



 A computer company IT consultant has won his fight for workers compensation after suffering tinnitus from using a telephone headset. Picture: File

SA News

Computer IT consultant win compo after suffering tinnitus from using a telephone headset

Andrew Dowdell, The Advertiser

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A COMPUTER company IT consultant has won his fight for workers compensation after suffering tinnitus from using a telephone headset.

Daniel Eales was employed as a network administrator with Hewlett Packard in 2009 when he began to experience a ringing noise in his right ear.

The SA Employment Tribunal found that Mr Eales, 48, had used a headset on his right ear while taking phone calls in his role as an adviser on computer hardware and software issues, including for sensitive government issues on topics such as defence.

“From the time he commenced using the headset, he noticed that it produced a constant high pitched sound that he described as similar to the microphone feedback that one might expect from a speaker,” SA Employment Tribunal deputy president and judge Brian Gilchrist said.

Mr Eales was diagnosed as suffering tinnitus – a condition that causes ringing or buzzing in the ears – and claimed compensation, which was rejected by Hewlett Packard’s insurance company. He successfully appealed against that decision to the tribunal, which found he should be eligible for workers compensation for the condition.

The insurance company argued there was no proof Mr Eales’ tinnitus was caused through his employment and had rejected his claim for compensation. Mr Eales told the tribunal that he had previously worked on a production line in a factory but had always used protection and there was no other obvious cause for his condition. Judge Gilchrist said he found that Mr Eales was “plainly a truthful witness” who had taken on a new role with the company that did not involve him using a headset.



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Judge Gilchrist said he accepted evidence from Mr Eales that the volume of his tinnitus increased when he was under stress. “He said that this can lead to a vicious circle in the sense that when he is stressed and is attempting to fall asleep, he sometimes finds it very difficult to sleep, which then causes him more stress,” Judge Gilchrist said.

“He said that sometimes this can take several days for this cycle to calm down. Other than that, the noise is tolerable.”

While some expert witnesses were unable to draw a link between the tinnitus and Mr Eales' headset, Judge Gilchrist said he accepted a specialist's evidence that it was the probable cause because it was confined to one ear.

"A common sense evaluation of all the evidence strongly suggests that Mr Eales' employment at Hewlett Packard and his tinnitus are linked," Judge Gilchrist found.

The tribunal set aside the company's determination and ruled that Mr Eales was entitled to recover medical and other expenses incurred on account of his tinnitus.