



**Kalish
Law
Firm**

SUMMER 2020



**Brought to you by
Scott Kalish
Attorney At Law
Kalish Law Firm**

**Western Reserve Building
Suite 405
1468 West 9th Street
Cleveland, OH 44113
216-502-0570
FAX: 216-502-0569
E-mail:
scottkalishcollc@cs.com**

**OFFICE HOURS
Monday-Friday
8:00 a.m.-6:00 p.m.
Saturday by appointment**

PRACTICE AREAS

- Personal injury
- Auto and truck accidents
- Workers' compensation
- Wrongful death
- Medical malpractice
- Nursing home negligence
- Motorcycle accidents
- Railroad and boat accidents
- Premises liability

*We take your
family's safety and
security personally.*



RECKLESS DRIVERS

Reckless driving is an expression that is used casually to describe just about any driver who is observed making a mistake behind the wheel. In reality, at least in the legal arena, reckless driving is much more than a momentary lapse of judgment. It is defined as driving without due care and attention in such a way that it endangers the life, limb, and property of others around you. It can result in fines, driver's license suspension, and even jail time. Repeat offenders could have their driver's license revoked altogether.

According to the website driverknowlege.com, reckless driving is responsible for 33 percent of all deaths involving major car accidents. Examples of reckless driving include swerving in and out of traffic, tailgating, driving 25 miles per hour or more over the speed limit, racing, texting, illegal passing, and ignoring traffic signals. Knowingly driving a vehicle with safety issues is also considered reckless driving.

Reckless drivers will likely face criminal charges if they cause damage, injuries, or death. Civil proceedings, such as a personal injury claim, are separate, but the evidence used in a criminal case to demonstrate recklessness can be used to support a personal injury claim.

If you are injured by a reckless driver, call our office for a free case evaluation.

**SHARE
the ROAD**

Some areas have bike lanes and paths for bicyclists, but much of the time, bicycles and motorized vehicles share the road. Unfortunately, the difference in size and speed between cars/trucks and bicycles can create a tenuous relationship between bikers and drivers. It's hard to not get annoyed when you feel trapped behind a bike going 15 miles an hour in a no-passing zone. On the other hand, bikers would put themselves in danger if they moved to the berm of the road, where the paving isn't even and there is more debris.

In 2018, the National Highway Traffic Safety Administration reported that there were 857 bicyclists killed in traffic crashes in the United States. Please be careful and remember to share the road this summer.



Tips for bicyclists:

- Wear a helmet.
- Ride in the same direction as traffic; you are operating a vehicle on the road.
- Obey traffic signs, signals, and lane markings; signal all turns; and follow local laws.
- Ride in a straight line, and use hand signals

when changing lanes or turning.

- Look ahead for traffic and obstacles in your path.
- Wear bright colors, reflective materials, and lights on your bicycle at night and in low-light conditions. Most bicycle deaths occur between 6 and 9 p.m., and low visibility is likely the reason.
- Don't use electronic devices while riding.
- Don't ride your bike while under the influence of drugs or alcohol.

Tips for motorists:

- Pass bicyclists on the road with care; allow at least 3 feet of clearance.
- Look for cyclists before opening a car door or pulling out from a parking space.
- Yield to bicyclists at intersections and as directed by signs and signals.
- Look for bicyclists before making turns, either left or right.
- Respect designated bicycle lanes; don't use them for parking, passing, or turning.
- Never drive distracted or impaired.

Source: NHTSA newsroom

Are Part-Time Workers Who Get Hurt on the Job Entitled to Workers' Compensation?



Many people rely on part-time jobs to supplement their family's income. But what happens if you are injured on the job?

The good news is that if you are an employee, regardless of full- or part-time status, you are eligible for workers' compensation. Workers' compensation programs are run by the state, and benefits are extended to most private and government employees. Exclusions vary by state, but might include small businesses with fewer than five employees, owners of companies, domestic workers, farm workers, and independent contractors. The benefit covers lost wages, medical costs, and other losses, and coverage begins the first day of work.

If you are hurt on the job, you can file a claim for workers' compensation benefits. It doesn't matter if you are injured performing a work-related task or if

you slip and fall in the break room. If you are injured, you have 30 days to report your injury and make a claim. Claims can include lost wages, medical bills, hospital visits, rehabilitation, prescriptions, and travel expenses.

If you have been injured on the job, call a workers' compensation attorney to discuss your case.



**Kalish
Law
Firm**

**Western Reserve Building
Suite 405
1468 West 9th Street
Cleveland, OH 44113**

REFERRALS

Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.

© Copyright 2020. Newsletters Ink Corp. Printed in the U.S.A. www.NewslettersInk.com
The information included in this newsletter is not intended as a substitute for professional legal advice.
For your specific situation, please consult the appropriate legal professional.

HURT ON THE JOB?

Suffering an injury at work is not uncommon; after all, much of our time is spent on the job. For this reason, employers must pay into a workers' compensation fund. While navigating the process of filing a workers' comp claim can be frustrating, it usually ensures timely compensation for lost wages and medical expenses from on-the-job accidents. On the employer's end, it protects them from lawsuits.

But there is an exception. When an employer is clearly and knowingly responsible for placing an employee in a situation that causes substantial injury, a victim can file an intentional tort lawsuit. Cases like these are rare. Here are a couple of things that attorneys look for when determining if a case merits an intentional tort lawsuit.

SEVERITY OF INJURY

Injuries in employer intentional tort cases tend to be severe and long term.

EMPLOYER LIABILITY

An attorney will want to know if the employer and/or supervisor were aware of the condition that led to an injury. If the employer wasn't aware that there was a condition that could lead to injury, or did not act criminally, there likely isn't a case. If OSHA is investigating potential safety violations at the workplace or job site, it could indicate the employer was at fault.

EMPLOYEE LIABILITY

Was the injured employee at fault or partially at fault? If it is determined that an employee was engaged in activity in which the outcome would likely result in injury, there is not likely a case.

If you've been injured on the job, contact our office to schedule a free consultation.

