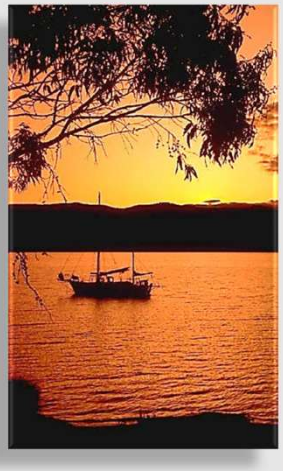
Longshore 101



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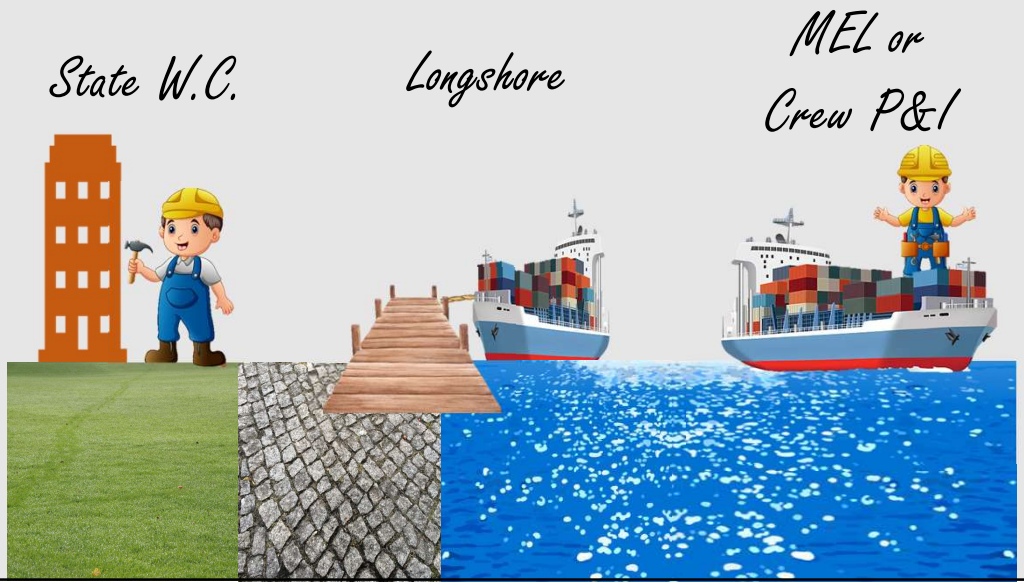
Exposures for Marine Employees



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Exposures for Marine Employees

State W.C.

Clerical
Marinas
Recreational boat repair
Other exclusions from Longshore

OR

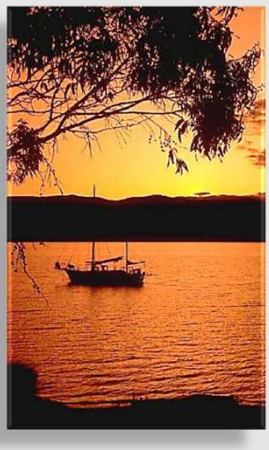
On a land-locked body of water

2

2

Longshore Act Status As of January 2012

Type of Vessel	Repair/ Service	Build / Construct/ Manufacture
Recreational <65ft	State WC	State WC
Recreational >65ft	State WC	Longshore
Commercial	Longshore	Longshore



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Exposures for Marine Employees

Longshore

Longshore Status

In a marine job? Not excluded

Longshore Situs

Did the accident happen on "navigable waters of the United States?"

4

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Navigating Federal Workers Compensation

MEL or Crew P&I

Crew P&I if we own/operate the vessel:
Follows the vessel

MEL if we put our employees on vessels owned/operated by others:
Follows the employee

5

5

Increased Rewards

State WC $100,000

Longshore $250,000

Admiralty $500,000

6

6

Longshore and Harbor Workers' Compensation Act

STATUS SITUS

+

=

ELIGIBILITY

7

7

Longshore Act
Penalties for Not Carrying Coverage

Fine of not more than $10,000 or by imprisonment for not more than one year, or by both

Where employer is a corporation, the president, secretary and treasurer

- Severally liable for such fine or imprisonment
- Severally personally liable for compensation

8

8

Admiralty

9

Admiralty Status

The "Wilander" decision established that the test for admiralty status is composed of two parts:

1. The worker must have an employment-related connection to a vessel in navigation &

2. Must contribute to the function of the vessel or to the accomplishment of its mission

NO EMPLOYMENT RELATIONSHIP TO OWNER REQUIRED FOR STATUS

10

10

Maritime Remedies

General Maritime Law
- Maintenance & Cure
- Unseaworthiness

Wrongful Death

Jones Act

Death On The High Seas Act

11

11

Admiralty Exposures
Methods of Insuring!

