

CONSTRUCTION ACCIDENTS & INJURIES IN ALABAMA

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Thousands of construction workers are injured or killed in construction site accidents each year. These accidents happen even though construction companies are, in many cases, obligated to inspect each construction site with safety engineers and provide safety programs to help protect the workers.

Generally, an injured worker cannot sue his or her own employer for injuries that arise from work related activities; however, a third party can be held liable if it can be shown that the third party's negligence caused the injuries. Sometimes workers may be injured at a construction site due to their own negligence or due to a condition that was no one's fault. When an accident is caused by the worker's own negligence or that of his or her employer, or due to a condition that was no one's fault, the injured party can still receive compensation through Workers' Compensation. The Alabama Workers' Compensation Act provides for compensation and medical care to workers who have been injured in an on-the-job accident or who suffer from an occupational disease that arises during and out of the course of employment. These benefits include weekly compensation payments based on a percentage of the worker's average weekly wage for temporary total disability, permanent partial disability, permanent total disability, and permanent loss of function and disfigurement. Workers' Compensation also covers reasonable and necessary medical expenses for treatment related to the injury and vocational rehabilitation services. Workers' Compensation does not pay for pain and suffering resulting from an on-the-job injury.

In some cases, a third party may be liable for the injuries that occur on the construction site. When an accident occurs on a construction site, the owners, architects, and manufacturers of the equipment may be held responsible for inadequate safety provisions. The general contractor and all subcontractors are required to provide a reasonably safe job site, to warn of hazards related to the job site and to hire reasonably careful and safe employees, to coordinate job safety, and to supervise compliance with safety specifications and rules.

Manufacturers of construction equipment are responsible for designing and maintaining safe equipment and products. Defective or dangerous equipment and

products may include: lifts, gas heaters, saws, gas detectors, cranes, power tools, derricks, bulldozers, scaffolding, conveyers, ladders, hoists, scrapers, trucks, pressure vessels, graters, tractors, back hoes, heavy equipment, forklifts, boilers, woodworking tools and other types of equipment.

It is often possible to find third parties liable in the event of a construction accident. This is important because Workers' Compensation benefits do not provide compensation for the pain and suffering an injured worker endures as a result of the accident.