

# Analysis of Employer Liability Claims & Awards

## Workplace Personal Injury Accidents 2019–2022



# Who We Are\*

The Personal Injuries Assessment Board (PIAB) is Ireland's independent State Body which assesses personal injury claims. PIAB was established in 2004 to support the fair, prompt, and transparent resolution of personal injuries claims without the need for unnecessary litigation. PIAB is a self-funded public body and is a key pillar in contributing to reform of the insurance sector and the personal injuries environment. PIAB generates millions of euro in savings which would otherwise be spent on processing claims, leading to higher costs for policy-holders.

# What We Do

**The Personal Injuries Assessment Board independently assesses personal injury claims for compensation in the following categories:**

- **Motor Liability**
- **Employer Liability (workplace accidents)**
- **Public Liability**
- **Garda Compensation**

Our process leads to quicker, consistent and cheaper resolution of claims benefiting all parties and society. Our assessments of compensation are fair, independent and non-adversarial. We use the exact same Guidelines as the Courts to calculate levels of compensation. It is cheaper and faster to resolve a claim through PIAB vs. litigation according to research by the Central Bank of Ireland. PIAB also collects and analyses data on personal injury claims and awards to help contribute to greater transparency in the sector.

\*Note: From the 14th December 2023, PIAB has changed to the Injuries Resolution Board, in recognition of its enhanced roles and functions as a result of the Personal Injuries Resolution Board Act 2022.

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# Introduction

The Personal Injuries Assessment Board (PIAB), as Ireland's independent State Body for the assessment and resolution of personal injury claims, collects comprehensive data on Motor Liability (road traffic), Public Liability and Employers Liability (workplace) accidents. This report, commissioned by PIAB and prepared in collaboration with EY Economic Advisory, provides a four-year analysis of over 18,000 Employer Liability (workplace accident) claims and 4,911 assessments of compensation made by PIAB for workplace personal injuries between 2019 and 2022. Not all claims submitted to PIAB result in an assessment of compensation, as some cases may reach private settlements, in other instances the employer may not consent to PIAB assessing the claim in which case, the Claimant can proceed to litigation, and in other instances, the nature of the injuries sustained or the circumstances relating to the accident may not be appropriate to PIAB's assessment process.

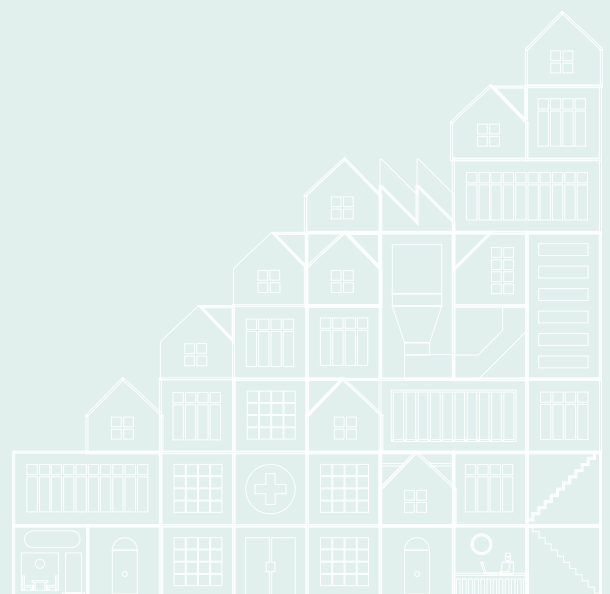
Workplace accidents and their associated injuries impose a significant burden on workers and wider society. In 2023, the European Agency for Safety and Health at work published data showing a 59% reduction in the incidence of non-fatal work accidents between 1998-2019<sup>1</sup>. While this data highlights the significant progress that has been made in recent decades, the Covid-19 pandemic has fuelled new ways of working, including new challenges and opportunities to prevent workplace accidents. The analysis of data on personal injury claims can provide important information on the economic and personal impact of workplace accidents on individuals and wider society, in addition to monitoring recent trends across sectors.

This report begins by exploring trends in the volume of workplace personal injury claims submitted to PIAB between 2019 and 2022. This analysis aims to provide a better understanding of the impact of workplace accidents on injured parties, including the most frequently sustained injuries, the most common accident locations, and an overview of the most common causes of workplace accidents. Following this, we provide an overview of the total value of assessments of compensation made by PIAB for 4,911 workplace accidents between 2019 and 2022, overall and based on the most common accident causes and settings.

Additionally, this report focuses on the impact of accidents on workers, through the analysis of data from medical reports provided as part of PIAB's assessment process. This includes a closer look at assessments of compensation made for workplace accidents in the food manufacturing and the health care settings in 2022, including findings on the average period of absence from work, healthcare utilisation and the functional independence of the person following a workplace accident.

It is hoped that this research will complement data from other sources in identifying the most common causes of workplace accidents, in addition to other risk factors, thereby informing health and safety policy, and ultimately, creating safer working environments.

1. The European Agency for Safety and Health, Occupational safety and health in Europe: state and trends 2023, doi: 10.2802/788385

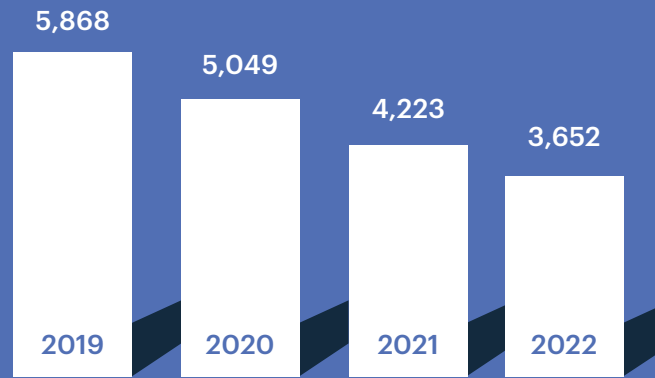


## Infographic Summary: Employer Liability Claims 2019–2022

### Volume of Employer Liability Claims

**-38%**

Decrease in volume of Claims 2022 Vs 2019



### Café, Hotel & Restaurant

**-63%**

Decrease in claims 2022 Vs 2019



### Shops and Stores

**-46%**

Decrease in claims 2022 Vs 2019



### Most Common Accident Locations in 2022



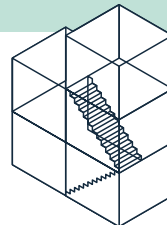
**34%**  
Factory and Plant



**13%**  
Health Service Area



**12%**  
Shops & Stores



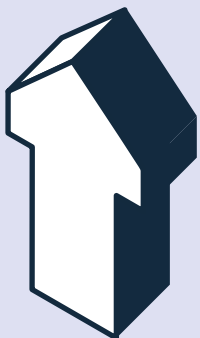
**10%**  
Industrial & Construction



**6%**  
Café, Hotel & Restaurant

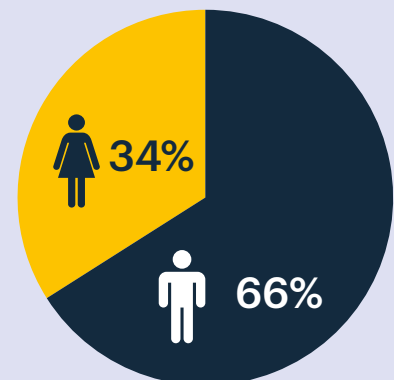
### Claimant Demographics

Increase in the number of Claimants aged 19–24 Years 2022 vs. 2019



**+110%**

### Claimant Gender



## Employer Liability Awards 2019–2022

### Total award values for common causes of accidents 2019–2022

Slip/trip/fall	€19,789,839
Struck by thrown, projected or falling object	€12,824,208
Crush injury	€11,825,329
Repetitive strain injury	€10,741,558
Fall from a height	€9,418,682

**Total Value  
of Employer  
Liability Awards  
2019-2022**  
**€86.3m**

### Employer Liability Award Values

Average Employer Liability Award In 2020

€30,576 →

Average Award in 2022

€22,545 → -26%

**General Damages:** Compensation for pain & suffering











Average Employer Liability General Damages Award in 2020

€27,051 →

Average General Damages Award in 2022

€16,788 → -38%

### Common types of workplace injuries in 2022

 Back	17%	 Psychiatric Damage	5%
 Hand, Fingers and Thumb	17%	 Ankle	5%
 Shoulder	9%	 Wrist	4%
 Knee	7%	 Facial Injuries	3%
 Neck	5%	 Head Injuries	3%

# Key Findings

## Workplace Injury Claims 2019-2022



- Between 2019 and 2022, over 18,000 workplace related personal injury claims were submitted to PIAB.
- Workplace accidents occurring in factories and plants accounted for over 5,000 of the claims submitted between 2019-2022.
- Over the period the number of claim applications decreased across all accident locations, with the exception of those relating to workplace accidents occurring in the home which doubled in 2022, compared to 2019.
- The volume of workplace personal injury claims attributed to Cafés, Hotels and Restaurants decreased by 63% in 2022 compared to 2019, while claims attributed to Shops and Stores reduced by 46% in 2022.
- The volume of workplace personal injury claims among the 19-24 year age group more than doubled between 2019-2022.

## Workplace Accident Analysis 2019-2022



- In 2022, 34% of all workplace personal injury accidents occurred in factories and plants, up from 27% in 2019.
- The location of workplace accidents varies significantly based on gender, with factories and plants accounting for close to half of all accidents among males (43%) and health service areas representing the most common accident location for female workers (28%).
- Between 2019 and 2022, 86% of all workplace accidents occurred between Monday and Friday, with Monday identified as the most frequent day for a workplace injury in 2022.

## Workplace Personal Injury Awards 2019-2022



- During the period 2019 and 2022, PIAB made 4,911 assessments of compensation for workplace personal injuries to the value of over €86,000,000.
- The five most common causes of workplace accidents account for 75% of total compensation awards, with just under €20,000,000 in compensation made for injuries sustained due to slips, trips and falls in the workplace.
- In 2022, the average Employer Liability award value was €22,545, representing a 26% decrease on the pre-Guidelines 2020 figures.
- Special Damages awards increased by 63% in 2022 vs. 2020 while in the same period, General Damages decreased by 38%.
- Analysis of data from medical reports highlights the significant impact of workplace accidents on healthcare utilisation, functional independence and occupational activities for injured workers following an accident.

# Employer Liability Claims Analysis 2019-2022

‘Between 2019-2022,  
over 18,000 claim  
applications related  
to workplace accidents  
were submitted to PIAB’



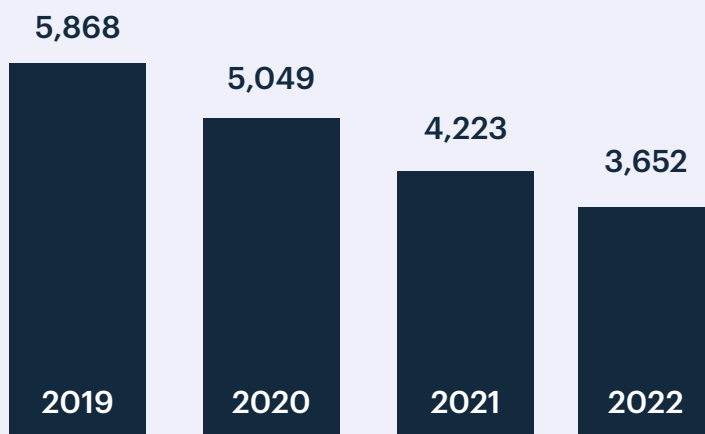


## Employer Liability Personal Injury Claims Analysis

In 2022, 3,652 claims related to workplace accidents were submitted to PIAB, representing a decrease of 38% on 2019 figures

### Volume of Employer Liability Claims 2019-2022

Between 2019 and 2022, a total of 18,792 personal injury claim applications relating to workplace accidents were submitted to PIAB. This comprised of 3,652 workplace personal injury claims submitted to PIAB in 2022, representing a 38% decrease on 2019 figures. **Figure 1** shows a consistent decrease in the volume of Employer Liability claims received by PIAB since 2019.



