A GUIDE TO TEXAS OIL INDUSTRY ACCIDENTS
A Guide to Texas Oil Industry Accidents

Presented by:

Sutliff & Stout
DISCLAIMER

This book is for informational purposes only. This is not legal advice. Any case results in this book are based on the specific facts of those cases. Past results do not predict future successes.
# Contents

1. Intro .............................................. 1  
2. Types of Oil Field Injuries and Accidents 2  
3. What to do After an Oil Field Accident 6  
4. Oil Field Accidents FAQ 9
Work in the oil and gas industries can be extremely lucrative. Across Texas, above-average salaries, generous benefits packages, and the opportunity to work away from the confines of a traditional office setting draw tens of thousands of workers to the oil fields. But as any experienced hand knows, working in this industry can be very dangerous. Oil and Gas workers in the United States suffer serious and sometimes fatal injuries on job sites at rates that are as much as seven times higher than the average of all other professions.

Oil companies have raked in large profits from the Texas oil boom. Unfortunately, in an effort to fill their employment and production needs, many oil and gas companies put pressure on their workers to speed up production, hire inexperienced employees or require unsafe working hours. The combination of insufficient safeguards, the inherent dangers of the industry and green hands can lead to tragic results. In 2014, 4,679 people were killed while on the job in US, and 142 of those individuals were oil and gas workers. This is a startling statistic when one considers that the oil and gas industry employs less than one percent of the US workforce.

This problem is only made worse by the fact that most oil and gas companies try to avoid accountability and responsibility when these accidents occur. While the injured worker is in the hospital, the company is investigating and collecting evidence. The company and its insurance carrier will also send injured workers to doctors who will put the interest of the company before the patient. At Sutliff & Stout, we have seen many examples of this bad behavior of companies treating their workers unfairly.

This guide is designed to help oil and gas workers understand their rights and explains what to do in the event of a serious oil field accident. This guide first details the types of serious injuries and accidents that typically occur in the patch. It then provides the various steps you should take after an accident and why, in some cases, it is important to speak with an experienced trial lawyer about your situation. Finally, this guide addresses some frequently asked questions about oil and gas accidents.

Being injured on a job site can be an overwhelming experience, and many oil and gas workers do not fully understand their rights after an accident. While this guide provides helpful information to oil and gas workers and their loved ones, it is not a substitute for getting legal advice from an experienced attorney who has handled oil and gas claims. Being represented by a lawyer who has successfully handled personal injury cases against oil and gas companies and other responsible parties, offers you the best chance of getting fair compensation for your injuries.
Types of Oil Field Injuries and Accidents

Oil industry workers encounter many serious risks in the oil fields. Despite the fact that oil and gas companies are required by federal and Texas state laws to provide safe workplaces and implement robust safety programs to prevent injuries at drilling sites, accidents in the industry occur at alarming rates. In a single year, the Houston Chronicle found that 79 workers lost limbs, 82 were crushed, 92 suffered burns, and 675 broke bones in oil industry work accidents that were reported to insurance carriers. That same year, more than 65 people died at oil and gas industry worksites, which represented a 60 percent increase in on-the-job fatalities from the previous year.

Oil Field Injuries

The following types of injuries frequently occur as a result of dangerous working conditions in the oil and gas industry.

- **Head and brain injuries:** concussions, traumatic brain injuries, skull and facial fractures, and facial lacerations.
- **Neck and back injuries:** spinal cord injuries, severed spinal cords, pinched nerves, herniated or ruptured discs, broken vertebrae, whiplash, and paralysis.
- **Bone injuries:** Broken bones, shattered bones, hairline fractures, compound fractures, and dislocated bones or joints.
- **Limb and extremity injuries:** partial amputation; total amputation; crushed limbs; and temporary or permanent damage to the functionality of arms, legs, feet, hands, fingers, or toes.
- **Soft tissue injuries:** tearing of muscles, tendons, and ligaments; sprains; and strains.
- **Burns:** first-degree burns, second-degree burns (partial-thickness burns), third-degree burns (full-thickness burns), blistering, and scarring.
- **Skin injuries:** lacerations, chemical burns, frostbite, cuts, punctures, and bruises.

Workers who suffer any of these injuries may be entitled to compensation by their employer or other responsible parties. An oil field accident lawyer can help determine who is responsible for your injuries and how much compensation you deserve.

