

YOU & the LAW



GREGORY P. DILEO
Law Offices of Gregory P. DiLeo, APLC
300 Lafayette St., Suite 101
New Orleans, LA 70130
Phone: 504-522-3456 Fax: 504-522-3888
Toll free: 866-522-3456
Email: contact@gregdileo.com
www.gregdileo.com

Federal study says workers' compensation system is broken

A report by the U.S. Occupational Safety & Health Administration says many workers' compensation insurance programs across the nation fail to provide the financial support for which they were intended to workers who are injured on the job or suffer from job-related illnesses. Issued earlier this year, the report says low-wage workers are suffering the most from the "broken" workers' comp system.

The report, *Adding Inequality to Injury: The Costs of Failing to Protect Workers on The Job*, presents a disturbing picture of the severe hardships suffered by many injured workers, especially those in lower wage brackets. Those financial, physical and emotional hardships are common, even when injured workers are covered by workers' comp insurance.

The OSHA study also concludes that, despite improvements, workplace injuries continue to be a major problem.

According to federal data, about 4,500 workers are killed while on the job and an estimated 3 million serious occupational injuries and workplace illnesses occur annually in the United States. The study points out that, while 3 million injuries and illnesses may seem like a big number, the actual toll is probably much higher because workers never report many incidents.



© Media Bakery

"The failure of many employers to prevent millions of work injuries and illnesses each year, and the failure of the broken workers' compensation system to ensure that workers do not bear the cost of their injuries and illnesses, are truly adding inequality to injury," the report concludes in its executive summary.

In concept, employer-provided workers' compensation insurance covers lost wages, medical expenses and rehabilitation costs associated with work-related injuries. However, the

OSHA report explains, "In reality, the costs of workplace injury and illness are borne primarily by injured workers, their families, and taxpayer-supported safety-net programs." The report blames much of this cost-shifting on state legislation and court rulings that have made it increasingly difficult for injured workers to receive the payments for lost wages and medical expenses they deserve.

"As a result of this cost-shifting, workers' compensation payments cover only a small fraction (about 21 percent) of lost wages and medical costs of work injuries and illnesses; workers, their families and their private health insurance pay for nearly 63 percent of these costs, with taxpayers shouldering the remaining 16 percent," according to the report.

Since most of the cost of workplace injuries is borne by others, employers have fewer incentives to eliminate hazards and prevent injuries and illnesses from occurring.

"Under this broken system, these workers, their families and the taxpayer subsidize unsafe employers, increasing the likelihood that even more workers will be injured or made sick," according to the report.

You can read the full OSHA report at www.dol.gov/osha/report.



Take prompt action if your vehicle is recalled

Vehicle recalls for safety reasons were once relatively unusual. Unfortunately, that's no longer the case. In 2014, manufacturers recalled an estimated 62 million vehicles in the United States — the highest number ever recorded in a year.

This year, officials announced another massive vehicle recall involving millions more vehicles. Recalls for safety reasons are serious business that vehicle owners should not ignore: Your safety and that of your family could depend on getting the defect repaired.

The National Highway Transportation Safety Administration is the federal agency in charge of recalls. NHTSA orders some vehicle recalls, while manufacturers initiate others. When a manufacturer discovers a safety defect in its vehicles, the company must notify NHTSA as well as vehicle owners, dealers and distributors. The manufacturer is



© Media Bakery

then required to remedy the problem with no charge to the owner.

Some of the most highly publicized recalls in 2014-15 involved such serious safety issues as defective airbags and ignition switches. The

defective ignition switches in some General Motors vehicles, which could shutoff while the vehicle was in motion, have been linked to at least 50 deaths.

The faulty air bags, made by Japan-based Takata, were installed in millions of cars from 2002 through 2008. The Takata recalls in 2014-15 alone involved nearly 34 million vehicles. Some of the faulty air bags can deploy violently, causing injury or death to car occupants.

General Motors, Takata and some of the other vehicle and equipment manufacturers involved in recent safety recalls are expected to pay out billions of dollars in damages as the result of lawsuits. If you or a family member has been injured or killed because of the faulty operation of a recalled vehicle or part, then it is extremely important that you contact an experienced personal injury attorney to represent you.

Missing wallet or purse can be costly

Losing your wallet or purse or having it stolen can be a major upset to your daily routine, but even more serious, it can be costly.

If your wallet or purse goes missing, a first critical step is to conduct a thorough search to make sure that you did not misplace it in some other way. Regardless of whether your purse or wallet was lost or stolen, someone else can misuse the credit cards, driver's license and other important documents that it contained.

If the stolen purse contained your cell phone, others could use some of the information stored in the device for nefarious purposes.

In case of theft, you should file a report with the police department in the jurisdiction where the purse or wallet was stolen. If you are

away from your home, be sure to let authorities know how to contact you if someone recovers the item.

The Federal Trade Commission and others recommend taking these steps if your wallet or purse is missing:

- ✓ **Contact your card companies and bank right away.** Acting quickly limits your liability for charges you didn't authorize.
- ✓ **Contact your cell-phone service provider.** You may need to suspend your service or block the device if your cell phone is among the missing items. Many newer cell phones have tracking devices to locate them if they are lost.
- ✓ **Replace locks if keys are among missing items.** It may be costly to change locks, but it could be worse

if someone uses your keys to rob you.

