



News release

4 February 2009

Snow use blaming your employer for slipping on the ice warns leading London lawyer.

For the millions of people commuting or working outdoors in ice and snow, Charlotte Pegman, solicitor at Hubbard Pegman and Whitney, warns that, contrary to popular belief, your employer would not necessarily be to blame if you injured yourself due the recent extreme weather conditions.

According to Charlotte Pegman: “If you slip in the car park at work or in the entrance to the office, or, if you work outside, doing your daily work, then unless your employer had the time, resources and ability to clear the snow and should have done so, then there is no absolute right to damages if your employer doesn’t clear away snow. Employees must take steps to mitigate their own risk.

“Unlike in countries such as Canada and Germany where deep snow fall is common, employers, in southern England in particular, are not prepared for such weather and legally are not expected to roll out snowplows, gritters and offer snowshoes to employees. Therefore, employees must take responsibility for their own safety and exercise caution when requested to work in icy conditions.”

However, examples of when an employer could be responsible:

- The main entrance to work was icy and the employers had the time and ability to clear the ice and lots of people used the entrance;
- The inside floors were very wet, causing slipping;
- The car park was full of snow and the employer could and should have cleared it by the time of the accident;
- The employee was told to work on an icy surface (eg roof) at height without adequate precautions against falling when the danger was obvious;
- A hotel worker slips on ice on outside steps used by the public after employer had time to clear/grit them.

If an employee does have an accident, he should report the accident to their employer, record the incident in the accident book, and seek medical attention. However, employees must bear in mind that an accident due to the weather would not create an absolute right to damages.

Charlotte Pegman adds: “Both employers and employees need to be sensible, take care and remember that unlike the snow that often disappears as quickly as it came, a broken elbow remains for much, much longer – and a few weeks off work leaves you out of pocket ”.

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Issued by Kelso Consulting (PR advisers) on behalf of HPW

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About Hubbard Pegman & Whitney:

Hubbard Pegman & Whitney was formed in October 2007 from the private client practice of Glenisters. Based in Hammersmith in West London, the firm is a specialist in Personal Injury claims, and has great experience of dealing with cases of utmost severity and claims following spinal injury.

The Personal Injury Department is run by Managing Partner, Charlotte Pegman. She is a member of The Law Society's Personal Injury Panel and The Association of Personal Injury Lawyers (APIL). Charlotte specialises in psychiatric injury claims and spinal injury claims. She also has much experience in acting for prison officers who have been injured at work.

For further information please visit www.hpwsolicitors.co.uk.