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Q FEVER CLAIM SETTLED

A Winchelsea abattoir worker who contracted Q Fever after working with diseased sheep has won a six figure sum – in addition to payments already received from WorkCover.

Daniel Castro, a 30-year-old father of three, sued his employer Cartwright Enterprises Pty Ltd and CRF Foods (Vic) Pty Ltd, the abattoir where he worked, after his exposure and subsequent illness in May 2002.

Lawyer Danny Connor from Slater & Gordon, Geelong, says the man's injury could have been prevented if his employer or the abattoir provided a $66 vaccination.

Mr Connor welcomed WorkCover's decision to settle the claim without requiring Mr Castro to go through the stress and expense of further litigation.

"My client and other abattoir workers were exposed to the debilitating Q Fever virus in appallingly negligent circumstances," Mr Connor said.

"The abattoir knew the batch of Queensland sheep to which the workers were exposed were notorious for carrying the Q Fever virus.

"The meat workers were sent to the abattoir by an employment agency. For the cost of a $66 vaccination they could have been protected."

WorkCover used Mr Castro as their main witness when they sued the abattoir to recover the compensation payments made to the injured workers by the employment agency's insurer as a result of the abattoir failing to vaccinate the workers.

"However, despite succeeding in this litigation and recovering the monies – including potential future compensation for the workers – WorkCover then decided to fight our client's claim to receive damages compensation for his injury," Mr Connor said.

Slater & Gordon then successfully argued for WorkCover to negotiate a settlement of Mr Castro's claim.

"This is a victory for decency in the workings of a compensation system which is usually heavily biased against providing fair outcomes for injured workers," Mr Connor said.