Oil Field Accidents

There are many types of accidents that occur in the industry and, in most instances, an injured worker has the right to be compensated for his or her injuries and resulting damages. The following are some of the more common types of accidents that we deal with at Sutliff & Stout:
**Heavy Equipment Failures**

On any drilling site, workers are required to operate dangerous heavy equipment whether they are drilling, pulling pipe, mixing mud or performing one of the many other jobs required of them. Sometimes this equipment fails causing significant injuries. These failures happen for a number of reasons, including improperly trained or inexperienced hands, mechanical failures caused by overstress, inadequate maintenance, or careless safety inspections. Sometimes, failures result from a design or manufacturing defect.

The law requires that heavy machinery on job sites be safe for workers to use and that such equipment be properly maintained to prevent accidents. Also, workers who are required to operate heavy machinery should receive adequate operational training and safety training so as not to put others at risk. If you were injured by a heavy equipment failure, you might be entitled to financial compensation for your injuries in addition to any worker’s compensation benefits you receive through the insurance claim process. Depending on the nature and cause of your accident, you might be able to recover money from a third party, such as the company that designed and manufactured the heavy equipment.

**Fires and Explosions**

Oil and gas industry workers must deal with the risk of fire or explosion at work sites. Wells, trucks, tanks, and other heavy production equipment can release flammable gases and vapors that can be ignited by open flames, static electricity, friction, or other heat or electrical sources. Pressure buildup is also a significant area of concern for anyone working in and around a well site location. A fire or explosion at an oil field can cause serious injuries to workers and may even be fatal. If you were injured as a result of a fire or explosion, you may have a claim for damages against the person or company responsible.

**Well Blowouts**

A well blowout is the uncontrolled release of crude oil or natural gas during the drilling process. These blowouts are typically the result of failures in pressure control systems in wells. Even though modern oil wells contain blowout preventers that are designed to reduce the risk of a blowout, these types of accidents still occur. An accidental spark or contact with an ignition source during a blowout can lead to a catastrophic oil or gas fire.

If you were injured at an oil or gas extraction site as a result of a well blowout, you may be entitled to compensation for your injuries and other losses. Investigations into these complex accidents can take several years, and workers who have been injured in a well blowout often face long delays in being issued compensation. A lawyer can help you identify who is responsible for a well blowout, and can help you obtain money damages for your injuries and other losses associated with your accident.
Fracking Accidents

Hydraulic fracturing (or “fracking” as it is commonly known) has reinvigorated the US oil and gas industry and has produced billions of dollars in revenue for Texas oil companies. But fracking, which involves the high-pressure injection of water or a fluid mixture into a borehole to create cracks in deep-rock formations through which gas or petroleum can flow, is inherently dangerous. Serious accidents and chemical spills at fracking sites are becoming more commonplace, and workers often suffer devastating injuries as a result of these accidents.

Truck and Vehicle Accidents

Oil and gas workers are often injured as a result of truck and vehicle accidents at or near work sites. Single-car overturns, collisions with other work site vehicles, and collisions with stationary objects, like heavy equipment, are common causes of injuries to oil and gas workers. A number of factors may contribute to vehicle accidents at a drilling site, including poor driving conditions, driver fatigue, drug and alcohol use, and improperly maintained vehicles.

Accidents involving cars, trucks, or other vehicles at an oil or gas extraction site present a number of challenging legal questions. It can be difficult to determine who is responsible for the accident and whose insurance company should be responsible for paying for any injuries as a result of the accident. There are additional questions about the role of worker’s compensation insurance and whether negligence or recklessness played a part in the accident. An oil field accident lawyer can help you address these questions after a truck or vehicle accident at a job site, and can help you determine what your legal options are.

Slips, Trips, and Falls

Injuries caused by slips, trips, and falls are common in the oil fields and at other oil and gas extraction sites. Oil field workers are often forced to work long hours in challenging outdoor environments, which increases the chances of a slip or a trip. Moreover, many petroleum and gas extraction workers are required to access platforms and equipment that are located high above the ground. Although employers are required under Occupational Safety and Health Administration (“OSHA”) regulations to ensure that walking surfaces are safe and to prevent falls from elevated equipment, slips, trips, and falls are among the most common causes of serious and fatal workplace injuries and deaths.

If you have suffered a slip, trip, or fall at an oil or gas extraction site, an experienced workplace accident lawyer can help determine whether your employer may have failed to take adequate precautions to prevent your injuries.