Maritime Employers Liability
endorse the W.C.

Maritime Employers Liability Monoline

Protection and Indemnity

12

12

Navigating Waterfront Exposures
Reference Material

Longshore Toolbox
www.Longshoretoolbox.com

Longshore Blog
blog.ligmarine.com

Longshore Act
www.LIGMarine.com/LongShoreAct

Federally Approved Longshore Authorized Carriers and Self Insured Employers
http://www.dol.gov/owcp/dlhwc/lscarrier.htm

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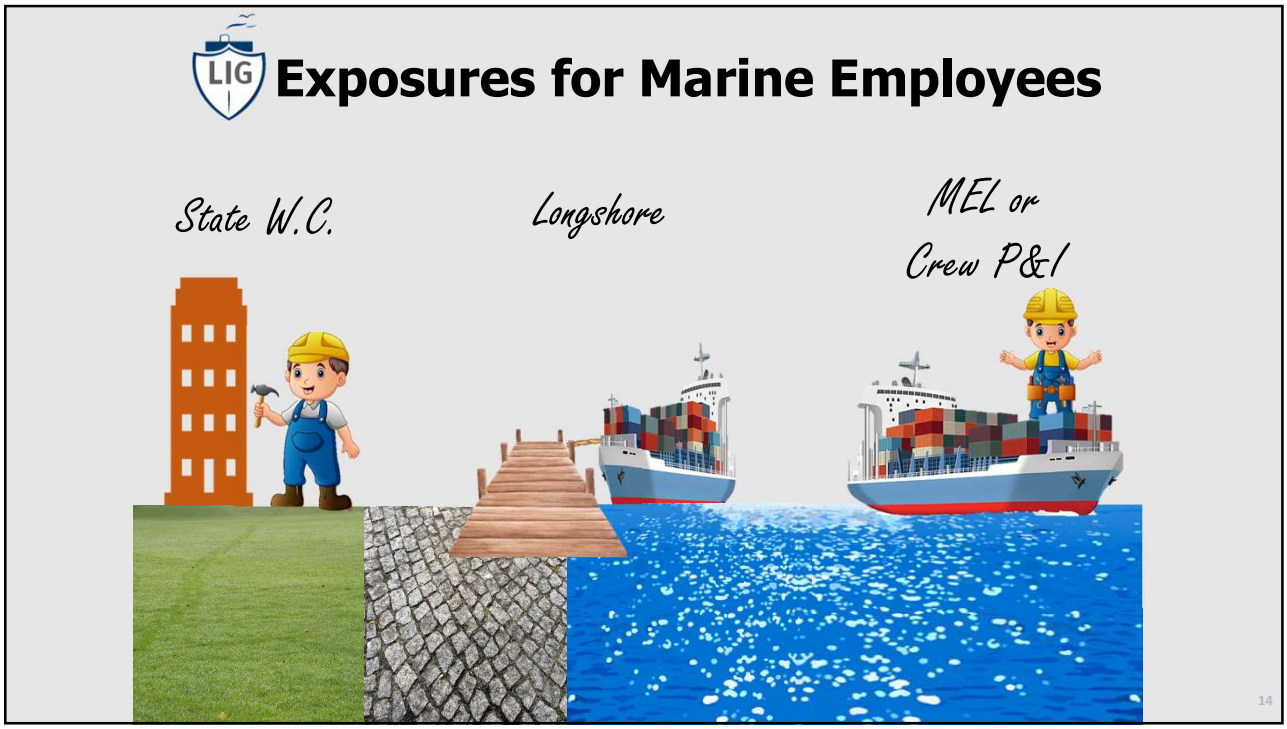
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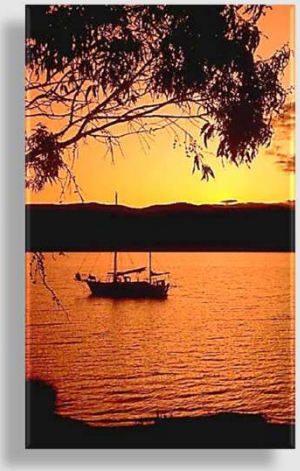

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