- ✓ **Report the loss and apply for a new driver's license.** A driver's license is an important means of identification that someone who wants to steal your identity can use. In addition, if an officer stops you while driving without a license, you could be ticketed.
- ✓ **Double-check your credit card and bank statements.** If you see any checks, charges or withdrawals on your statement, report them immediately.
- ✓ **Protect your cards, checkbook and other items in the future.** Carry the minimum, and have on file a copy of the phone numbers of each of your card issuers so you can report a loss immediately.

Problems with mortgage companies top list of consumer complaints

Has your mortgage company treated you poorly? If that's the case, then you're far from being alone. The U.S. Consumer Financial Protection Bureau reports that problems with mortgage companies and debt collectors top the list of more than 558,800 consumer complaints it handled as of March 2015.

The Consumer Financial Protection Bureau, a relatively new federal office, opened for business in 2011 under terms of the Dodd-Frank Wall Street Reform and Commerce Protection Act. Congress created the Dodd-Frank reform law in the wake of the Great Recession of 2007-08 during which stock markets plummeted and millions of people lost their jobs and homes. While CFPB has a wide range of responsibilities, helping protect consumers against financial irregularities is one of its more visible areas of public outreach.

Earlier this year, CFPB announced a new service for consumers who believe their mortgage companies treated them improperly. Since its establishment, CFPB has accepted and worked with consumer complaints involving mortgages, and the agency's newest service now allows consumers to post their complaints in detail on the agency's public website.



© Media Bakery/Ariel Skelley

“Consumer narratives shed light on the full consumer perspective behind a complaint,” CFPB Director Richard Conroy said in announcing the new service. “Narratives humanize the problems consumers face in the marketplace. Today’s policy will serve to empower consumers by helping them make informed decisions and helping track trends in the consumer financial market.”

CFPB gives consumers who file complaints with it the option of posting the details of their problems on the

bureau’s public website or keeping those details private. The identities of consumers who opt to share their details on the agency’s website are not made public.

CFPB gives companies that are the subjects of complaints the opportunity to respond and explain the situation from their points of view.

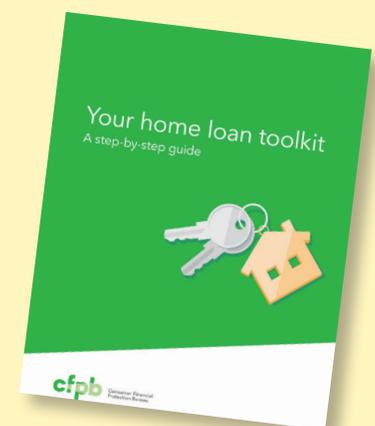
For additional information, visit consumerfinance.gov/complaint/.

Free ‘Home Loan Toolkit’ also available from CFPB

In addition to the complaint program, the CFPB makes available a free “Home Loan Toolkit” that guides consumers through the process of shopping for a mortgage and buying a home. The toolkit helps consumers take advantage of the new loan estimate and closing disclosure forms that lenders are required to provide.

The toolkit provides a step-by-step guide to help consumers understand the nature and costs of real estate settlement services, define what affordable means to them, and find a mortgage that’s best for them.

An electronic version of the toolkit can be obtained at consumerfinance.gov/learnmore/#respa.



GREGORY P. DILEO

Law Offices of Gregory P. DiLeo, APLC
300 Lafayette St., Suite 101
New Orleans, LA 70130
Phone: 504-522-3456 Fax: 504-522-3888
Toll free: 866-522-3456
Email: contact@gregdileo.com
www.gregdileo.com

Download our free personal injury app today!

iPhone



Android



Bicycle deaths increase as pedal-powered vehicles gain popularity

While the fatality rate from motor vehicle crashes across the nation has been falling, deaths among bicyclists have been trending in the opposite direction in recent years.

According to the National Highway Traffic Safety Administration, 743 people were killed and an estimated 48,000 injured in bike-related incidents in 2013, the most recent year for which final statistics are available. Those fatalities accounted for 2 percent of all traffic deaths that year and represented a 19 percent increase since 2010. The number of bicycle-related deaths of people under age 20 has been declining, but the reverse is true for those over 20.

While a range of factors account for many of the nation's bicycle-related deaths, two stand out:

not wearing safety helmets and alcohol. Alcohol was a factor in 24 percent of the bicycle-related fatalities in 2013, and only a small number of cyclists killed in accidents were wearing a safety helmet.



© Media Bakery/Nicole Hill

Safety professionals estimate that an approved and properly worn bicycle-safety helmet can reduce the risk of head injury by 85 percent. Head injuries are the overwhelming cause of death in bike accidents.

While NHTSA and many other safety professionals encourage helmet use for cyclists, others warn against depending too much on them. Some argue that today's requirements for manufacturing bike helmets are outdated and need strengthening. Others point out that helmet use should not be a substitute for the other effective safety measures that bike riders and motor vehicle drivers should take.

For more information on bicycle safety, visit: nhtsa.gov/bicycles and safekids.org/bike.