

NEWSFRONT

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LEGAL OPINION

Labour Accident

A seafarer became triplegic [paralysis of three limbs] when he slipped and fell from a ladder onboard the vessel on which he was employed. He sued his employer for failure to observe safety rules, as a result of the accident that had occurred.

The owners alleged safety equipment was available, however they had not provided the seafarer with such equipment. Further, they had not advised that the ladder was dangerous and that previously a seafarer had broken his arm using it.

The Court found the mere existence of safety equipment without allocation to the seafarer was a breach of safety rules. It also found the owners were in breach of their duty to advise the ladder was dangerous. The court thus found the seafarer was entitled to full labour accident remuneration.

Supreme Court Judgement no 1000/2018, Presiding: P. Zondanou, Rapporteur Judge: K. Pittaras, Attorneys at law: I. Dimitriou, G. Latsoudis, N. Moschos, I. Marakakis, Maritime Law Review vol. 46, p. 161.

NOTE: Here the seafarer did not apply under the "easier" law 551/1915 provisions, which avails limited remuneration in case of a labour accident without the necessity to prove violation of safety regulations on the part of the shipowner. The seafarer sued on tort for breach of specific safety regulations and succeeded in proving fault on the part of his employers, thus he became entitled to the full remuneration.

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