Work in Confined Spaces
Workers are often required to enter confined spaces, such as storage containers and storage tanks. There are a number of workplace safety hazards associated with confined areas, such as asphyxiation, crushing accidents, exposure to dangerous levels of hazardous chemicals, and ignition of flammable vapors or gases.

Without proper training, equipment, and procedures in place, oil field workers can get seriously injured in confined spaces at job sites. In some cases, your employer may be required to obtain a written permit to require work in a confined space and comply with guidelines established by OSHA, the federal agency responsible for ensuring safe workplaces for Americans. If you were hurt in a confined area at an oil or gas industry job site, you may be entitled to compensation for your injuries and other losses. An oil field accident lawyer can help you understand your rights and identify which parties, if any, must compensate you as a result of your accident.
What to Do After an Oil Field Accident

Being injured in the oil field is a difficult experience for a number of reasons. First, you are forced to deal with your injuries. Second, if you are unable to work, the money from worker’s compensation will not likely cover your family’s monthly expenses. Third, you are forced to deal with a process that is unfamiliar and often times unfair. This section of the guide outlines the steps you should take after an oil or gas accident. But remember, if you have a specific question regarding your situation, please feel free to give us a call for a no-cost consultation.

Notify Your Employer of Your Accident

After an oil and gas accident, you should notify your immediate supervisor about your injuries right away. Failure to report an accident may result in you losing your job and could affect your ability to recover compensation for your injuries. When reporting an accident, you should be honest about what happened and, if possible, complete an incident report. It is always best to put things in writing so there is no dispute about what you said and when you said it. When reporting an incident it is important to be as forthcoming as possible. This means you should tell your employer exactly what happened and all of the parts of your body that hurt. Failure to report pain is a common problem because folks think the pain will go away, but the company will use this against you down the road if your problems get worse.

In cases where you are covered by worker’s compensation, your employer must notify their insurance carrier about your injury and file a worker’s compensation claim on your behalf. Your employer must also file a report with the Division of Worker’s Compensation at the Texas Department of Insurance within eight days of your job site injury or first absence from work as a result of an occupational illness. These steps will trigger a formal investigation into your accident and injuries. Once the investigation begins, you should never speak to a worker’s compensation insurance claims adjuster or other investigator without first contacting an attorney.

Seek Immediate Medical Attention for Your Injuries

Once you have notified your employer about your accident, you need to seek prompt, qualified medical attention for your injuries. Your employer is required by law to ensure that you receive all necessary medical attention for an injury that takes place on a job site. Receiving an accurate diagnosis of your condition immediately following an accident is critical to achieving the best possible health outcome. Ignoring your medical needs after a worksite accident — even for a short period of time — can lead to devastating long-term health consequences.

If you were seriously injured in an oil or gas production accident, you may need to go to the nearest emergency room. This might require transport by an ambulance or medical helicopter if you are in serious or critical condition. In most cases, you may seek emergency medical
treatment at an emergency room or hospital after a worksite accident without getting approval from your employer or your employer’s worker’s compensation insurance provider.

If your injuries do not require immediate medical attention, you should schedule an appointment with a doctor right away. Some worker’s compensation rules may limit your ability to select a doctor or other healthcare professional for non-urgent and/or ongoing health treatment after an accident in the oil fields. You may be referred to be treated by someone who is on a list of approved doctors that is furnished to you by your employer’s workman’s compensation insurance carrier.

If you are required to see a doctor who has been recruited by and is paid for by your employer's insurer, do your homework. Ask around about the doctor and what people think about that individual. If you are unhappy with the doctor selected, you have a right to request your own doctor (assuming such doctor accepts worker’s compensation cases). Often times, a company doctor might try to minimize your diagnosis or blame the pain caused by your oil field accident on a preexisting condition, so you need to be careful about who you entrust your care to.

You should follow your doctor’s instructions about how to care for your injuries. If you are too hurt to return to work, do not go back to your job site. Take the time you need to fully recover from your accident.

Contact an Experienced Oil Field Accident Lawyer

It is important to remember that by this point, a formal investigation into your accident has already been triggered. This usually occurs when you report your injury. There may be multiple investigations depending on the company and the insurance company covering the loss. You should never speak to a claims adjuster without first contacting an experienced oil field accident lawyer. Any statements you make to the claims adjuster will likely be recorded, so we suggest you simply not speak with such individuals until you have had a chance to speak with a lawyer and recover from your injuries.

