

## **Remote Working - The Danger of Personal Injury Claims\***

It is now clear that an increasing number of people are attending physiotherapists with back and neck pain directly as a result of the recent changes in work practices where people are now working remotely either fulltime or part of the time.

Physiotherapists are reporting an increase in the number of back and neck complaints coming to them. The top reasons for this appear to be prolonged immobility, a lack of exercise and sitting incorrectly.

For many they will not miss the daily commute to and from work. There are the efficiencies of home working. It means better work life balances. Technology is helping in relation to remote working.

However, because people no longer have to travel to work, they are not walking around as much while they are working at home a sedentary lifestyle can creep into daily work. Now people are spending more and more time sitting.

Some 20% or 1 in 5 of office workers are now starting to complain about back injuries.

Sitting for a long time has an impact on a person's back. Because the lower and middle spine is tilted forward the neck has to work harder to keep the head upright and this can result in neck pain.

In addition, bad posture or slouching actually are not proven to cause back pain. However, a lack of exercise is linked to back pain and other health problems.

It is important that home offices must be optimised to promote a healthy workplace. This applies to those who spend long hours at a desk, on video call, typing or using a mouse.

Even a small support cushion placed behind the lower back helps. For others a standing desk which has an adjustable height to allow work while standing up can equally stop back injuries.

What is emerging is that there is now a lack of movement for workers. This means that injuries which could be avoided are unfortunately happening.

As Workplace Accident Claims Solicitors and Personal Injury Solicitors we are seeing this issue of back pain arising more and more often. As Employment Law Solicitors we are constantly advising employers to make sure that work stations are properly set up. A work station in a person's home is for the law treated as if it is in the workplace itself. Just because a person is working from home does not mean that their workstation should be any less standard then they would have if in the office or workplace.

There will be, unfortunately, an increase in claims relating to back pains due to ineffective and inefficient home workstations.

Remote working has huge advantages for businesses and for employees. It creates a work life balance that many are looking for. However, not putting in place proper workstations is going to have a negative impact.

The first of course is a claim against an employer. That is expensive. It impacts on their insurance. For employees bringing such a claim this will often be the last resort. For both employers and employees, the issue of an incorrect workstation may mean that that employee ends up out of work for a time. This has a negative impact on productivity but also there is the potential loss of earnings for the employee if the employer does not pay sick pay.

In our practice as we combine employment law, accident claims and personal injury claims we are seeing the potential for a significant rise in personal injury claims against employers, by employees, because proper workstations have not been set up for remote working. Many have been working remotely for the last nine months. Now is the time to make sure that proper workstations if not already in place in employee's homes are put in place to minimise the risk to both the employer in having a claim against them and the cost of an employee being sick with the lack of productivity as a result thereof and in the case of employees that they do not suffer an injury and have a situation where they feel that they need to bring a claim against the employer because of the pain and suffering that they are suffering which could have been avoided by simply putting in a proper workstation in their home.

**If you require further information please phone us on 01 – 9695781 or e-mail us at [info@grogansolicitors.ie](mailto:info@grogansolicitors.ie). For further information you will find guides on our website [www.grogansolicitors.ie](http://www.grogansolicitors.ie).**

**\*Before acting or refraining from acting on anything in this guide, legal advice should be sought from a solicitor.**

**\*\*In contentious cases, a solicitor may not charge fees or expenses as a portion or percentage of any award of settlement.**