

TEXAS

CONSTRUCTION ACCIDENT GUIDE

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

Chavez Law Firm
EL PASO'S PERSONAL INJURY LAW FIRM



If you have been involved in a construction accident, you are likely very seriously injured. These injuries can change your life, and you deserve to get compensation. Our El Paso construction accident attorney can help you receive full and fair compensation for your injuries and damages.

After you have read a bit about your case here, please call Chavez Law Firm today to set up a free initial consultation to go over the details of your case and discuss what your legal options are.

Common Types of Construction Accidents

When someone is hurt in a construction accident, it can either be a worker or a bystander of the accident. These cases would both be considered construction accidents, but may be handled very differently. Additionally, the accidents that injure them can vary.

Common Worker Accidents:

- Tripping or falling
- Being hit by something falling
- Electrocutions
- Crushing accidents
- Equipment malfunction
- Heavy machinery or truck accidents
- Insufficient or lack of proper safety equipment
- Failing to follow state safety regulations

Common Bystander Accidents:

- Getting hit by construction vehicles
- Having an eardrum rupture from loud noises or explosions
- Being exposed to hazardous or toxic materials
- Getting hit by a falling object

The best thing to do after something like this happens is to call an El Paso construction accident attorney to get started on your case. They will be able to tell you what your next steps should be to get full compensation.

How to Get Compensation After a Construction Accident

Texas is unique in that it does not have a law requiring that employers carry workers' compensation insurance. That means that if you are in an accident at a construction site, your employer may not have benefits available to you. They do not have to provide that for you.

If you are covered by workers' compensation insurance, you will be given benefits and coverage for your injuries and damages. However, there is a requirement that these injuries be completely work-related. That may even include work-related travel. In order to claim workers' compensation insurance, your injuries need to be within the scope of the workplace.

Being covered by workers' compensation insurance means that you will be covered for your damages and injuries. The things you can be covered for include:

- Medical expenses that are associated with your workplace injury
- Lost wages and/or lost earning capacity

If your injury caused you not to be able to return to the same work that you used to do, then that would affect your compensation.

There are instances in which you can bring your construction accident claim as a personal injury lawsuit. That would be if you were not covered by workers' compensation or if a third party was the liable party in your accident. Then you will be able to seek compensation through that avenue.

Tips for a Successful El Paso Construction Accident Case

There are four essential things that need to happen when you are involved in a construction accident:

1. Report your injuries to your employer or manager.
2. Seek immediate medical attention.
3. Your employer will report the injury to the insurance company.
4. The insurance company will either settle your claim or deny it.

If you would like to receive workers' compensation, you need to obey the regulations of the Department of Insurance. By law, you have to report your injury to your employer within 30 working days of the accident. This should be a notice that is in writing, as a verbal notice will not be enough.

You need to get to a medical professional right away. Your employer should be able to provide you with a list of healthcare professionals who are covered under their insurance for workers' compensation. If this list is not provided for you, then you can choose who you see.

When your employer has been notified of your injuries, they have the duty to report it further down the line to their insurance company. By Texas law, they are required to notify the insurance company about your injuries within eight (8) days.

When the insurance company has been notified, they will evaluate your claim. You will receive a notice of contest from them about whether they will deny your claim or provide an admission of liability. If your claim gets denied, it may be because there was not enough information about your accident or that they do not believe your injuries were work-related.

Frequently Asked Construction Accident Questions

How Do I Choose a Construction Accident Attorney?

When choosing a good construction incident lawyer, it's very important to find a trial lawyer with experience in this particular area of the law. When you are involved in a construction site incident or injury, there may be many different players who could be responsible, including general contractors and subcontractors. If you don't choose the right lawyer with the right experience in these types of cases, it could be detrimental to your case.

If you have a question about a case involving injury or death at a construction site, whether as an employee or as a visitor to the construction site, we can answer your questions. Please give us a call. We stand ready to answer and give you the information that you need.

What Are the Common Mistakes After a Construction Accident Injury?