When you contact an oil field accident attorney, you should ask to set up an initial consultation to discuss what has happened up to this point. Most reputable workplace accident attorneys provide a no-cost initial consultation that will remain completely confidential. You should always keep in mind that the goal of the investigation into your accident by the claims adjuster for your employer is to pay you as little as possible for your injuries and other losses, such as lost wages, reduction in your ability to work, and pain and suffering. Dealing with your employer’s insurance company on your own can hurt your chances at receiving a fair amount of compensation.

An oil field accident lawyer can help you understand your rights and what claims may be available to you. Is your employer covered by worker’s compensation? If not, is there some other plan that controls your claim? Was there a third-party that was involved in causing your
accident? Depending on the answers to these questions, you might be able to file a lawsuit to recover damages for your injuries and losses.

- If your employer did not have worker's compensation insurance, you may be able to sue your employer for your injuries. This is generally known as a non-subscriber case. These cases have special rules and such rules are oftentimes more favorable to the employee.
- If you were hurt at an oil or gas well site as a result of defective machinery or heavy equipment, you might be able to bring a products liability lawsuit against the company that designed and made the machinery or equipment. Heavy machinery and work site equipment manufacturers are legally responsible for developing and producing equipment in a manner that will not cause foreseeable injuries to the people who use it.
- If a person or company other than your employer caused the accident that injured you at your worksite, you might be able to bring a personal injury lawsuit against that third party. Examples of third parties that may be responsible for an oil field accident include independent contractors and subcontractors who are brought on-site to perform work for your employer, and other companies that have employees present at your job site.

Lawyers who represent oil and gas industry workers in job site accident cases are familiar with every step of the recovery process. An experienced, aggressive attorney can help you find the right doctors and healthcare providers for your medical needs, talk to claims adjusters on your behalf, and help you decide whether filing a lawsuit is the right decision for you and your family. If you file a lawsuit, your lawyer’s goal will be to help you get the largest possible financial compensation for your injuries and other losses.
Oil Field Accidents: Frequently Asked Questions

What if my employer doesn’t carry worker’s compensation insurance?

Texas does not require most employers to carry worker’s compensation insurance. Companies that do not carry worker’s compensation insurance are known as “non-subscribers.” These companies must follow strict reporting and disclosure requirements, and lose some important legal protections as a result of not carrying worker’s compensation insurance. While you gain the right to sue your employer for your injuries, as a non-subscriber you employer is not required to provide you medical care and compensation while you are off work.

If your employer does not carry worker’s compensation insurance and you have been hurt at work, you should call an oil field accident lawyer immediately to discuss how you can recover compensation for your injuries from a non-subscriber.

If I file a lawsuit against my employer or a third party after an oil field accident, what kinds of damages are available?

When you file a civil lawsuit against your employer or third party, the primary goal is to recover money damages to cover your medical needs and losses that you will sustain as a result of the injuries. Most lawsuits will include claims for:

- Loss of earnings as a result of work missed while recovering from your accident;
- Loss of future earnings as a result of reduced ability to work;
- The cost of your medical bills and other treatment;
- The cost of future medical care that you will require as a result of your accident;
- Increased personal or household expenses as a result of your injuries;
- Damages for pain and suffering or mental anguish; and
- Damages for loss of consortium and/or companionship.

How long does the claims or lawsuit process take?

The answer to this question depends on the nature and severity of your injuries. Most cases can be resolved or tried within a year or year and a half of when you decide to hire a lawyer. Some cases take longer because the client has extensive injuries or the nature of the incident is more complex. While you want to move quickly, it is important not to rush the process. If you were injured, this will be your only opportunity to be compensated so it is important to fully understand the nature of your injuries and how those injuries will affect you down the road.

How do I pick the right oil field accident lawyer?
Choosing an attorney to represent you after an oil field accident is an important decision that should not be taken lightly. You should feel comfortable with your lawyer from your first meeting with him or her, as you’ll be working closely together on your case. Always hire an attorney that you trust. Do not hesitate to ask a potential lawyer for references or testimonials from past clients. You can also research an attorney’s reputation and reviews online.
Our Houston Oil Field Accident Lawyers Are Here to Help

If you or a loved one has been injured and you would like to discuss what your options are, please feel free to give us a call at (281) 853-8446. At Sutliff & Stout, our goal is to help you and your family understand your options and get you back on your feet.