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LEGAL OPINION

Stroke of engineer – Labour Accident?

A chief engineer suffered a stroke during his employment and sued for labour accident damages. The Court found there was no violent occurrence which resulted in the stroke; it also found the engineer's overall health condition, which was irrelevant to his employment onboard, was already burdened, and in addition he was a heavy smoker.

Accordingly, the Court found no labour accident had taken place and the claim was rejected.

Piraeus membered Court of Appeal Judgment no 469/ 2017, Judge: A. Theofanis, Attorneys at law: I. Palios, N. Agelopoulou, Maritime Law Review vol. 46, p. 222.

NOTE: Labour accidents are always judged on the merits of the case. The same occurrence might have a different background. If the stroke under consideration had occurred under distressed circumstances, the judgment could be different.

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