

When an Indiana Forklift Injury May Be More Than a Workers' Compensation Claim

Workers' Compensation May Not Cover the Full Impact of a Serious Forklift Injury

An injured worker who assumes a forklift accident automatically means a workers' compensation claim and nothing more is often missing most of the picture. Workers' compensation exists for a reason, but it comes with important limits. It typically bars an injured worker from suing their own employer, does not compensate for pain and suffering, and replaces only a portion of lost wages.

What most injured workers do not realize is that the forklift itself, the company that maintained it, the contractor running the job site, or the property owner where the accident happened may all sit outside that workers' compensation wall entirely.

When one of those parties bears legal responsibility, an [Indiana work injury lawyer](#) can pursue a separate third-party injury claim alongside the workers' compensation case, potentially allowing the injured worker to recover damages that workers' compensation does not provide.

Why Workers' Compensation Alone Often Falls Short

Indiana's workers' compensation system pays medical bills and a portion of lost wages, and it does so without requiring proof that the employer did anything wrong. That trade-off is also its biggest limitation.

- **No Compensation for Pain and Suffering:** Workers' compensation does not pay for the physical pain, emotional toll, or diminished quality of life that follows a serious amputation or crush injury.
- **Capped Wage Replacement:** Lost income benefits are calculated at a percentage of prior wages, not the full amount a worker actually loses while recovering or permanently unable to return to the same job.
- **No Lawsuit Against the Employer:** In most cases, workers' compensation is the exclusive remedy against the employer for a covered workplace injury, even when employer negligence may have contributed to the accident.

These gaps are precisely why a [third-party claim](#) against someone other than the employer can matter so much, since it may open the door to additional damages that workers' compensation does not provide.

Claims Against the Manufacturer of the Forklift

[Forklifts](#) are complex machines with safety systems built to prevent exactly the kind of injury that sends workers to the emergency room. When an injury results from a defective design, manufacturing defect, or inadequate warning, the manufacturer or another responsible party in the product's chain of distribution may face liability under Indiana product liability law.

- **Design Defects:** A safety mechanism, guard, or braking system that was flawed from the moment it left the factory.
- **Manufacturing Defects:** An individual unit that left the assembly line with a defect not present in properly built forklifts of the same model.
- **Failure to Warn:** Inadequate instructions or warnings about dangers associated with using the equipment.

A [product liability claim](#) against a manufacturer requires detailed engineering evidence, which is why an early, independent inspection of the forklift matters just as much here as it does in a serious truck accident case.

Claims Against the Company That Maintained the Forklift

A forklift that was properly designed and manufactured can still become dangerous if the company responsible for servicing it cuts corners. Maintenance records, service logs, and technician training all become relevant once an injury investigation begins.

- **Disabled or Bypassed Safety Features:** A maintenance provider that disconnects a safety mechanism to solve an unrelated mechanical problem, without restoring it afterward.
- **Deferred or Skipped Repairs:** Known issues that were flagged during an inspection but never actually fixed before the equipment went back into service.
- **Improper Servicing:** Repairs performed incorrectly or with the wrong parts, creating a new hazard that did not exist in the original design.

A disabled safety feature is often invisible until an expert takes the equipment apart, since the forklift can look and operate normally right up until the moment the missing protection actually mattered. That is exactly why maintenance history deserves the same scrutiny as the forklift's original design.

Claims Against Contractors and Property Owners

Forklift accidents frequently happen on job sites and warehouse floors controlled by someone other than the injured worker's own employer. When that is the case, a contractor, property owner, warehouse operator, or other third party may bear responsibility if its own negligence contributed to the accident.

- **General Contractors on Multi-Employer Job Sites:** A contractor responsible for coordinating safety across multiple crews and companies working the same site.
- **Property Owners and Warehouse Operators:** An owner who controls the physical space where the accident happened, including aisle layout, lighting, and floor conditions.
- **Equipment Rental Companies:** A company that rented or leased the forklift and bears responsibility for its condition at the time it was handed over.

These third-party claims are separate from the workers' compensation claim and can provide avenues of recovery that are not available against the employer through workers' compensation alone.

Get a Fighter on Your Side

A forklift injury that looks like a straightforward workers' compensation case on paper may actually involve several potential defendants once someone takes the time to look. Manufacturers, maintenance companies, contractors, property owners, and other third parties may fall outside the workers' compensation protections that generally shield an employer from a personal injury lawsuit.

[Boughter Sinak, LLC](#) pursues third-party work injury claims alongside the workers' compensation process, not instead of it, which means an injured worker does not have to choose between the two. The firm has built a track record doing exactly this kind of work, including the [\\$1.25 million](#) forklift amputation settlement that came from proving a maintenance company had deliberately disabled a safety feature, evidence that only surfaced because an independent expert inspected the machine before it could be altered or returned to service.

If you or someone you love was seriously injured by a forklift or other equipment on the job, don't assume workers' compensation is the end of the story before someone has actually looked into it. [Contact Boughter Sinak, LLC](#) for a free consultation, and find out whether a manufacturer, maintenance company, contractor, or property owner bears responsibility for what happened to you.