What's it Worth? You think you are worth more dead than alive? Well, you might be worth less than you think, either living or dead. It is hardly a fair system. A stockbroker with a broken arm could fees with even more compensation than a building worker with a broken neck.

This can happen because personal injury compensation is decided by the civil courts and is intended to provide some compensation for what the person has lost. It is not intended to provide justice.

The full award in all cases would be the pain, suffering and loss of amenity (PSLA) sum plus ‘pecuniary damages’ based on financial losses.

No crime: UK compensation payments contain no punitive element, even though a civil court settlement for a workplace injury or disease can only be awarded where employer negligence has been demonstrated. Paying the right price, a February 2000 TUC report, called for punitive damages, to be added to compensation awards, something also supported in a 1997 Law Commission report.

Union pay off: Unions win the lion’s share of personal injury compensation payments. They consistently settle claims worth over £300 million a year. £320 million in 1999. The latest TUC figures show that over 50,000 union cases are settled each year – over half of the annual total – with an average payout of £6,750, well above the level for all claims. Union members, meanwhile, pay an average of just £6 per year to receive this legal back-up.

Information

Lose Your Senses
Deafness/Vibration: The number of industrial deafness claims are falling but still dominate compensation payments, making up two-thirds of all industrial disease claims. Over 20,000 cases were settled in 1998, most for under £5,000.

Acoustic shock: In the biggest claim to date, W Operator, David Stonier, was awarded £33,000 for the condition (Hazards 72).

PSLA guide: Total deafness, up to £70,000 slight or occasional dizziness with slight hearing loss, £3,750. Eye injuries: £135,000 for total blindness, falling to £10,000 for a transient eye injury. Loss of taste and smell: £10,000.

Hearts and Minds
Brain damage: A member of the firefighers’ union FBU received £500,000 after a fire appliance caused brain damage and other injuries (Hazards 72).

NHWU member John Gill was poisoned with carbon monoxide at his teaching job, causing mental impairment and handicap. He was awarded £662,000 (Hazards 69). ALEU member Tony Brady was awarded £75,000 after developing cerebellar ataxia caused by workplace solvent exposure (Hazards 55). UCFT member Gordon Miller got £100,000 after solvent injuries led to his death (Hazards 52).

PSLA guide: £200,000 plus for the most severe brain injuries down to £1,000 for a minor head injury.

Post traumatic stress disorder (PTSD): In 1998 a doctor was awarded £45,000 after a needle stick phobia after a sharp injury (Hazards 65). In 1995 a cleaner received just £3,000 after her treatment after being stuck with a hypodermic (Hazards 43). Post-traumatic stress linked to a workplace compensation for related PTSD (Hazards 50 and 43).

PSLA guide: £85,000 for severe cases not involving paralyzation (generally with other serious consequences like incontinence), down to £6,000 or less for a minor injury.

Stress and bullying: NASUWT member Jan Howell received £254,362 for the stress that led to her enforced early retirement. UNISON member Randy Ingram was awarded £204,432 after physical and verbal abuse led to his ill-health retirement (Hazards 70).

PSLA guide: £50,000 plus for severe PTSD, down to £4,000 for moderate damage.

Vibration white finger (VWF): Eight GMB members who had to retire from jobs at British Gas because of the effects of VWF were awarded a total of £1,2 million in compensation (Hazards 72). Tens of thousands of miners with VWF have been paid £212 million to date, under a September 1999 government-agreed compensation scheme (see page 10).

PSLA guide: £538,000 damages for career-ending neck injuries caused by bad workstation design (Hazards 52). Nurse Nancy Coulter was awarded £210,000 in July 1994. AEEU member Tony Pocock received £465,000 for needle stick phobia after a sharps injury (Hazards 65). In 1993 a cleaner received just £3,000 after her treatment after being stuck with a hypodermic (Hazards 43). Post-traumatic stress linked to a workplace compensation for related PTSD (Hazards 50 and 43).

PSLA guide: £85,000 for severe cases not involving paralyzation (generally with other serious consequences like incontinence), down to £6,000 or less for a minor injury.

Bodies Remains
Skin problems: GMB member Paul Feeney, an A Pratitioner, received £100,000 after developing dermatitis leading to early retirement (Hazards 71). UNISON member Jacintha Chambers, a nurse, received £100,000 for the late glove allergy that forced her to give up work. Five lethal surgical assistant exposed to washing up liquid and wet work received allergic dermatitis payments of up to £160,000 each after a fall at her Barclays Bank workplace led to the loss of a leg.

PSLA guide: £100,000 for the loss of both arms or legs, or £100,000 for the total loss of a hand or an arm plus £25,000 plus for a fracture of a finger.

Amputations and breaks: A UCATT member was awarded £36,000 after a building site injury led to the amputation of his leg. UNISON member Liz Wood received £100,000 after a fall at her Barclays Bank workplace led to the loss of a leg.

PSLA guide: £100,000 for the loss of both arms or legs, or £100,000 for the total loss of a hand or an arm plus £25,000 plus for a fracture of a finger.

Bodies Remains

Other PSLA guidelines

Quadruplegia: £160,000 to £200,000. Paraplegia: £100,000 to £140,000. Male impotence: £75,000. Female infertility: From £85,000 in the most distressing cases, down to £3,250. Hernia: Between £13,250 and £1,600.