Common mistakes that people make in construction include not seeking medical attention immediately. Yet another mistake is not reporting the injury to everyone they can report to, and doing it in writing. Thirdly, many do not look for an attorney who has trial experience and experience in this area of the law. Finding an attorney with trial experience and experience in this area of law is crucial if you want full and fair compensation for injuries that occur on a construction site. An attorney with the right experience can guide you through the legal process and help you find the right medical providers for your case.

We at the Chavez Law Firm have this experience, and we stand ready, willing and able to answer your questions. All you have to do is give us a call, set up an appointment, and we're happy to answer your questions.

How Do I Get Construction Accident Compensation?

Oftentimes, my clients who come to us because they have been injured in a construction site either as an employee or as a guest on the construction site ask what full and fair compensation for their case means. There are



several different types of compensation that a person would be entitled to in this situation. One is lost income and benefits. Any and all time lost as a result of the injuries sustained on the construction site are potentially recoverable under the law.

The other types of compensation that clients may be entitled to are for pain and suffering, physical and emotional, or compensation for the loss of affection and companionship of a loved one killed in a construction site incident.

If you have questions about what types of compensation you or your loved ones would be entitled to for an incident occurring on a construction site, we stand ready to answer your questions. All you have to do is give us a call and we'll set up an appointment so that we can answer your questions. Please give us a call.

What Should I Know About a Construction Accident Injury Claims in Texas?

Construction site injuries are quite complex. One reason is that, in a construction site, you may have many different companies involved. You have one company for electricians, another company for plumbers, another company for cement, and so on. Due to these issues, the first thing clients need to do is look for and hire an attorney with experience in this area of the law who understands the complexities at hand.

If you have a question about who is responsible or how somebody is responsible for injuries caused in a construction site, we stand ready to answer your questions. All you have to do is give us a call and we'll be very happy to give you an appointment so you can talk over your case with us.

Should I Be Giving a Recorded Statement After a Construction Accident?

After an injury sustained at a construction site, either as an employee at the construction site or as a guest to the construction site, it is never a good idea to speak to the insurance representative or the company representative to give a statement. Insurance representatives aren't there to get the full story. They're there, very simply, to try to get you or whoever was injured on the construction site to give a version that absolves their client of responsibility for the injuries that they've caused.

We at the Chavez Law Firm are aware of this problem and are able to guide our clients through the process of not only figuring out what medical treatment they, but also how to get full and fair compensation for their injuries. If you have questions about this process, please give us a call. We stand ready, willing and able to answer your questions.

What is the Timeline for a Construction Accident Case?

Oftentimes, our clients who have been injured in a construction site incident ask how long it will take to resolve this case. There are two major factors that contribute to how long a case takes. One is the medical treatment that the injured person needs to get them back to where they were before their injuries. A long healing process obviously adds time to a case.

The other very important factor, if not the most important factor, is whether or not the insurance company involved in a construction case negotiates in good faith. In cases where the insurance or the company or the defendant company's representative don't negotiate in good faith, the cases go to trial because they are unwilling to provide full and fair compensation for the people who are injured.

At my law firm, we know this and we know how to prepare for this tactic from the very beginning. If you have a question, either because you yourself or one of your loved ones was injured or killed in a construction site, give us a call. We stand ready to answer all of your questions.

Call Our El Paso Construction Accident Attorney Today

If you have been seriously injured during a construction accident, it is important that you have skilled and dedicated representation. Our El Paso construction accident attorney is here to help you get compensation in the fullest and fairest amount. Please call Chavez Law Firm today to get your free initial consultation.

About the Authors

At Chavez Law Firm, community safety is our passion. Each El Paso lawyer with the firm works to uphold the laws and community safety rules that have been put in place for everyone's protection. Individuals who break the law or act against safety regulations should not get away with causing physical or emotional harm to others. Our lawyers readily take on cases of all kinds, build them up, and present strong arguments in order to maximize each client's compensation.

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