**Figure 1:** Volume of Employer Liability Claims Received by PIAB 2019-2022<sup>2</sup>

Between 2019 and 2020, there was a 14% reduction in the number of claims submitted to PIAB, followed by a 16% decrease between 2020 and 2021, and a reduction of 14% between 2021 and 2022. This decrease in claim volumes is likely due to a combination of factors, predominately Covid-19 related public health measures, where many workplaces closed and possibly, the introduction of the new Personal Injuries Guidelines in 2021. According to Census 2022, one third of the workforce worked from home at least some part of their week. This highlights the significant change to the working world since the pandemic. Provisional data from January-June 2023 shows the number of Employer Liability claims submitted to PIAB has increased by 9%, when compared to the same period in 2022, but remains significantly below pre-Covid levels.

<sup>2</sup> Note: Retrospective keying may influence minor differences with previously reported figures for 2019-2022.

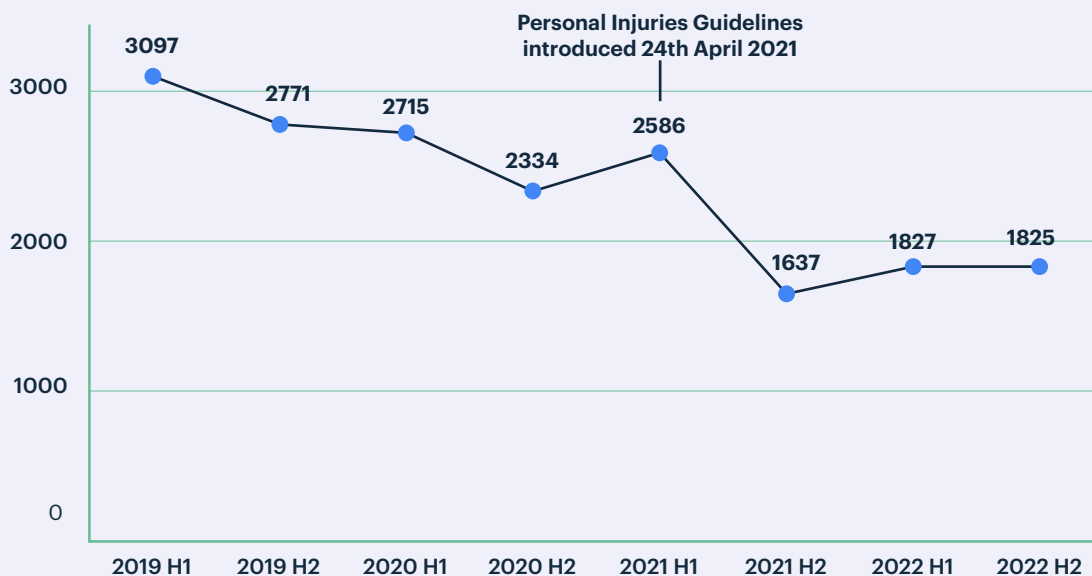


Figure 2: Employer Liability Claims submitted to PIAB (2019-2022)

When Employer Liability claim volumes were examined on a half-yearly basis (**Figure 2**), the volume of claims received by PIAB fell consistently from H1 2019 to H1 2021, when a significant increase in Employer Liability claims was noted. Importantly this increase coincided with the introduction of the new Personal Injuries Guidelines in April 2021, with an increase in claim volumes across all claim categories observed prior to their introduction. It is possible that this increase reflected efforts to have claims assessed under the Book of Quantum, where the awards for General Damages were generally higher than the new Personal Injuries Guidelines.

Following the introduction of the new Guidelines in H1 2021, the number of Employer Liability claims received by the PIAB fell by more than a third (37%) to 1,637 in the latter half of 2021. Following this, a marginal increase in Employer Liability claim volumes was observed, remaining steady in H1 (1,827) and H2 in 2022 (1,825).

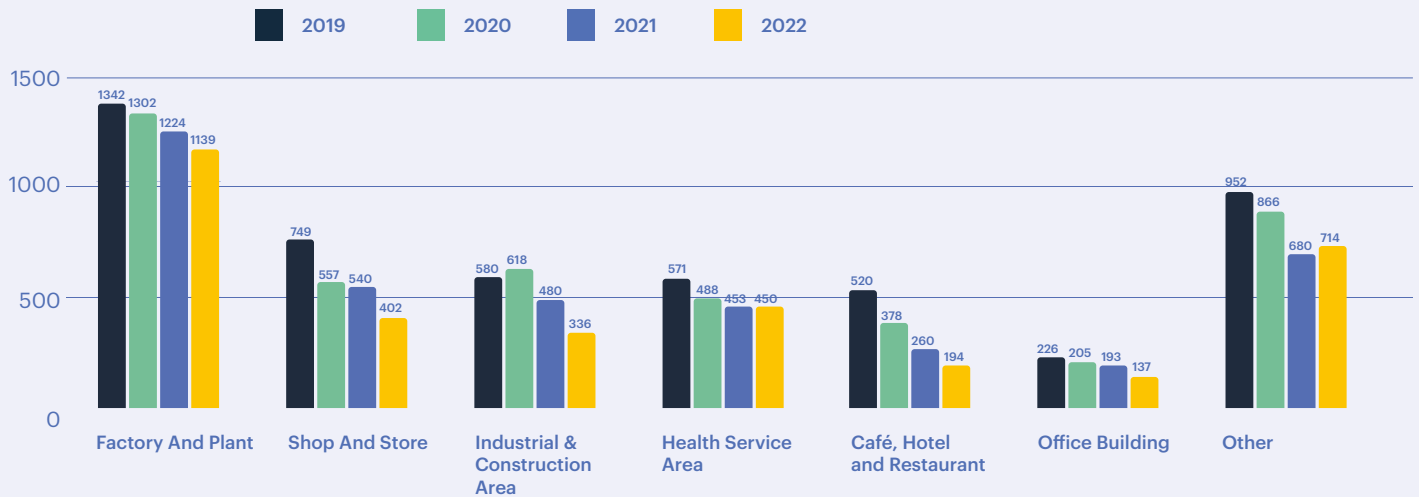
**18,792** = Workplace Injury Claims 2019–2022

**392** = Claims per month

**90** = Claims per week

**13** = Claims per day

## Claim Volumes By Sector



**Figure 3. Volume of Employer Liability claim applications submitted to PIAB between 2019-2022, based on common accident locations**

As shown in **Figure 3**, between 2019 and 2022 over 5,000 workplace accidents occurred in factories and plants, accounting for over a quarter of all claims submitted to PIAB during this period. A decreasing trend was observed for all accident locations in 2022, with the exception of the 'other' category, this reduction was greatest for the volume of accidents occurring in Cafés, Hotels and Restaurants (-63%), followed by workplace accident claims occurring in shops and stores (-46%). This reduction is influenced in part, by Covid-19 public health measures, with the tourism sector and non-essential retailers most acutely affected over this period. Within the 'other' category which represents accidents in less frequent areas, the proportion of workplace accidents occurring within the home doubled in 2022 v 2019, however this accounted for relatively few claims (62 claims in 2022). This trend may be influenced by the pronounced growth in remote working as a result of the Covid-19 pandemic, with 32% of people working from home at least part of the week, according to the Census 2022.

3. Note: Figure 3 excludes claims with unspecified accident locations 'Other' includes: Roadways, Schools, Residential institutions, Farms, Trade and service areas, Commercial garages, Parking lots, Institutions and public administrative areas, Sports and athletic areas, and other low frequency locations.

## Causes Of Workplace Injury Claims

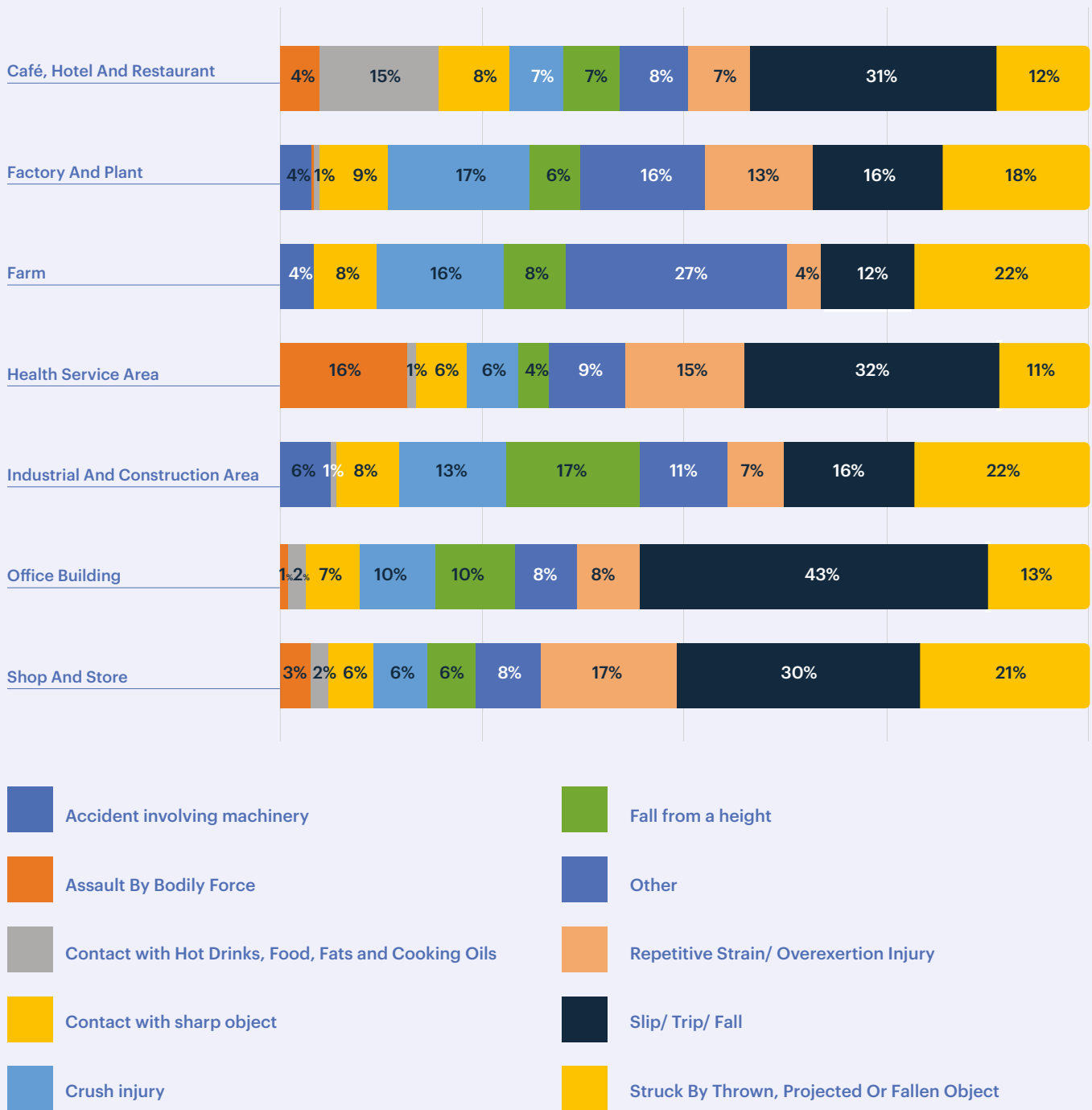


Figure 4. Employer Liability Claims submitted to PIAB between 2019 and 2022, based on common cause and locations of workplace accidents

## Causes Of Workplace Injury Claims

**Figure 4** provides a description of the most common causes of workplace accidents based on frequent accident locations for Employer Liability claims submitted to PIAB between 2019 and 2022.

**Shops & Stores:** The most frequently cited cause of workplace accidents for shops and stores was slips, trips and falls, accounting for just under a third of all accidents between 2019 and 2022 (30%). This was followed by being struck by a thrown, projected or fallen object (21%), and injuries related to repetitive strain/overexertion (17%).

**Office Building:** Close to half of all workplace accidents occurring in office buildings with claims submitted between 2019 and 2022 were attributed to slips, trips and falls (43%). The second most common cause related to being struck by a thrown, projected or fallen object, accounting for 13% of all workplace accidents in office buildings in that period.

**Industrial and Construction Area:** One in five workplace accidents occurring in industrial and construction areas were caused by being struck by a thrown, projected or fallen object (22%). This was followed by falls from a height (17%), and slips/trips and falls (16%).

