

## WHAT ASBESTOS EXPOSURE MEANS TO YOU

Everyone in the Pipetrades and their family should be concerned about asbestos exposure and know what to do about it. For starters any pipefitter or plumber with lung cancer should contact an asbestos lawyer because asbestos exposure is at least a significant factor in their contracting lung cancer, whether or not they smoked. They may get less as a smoker but it is still substantial money.

Many factors go into how much money a case is worth. A living lung cancer case will get more than a wrongful death claim. Oh yes, the spouse and children of a deceased plumber or pipefitter will collect sizable compensation but not as much as the worker himself living with lung cancer.

The reason for this is threefold. One, the courts won't allow heirs but only the one with the cancer to collect for his pain and suffering and also economic damages. Two, living lung cancer claims can get an early trial date within 6 months of filing a complaint due to the concern with the life span left of the worker if the legal motion is properly made. This early trial date forces defendants to pay more, earlier. Three, the worker while alive can help his own case with a deposition.

The age of the worker is another factor. The younger the person, the more years are cut from the persons normal life span and quality of life is diminished. The courts and juries tend to pay more. More is paid on wrongful death claims when there is a spouse or young children, involved verses no spouse or grown up financially independent children.

Another terrible disease tied only to asbestos exposure is mesothelioma. This is the worse of the asbestos diseases to get and smoking does not help cause it. Please contact an asbestos attorney here as well.

For the many who don't have lung cancer or mesothelioma, it is important to be tested for asbestos related diseases at least every two years with your own doctors or the union screening program. My office is always happy to do an asbestos screening for a member for no charge. Those who test may be lucky and have no asbestos related findings. Or, you might have minimal findings in your lungs caused by asbestos exposure. Often this may be referred to as bilateral pleural thickening, benign plaques, or scarring of the lungs known also as interstitial fibrosis. You may or may not develop breathing impairment. If you do, a pulmonary test can figure out if it is caused by asbestos exposure or instead cigarette smoking ( emphysema or asthma ). Often you may have overlapping asbestos related and cigarette related impairment. You may have enough damage that would entitle you to bring forth an asbestos lawsuit for compensation.

A severe case as lung cancer or mesothelioma may have both a workers compensation claim and civil action claim with over 50 defendants. Many still have deep pockets to pay substantial money. In the civil action claim defendants include premise owners and contractors responsible at a work site even though you did not work directly for them. A lesser case could still collect workers compensation because the medical burden of proof is less at the Workers Compensation Board than at the Superior Court where civil action claims must be filed. Also, in workers compensation it is based on no fault rules. In a civil action we must prove negligence and more. My office in addition to the above in a minimal case can still file for compensation administratively against all bankrupt defendants that are forced to set up victim trusts for compensation.

***If anyone ever has a question regarding their claim, is interested in finding out more or believe they have a claim please call me at 1-800-281-9804.***

***Written by a longtime friend of labor, Jerry Neil Paul, attorney and partner in Paul, Hanley & Harley LLP, a law firm specializing exclusively in asbestos litigation.***