

# Injured on the Job?

*Be aware that you may have two cases.*



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In over thirty years of representing building trades members in workers' compensation cases, I have noticed one important thing. Often, an injury is caused not by the fault of the injured worker or his co-employees, but rather through the negligence of employees of another contractor. If your injury occurred through the fault of a contractor other than your employer, you may have a negligence case as well as a workers' compensation case. Because the negligence case would potentially compensate you for pain and suffering, full wages and other damages not included in the workers' compensation law, you should immediately contact an attorney if you believe you have been hurt due to the fault of employees of another contractor.

I recently had a jury trial in a negligence case where a construction management group (handling a school renovation project) delayed for several weeks repairing a leaky roof above the gymnasium. This delay continued despite complaints of plumbers and steamfitters on the job that they had to walk through water in the morning to get to their worksite if it rained the night before. Sure enough, one of the workmen slipped and fell in the water when heading to the locker rooms at 6:30 in the morning and suffered a devastating knee injury. The injury required multiple surgeries and effectively ended his career. The worker received workers' compensation which was not adequate to compensate him for the whole extent

of his losses. After a one-week trial in his negligence case, the matter was settled for an amount that far exceeded any additional claims for his permanent injury that the worker could have made under the workers' compensation law.

Proper safety procedures on the jobsite help prevent unnecessary injuries. It is important that all building trade members be aware that if they are injured through the fault of another contractor, they may have two opportunities to obtain fair compensation.

If you have any questions concerning a possible workers' compensation or negligence claim, please feel free to contact me, free of charge, at (202) 822-1870, or [rjohnson@koonz.com](mailto:rjohnson@koonz.com).



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