**Health Service Area:** The most common cause of workplace accidents occurring in health service areas was slips, trips and falls, accounting for just under a third of all accidents (32%). This was followed by injuries sustained as a result of assault by bodily force (16%), and repetitive strain or overexertion (15%).

**Farm:** The most common cause of workplace accidents occurring on farms included being struck by a thrown, projected or fallen object (22%). This was closely followed by crush injuries (16%) and injuries arising from slips, trips and falls (12%). Of note, other causes accounted for 27% of all accidents occurring on farms.

**Factory & Plant:** The most frequently cited cause of workplace accidents occurring in factories and plants between 2019 and 2022 related to being struck by a thrown, projected or fallen object (18%). This was closely followed by crush injuries (17%), and injuries sustained as a result of slips, trips and falls (16%).

**Café, Hotel and Restaurant:** Close to a third of all workplace accidents occurring in cafés, hotels and restaurants were attributed to slips, trips and falls (31%). The second most common cause included injuries sustained as a result of contact with hot drinks, food, fats and cooking oils (15%).

## Claimant Demographics

The volume of workplace personal injury claims among the 19-24 year age group more than doubled between 2019-2022

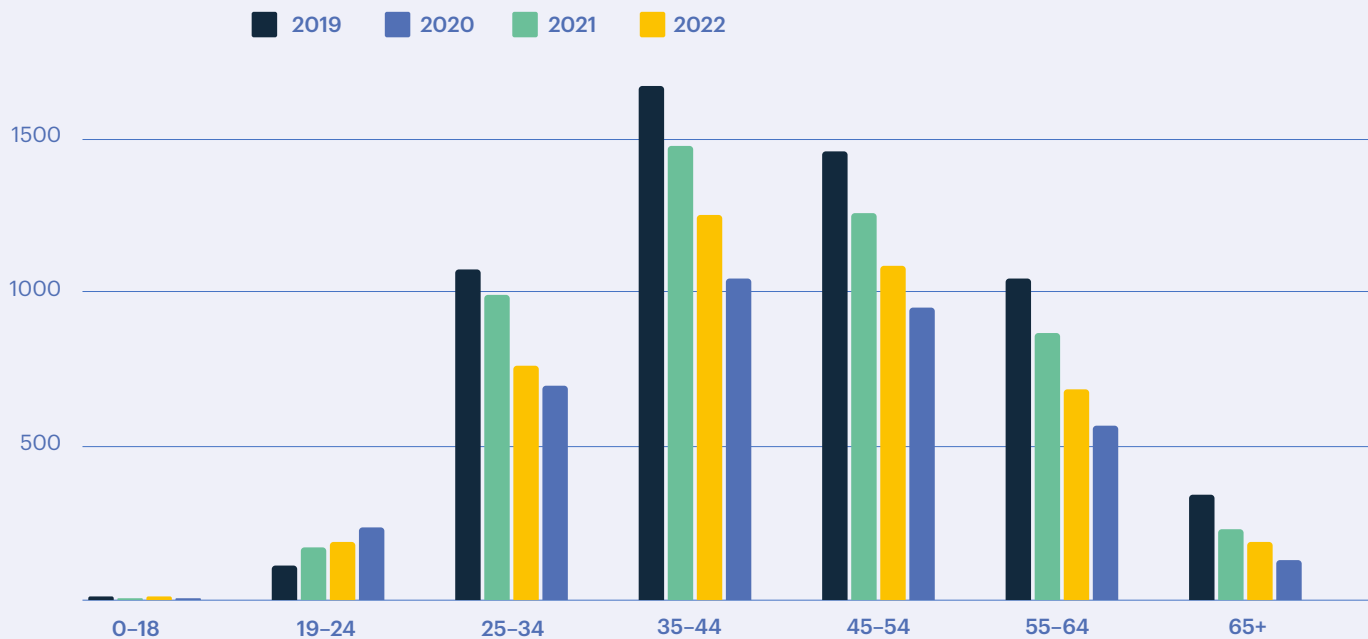


Figure 5: Annual Employer Liability Claims by Claimant Age Bracket

In line with previously reported trends, the volume of Employer Liability claims has decreased each year across age categories, apart from the 19-24-year-old age group where this trend has reversed (**Figure 5**). While employment numbers have increased for this age cohort since 2019, employment numbers for other age cohorts have also risen, therefore not entirely accounting for the increase in Employer Liability claims amongst this group. Further analysis is required to identify the factors influencing this trend.

Proportionally, those aged 35-44 years have consistently accounted for the most Employer Liability claims, accounting for 29% of Employer Liability claims in 2022. This age group was followed by:

- the 45-54-year cohort at 26%,
- the 25-34-year cohort at 19%,
- the 55-64-year cohort at 16%,
- the 19-24-year cohort at 6%,
- and the 65+ year cohort at 4%.

## Gender Profile of Claimants

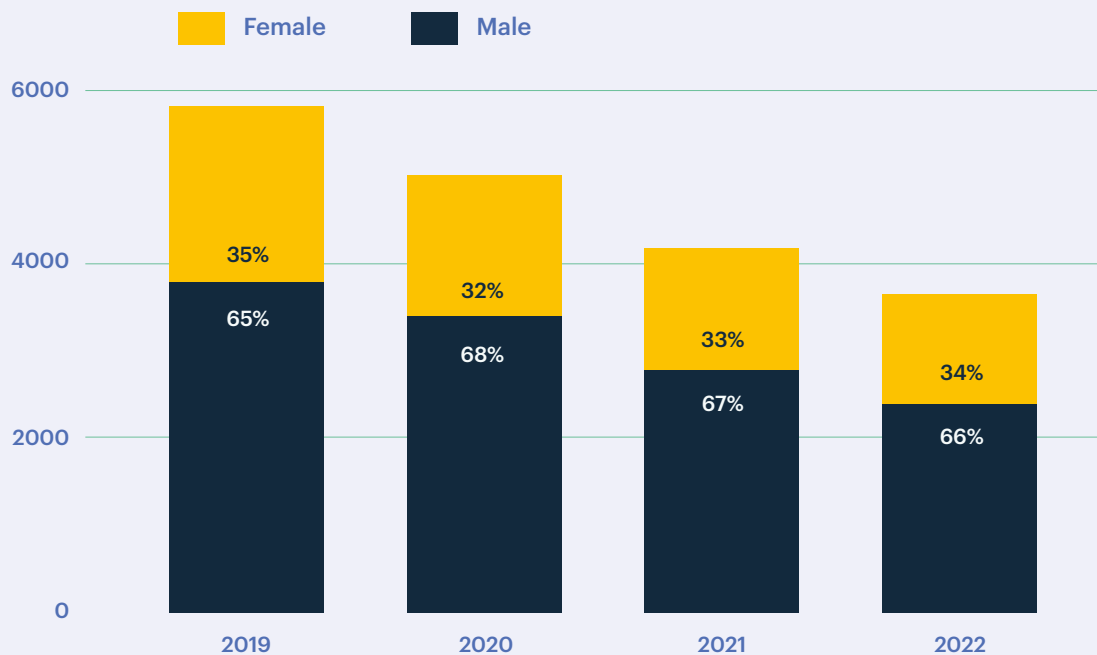
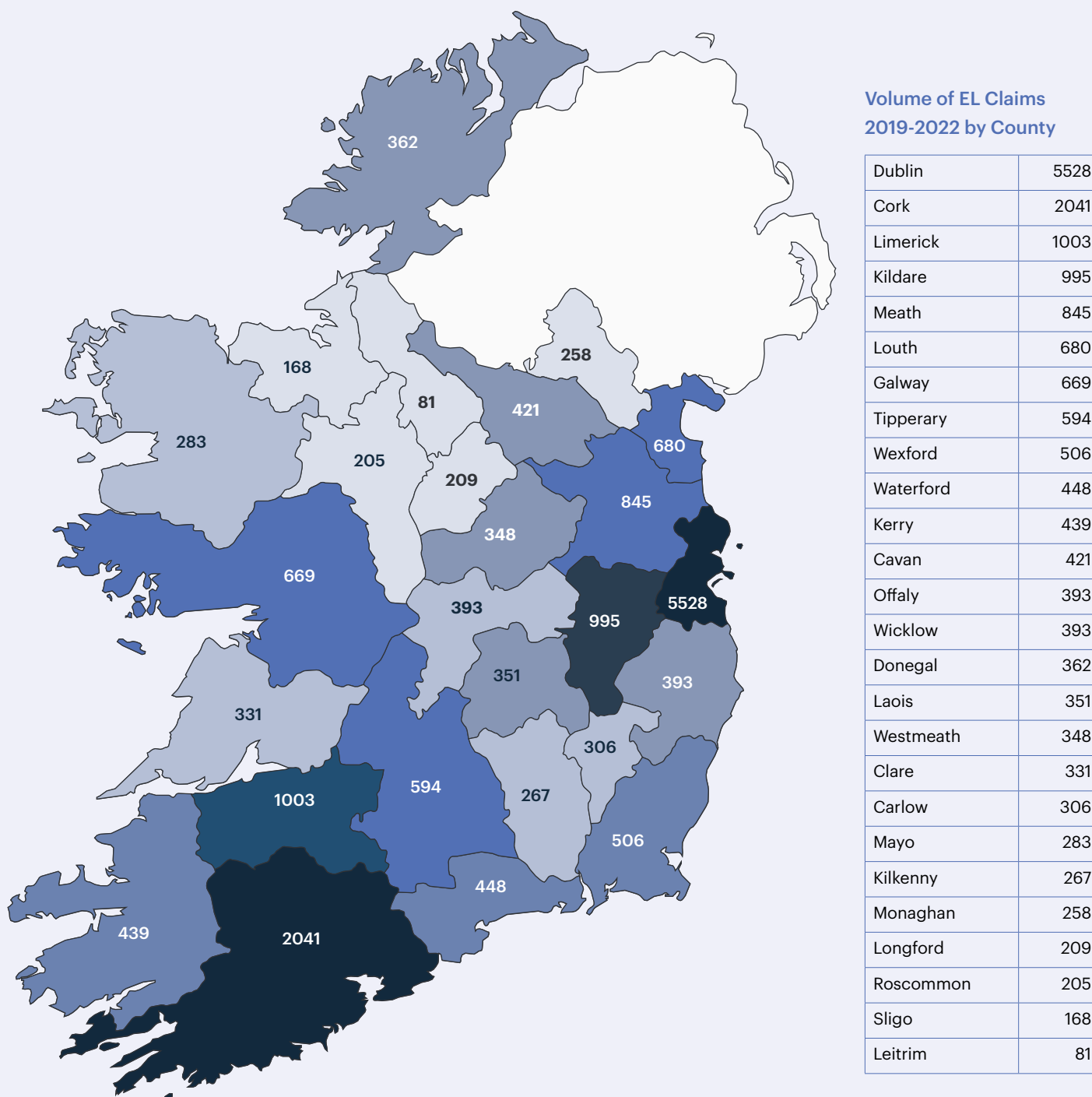


Figure 6: Annual Employer Liability Claims by Claimant Gender

**Figure 6** provides an overview of Employer Liability claims submitted to PIAB based on the Claimant's gender. Between 2019 and 2022, a majority of Claimants were male, accounting for 66% of Employer Liability claims submitted to PIAB over this 4-year period. In 2022, 34% of Employer Liability Claimants were female, while 66% were male. The observed differences in Employer Liability claim volumes based on gender are likely a result of more male fulltime employment than female, (1.2m compared to 0.8m females according to the Q4 2022 Labour Force Survey) and may be due to differences in the sectors/industries of work, the latter will be explored later in this report.

## Number of Employer Liability Claims submitted to PIAB between 2019 and 2022 by County

The data presented in this map shows the total number of Employer Liability Claims submitted to PIAB between 2019 and 2022, based on the address of the injured party. Generally, the volume of EL claims followed population trends, with Dublin accounting for over 5,500 EL claims and Leitrim accounting for the lowest number of EL claims between 2019 and 2022. It should be noted that this analysis is based on the home address of the Claimant and not the location of the workplace accident. While the Claimant may reside in one county, the Employer Liability accident resulting in a claim may have occurred in another county.





# Volume of Workplace Accidents

'In 2022, 34% of workplace accidents occurred in factories and plants, up from 27% of accidents in 2019.'



