

HOUSTON INDUSTRIAL ACCIDENT GUIDE

ATTORNEY HECTOR LONGORIA



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When you work in an industrial setting, you rely on certain amount of safety precautions to keep you out of harm's way. Sometimes these precautions fail you and you are left seriously injured, whether this be due to faulty equipment or someone else's negligence. These injuries can range from minor to a wrongful death. Many times, you are left with a long lasting serious injury.

Houston industrial accident lawyer Hector Longoria knows how frustrating it can be to lose wages, family time, and life enjoyment after a serious injury especially if your employer does not carry Workers' Compensation. Here at Longoria Law, we know how to protect you from the insurance companies and get you the compensation that is fair and just in accordance to the severity of your injuries. We provide strong and dedicated legal representation to the people of Houston. We won't settle for low settlement offers from the insurance companies and neither should you.

INDUSTRIAL ACCIDENT INJURIES IN HOUSTON, TEXAS

Industrial work is dangerous, yet necessary to run society as we know it today. No one understands this more than the Houston law firm of Hector Longoria PC, which deals with clients from Houston, Texas, which is one of the more successful modern industrial centers of the United States.

Working in a warehouse, on a construction site, at a chemical plant or at an oil refinery can sometimes lead to a worker experiencing devastating injuries or even death. Most of the time, the workers stay safe, thanks to a network of state and federal laws, as well as company policies aimed to protect the workers. But sometimes accidents happen, or workers may be exposed to risks that no one yet knows about or understands. Other times, companies simply don't care if their workers get hurt or sick. And on a few unfortunate

occasions, a company decides that it's simply cheaper to replace an injured or dead worker rather than keep an existing worker safe.

Regardless of the employer's culpability with respect to a worker's injury, the worker is now injured and out of work. At best, the injuries are minor and fully covered by insurance, with a minimal or drop in income for the worker and his or her family during recovery. In other situations, the injuries are far more serious, such as life-threatening cancer due to exposure to toxins or chemicals or severe injury as a result of a scaffolding collapse, explosion or defective work equipment.

Hector Longoria is a Houston industrial accident lawyer that understand how horrible these workplace injuries can be and what physical and psychological effect they can have not only on the worker, but his or her family. He also knows what kind of roadblocks companies and insurance companies can put up to prevent a worker from getting what he or she deserves. He is ready to help any industrial worker who has been hurt on the job and whose employer has failed to provide the required protection and compensation the industrial worker is legally entitled to.

WHAT KIND OF INDUSTRIAL ACCIDENTS ARE POSSIBLE?

Basically, if the laws of physics allow for it, it can happen. Some of the more common accidents that can occur in the industrial setting include:

- » Fire
- » Falling objects, materials or equipment
- » Explosions
- » Falls
- » Structural collapse, such as with scaffolding or in a warehouse
- » The slow or catastrophic release of chemicals or toxins

WHAT CAUSES AN INDUSTRIAL ACCIDENT?

Industrial accidents can have a single or multiple cause. Sometimes these cannot be controlled and are simply random occurrences. But often, they are the result of someone's carelessness or negligence. And on occasion, they occur due to the malicious actions of others. Industrial accidents have occurred as a result of:

- » Industrial pollution
- » Equipment malfunction
- » Failure of safety equipment
- » Horseplay in the workplace
- » Inclement weather
- » Inadequate safety rules and policies
- » Collisions

Sadly, many of these industrial accidents (as well as others not listed) are the result of someone not doing what they were supposed to do.

WHAT KIND OF INJURIES ARE POSSIBLE IN AN INDUSTRIAL WORKPLACE?

Industrial accidents can occur almost anywhere, like an oil rig, a road, a refinery, a factory, a ship or a construction site. But no matter where they take or what causes the accident, industrial workers can experience any type of injury imaginable, including:

- » Lacerations

- » Loss of body parts
- » Death
- » Electrical, chemical or fire burns
- » Serious illness, such as cancer
- » Broken bones
- » Loss of one's senses, such as sight or hearing
- » Back injuries

WHAT SORT OF COMPENSATION IS AVAILABLE TO AN INJURED INDUSTRIAL WORKER?

The first line of recovery lies with workers' compensation. Regardless of who is responsible for causing the injury, workers' compensation allows the industrial worker to receive the necessary medical care to recover. This is paid for by the employer's workers' compensation insurance carrier. If the worker has to miss work, they may also receive loss of income payments until they can return to work.

While many workplace accidents limit the industrial worker to only workers' compensation payments, additional legal compensation may be possible through civil litigation and suing the party responsible for causing the injury. However, a consultation with a Houston industrial accident lawyer is critical for making this determination. And even if an individual is limited to just workers' compensation payments, insurance companies and employers are notorious for withholding benefits from workers or retaliating against them for filing a workers' compensation claim. This often requires the worker to hire an attorney to help get the full workers' compensation they deserve or take advantage of the available legal recourse for any retaliation.



FREQUENTLY ASKED INDUSTRIAL ACCIDENT QUESTIONS

Why Should I Hire an Industrial Injury Attorney?

We are going to file a lawsuit to protect your interests, and if necessary, try the case in front of a jury to make sure we get fair compensation for your injuries. We're also going to be preserving that evidence so that if we do try the case, we have the evidence and we can present it to the jury to show the safety rule violation that was done at the industrial site that caused these injuries.

What Are the Causes of Industrial Injuries?

