

GEORGIA

CONSTRUCTION  
ACCIDENT  
GUIDE

*What To Do If You're Seriously  
Injured In A Construction  
Accident*



PRINCENTHAL, MAY & WILSON  
— TRIAL LAWYERS —



At a construction site, safety should always be the number one priority. When that priority is overlooked, there can be devastating consequences. When someone gets hurt at a construction site, there are many different life-altering injuries that can happen that require immediate medical attention. If you are lucky enough to survive an accident at a construction site, there are probably a lot of medical bills headed your way. You may not be able to enjoy life like you used to, and you may not be able to return to work. In fact, you may never be able to work at a construction site again. All of these factors are taken into consideration when

pursuing compensation. If you have been seriously hurt at a construction site, please call our Georgia construction accident lawyer today to set up your free initial consultation.

## How Compensation Works for a Georgia Workers' Compensation Case

According to the United States Occupational Safety and Health Administration, or OSHA, there are hundreds of thousands of accidents that occur on construction sites every year that cause injury. It is not always workers on the construction site who are included in these numbers; sometimes there are others around the site that get injured. It could be a pedestrian walking by or even a kid playing nearby. Sometimes, if there are harmful chemicals involved, people can get injured from toxic materials getting into the water or the air surrounding their homes. In Georgia, if you were a worker injured on a construction site, you can be covered by workers' compensation insurance and would receive compensation for lost wages, medical bills, and any other related expense connected to your construction accident. However, there are cases where this workers' compensation (which is required by law for employers to have) will not cover enough of your damages. There are even instances in which you will have your claim denied by the insurance. In some cases, you can bring your claim against a third party. That may be a contractor or sub-contractor, tool or machinery manufacturer, or other entities. If there is proof that shows that they are responsible for your injuries, they can be held liable to compensation for your damages.

## Most Common Types of Construction Accident Cases

When we see injuries in workers or passerby with construction sites, there are several different types of accidents that typically cause harm:

1. **Excavation Accidents:** Sometimes, when there are dug out areas underground or even under sidewalks, they can collapse which could cause serious injury or fatality to both workers in the excavation site or pedestrians on the street above which can be extremely devastating.

2. **Materials Falling:** Any construction material including building material, tools, and equipment can fall from heights at any time. This particularly is a danger when there is scaffolding happening. When these accidents happen, the falling objects can crush anyone below or cause severe harm.

3. **Failure of Equipment or Machinery:** These cases are particularly unpredictable and come with no real warning. Sometimes there can be a malfunction of a forklift, a power tool, drills, and more. These accidents tend to be even worse when the machinery that malfunctions or fails is large or heavy.

4. **Scaffolding Accidents:** Both scaffolding and other kinds of structures can fail and cause serious damage and injury. If things are not installed correctly, it can be disastrous.

## Frequently Asked Construction Accident Questions

### How Should I Find the Right Attorney?

If you have a construction accident claim in Georgia, one of the things you better be asking yourself is how do I select the best construction accident attorney? There are three components you can look at to determine whether or not you've hired the best lawyer.

First off, you want an attorney who is educated on the specific aspects of construction accident cases. Do they know building codes? Have they studied building codes? Do they know the particular statutes of your case? Do they know the type of construction that was going on at the time of this incident?

Next, you want an attorney who's going to take your case and put in the effort.

Finally, you want an attorney with experience. Most lawyers will advertise that they do everything – throw out a big net and hope they catch a lot of fish. Then, for the areas of the law where they don't practice, they'll just refer it out to other lawyers who are more experienced in that area. That's not us.

At our firm, we have the education and experience necessary, and we're certainly going to put in the effort that's needed to make your case as good as it can be. When you're thinking about the best construction accident attorney in Georgia, to handle your personal injury case, think about our firm. Give us a call; we'd love to speak with you.

### What Are Common Mistakes After a Construction Accident?

Anytime you get hurt – especially if it's the first time you have been injured in a construction accident – you're probably going to make some mistakes. One of the biggest mistakes people make in these cases is not

reporting it. They may not even say anything to their boss, the general contractor, the sub-contractor, or whomever is in charge on that job site. If you get hurt at a construction site, tell somebody and put it in writing, either via text or email.

A second mistake people make is that they don't preserve evidence. Take some pictures on the site as soon as you can. If you don't have a camera on your phone, somebody next to you does. Get photographs – multiple angles, close ups, far away – of the defect, machinery, or situation that injured you. You will also want to document your injury with photos. Finally, the third mistake often made in these cases is not contacting an attorney in time. Give our firm a call; we'd love to speak with you about your Georgia construction accident case.