## Employer Liability Accident Analysis

### Volume of Employer Liability Accidents 2019-2022

This section describes workplace personal injury accidents between 2019 and 2022 based on the date on which the accident occurred. **It is important to note, Claimants generally have two years following an accident to submit a claim to PIAB and therefore, not all accidents for 2021 and 2022 have been reported to PIAB at the time of data extraction for this report.** Analysis of workplace personal injuries based on accident date provides a greater insight into current year-on-year trends across industries.

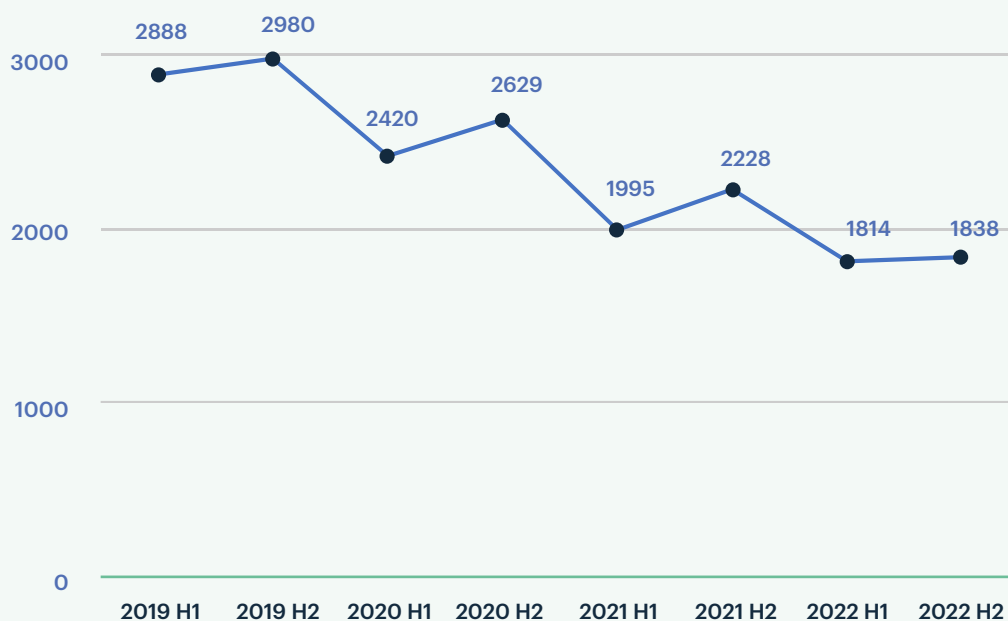


Figure 7: Total Number of Employer Liability Accidents (2019-2022)

As shown in **Figure 7**, across each year between 2019 and 2022, the number of accidents increased in the second half of each respective year. This difference was most pronounced in 2021, with a 12% increase noted in the number of accidents occurring in H1 2021 vs. H2 2021. Although this difference appears less pronounced for 2022, as described previously, it is likely that not all accidents for H2 2022 were reported to PIAB at the time of data extraction in early 2023 and this figure may fluctuate in future analyses. Further detailed analysis is required to determine why there are more workplace accidents in the 2nd half of the year.

## Workplace Accident Weekday Analysis

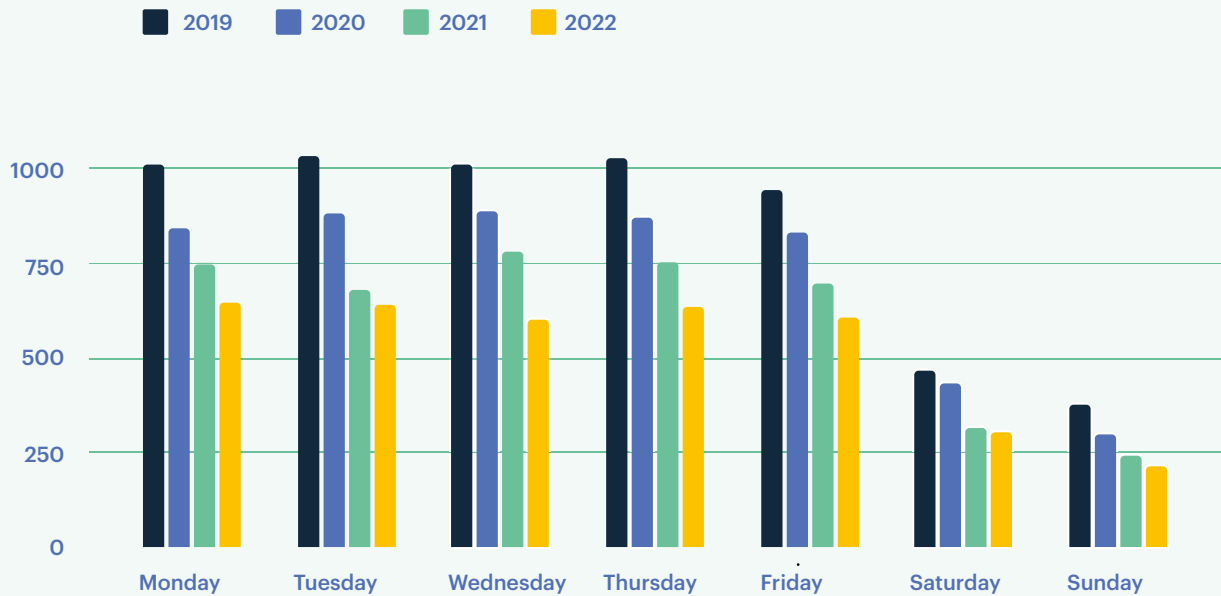
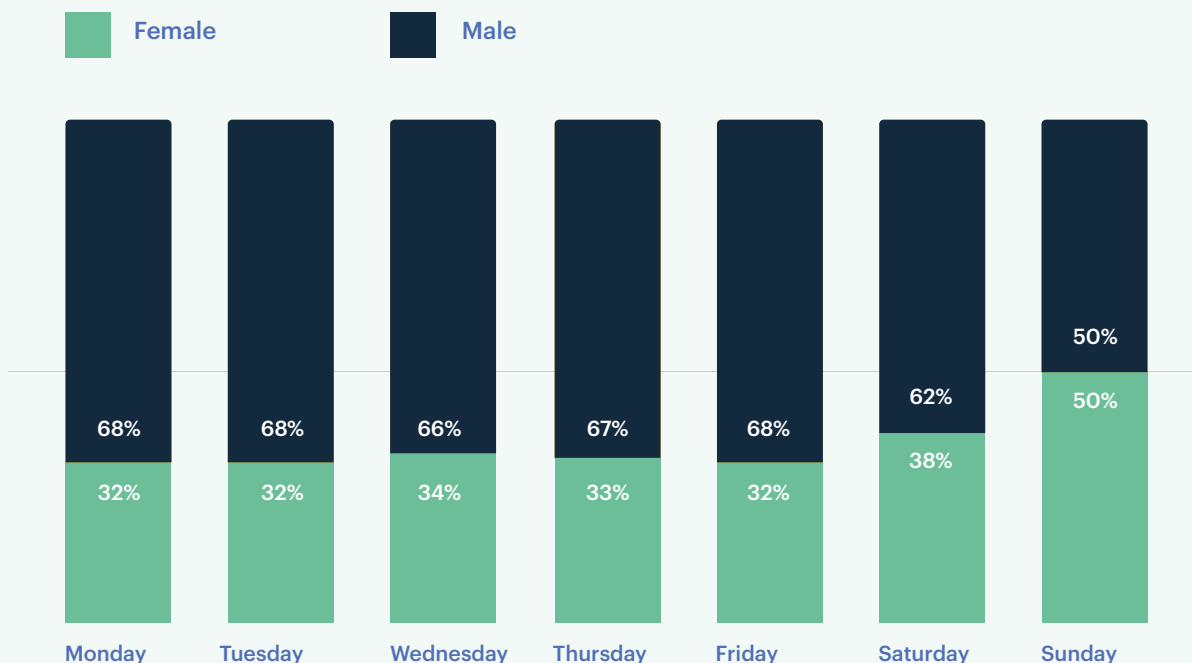


Figure 8: Employer Liability Accidents by Weekday and Year

As shown in **Figure 8**, workplace personal injury accidents have declined notably year-on-year across all days of the week since 2019. Weekdays remained more common for a workplace accident to occur in 2022, reflecting the greater proportion of the population at work between Monday and Friday, accounting for 86% of all accidents. Over the weekend, the volume of Employer Liability accidents decreased substantially, with Saturday and Sunday combined accounting for just 14% of the weekly total. Monday was the most common day for a workplace accident in 2022, while Wednesday was the most common day for workplace accidents in 2020 and 2021.

## Workplace Accident Weekday Analysis



**Figure 9: Weekday Analysis by Gender in 2022**

Week-day analysis of PIAB data shows that the proportion of male to female workplace accidents in 2022 appeared stable across the typical Monday to Friday working week (**Figure 9**). Overall, males accounted for around two thirds of total workplace accidents. This trend, however, was less clear over the weekend, with females accounting for 38% of total workplace accidents on Saturday, and half on Sunday.

Despite the higher proportion of female workplace accidents over the weekend, the total number of accidents is significantly lower on Saturdays and Sundays. The changing trend in the proportion of accidents involving females at the weekend may be due to gender dynamics within the workforce, including potentially higher participation of females in employment sectors working non-traditional hours (e.g. healthcare), or other factors.

## Workplace Accident Location

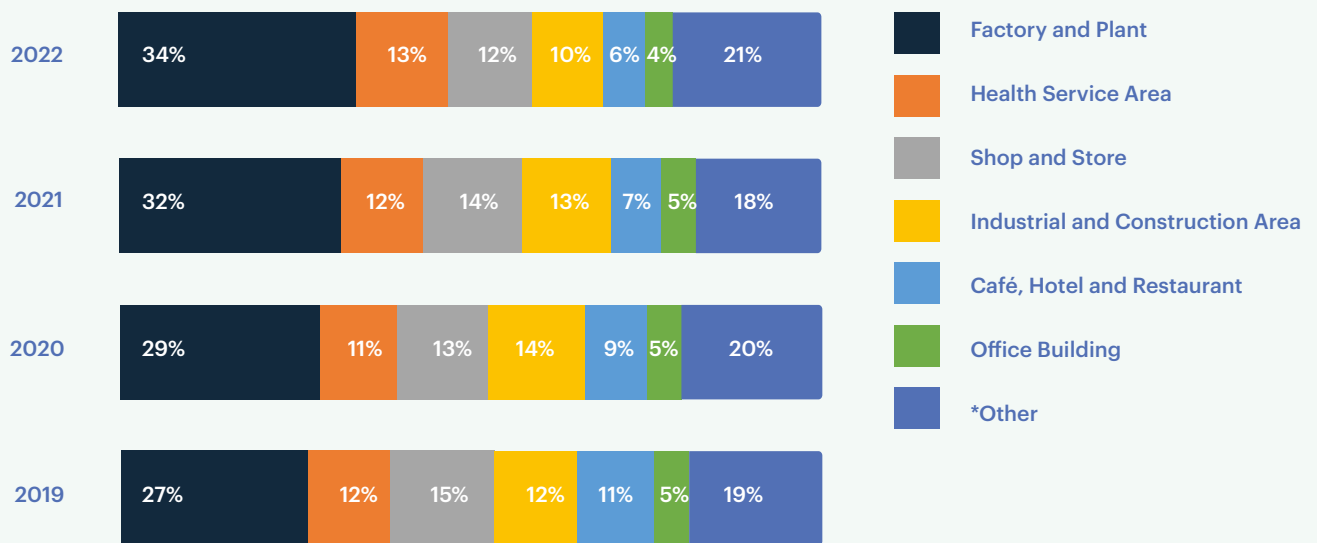


Figure 10: Annual Employer Liability Accidents based on location <sup>4</sup>

**Figure 10** describes the most common places of occurrence for workplace accidents, based on PIAB data. As shown above, Factories and Plants remain the most common location for workplace accidents and have accounted for a larger proportion of total claim accidents year-on-year since 2019, reaching just over one third of all Employer Liability claims in 2022, up from 27% in 2019. This is likely due to the increased level of home working for non-Factory and Plant based employees, leading to a relatively higher impact from those who must attend this category of workplace.