Typically, what we have found about the causes of industrial injuries is that somebody or some company has violated some safety policy or procedure that would have prevented this. As part of representing them, and it's our job to find that out.

How Long Can an Industrial Injury Claim Take?

Every case is different; some may be shorter. A lot of it depends on the medical treatment that the client is undergoing. Which, if the medical takes a long time, the case may take a long time. Each case is different and unique, and it all depends, but I would say meet with a lawyer and they will help explain to you that process.

What Are Some Common Industrial Injuries?

Being on the Gulf Coast in Texas, we have a lot of industrial sites. What's important to know is that all of these industrial plants have specific safety

rules and codes that they have to follow. When those codes and safety rules are not followed, we have industrial events, such as crashes and explosions. It is important to make sure that when that happens, you have somebody who's going to be able to investigate the event, so that we can understand what safety rules were violated that caused the industrial injuries to a loved one.

Am I Entitled to Industrial Injury Workers' Compensation?

For many clients who are injured at industrial sites, their employers do have Workers' Compensation. The next question that needs to be answered is whether their injury was caused by some other contractor, a third-party who caused their injuries by which they can also seek a different claim against them for their injuries. That's part of the investigation that needs to be done by the lawyer to seek full industrial injury workers' compensation.



What Do I Do If My Employer Doesn't Carry Workers' Compensation?

Texas law allows that worker to potentially sue his employer for an unsafe work environment and other negligent actions which caused or contributed to causing that workers injuries. It's important you meet with a lawyer to help identify those issues.

What Damages Can I Recover in an Industrial Injury Claim?

When we file a suit for an industrial accident, lots of clients want to know Their recoverable damages in an industrial injury claim. Every case is special and unique. Typically, there are medical damages, but there is also the pain and suffering, mental anguish, and physical impairments. There could

be lost wages in the past and in the future, so it's important that you meet with a lawyer to identify those damages, make those claims, and preserve them.

What Are the First Steps Following an Industrial Accident?

After you have been treated, on or off site, it's important that you continue that medical care and treatment. It's also going to be important that you seek legal representation to help understand how you were injured and who is responsible for the injury, so we can seek the proper redress.

Can I Sue My Employer Based on Chemical Exposure-Related Health Problems?

There are a lot of industrial diseases that are occurring now from exposures twenty to forty years ago – it's called a latency period. Mesothelioma from exposure to asbestos is one of the most common health issues that a lot of our elderly are now suffering and dealing with. It's important that if you do develop one of those industrial diseases that you believe was caused by your exposure to work, that you meet with a lawyer to talk with them about potentially finding out who bears responsibility for that disease. We can discuss suing your employer based on chemical exposure-related health problems.

WHY CHOOSE LONGORIA LAW FIRM?

Free Initial Consultation

When you're injured in an accident, you often feel the financial impact immediately. Choosing the right attorney shouldn't add to that distress. We offer free consultations for all clients so you can get the answers you need without worrying about taking on another financial burden.

No Recovery, No Fee

At the Longoria Law Firm, we handle all personal injury cases on a contingency basis. This means that it will not cost you any money up front to retain us and have us represent you. Furthermore, you don't pay any fees unless we recover money for you.

Over \$200 Million Recovered

With over 20 years of experience, Houston injury lawyer Hector Longoria has obtained Court judgments and settlements for his clients in excess of \$200 million. Don't put your future in the hands of an amateur. Contact us today and let our experience work for you.



ABOUT THE AUTHOR:

Attorney Hector Garcia Longoria was born in Galveston Texas, the youngest of five sons, to Matias and Edelmira Longoria. His mother was a school teacher in Cerralvo, Mexico and his father a police officer in Monterrey, Mexico. Shortly after marrying in 1951, his parents made the decision to come to the United States to build a better life

for their family. In the United States, Hector's parents worked on farms in California and Florida before moving to Galveston, where Hector's father worked as a longshoreman.

Hector's parents were determined to see their children succeed; taught him the value of hard work; and the importance of family and respect. Hector graduated from Galveston Ball High School in 1987. Hector then attended Texas A&M University on a scholarship. In May 1992, Hector graduated from Texas A&M University with a Bachelor of Arts degree in Economics and minors in History and Finance.

With guidance from his parents, Hector then attended law school at the University of Texas beginning in August 1992. During the summer semester in 1993, Hector attended the University of Houston-Mexican Legal Studies in Mexico City, Mexico. In Mexico City, Hector had an opportunity to work as a law clerk for Rich Heather y Mueller S.C. During law school, Hector was also on the Board of Advocates, a member of the National Latino Moot Court Team, a finalist in the Vial Hamilton Endowed Mock Trial, a quarterfinalist in the Susman Godfrey Endowed Moot Court and operations manager for the Hispanic Law Journal. In May 1995, Hector graduated with a Doctor of Jurisprudence from the University of Texas in. Hector became a member of the Texas Bar in November 1995 and has been a practicing attorney in Houston ever since.

As a lawyer, Hector works hard fighting for his client's rights. Hector devotes his practice to representing clients who have been victims of automobile, trucking, industrial, and work-related accidents that result in severe injuries to the client and client's family members. Hector understands the importance of being prepared in front the judge and the jury.

In addition to being admitted to practice in Texas state Courts, Hector is also admitted to practice in the Eastern, Southern and Northern United States District Court of Texas and the United States Court of Appeals for the Fifth Circuit. Hector has also worked on cases in California, Louisiana, New Mexico, Illinois, Pennsylvania, and New York. Please call Hector if you have any questions regarding your legal rights.



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