

# KEEPING UP WITH THE JONES ACT

## ABOUT THE JONES ACT

The **Jones Act** is a law that applies to certain maritime workers when injured.

Suits can be filed directly against employers, and monetary damages can be awarded in cases of negligence or if a vessel's unseaworthiness contributed to an injury. Recoverable damages include loss of wage earning capacity, diminished quality of life, medical expenses, pain and suffering, and mental anguish.

## ARE YOU COVERED UNDER THE JONES ACT?

Workers must spend at least 30% of their time on vessel to be considered a seaman, and therefore covered under the **Jones Act**.

If it is determined that an injured worker does not fall under the category of seaman, they may still be able to recover damages under the **Longshore & Harbor Workers' Compensation Act**.



## HOW DO YOU KNOW IF YOU HAVE A JONES ACT CLAIM?

Claims need to determine that an employer's negligence or an unseaworthy/unsafe condition contributed to an injury. Failure to provide a safe workplace is considered negligence.

### EXAMPLES OF NEGLIGENCE



FAULTY EQUIPMENT



DANGEROUS CONDITIONS



INADEQUATE TRAINING



IMPROPER MEDICAL/ FIRST AID STAFF

### UNSEAWORTHY CONDITION EXAMPLES



WEAK/UNSTABLE STRUCTURES



LACK OF SAFETY EQUIPMENT



IMPROPER MAINTENANCE



INSUFFICIENT STAFFING



SLIPPERY SURFACES



POORLY TRAINED CREW

## INJURIES COVERED UNDER THE JONES ACT

Injuries sustained on or off the vessel are covered, as long as the seaman was working in the service of an offshore vessel in navigable waters.

### COMMON INJURIES COVERED



FALLING OVERBOARD



CHEMICAL BURNS



TOXIC FUMES EXPOSURE



BROKEN BONES



SPINAL CORD & HEAD INJURIES



BURNS

## WHAT IS CONSIDERED A VESSEL?

Vessels are covered as long as they have not been removed from navigation. These include, but not limited to:



TUG BOATS



CARGO SHIPS



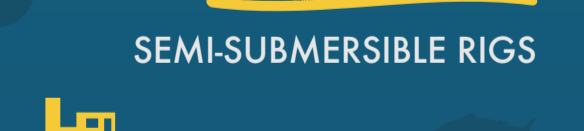
CRUISE SHIPS



SEMI-SUBMERSIBLE RIGS



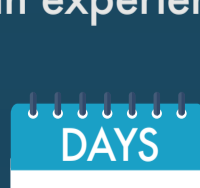
MOBILE OFFSHORE DRILLING UNITS



BARGES

## WHAT TO DO IF YOU'VE BEEN INJURED

If you've been injured in a maritime accident, time is of the essence. Contact an experienced attorney right away.



Federal law states that an injury must be reported within 7 days.



A JONES ACT lawsuit must be filed within 3 years from the date of the injury

A lawyer specializing in maritime law can help you determine whether your injury falls under the **Jones Act** or the **Longshore & Harbor Workers' Compensation Act**.



**GAUTHIER AMEDEE**  
PERSONAL INJURY LAW

Maritime Accidents  
Car Wrecks  
Serious Injury  
Fires/Explosions  
Wrongful Death

**225-647-1700**  
Gauthier Amedee  
2111 S. Burnside Ave.  
Gonzales, LA 70737  
**DONTDELAY.COM**