



## Summary of Verdict

### *Vasilios Pisimissi v V-Constructions Pty Ltd - S CI 2016 4695*

5 March 2018

On 5 March 2018, a jury of six awarded a plaintiff approximately \$406,000 in damages, finding that an employer was liable for injuries to a worker sustained in the course of working as a carpenter.

The plaintiff alleged that his duties involved frequent heavy and awkward lifting of beams and bearers, often at or above chest height, and that on one particular occasion, whilst performing his work he slipped off the edge of a platform and had to grab a bearer above his head to stop himself falling. In this incident, he claimed to have suffered a bilateral shoulder injury.

The plaintiff alleged that the defendant was negligent by, in amongst other things, requiring the plaintiff to perform frequent heavy and awkward lifting whilst failing to properly instruct the plaintiff as to the safe method of lifting, and failing to have a proper safety barrier around platforms to reduce the risk of slipping and falling.

The defendant denied that it was negligent, and the extent of the plaintiff's injury, and also argued contributory negligence on the part of the plaintiff, claiming that the plaintiff failed to seek further instruction if required and failed to pay attention to where he was walking and where he placed his feet.

The jury found that there was negligence on the part of the defendant which caused injury to the plaintiff. The jury also found that there was contributory negligence on the part of the plaintiff and that his loss and damage should be reduced by 60%.

**Note: a jury does not give reasons for its verdict.**