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LEGAL OPINION

Labour accident – Compromise

It is possible for the parties involved in a labour accident, to reach a compromise on the remuneration sought. Such a compromise is allowed, since there is no provision of law prohibiting it.

The compromise can be cancelled in case of misconception of the facts that led to the compromise and provided the dispute would not have arisen if the parties were not under such a misconception. Unless this applies, the compromise is valid.

Piraeus Court of Appeal Judgment no 344/ 2014, President: P. Tsandekidou, Rapporteur Judge: A. Theofanis, Attorneys at law: M. Pitsa, F. Digas, Maritime law review vol. 42, p. 209.

NOTE: The compromise in case of a labour accident is allowed as explained but it cannot be below 85% of the remuneration amounts provided in law 551/ 1915 which provides for the liability of the employer regardless of any fault on the latter in case of labour accident. This limit is set by law to balance the weaker, perhaps, negotiating power of an employee, and is applied to seafarers' accidents compromises as well.

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