media is not without its risks to both employers and employees.

Cases are emerging in tribunals where employees are being disciplined for what they post online, both in and outside the workplace. It is clear that issues are arising from the use of social media, due to its use being embedded in everyday life, helped by the popularity of mobile devices such as smart phones, which allow instant and easy access. Some of the issues created by the use of social media in the workplace are obvious, yet others are less so.

In some cases an employer may be entitled to dismiss an employee for their online activities, examples being 'cyber-bullying', harassment and even 'banter' through these types of sites. Due to these issues becoming more prominent within the workplace with then use of social media being so prevalent, employers are drafting comprehensive social media policies for employees to adhere to.

Employers are becoming increasingly aware of the risks in their employees using these sites as they can blur the boundaries between the public and the private. Many individuals using these sites can underestimate the possible consequences of the posts they make online. A well publicised case of this nature was Mr Chambers who was convicted under the Communications Act 2003 for posting a status update on his Twitter page. After his flight from Nottingham airport was cancelled, he had tweeted: 'Crap! Robin Hood airport is closed. You've got a week and a bit to get your shit together otherwise I am blowing the airport sky high!'. Although he got his convictions successfully overturned the fight to clear his name cost him two jobs.

While employers cannot control employees' use of these sites outside of work, they can reasonably expect that the types of comments posted be appropriate. It is therefore extremely important that all employees consider what they post online and understand that any derogatory and/or discriminatory comment aimed at the employer or its employees is likely to constitute grounds for disciplinary action.

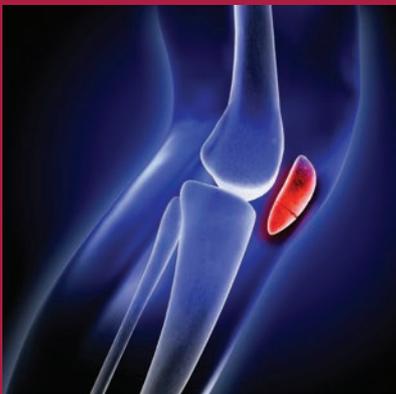
Slips and Trips



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SLIP ON FOOD DEBRIS LEADS TO KNEE INJURY

A Gate Gourmet member slipped at work and her employer initially denied responsibility for causing the accident.



We persuaded them to change their minds and admit just before we started a court case.

A settlement of £3,000 was agreed.

According to the HSE, over a third of all major injuries are caused by slipping and tripping accidents. These are not only the most common cause of injuries at work but also account for more than 50% of injuries reported by the public.

At Work

The Health and Safety at Work etc Act 1974 confirms that all employers should take appropriate steps to control the risk for their employees. This is developed further in The Management of Health and Safety at Work Regulations 1999 which suggested the use of risk assessments along with any necessary action to protect employees. In addition, The Workplace (Health, Safety and Welfare) Regulations 1992 confirmed that floors in a workplace must be suitable, in good working condition and free from obstructions which could cause anyone to slip, trip or fall.

Outside Work

The Highways Act 1980, places a duty on a council or local authority to ensure that the pavements are regularly inspected and adequately maintained. It is also the case that if

you are unfortunate enough to slip or trip in a shop, restaurant or other public place you may be able to rely upon the Occupiers Liability Act 1957, which states that owners must take reasonable care to ensure that a visitor to their premises is reasonably safe.

Evidence

When bringing a claim following a slipping or tripping accident the cleaning or maintenance records of the accident location are often obtained to determine if adequate systems are in place. Photographic evidence of the accident location can also be extremely helpful and so if you are able to take a photograph then it is a good idea to put something in the picture to demonstrate the size of the defect such as a coin or ruler. If you have been involved in an accident inside or outside of work then you may be able to pursue a claim for personal injury.

START YOUR CLAIM NOW

Call us Freephone 0800 526 368
to start your claim for FREE.

O.H. Parsons can help you inside and outside work.

Personal Injury

If you or a member of your family have had an accident anywhere in England or Wales, our specialist personal injury team will provide representation for you – simply telephone **0800 526 368** freephone number or email us injuries@ohparsons.co.uk

We have vast experience in dealing with a number of different types of claims from accidents at your work place, at site visits, road traffic accidents, trips, slips and falls, fatal accidents and accidents in public places.

Remember you have three years to make a personal injury claim from the date of the accident. If you are in any doubt then please call us to discuss.

Clinical Negligence

If you or anyone you know, has suffered an injury or ongoing symptoms caused by a medical error then you might be entitled to compensation. Our specialist team has experience of all kinds of injuries, whether on the NHS or private sector, including:

- Pregnancy and birth injury claims
- Misdiagnosis and delayed diagnosis of cancer
- Fatal claims
- Brain and spinal injuries
- A&E department claims
- GP negligence
- Undiagnosed fractures and orthopaedic claims
- Surgical mistakes

For a confidential discussion then please contact:
clinneg@ohparsons.co.uk

Representation Concerning Any Industrial Disease

If you think you have contracted any disease whilst at work such as:

- Exposure to asbestos
- Use of vibrating tools
- Deafness
- Asthma
- Dermatitis

Simply telephone us on 0800 526 368 freephone number or contact us on disease@ohparsons.co.uk

Wills & Probate

A Will is very important and everyone should consider making a Will. You should also review your Wills regularly especially if your situation changes, you get married, divorced or have children.

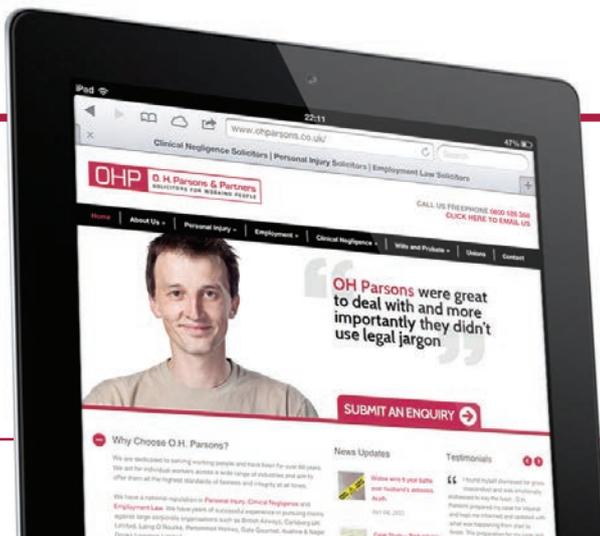
The main reason for making a Will is so you can decide who will benefit. If you don't make a Will the people who you want to leave your Estate to, may receive little or nothing at all.

Making a Will ensures everything is left in accordance with your wishes.

We can also help with:

- The administration of Estates and
- Elderly Client work, including Lasting Powers of Attorney and Court of Protection applications.

If you would like to discuss this further then please contact:
wills@ohparsons.co.uk



For all the latest information from O.H. Parsons please visit us at:

www.ohparsons.co.uk