Likely reflecting the impact of retail store closures throughout the pandemic, the proportion of total workplace injury claims relating to shops and stores fell from 15% in 2019 to 13% in 2020. This slightly rebounded in 2021, during which COVID-19 related public health measures eased but fell to 12% in 2022. It is important to note, however, Claimants generally have two years following an

accident to submit a claim to PIAB and therefore, not all accidents for 2021 and 2022 have been reported to PIAB at the time of data extraction for this report.

Similarly, the proportion of accidents attributed to Cafés, Hotels and Restaurants has almost halved since 2019, with the numbers in employment in Accommodation and Food Service activities still not back to pre-pandemic levels by the end of 2022, according to the Labour Force Survey.

The proportion of claims arising from accidents in health service areas increased to 13% in 2022 compared to 12% in 2019. Over this time period, however, employment in health and social work activities increased by close to 15% according to the Q4 2022 Labour Force Survey, which may provide some explanation for the proportional rise observed.

4. \*Note: 'Other' includes: Roadways, Residential institutions, Schools, Farms, Trade and service areas, Commercial garages, Parking lots, Institutions and public administrative areas, Sports and athletic areas, and other low frequency locations.

## Workplace Accident Location

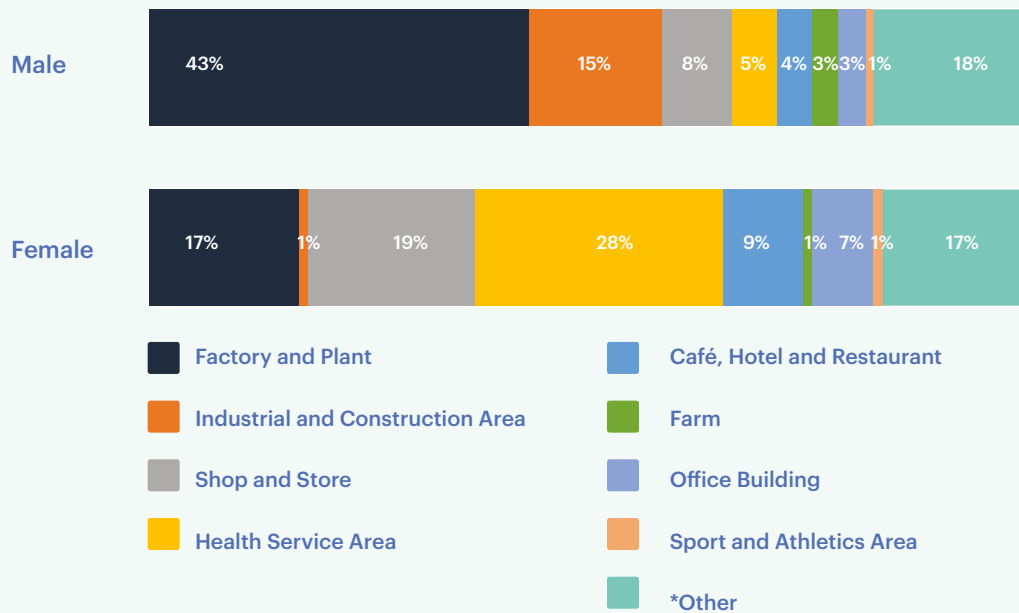


Figure 11: Employer Liability accidents by Gender and accident location in 2022 <sup>5</sup>

**Figure 11** explores the most common places of occurrence for Employer Liability accidents in 2022, based on the Claimant's gender. The most prominent location for male Employer Liability accidents in 2022 was in factory and plant settings, accounting for over two fifths of male accidents, in comparison to under one fifth of all female accidents. The highest number of female accidents occurred in health service areas, accounting for 28% of total female accidents, in comparison to just 5% of total male accidents.

On the other hand, less than 1% of all male Employer Liability accidents related to sport and athletic areas, the lowest proportion of all male Employer Liability accidents. Meanwhile, for females, just 1% of all accidents occurred in Industrial and construction areas, with just 16,900 females employed in the construction sector in Q4 2022. This compares with Industrial and construction areas accounting for 15% of male Employer Liability accidents, with 146,300 males employed in construction in Q4 2022 according to the Labour Force Survey.

The relationship between the location of accident for both males and females can primarily be explained by gender dynamics of employment industries. While males made up 70% of the workforce employed in industry in Q4 2022 according to the Labour Force Survey, females accounted for just 30% of the sector, (226,300 males to 96,700 females). Similarly, males accounted for just 21% of the healthcare workforce, with females representing 79% (264,300 females to 72,200 males).

<sup>5</sup> \*Note: 'Other' includes: Commercial garages, Residential institutions, Parking lots, Institutions and public administrative areas, Schools, Roadways, Trade and service areas, and other less prominent locations.

# Employer Liability Awards Analysis 2019-2022

'Between 2019 and 2022,  
PIAB has made assessments  
of compensation for workplace  
accidents to the value of  
over €86,000,000'



## Volume Of Employer Liability Awards

PIAB made 1,289 Employer Liability awards in 2022, an increase of 23% on 2021 figures, despite the volume of Employer Liability claims decreasing by 14% during this period.

### Volume of Employer Liability Awards made by PIAB 2019-2022

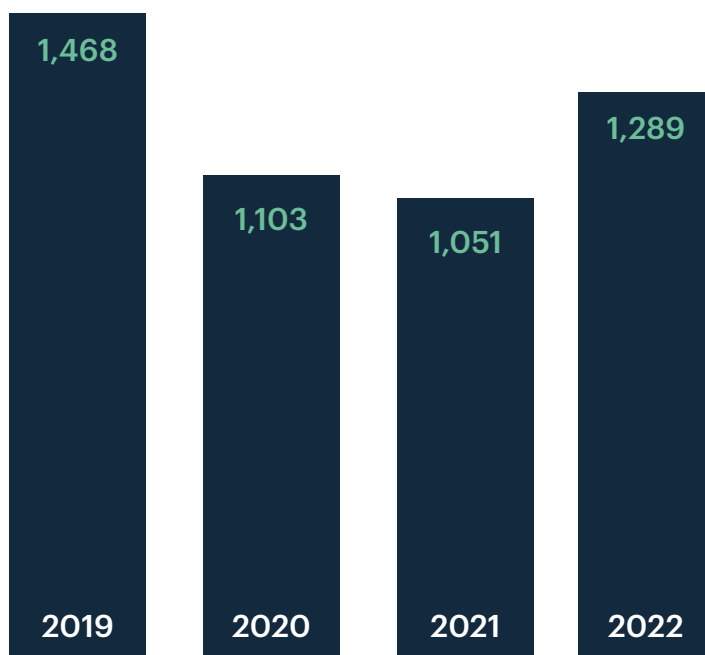


Figure 12: Total number of Employer Liability Awards (2019-2022)

**Figure 12** describes the total number of Employer Liability awards made by PIAB between 2019 and 2022. In 2022, PIAB issued 1,289 Employer Liability awards, accounting for 15% of all awards issued in 2022. This figure represents an increase of 23% on the number of awards issued in 2021, despite the volume of Employer Liability claims decreasing by 14% during this period. During this period, the consent rate for claim applications increased to 70% in 2022, compared to 60% in 2021 and 55% in 2020, meaning that a greater proportion of Respondents are consenting to an assessment of compensation being made by PIAB. It should be noted that awards made in a particular year usually relate to claims made in the previous year. For example, a large proportion of awards made in 2022 relate to claims submitted in 2021. The number of awards made in 2022 was 12% below 2019 levels, when 1,468 awards were issued, but appear to be approaching pre-pandemic levels.



## Total Value Of Employer Liability Awards

Between 2019 and 2022, the total value of awards made by PIAB for accidents caused by slips, trips and falls was just under €20 million.

### Total Value of Employer Liability Awards by Accident Cause

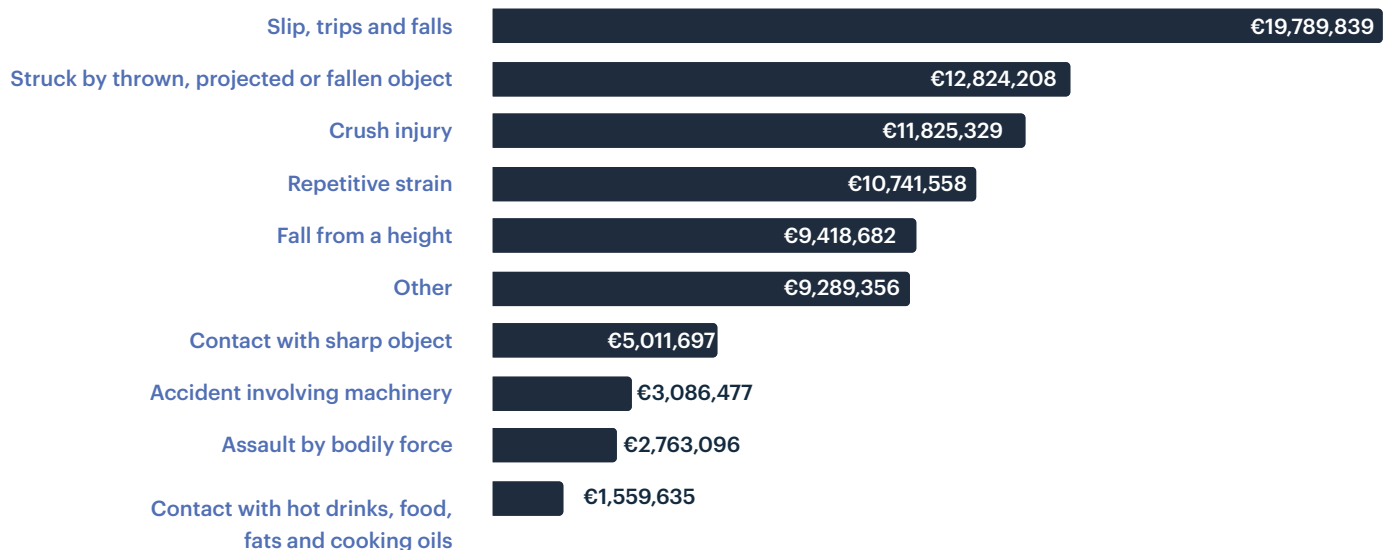


Figure 13. Total value of Employer Liability awards made by PIAB between 2019 and 2022, based on the most common causes of workplace accidents

**Figure 13** provides an overview of the total value of assessments of compensation made by PIAB between 2019 and 2022 for workplace injuries, based on the cause of the accident. During the period the total value of awards made by PIAB for accidents attributed to slips, trips and falls amounted to just under €20,000,000. This was followed by workplace accidents caused by being struck by thrown, projected or fallen objects (€12,824,208), crush injuries (€11,825,329), injuries arising from repetitive strain or overexertion (€10,741,558) and falls from a height (€9,418,682). Of note, the five most common causes of workplace accidents accounted for 75% of the overall total value of Employer Liability awards made by PIAB between 2019 and 2022.