### **What is My Case Value?**

If you've got a construction accident injury claim in Georgia, one of the questions you've probably asked yourself before even coming to this website is what's my case worth? The honest answer is I don't know what your case is worth, and no attorney you call – whether it's us or someone else – is going to be able to tell you exactly what your case is worth.

There are some components of a personal injury case that are fairly easy to figure out, such as medical bills. There are also lost wages, past and future, to consider, as well. You also have to look at pain and suffering – the mental aspect, the emotional aspect, the actual pain aspect – what's that worth?

If you have a question about what your case is worth or any personal injury construction-related claim in Georgia, please give us a call. We'd love to speak with you and answer some of these questions.

### **How Long Will a Construction Accident Case Take?**

If you have a construction accident injury claim in Georgia, one of the questions you're probably asking yourself is how long is this going to take? Well, the short answer is, if you're doing it the right way and if you're attorney is doing it the right way, it's going to take a little bit of time... and you want it to. You don't want this case to settle overnight. If an insurance company calls and throws x number amount of dollars at you in the beginning, you can rest assured there's a lot more than that that they think this case is worth. They don't want your lawyer getting in there, digging under rocks, looking at evidence, talking to witnesses, and going through policies and procedures.

While these cases can take time, when you have the right attorney on your case working your case in the long term, the more profitable that case is going to be. If you have any questions about any construction accident injury claim in Georgia, please give us a call; we'd love to speak with you.



## When Should I Report a Construction Accident Injury?

People are often confused about what to do in the aftermath of a construction accident. Who do I need to tell about this? Should I tell anybody at all? If I tell them, what do I tell them? Giving notice is crucial. If no notice has been given that you've been injured, that can actually work to your detriment.

It is not recommended that you give any kind of recorded statements; not giving notice, however, may end up being used against you in the future and throw some doubt on your credibility in the case. Even if your motives were perfectly fine in not giving notice, they can make that look as if you are hiding something, which can affect your damages.

After you give notice, though, things can get even more complicated in your construction site accident case. Issues that can come up include whether you are an employee or independent contractor, which affects who you could bring a personal injury claim against. Another issue that can come up is whether your own direct employer on a construction site has liability insurance, whether they have even workers' comp insurance, and what insurance the general contractor may carry.

Our firm is uniquely suited for these cases thanks to our background in workers' compensation and personal injuries from construction site accidents. Complicated issues can arise out of these accidents in Georgia. Give us a call, and we'll be happy to answer any questions you may have.

## What Do I Do After a Construction Accident?

One of the types of personal injury cases that we handle regularly is construction site accidents. Our firm is particularly well-suited to handle those cases because we regularly handle a great many workers' compensation cases, and there is a lot of interplay between personal injury cases – whether you can sue a contractor on a job site or even a party that you consider to be your employer – and workers' compensation.

These cases can be complicated. Just to give you some examples of how complicated these cases can be, the general contractor who may have been negligent in some way and caused your injury, could be shielded from you being able to sue them by the workers' compensation laws of the state, even though they're not responsible for paying you any workers' compensation benefits.

There are exceptions to them being able to gain that statutory employer status. Our firm is well-versed in these exceptions from years of handling



workers' compensation claims. We are able to form some strategies now based on experience and insight into how a particular party is going to react if, say, a workers' compensation claim is filed against them.

## **Call Our Georgia Construction Accident Lawyer Today**

Whether it is the construction company or a third party who is responsible for your injuries and damages, they had a duty to keep you safe. When those parties are negligent and careless and cause you injuries, they owe you full and fair compensation. They are supposed to minimize the injuries that happen on a construction site. Unfortunately when deadlines are pushed and budgets are tight, things can be overlooked.

If you have been seriously injured in a construction accident, please do not hesitate to call our office for a free initial consultation. We have represented countless individuals who have been injured on construction sites. Your case will be a top priority for us, and we want you to know that you are going to be supported through this every step of the way. We are sorry that you have to go through this. We will do everything in our power to get you the best possible result for your injuries.

## **About the Author**

Princenthal & May is a law firm dedicated to helping people who have been seriously injured or have lost a loved one due to the negligence of others or workplace accident. Whether your case arises out of a car wreck, trucking accident, slip and fall, defective product, or dangerous premises, our goal is the same – maximize your recovery so that you can best care for yourself and your family during your time of need. While we are often able to resolve cases early in the process, we do not hesitate to go to trial in order to obtain the maximum recovery possible for you and your family.



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