



Thousands of various construction industry tradesmen, utility powerhouse workers, custodial engineers, building superintendents, transit system workers and countless others worked in and inhaled large concentrations of asbestos fibers in their work environment.

The cumulative impact over 25 years of asbestos exposure has resulted in medical diagnoses for about one-in-three workers tested with an asbestos condition affecting their respiratory system. Additionally, a small percentage of workers develop a lung cancer, or, more serious, mesothelioma medical status. Our law office working with many labor Unions who represent these workers sponsor year-round Asbestos Screening Tests, a 2-view chest x-ray.

Attorneys in our office have compiled 15 Questions And Answers on Asbestos Exposure. Hopefully you will find this information informative.

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1) What Is "Abestosis" And Its Symptoms?

It is a disease resulting from prolonged inhalation of asbestos dust from asbestos-based products in the work site affecting the respiratory system impacting on an individual's lungs. The most common symptom is a shortness of breath walking up slight inclines or a few steps.

2) How Is An Asbestos Condition Detected?

A two-view chest x-ray diagnosed by a "B Reader," a radiologist specially trained to determine occupational health diseases, can evaluate if an asbestosis condition exists.

3) Historically, What Job Trades Are Most Affected By Asbestos Exposure?

Several key construction trades, by their nature, have high asbestos exposure, resulting in asbestos disease, including: carpenters, utility workers, sheet metal workers, transit workers, school custodial engineers, residential and commercial building superintendents, plumbers, steamfitters, electricians, laborers, painters, auto mechanics, shipyard employees, asbestos removers, firefighters and certain factory jobs.

4) How Long A Time Period Is Required From Asbestos Exposure To X-Ray Detection?

Medical experts report a 25 year time period is necessary from an individual's initial asbestos exposure to medical diagnosis using a chest x-ray technique.

5) Can More Serious Medical Problems Develop Beyond Asbestos?

In some individuals with an asbestos-related condition, more serious medical conditions can develop into lung cancer, or most seriously, mesothelioma, a fatal cancer disease resulting solely from asbestos exposure.

6) Where Are Asbestos Screening Tests Conducted?

Throughout the year at labor Union sponsored medical facilities and on-site locations, usually on Saturdays, Asbestos Screening Tests are held in Brooklyn, Manhattan, Nassau/Suffolk and Westchester Counties, Bronx, Queens, New Jersey, Staten Island, several Florida sites and Albany. For updated information on test locations and dates, feel free to call our toll free number: 1-800-2-DEARIE (1-800-233-2743).

7) What If I Cannot Attend The Screening Test Date In My Borough Or County?

If a schedule conflict or geographical inconvenience prohibits your participation in the screening test in your area, an "Alternative Testing Method" is available to you so your chest x-ray can be diagnosed by a "B Reader." For details, contact our office's Asbestos Department Coordinator.

8) If I Am Retired From My Work Or Trade, Should I Still Have An Asbestos Screening Test?

ABSOLUTELY, since asbestos and related respiratory diseases are progressive, they often manifest themselves many years after exposure and active work. That is exactly why it is particularly important for Retirees to have updated x-ray examinations following earlier years of asbestos exposure.

9) If A Member Of My Family (Husband, Wife, Son Or Daughter, Etc.) Dies From An Asbestos-Related Disease, Can Their Estate Bring A Lawsuit To Recover?

Yes, the impact of an asbestos disease can be sudden and sometimes fatal. Consequently, the Estate of a victim can initiate a lawsuit to recover, known as Wrongful Death, which must begin within two years of the victim's death.



10) If I Test "Positive," Who Is Sued And Is It A Class Action?

If tested "Positive," an individual lawsuit bearing your specific name is brought against several dozen manufacturers of the asbestos products to which you were exposed. The lawsuit is NOT a class action, but rather an individual litigation commenced on your behalf.

11) Is There A Consultation Fee To Discuss My Asbestos Exposure and Possible Lawsuit?

NO. Our law office office, like most, provides a full consultation at no charge to review your work history and medical data surrounding any asbestos-related illness and potential legal action.

12) If I Test "Positive," My Lawsuit Begins And Subsequently, I Pass Away, Will My Estate Receive Financial Awards From This Legal Action?

YES. Once a legal action begins, if an individual dies, his/her Estate will continue the legal action and receive any settlements or jury awards obtained from the lawsuit.

13) Is An Asbestos Settlement Or Jury Award Taxable?

No. Federal and State Tax laws do not apply to personal injury jury awards or negotiated settlements.

14) What Is Meant By The Term "Statute of Limitations?"

It is a time period, established by State law, during which your lawsuit must begin. Courts demands strict compliance with the Statute of Limitations, thus, failure to bring your action timely often results in loss of your case. Under current State law, the time to begin a lawsuit is 3 years from the discovery of your asbestos-related illness, or when you should have discovered your illness. The time period IS NOT MEASURED from the date of an individual's LAST EXPOSURE.

15) If I Am Tested "Positive," Can I Also Bring A Worker's Compensation Claim?

With some exceptions, a Workers' Compensation claim against your employer is available, in addition to the legal action against the asbestos products manufacturers. It is strongly recommended that your work experience and status, whether active or retired, should be evaluated to determine your eligibility.

16) If My Medical X-Ray Diagnosis Is "Negative," Should I Still Attend An Asbestos Screening Test In The Future?

If, after your screening test x-ray is diagnosed "Negative" (normal), it is medically recommended to have a two-view chest x-ray every other year to monitor your respiratory system since you've had previous extensive asbestos product exposure.

17) What Is The Legal Fee To Retain An Attorney To Litigate My Lawsuit If I Tested "Positive?"

It is a contingency fee, which simply said means there is no legal fee unless an award or settlement is obtained for you. If you do recover, the attorney's fee equals one-third of the jury award or negotiated settlement.

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