



legal update

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PERSONAL INJURY:

MWR secures victory in slip case

MWR's personal injury team has helped a Durham man win a four year legal battle for compensation after he suffered career ending back injuries after slipping on ice.

John Seager suffered severe spinal damage when he fell on the premises of TRW Automotive Systems on Mercantile Road in Houghton Le Spring in January 2004.

The 47-year-old won undisclosed damages after TRW admitted breach of statutory health and safety regulations.

A TRW employee had used a wooden pallet attached to a fork-lift truck to clear snow at the rear of TRW's site. John slipped on the yard on his way to his car after completing a night shift.

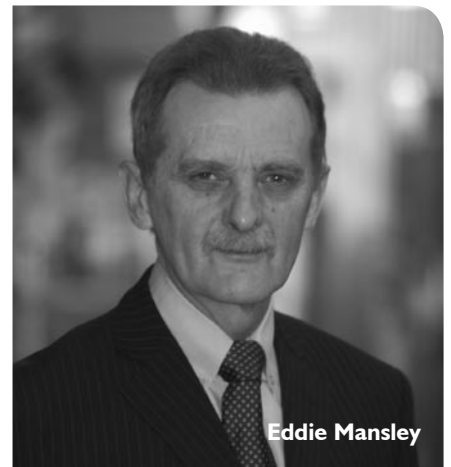
Eddie Mansley, a litigation executive at MWR, said: "This victory sends out a strong message to all organisations, whether public or private,

that you cannot take shortcuts with health and safety.

"John's life has changed enormously due to this accident, which should have been prevented by a very simple procedure. Similar preventable accidents occur to UK workers every day and will continue to do so if people ignore the importance of proper health and safety procedures."

John Seager said: "It's been a life changing injury. I used to have an allotment, travel around the country in my caravan and watch local sport but this has all changed. I can only drive short distances and I have to think very carefully about my movements.

"I am looking to re-train for new employment but because I can't do manual work or sit down for long periods, my options are limited."



Eddie Mansley

IF YOU HAVE SUFFERED AN INJURY OR ACCIDENT, CONTACT OUR PERSONAL INJURY TEAM TODAY ON 01 772 254201 FOR A FREE INITIAL DIAGNOSIS OF YOUR CASE.

LEGAL SERVICES:

Consumers say no to off the shelf legal advice

NEARLY 90 per cent of people wouldn't be confident with a legal service provided by a supermarket, according to a survey carried out by MWR.

88.5 per cent of people who took part in a website poll voted in favour of using a qualified firm of solicitors rather than supermarkets, which are now able to offer legal services following the introduction of the Legal Services Act 2007.

The Act, dubbed 'Tesco law', allows businesses such as supermarkets to offer legal

services and advice to the public. Originally set up to allow greater competition in the legal services market, the Act went through several amendments before being passed on October 30, 2007.

Annette Thompson, partner at MWR Solicitors, said: "Our results show that people may want more choice offered to them but when it comes to the crunch, they wouldn't be as confident using a supermarket or similar business for their legal requirements as they would with a traditional law firm."

EMPLOYMENT LAW:



Unpaid overtime costing workers

MORE than 23.5 per cent of workers work ten or more hours of unpaid overtime per week, according to new research by Preston based law firm, MWR Solicitors.

The online survey, carried out to coincide with Work Your Proper Hours day in spring, found that 17.6 per cent of workers worked an additional seven to ten hours per week whilst 11.8 per cent worked four to six additional hours.

At the bottom of the scale, the survey found that 29.4 per cent of those polled worked one to three extra hours per week and only 17.6 per cent stuck to their contracted hours and put no additional hours in.

Sadiq Vohra commented: "The main issue when it comes to working extra hours is whether you are sticking to the working time regulations.

"These regulations state that no-one should work more than 48 hours per week unless they opt out. Employees are also entitled to specific rest breaks including 20 minutes every six hours of work, 11 hours of rest between

each working day and 24 hours clear of work each week or 48 hours clear each fortnight."

"Most people aren't aware, that there is actually no legal right to be paid for any additional hours you work if you are salaried and it doesn't specify in your contract that additional hours will be paid as overtime. There may be an exception if as a result of the additional hours, your pay falls below the national minimum wage.

"Your contract will state if you are entitled to be paid for any additional hours along with the rate of overtime pay available."

DO YOU HAVE AN ISSUE IN THE WORKPLACE? CALL OUR EMPLOYMENT LAW TEAM TODAY ON 01772 254201 FOR A FREE INITIAL DIAGNOSIS OF YOUR CASE.

Workers' memorial day

Better laws and stronger enforcement is needed to prevent deaths at work. That was the message from MWR's Sadiq Vohra, who addressed a gathering in Preston to mark Workers' Memorial Day on April 26.

Workers' Memorial Day takes place annually around the world on April 28 and is an international day of remembrance and action for workers killed, disabled, injured or made unwell by their work.

Sadiq said: "As a firm which has been representing trade union members on industrial injury and disease matters for nearly a hundred years, we understand the significance of Workers Memorial Day.

"This is the third year we have sponsored the day in Preston and we hope the messages are getting through. Even if one workplace death is prevented following the day then we have made progress."

KEY FACTS:

Each year, more than two million women and men die as a result of work-related accidents and diseases;

- Workers suffer approximately 270 million occupational accidents each year, and fall victim to some 160 million incidents of work-related illnesses;
- One worker dies every 15 seconds worldwide. 6,000 workers die every day. Work kills more people than wars;
- Hazardous substances kill 440,000 workers annually – asbestos claims 100,000 lives;

Figures from the International Labour Organisation



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