### Total Employer Liability Award Values in 2022 based on Workplace Accident Location

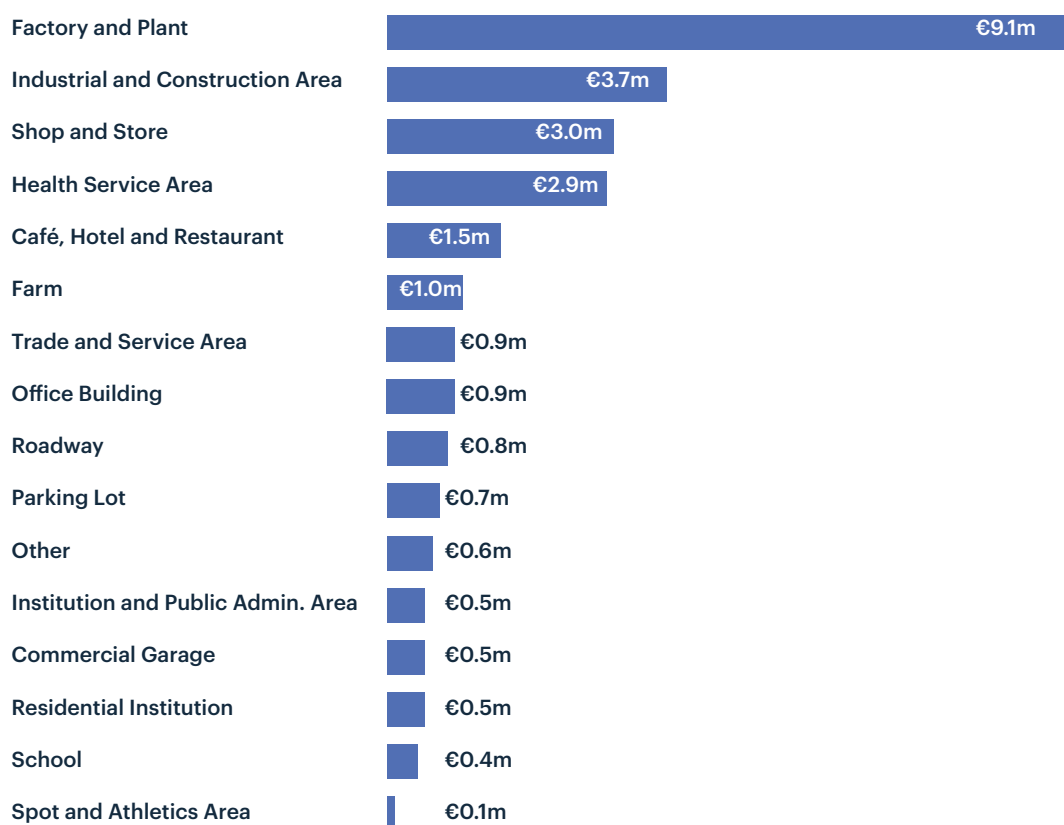


Figure 14. Total Employer Liability Award Values in 2022 based on accident location <sup>6</sup>

In 2022, PIAB made Employer Liability awards to the value of €28,969,842, compared to a total value of €25,977,102 issued for Employer Liability awards in 2021. **Figure 14** highlights the total value of assessments of compensation made by PIAB based on the most common locations for workplace accidents. The top three locations by aggregate award value accounted for 58% of the total Employer Liability award amount in 2022.

PIAB made awards to the value of €9,134,088 for Employer Liability accidents which occurred in factory and plant settings, the highest aggregate award value in 2022. Factory and plant settings were the most common place of occurrence of all Employer Liability claims in 2022. Following this location, accidents occurring in Industrial and construction areas were awarded €3,661,285 in total award values in 2022. The third highest aggregate award in terms of place of occurrence was in relation to accidents which occurred in Shop and Store settings.

<sup>6</sup> Figure 14 does not include awards where the location is unknown.

## 2022 Average Employer Liability Award Values

The average value of Employer Liability awards was €22,545 in 2022, representing a 26% decrease on pre-Guidelines 2020 figures.

### Average Employer Liability Award Values in 2022

As shown in **Tables 1 and 2**, for Employer Liability awards excluding fatalities in 2022, the average award value was €22,545, representing a 26% decrease on the pre-Guidelines average Employer Liability award of €30,576 in 2020. While average award values remained significantly lower in 2022 than the pre-Guidelines average award, total awards have increased by 28%, when compared to the post-Guidelines implementation period, April-December 2021.

Table 1. Average Award Values for Employer Liability awards in 2022 v 2020 <sup>7</sup>

	Total Award	Special Damages	General Damages
<b>2022</b>	<b>€22,545</b>	<b>€5,757</b>	<b>€16,788</b>
2020	€30,576	€3,524	€27,051
<b>%Change</b>	<b>-26%</b>	<b>+63%</b>	<b>-38%</b>

Table 2. Average Award Values for Employer Liability Awards in 2022 v April-December 2021

	Total Award	Special Damages	General Damages
<b>2022</b>	<b>€22,545</b>	<b>€5,757</b>	<b>€16,788</b>
Apr-Dec 2021	€17,644	€3,573	€14,072
<b>%Change</b>	<b>+28%</b>	<b>+61%</b>	<b>+19%</b>

Personal injury awards are comprised of two distinct components: General Damages, which includes the award for pain and suffering and Special Damages, which includes the award for financial loss including loss of earnings or treatment costs. The introduction of the new Personal Injuries Guidelines related solely to the award for General Damages, which decreased by 38% in 2022 when compared to 2020. In the same period, Special Damages have increased from an average of €3,524 in 2020 to €5,757 in 2022, equating to an average increase of 63%. This significant increase is likely caused by several factors, but primarily high inflation rates, which has increased the cost of medical and therapeutic treatment, vehicle repairs and documented wage growth, therefore influencing the value of losses incurred by an individual as a result of an accident.

<sup>7</sup> Note: Average award figures for 2021 and 2020 can be found in previously published PIAB reports (<https://www.piab.ie/eng/news-publications/reports/>)

## 2022 Average Employer Liability Award Values



Figure 15: Average YTD Employee Liability Award Values in 2022

**Figure 15** highlights the relative growth in average award values based on reporting quarter in 2022. It is important to note, that average **General Damages awards are influenced by the severity of the injuries assessed within a given period**, which may fluctuate from time to time. The YTD average General Damages award ranged from €13,788 in Q1 2022 to €16,788 in Q4 2022. Similarly, the YTD average Special Damages award increased from €3,897 in Q1 2022 to €5,757 in Q4 2022.

The proportion of high-value cases, defined as awards valued at €100,000 or greater have the potential to skew overall award figures for reporting quarters. As shown in Table 3, when high-value cases are removed from analyses the range of average General Damages and Special Damages awards reduces significantly. The YTD average Special Damages award in Q4 reduces from €5,757 to €4,295 when high value cases are removed, while General Damages decreases from €16,788 to €15,434. While average award values were higher in the latter half of 2022, some of this increase is likely due to high inflation. Special Damages relate to individual Claimant circumstances, and therefore can vary significantly from year to year. Similarly, although the average YTD total award value increased across quarters, this is based on the nature and severity of cases assessed throughout the year.

## 2022 Average Employer Liability Award Values

Table 3: Average YTD Employee Liability Award excluding high value (>€100k) cases in 2022

	Total Damages	Special Damages	General Damages
Q1	€17,258	€3,642	€13,616
Q2	€18,138	€3,734	€14,403
Q3	€19,280	€4,231	€15,049
Q4	€19,729	€4,295	€15,434

The highest award value made in respect of an Employer Liability accident in 2022 was just under €485,000 (Table 4). While most Employer Liability award values fall below €20,000, in cases where the injury is severe, General Damages will be higher in accordance with the new Guidelines. It is also often the case that high value claims are predominantly impacted by Special Damages, with the highest Special Damages award in 2022 being €334,998. This award related to a severe injury which was heavily impacted by the future loss of earnings experienced by the Claimant.

Table 4: Max and Min Employer Liability Awards by Award Type in 2022

	Max Total Damages	Max Special Damages	Max General Damages	Min Total Damages
Q1	€132,582	€72,582	€85,000	€750
Q2	€142,530	€52,530	€110,000	€725
Q3	€484,998	€334,998	€150,000	€884
Q4	€184,165	€134,165	€150,000	€1,000

## Range Of Employer Liability Awards

Almost three-quarters (73%) of the awards made in 2022 were for values of less than €25,000

Table 5. Proportion of Employer Liability Awards by Total Award Value in 2022 v April-December 2021

Award range	<€5k	≤€5k-10k	≤€10k-15k	≤€15-20k	≤€20k-25k	≤€25k-50k	≤€50k
% 2022 Awards	15%	18%	18%	13%	9%	17%	10%
% Apr-Dec 2021 Awards	13%	27%	20%	10%	7%	18%	5%

As shown in **Table 5**, a majority of Employer Liability awards in 2022 were valued at €15,000 or less (51%), with the highest volume of awards falling into the €10,000 - €15,000 range (18%), followed by the €5,000 - €10,000 range (18%). There were 194 awards made (15% of total) for values of less than €5,000, while just 10% of awards issued in 2022 were for values of €50,000 or more. Overall, almost three quarters (73%) of the awards made in 2022 were for values of less than €25,000.

Despite overall award values increasing in 2022 when compared to the post-Guideline implementation period in 2021, the proportion of awards valued at less than €5,000 has increased from 13% in 2021 to 15% in 2022. The proportion of higher value cases, valued at €50,000 or higher, however, has doubled, accounting for 10% of awards issued in 2022 compared to 5% in April-December 2021. It is important to note however, that just 601 awards (excluding fatalities) were assessed under the Guidelines between April-December 2021, compared to 1,285 awards issued in 2022, and therefore, are less representative of all awards issued each year. Overall, data from 2022 suggests that the Guidelines are continuing to embed within the personal injury landscape.

## Injury Analysis

The most common injuries sustained in workplace accidents include back injuries (17%) and injuries to hand, fingers & thumbs (17%)

### Profile of Injuries – Employer Liability Awards 2022

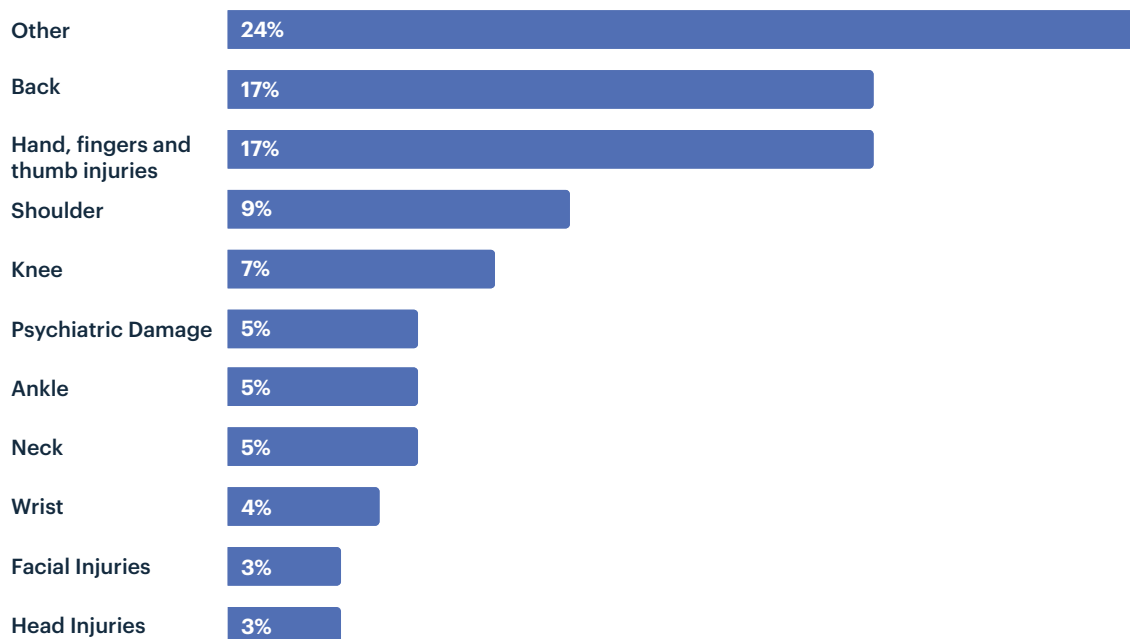


Figure 16. Breakdown of most common Dominant/Most Significant injuries for Employer Liability awards in 2022

PIAB makes an assessment of both General and Special Damages in respect of Personal Injury claims. The award of General Damages is determined with reference to the Personal Injuries Guidelines, referring to the Dominant/Most Significant injury sustained.

As shown in Figure 16, the most common injuries included injuries to the back (17%) and hand, finger & thumb injuries (17%). This was followed by shoulder injuries (9%) and knee injuries (7%), orthopaedic injuries commonly sustained as a result of slips, trips and falls. Other less frequent injuries accounted for 24% of all assessments of compensation made for workplace accidents in 2022.

