

## A Guide to Industrial Disease Claims

### What is Industrial Disease?

Industrial disease is a term used to describe an illness or a condition that **can arise or be caused as the result of unsafe working practices or exposure to certain substances** in the workplace.

If you have suffered an injury at work which was not the result of a one off accident or event then it is likely to be classed as an industrial disease.



You may sometimes hear industrial disease referred to as industrial accident, industrial injury or occupational disease.

Some **industrial related diseases can be severe and can even be fatal** in certain circumstances, for example where you have developed an asbestos related condition such as mesothelioma.

In such circumstances we can help victims of industrial disease and their families claim compensation quickly and efficiently which can help with medical bills and getting the best possible care.

Your employer has a responsibility to protect your health and safety while you are at work. If you have suffered any harm as a result of a working practice or exposure to a substance you may have a claim for compensation even if you no longer work there.

There are many different types of industrial disease which cover a wide spectrum of different symptoms and conditions



At Express Solicitors we deal with a wide range of different types of industrial disease, which includes both physical and psychological symptoms;

- **Hand Arm Vibration Syndrome** (HAVS), including Vibration White Finger, from exposure to working with vibratory tools on a regular basis in the work place
- **Repetitive strain injury**, such as Carpal Tunnel Syndrome or tennis elbow, from working practices or repetitive working
- **Skin irritation**, dermatitis or skin cancers from irritant dusts and fumes
- **Noise related hearing loss or Deafness** or other hearing conditions such as tinnitus caused by exposure to loud or constant noise in the work place over a period of time
- **Asthma or respiratory problems** caused by exposure to chemicals and dusts
- Asbestos related conditions such as **asbestosis, pleural thickening, mesothelioma or lung cancer** caused by past exposure to asbestos dust and material.
- **Other lung diseases** like silicosis or pneumoconiosis caused by dusts in coal mines, foundries, factories or quarries
- **Psychological disorders**



If you have developed symptoms which you believe may be as a result of your work or working environment you should inform your employer straight away and ask to be referred to Occupational Health for a further assessment.

It is important that you make your employer aware of the difficulties you are experiencing as soon as possible so that your employer is on notice and they can make changes to your work.

You should also seek medical attention about your symptoms as soon as possible. This is normally by attending upon your GP. Normally your GP will need to refer you for further tests as some types of industrial disease can only be diagnosed with specific testing.



## **Making an Industrial Disease Claim**

Claims for injuries caused by industrial disease can be complex to deal compared to other types of personal injury claims and therefore **it is imperative you choose an experienced solicitor** to deal with your claim.

We have specialist solicitors within our employers' liability team that have a wealth of knowledge and experience on how to deal with your industrial disease claim in order to get the best result for you.

One of the reasons making an industrial disease claim can be more complex is that **it can often involve a detailed investigation of an individual's working history**. In many cases the working practice or exposure could have happened a long time ago and the company that you believe are responsible could have gone out of business. If this is the case we can still make the claim by tracing the company's insurers.

Additionally **you may not know when you first started suffering with the illness or condition**. There are strict time limits in place, generally 3 years from when a court would expect you to have significant knowledge that you were suffering from an injury. This is not always a straight forward question and so it imperative that if you think you may have a claim to contact us straight away to so that we can advise you further on this.

Our specialist solicitors understand the stress and worry you may be suffering as a result of your condition or injury and will be there to help you and guide you through the legal process as well as arranging treatment and support to make the process as stress free as possible.

