

What you need to know

Asbestos



Whether at work or at home, you should remain vigilantly on the lookout for any materials that may contain asbestos. It's important to know what to look for, and what to do if asbestos is found. The key is to be aware of the risks posed by asbestos, and to do everything possible to minimise any exposure to yourself and others.

Follow our top 10 guide to asbestos to make sure your safety and rights are protected:

1 Where is asbestos found?

Some of the most common uses for asbestos included:

- asbestos cement sheeting – often known simply as 'fibro', was used as a low-cost building material for many houses, sheds and garages, and came in a number of forms including flat sheets, corrugated sheets, weatherboards and patterned sheets
- gaskets, brake shoes, disc pads, clutch housings or elevator brakes
- asbestos cement pipes, gutters and flues
- asbestos 'ropes' and 'blankets'
- loose asbestos fibre insulation
- vinyl floor tiles
- thermal insulation (sprayed and non-sprayed).

Asbestos can be difficult to identify. You should take extra care when handling a renovation and encounter a material you're not 100% sure of. When in doubt, assume that the product probably contains asbestos.

2 What should I do if I find asbestos at work or home?

Leave it alone. Never touch or disturb anything that might be asbestos.

You should:

- avoid performing any activities which may disturb or damage the product, and stay away from it
- inform the union and your direct supervisor

- have an expert assess the material to determine if it's safe to leave, or whether it should be removed
- not attempt to clean up any dust or debris
- not remove any asbestos materials. By removing or disposing of asbestos incorrectly, you may not only be risking your health; you may actually be doing something illegal
- always hire licensed asbestos removalists to dispose of any asbestos. They will ensure that asbestos is removed and disposed of safely and that affected areas are properly cleaned afterwards.

If you are particularly concerned about your health, please see your GP and obtain a chest x-ray.

3 What are the health risks? Why is it so dangerous?

No level of exposure to asbestos is safe.

Exposure takes years to show symptoms and can develop into any of the following diseases, some of which are incurable:

- asbestosis
- lung cancer
- asbestos related pleural disease
- pleural mesothelioma
- peritoneal mesothelioma
- laryngeal cancer, or
- any other cancer caused by exposure to asbestos.

4 I've been exposed to asbestos – can I make a claim?

Yes, if you've been diagnosed with an asbestos-related disease. Your first priority should be to take care of your health, however financial compensation may relieve some of the burden for you and your family.

If you've been exposed, and haven't developed any symptoms, you never need to make a claim. Be sure to record your exposure on Maurice Blackburn's National Asbestos Register.

5 What is the National Asbestos Register?

The National Asbestos Register is a database established and maintained by Maurice Blackburn. It's a free service that enables people to make a formal record of their asbestos exposure should the information be required in the future.

Registration doesn't automatically make you a client of Maurice Blackburn – and you are under no obligation to become one in the future. Maurice Blackburn can provide you with further free advice or information via one of their specialist asbestos lawyers if you want, or need it.

For more information on registering please visit Maurice Blackburn's Asbestos Diseases page online at mauriceblackburn.com.au

6 How do I make a claim?

Maurice Blackburn will assist you with your claim, which involves:

- obtaining details about your work, including exposure to asbestos and other matters. This can take place in your home, in hospital or our office and usually takes a few hours
- you giving Maurice Blackburn the authority to access medical records and reports
- arranging all documentation relevant to the claim
- providing instructions (via telephone) as the matter progresses.

7 It happened a long time ago, can I still make a claim?

Yes. You can make a claim even if you:

- left the employment where the exposure occurred
- were exposed to asbestos 50 years ago, or more
- had an employer who has since gone out of business

- were exposed to asbestos with different employers
- were self-employed or a contractor
- were not exposed to asbestos at work (but elsewhere like at home)
- were exposed to asbestos in the UK, NZ or the US
- are not sure when your exposure to asbestos occurred, and
- smoked cigarettes.

8 Can my family bring a claim?

Yes. If your family can show they were financially dependent on your earnings, they could bring a claim for the loss of financial dependency.

However, only you can claim for pain and suffering. As long as you initiate the claim in your lifetime, the claim will continue to proceed until finalised.

9 How much compensation will I get?

It's impossible to provide that information without details specific to the claim. But where there is good evidence to support the claim, it is likely that you could win compensation between tens and hundreds of thousands of dollars.

10 How long will the claim take?

The average time-frame for an asbestos claim can vary between three and six months, from the time you instruct Maurice Blackburn to proceed until the claim is settled. Claims can proceed faster where there is medical evidence that you are very unwell. Some claims are resolved within weeks.

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