## Injury Analysis By Location

Profile of Injuries based on Workplace Accident Location in 2022

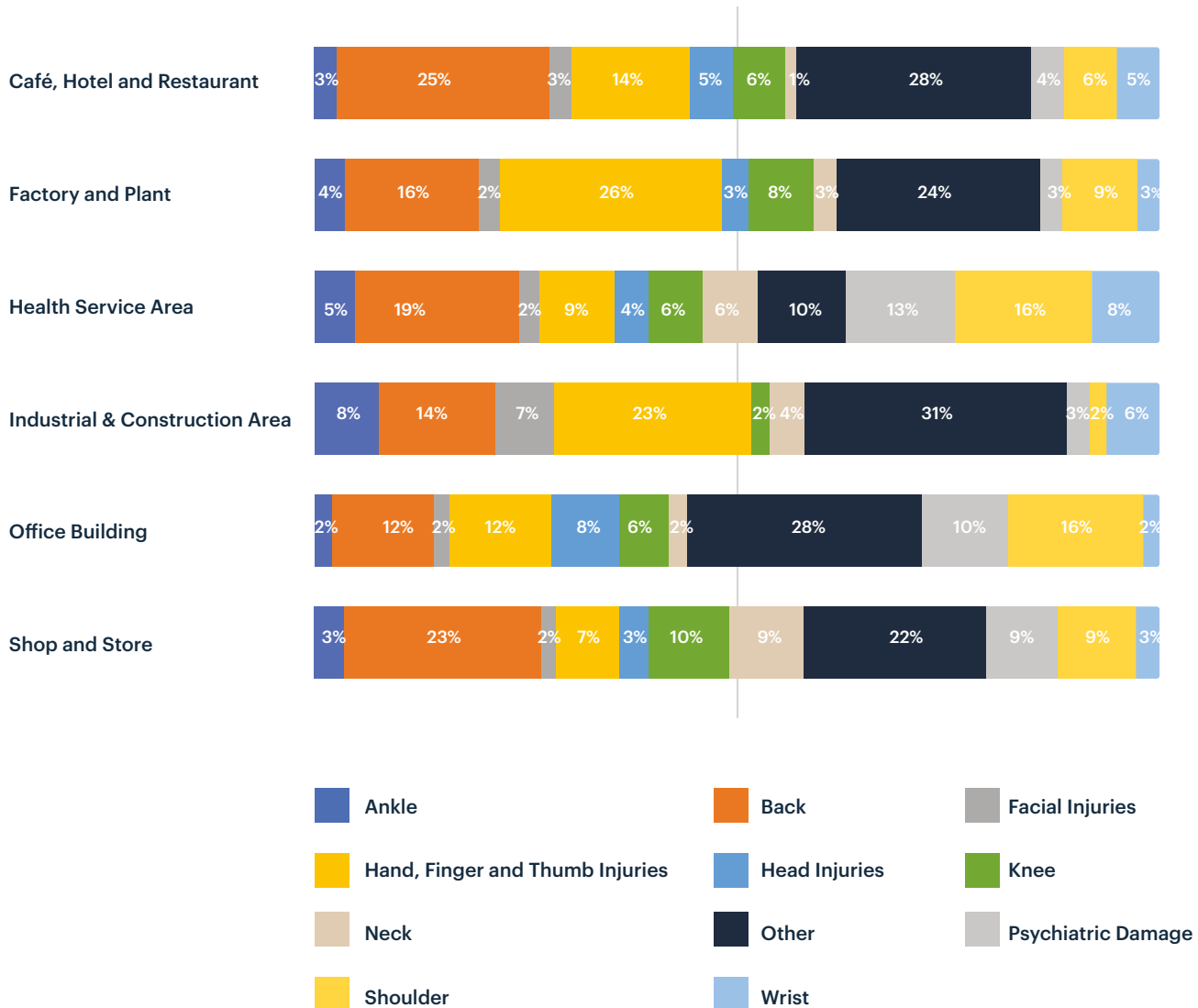


Figure 17. Overview of the most common Dominant/Most Significant injuries for Employer Liability awards in 2022, based on frequent accident locations



## Injury Analysis By Location

**Figure 17** provides a description of the most common injuries sustained in workplace accidents, for Employer Liability awards made by PIAB in 2022.

**Shops & Stores:** The most common Dominant/ Most Significant injury for awards made by PIAB in 2022 for accidents occurring in shops and stores was back injuries, accounting for just under a quarter of all personal injuries (23%). This was followed by knee injuries (10%), shoulder injuries (9%), neck injuries (9%) and psychiatric damage (9%). This high prevalence of orthopaedic injuries is expected given the most common cause of accidents in this setting relates to slips, trips and falls.

**Office Building:** Shoulder injuries were the most common Dominant/ Most Significant injury sustained in workplace accidents occurring in office buildings. Other common injuries include back injuries (12%), injuries to hand, fingers or thumbs (12%) and psychiatric damage (10%). Of note, slips, trips and falls accounted for almost half of all workplace accidents in this setting between 2019-2022.

**Industrial and Construction Area:** Just under one-quarter of all workplace personal injury awards for accidents occurring in industrial and construction areas in 2022 related to injuries to hand, fingers and thumbs (23%). Of note, earlier analysis of common accident causes found this setting had a relatively high prevalence of crush injuries. Additionally, this setting had the highest proportion of ankle injuries (8%), which may be related to the high prevalence of falls from a height (17%).

**Health Service Area:** In health service settings, the most frequently sustained Dominant/ Most Significant injury in 2022 related to back injuries (19%). Of note, slips, trips and falls were noted as the cause of just under a third of all accidents in this setting between 2019-2022. The proportion of injuries related to Psychiatric Damage was higher than other settings (16%), which may be due to the high proportion of incidents caused by assault by bodily force (16%).

**Factory & Plant:** Injuries to hand, fingers and thumbs featured most frequently in factory and plant settings in 2022. Of note, this accident setting had the highest proportion of injuries caused by crushing between 2019-2022 (17%). Back injuries were also common, accounting for 16% of injuries sustained in factories and plants.

**Café, Hotel and Restaurant:** One in four injuries sustained in workplace accidents in Cafés, Hotels and Restaurants related to back injuries (25%), higher than all other settings. This may be expected given the high proportion of accidents caused by slips, trips and falls in this setting (31%). This was followed by injuries to hand, fingers and thumbs (14%), which may be related to the high proportion of accidents caused by falls, in addition to a relatively high degree of accidents caused by contact with hot drinks, food, fats and cooking oils (15%).

# A Closer Look at Personal Injury Awards in Food Manufacturing and Health Care Settings

In this section we take a closer look at assessments of compensation made by PIAB in 2022, for accidents occurring in the two most common workplace accident locations, 1) factories and plants – specifically, the food manufacturing setting and 2) health and social care settings. Importantly, factories and plants and the health care setting accounted for over €12,000,000 in assessments of compensation awards made by PIAB for workplace injuries in 2022. These sectors have not been chosen due to any particular safety concerns as compared to other sectors, but to demonstrate the potential information that can be derived from in-depth analysis of PIAB’s personal injury claims data.

This section presents data analysed from a sample of medical reports, provided to PIAB in respect of claims. During PIAB’s assessment process, Claimants are asked to provide information on their healthcare utilisation following the accident, including the number of GP, Specialist and Physiotherapy appointments attended. Additionally, Claimants are asked to describe the impact of the injuries sustained as a result of the workplace accident on their occupational, recreational and leisure activities and functional independence. This valuable information provides a greater insight into the impact of workplace injuries on the workers affected.

Overall, 81 awards were made by PIAB in 2022 for workplace accidents occurring in the food manufacturing setting and 124 awards related to workplace accidents occurring in health and social care settings were identified. It is hoped that the findings will provide a better understanding of the personal impact of workplace accidents on the workers affected.



## A Closer Look: Food Manufacturers

A sample of 81 **personal injury awards**, made by PIAB in 2022 for accidents occurring in **food manufacturing settings**, was analysed in-depth including the extraction of information contained within medical reports

# 81

Personal Injury Awards in 2022

Total Award Value of Sample

## €1.68<sub>m</sub>

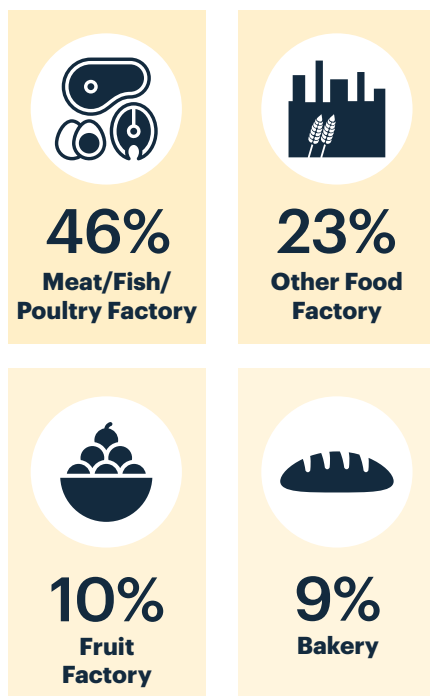
Total General Damages Awards

## €1.23<sub>m</sub>

Total Special Damages Awards

## €0.45<sub>m</sub>

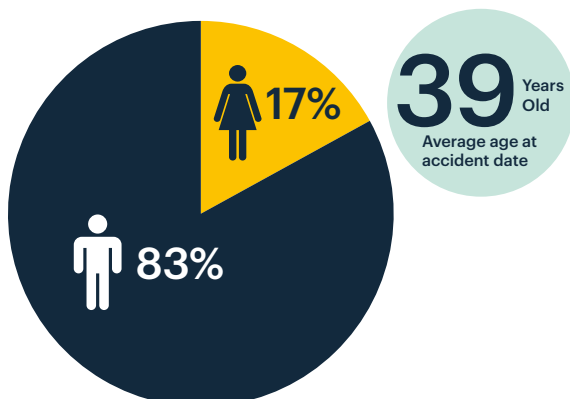
### Location of Accidents



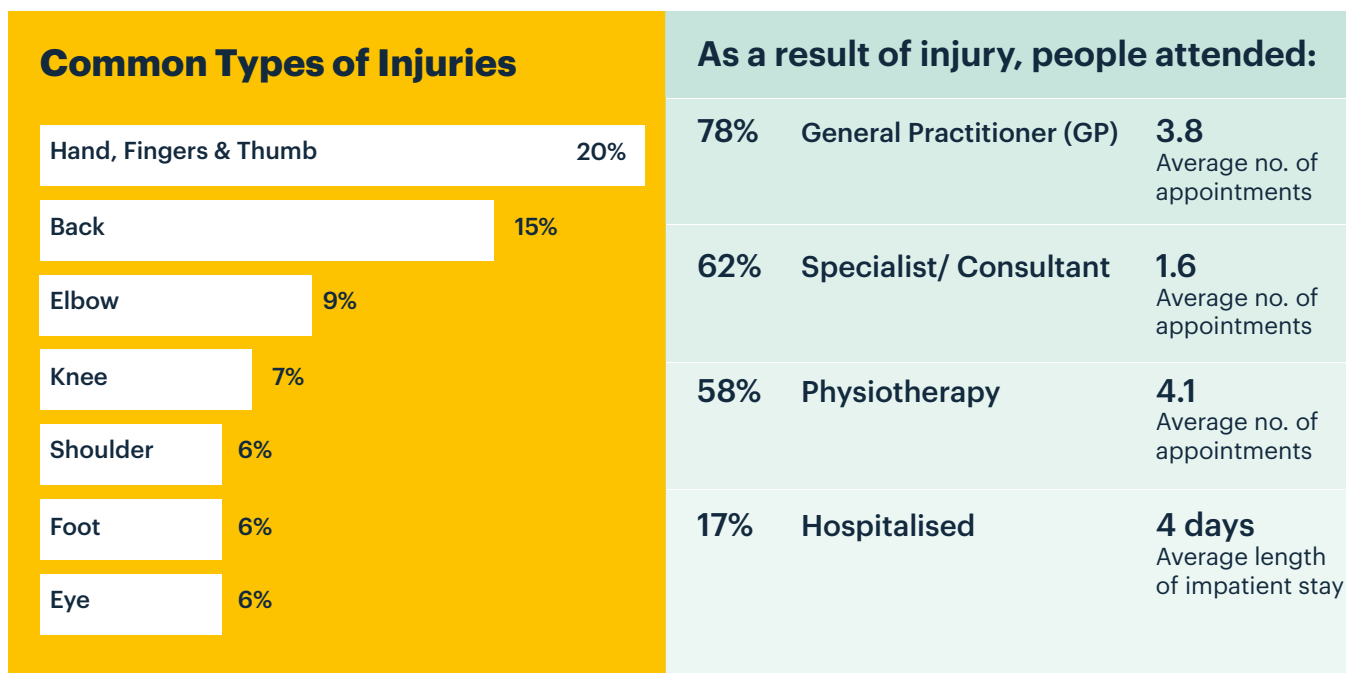
### Causes of Accidents



### Claimant Demographics



## Personal Injuries: Food Manufacturers













Total Value of Loss of Earnings Awards: **€344,672**



### Impact of injuries sustained on functional abilities

Information relating to the impact of injuries sustained on functional ability at the time of the medical assessment was available for 73 claimants

### Functional Impairments on average, 1.7 Years post accident date

 Carry/ Lifting	<b>51%</b>	 Manual Dexterity	<b>30%</b>
 Walking	<b>22%</b>	 Bending Stooping	<b>21%</b>
 Standing	<b>19%</b>	 Sitting	<b>18%</b>
 Climbing Stairs	<b>18%</b>	 Mental Health	<b>16%</b>
 Reaching	<b>11%</b>	 Vision	<b>3%</b>

## A Closer Look: Health Care Settings

A sample of 124 **personal injury awards**, made by PIAB in 2022 for accidents occurring in **health or social care settings**, was analysed in-depth including the extraction of information contained within medical reports

# 124

Personal Injury Awards in 2022

Total Award Value of Sample

## €2.89<sub>m</sub>

Total General Damages Awards

## €1.89<sub>m</sub>

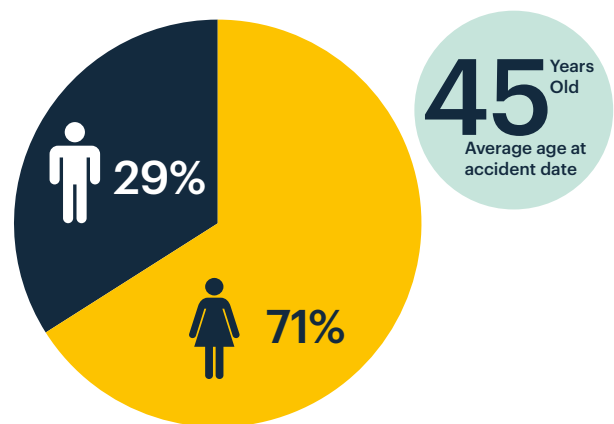
Total Special Damages Awards

## €0.99<sub>m</sub>

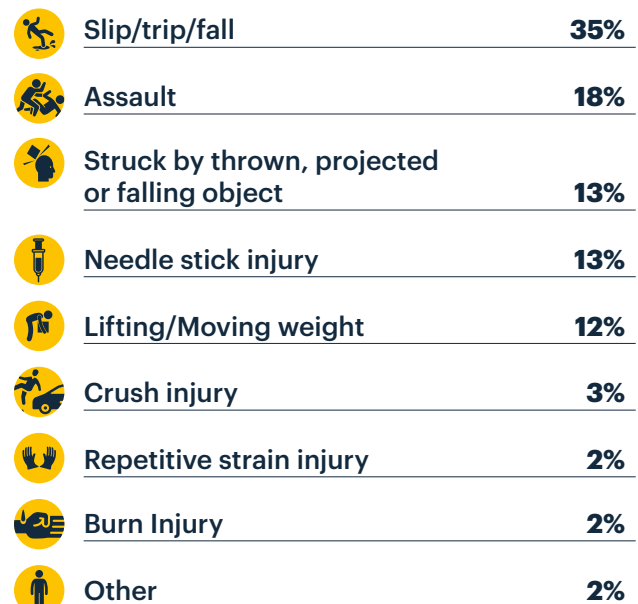
### Occupation of Injured Worker



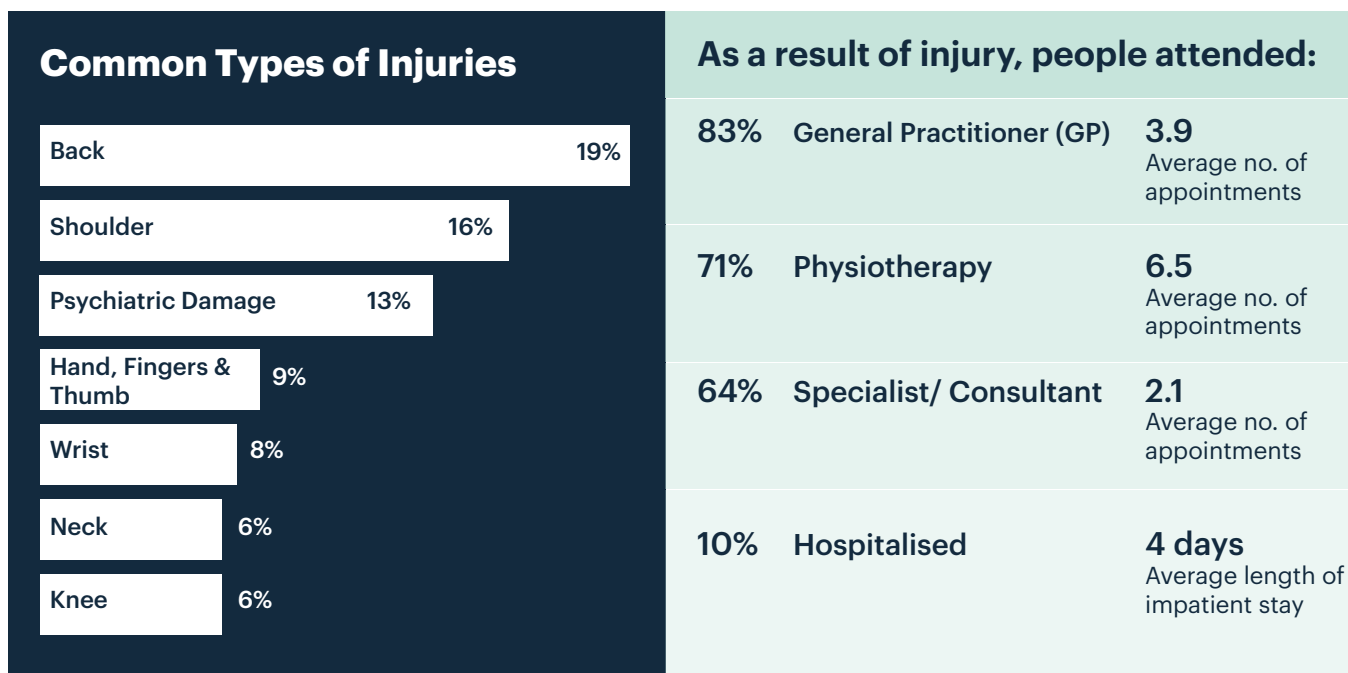
### Claimant Demographics



### Causes of Accidents



## Personal Injuries: Health Care Settings













Total Value of Loss of Earnings Awards: **€810,444**



### Impact of injuries sustained on functional abilities

Information relating to the impact of injuries sustained on functional ability at the time of the medical assessment was available for 108 claimants

### Functional Impairments on average, 1.7 Years post accident date

 Carry/ Lifting	54%	 Standing	21%
 Bending/Stooping	27%	 Walking	21%
 Mental Health	27%	 Sitting	19%
 Reaching	24%	 Climbing Stairs	18%
 Manual Dexterity	22%	 Balance	4%

# Conclusion – Employer Liability Claims and Awards 2019-2022

## Employer Liability Claims (2019-2022)

In 2022, 3,652 Employer Liability claims were submitted to PIAB representing a 38% decrease on 2019 figures. This decrease in claim volumes is due to a combination of factors, predominantly Covid-19 related public health measures, where many workplaces closed and possibly, the introduction of the new Personal Injuries Guidelines. This reduction was evident across most accident locations, but most pronounced among accidents occurring in Cafés, Hotels and Restaurants (-63%), followed by Shops and Stores (-46%), when compared to 2019 figures. Overall, factories and plants were the most common locations for workplace injury claims across all four years, accounting for over 5,000 claims between 2019 and 2022.

## Employer Liability Awards (2019-2022)

**Between 2019 and 2022, PIAB has made just under 5,000 assessments of compensation for workplace accidents to the value of over €86,000,000, with 75% of total award values attributed to the five most common causes: slips, trips and falls, being struck by a projected or fallen object, crush injuries, repetitive strain injuries and falls from a height. Just under €20,000,000 in compensation awards have been made by PIAB for workplace injuries caused by slips, trips and falls between 2019 and 2022.**

In 2022, the average Employer Liability award value was €22,545, representing a 26% decrease on the 2020 pre-Guidelines average Employer Liability award of €30,576. Overall, almost three quarters (73%) of all Employer Liability awards issued by PIAB in 2022 were for values less than €25,000.

Personal injury awards are comprised of two distinct components: General Damages, which includes the award for pain and suffering and Special Damages, which includes the award for financial loss and vouched expenditure such as loss of earnings or treatment costs. **The introduction of the Guidelines related solely to the award for General Damages, which reduced by 38% for Employer Liability awards in 2022, when compared to 2020.**

In the same period, **Special Damages have increased**, from €3,524 in 2020 to €5,757 in 2022 (+63%). This increase is caused by several factors, including high inflation rates, which has increased the cost of vouched expenditure such as medical treatment and vehicle repairs, and documented wage growth, influencing the value of losses incurred by an individual as a result of a workplace accident.

When compared to the post-Guidelines implementation period (April-December 2021), the average Employer Liability award in 2022 was 28% higher at €22,545, with factors influencing this trend detailed earlier in the report.

This report includes a description of data analysed from medical reports submitted to PIAB and focussed on awards made by PIAB for workplace injuries sustained in food manufacturing settings (81 awards) and health care settings (124 awards) in 2022. The sampled medical data highlighted the impact of workplace accidents on healthcare utilisation, functional independence and occupational activities, with 91% of injured workers in food manufacturing settings absent from work for 4.5 months, on average, following the accident. A similar trend was observed in health care settings, with 88% of injured workers absent from work following the accident, for an average of 5.5 months. Analysis of workplace injuries sustained in health care settings, identified a high prevalence of accidents caused by assault by bodily force and needle sticks, both of which were associated with psychiatric damage injuries. Overall, this analysis highlighted the value of PIAB's data in identifying sector-specific trends in workplace accidents, including their causes and consequences.

Under the Personal Injuries Resolution Board Act 2022, PIAB has an enhanced function to conduct and commission research on personal injuries. This report, utilising data on over 18,000 workplace injuries claims and data analysed from medical reports, highlights the economic and personal impact of workplace accidents. It is hoped that the findings in this report will support the development of accident prevention strategies and ultimately, the creation of safer working environments.

## Background Notes

**The Personal Injuries Assessment Board (PIAB)** is Ireland's independent State body which assesses personal injuries compensation claims in a quick and cost-efficient way, ensuring fair treatment for all parties. PIAB removes unnecessary delivery costs while ensuring consistency of awards. It assesses compensation for injuries sustained in motor accidents, workplace accidents or public liability cases. From the 14th December 2023, PIAB has changed to the Injuries Resolution Board, in recognition of its enhanced roles and functions as a result of the Personal Injuries Resolution Board Act 2022.

**The Personal Injuries Guidelines** were published by the Judicial Council and replaced the Book of Quantum in all personal injury claims from the 24th of April 2021. The new Guidelines followed from draft Guidelines prepared by the Personal Injuries Guidelines Committee and are used in the assessment of compensation in personal injury claims by both PIAB and the Judiciary. The Guidelines aimed to ensure fairness and consistency in award values for personal injuries across settlement channels.

**The Personal Injuries Resolution Board Act 2022** expands PIAB's role as an independent and impartial body in the assessment of personal injury claims. The legislation, which is undergoing a phased-commencement, enables PIAB to offer a broad range of services, including the provision of a mediation service, allowing PIAB to resolve more personal injuries claims, reducing the expense and time associated with personal injuries litigation. Additionally, it enables PIAB to establish a formal research and analysis function, which will ultimately lead to greater transparency around personal injury claims and awards.

## Glossary

**General Damages** includes the award for pain and suffering sustained as a result of a personal injury. The award of General Damages is determined with reference to the Personal Injuries Guidelines, referring to the Dominant/Most Significant injury sustained.

**Special Damages** includes the award for financial loss and vouched expenditure such as loss of earnings or treatment costs. The introduction of the new Personal Injuries Guidelines did not apply to Special Damages awards.





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