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5500B GREENWICH RD
VIRGINIA BEACH, VA
23462

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NEWSLETTER

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DON'T QUIT YOUR JOB!

If you get hurt at work, don't quit your job.

I'll say it again: If you get hurt at work, don't quit your job.

And again: Do not quit your job!

I know I sound like a broken record, but if I could shout it from the rooftops, I would. We regularly get calls from people who were badly hurt on the job, who desperately need help paying the mounting medical bills, and actually have a pretty good case on their hands. And it breaks my heart every time I hear that that person quit his or her job before calling us.

I understand why injured workers feel like their only option is to quit their job after an accident. They're hurting, and their employer won't listen and refuses to change their duties to match the doctor's restrictions. Or maybe the doctor they went to won't listen, and their pain only gets worse every day. It's frustrating and stressful and eventually everyone has a breaking point. But if you get hurt at work and decide to quit your job, you instantly destroy any hope you had of taking your workers' comp case to a Hearing and recovering your benefits.

The workers' comp insurance companies would love for you to quit, because by quitting, you basically make their case for them. Injured employees can be awarded workers' comp benefits when a workplace injury leaves them unable to work. In Virginia, if you come under an Award for benefits, even if you are able

to work, but your doctor says you cannot physically return to the work you were doing before the accident, you would still be entitled to ongoing benefits.

But if you quit your job, the reason you can't work isn't because you were injured and you have to adhere to your doctor's physical restrictions; it's because **you took yourself out of the labor market by quitting.** A Commissioner will take one look at a case where the employee quit, shrug, and say, "Tough luck."

If you come under an Award, and your doctor puts you on light-duty, your employer has to either: 1. find a reasonable way to accommodate your restrictions, 2. find you another job within your restrictions, or 3. keep paying you benefits. In most cases, they will simply keep paying you your weekly benefits.

If your employer does accommodate you and you come back to work after an injury, and it still hurts, then you should go back to your doctor, tell the doctor exactly what you have to do at work that hurts you, and have your doctor write an order demanding the employer follow your restrictions. Sometimes, the doctor may decide that it's a dangerous environment for you and he or she does not want you working at all, and then take you back out of work again, in which case your comp benefits would re-start. If your doctor won't listen to you, call a workers' comp attorney who may be able to get you a different doctor who will listen.



But again, if you quit, without the doctor holding you out of work, you have removed any possibility that any of those things can occur because you have removed yourself from work by quitting.

I cannot tell you how many great cases we have been forced to turn away because the worker quit his job before he called us. If you have been injured at work or you know someone who was hurt on the job, and are wondering if you should quit, think about all the medical bills you have to pay on your road to recovery from your work injuries. Workers' comp exists to help you cover your expenses so you can heal and maybe one day rejoin the workforce. Don't make an impulsive decision that ruins your chances of being able to get the help you need.

I'll leave you with one last piece of advice: If you get hurt at work, **don't quit your job!**

-Joseph Miller

If you belong to a union or other labor-related group and want to schedule my presentation at your group's speaking arrangement, you can do so by calling 888-694-7994. The presentation is free of charge, offers important information for taking appropriate action in Virginia workers' compensation cases, and everyone in attendance gets a free copy of my book, "10 Traps and Lies That Can Ruin Your Virginia Workers' Compensation Case." Education is the best way to protect yourself from making a mistake. So call now, before it's too late.

WHY THERE ARE KIDS ON YOUR PORCH ASKING FOR CANDY



As Halloween looms and you load up your grocery cart with candy, you may ask yourself, "Why do I provide these spooky gremlins with a sugar high every Oct. 31, anyway?" Well, when

your doorbell starts ringing around 6 p.m. this All Hallows' Eve, you can thank the Celts for this tradition of candy and costumes.

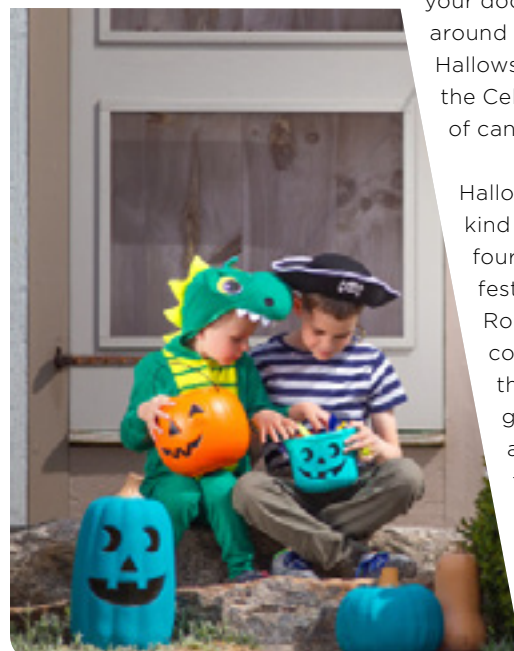
Halloween itself is a kind of mishmash of four different cultural festivals of old: two Roman fêtes, which commemorated the dead and the goddess of fruit and trees (not at the same time); the Celtic Samuin or Samhain, a new year's party thrown at the end of our summer;

and the Catholic All Saint's Day, designed to replace Samuin and divorce it from its pagan origins.

Long before there were young'uns on your porch dressed as Thanos with candy-filled pillowcases in hand, the Celts believed that Samuin marked an overlapping of the realms of the living and the dead. To trick the spirits leaking into our world, young men donned flowing white costumes and black masks — a great disguise when ghosts were about.

The Catholic Church was never a big fan of these pagan traditions, so they renamed it "All Saints' Day" and gussied it up in religious garb. By the 11th century, people were dressing up as saints, angels, and the occasional demon instead of spirits. Eventually, costumed children started tearing through town begging for food and money and singing a song or prayer in return — a practice called "souling."

But when did they start dressing up as Minions? Starting in the 19th century, souling turned to "guising," which gave way to trick-or-treating in mid-20th-century America, and the costumes diversified. So put on some clown makeup and a big smile, scoop up a handful of sweets, and scare the living daylights out of 'em — 'tis the season!



GOING BEYOND 'GET WELL SOON'

3 MEANINGFUL WAYS TO SUPPORT RECOVERY

If you've ever had a friend or loved one suffer a debilitating injury, you know how powerless you can feel to help. You want to make a difference, but in the face of severe medical challenges, it can be hard to know how. It's important to remember that, while you may not be able to have a direct impact on your loved one's physical recovery, there are concrete actions you can take to support them in ways doctors can't.

Support their everyday life.

Traumatic injuries can make many aspects of day-to-day life difficult or impossible. Simply making dinner or taking their kids to school may now be herculean tasks for your loved one. Offering to be a volunteer driver or preparing a home-cooked meal can give that person a much-needed breather. Taking the time to help your friend with everyday tasks is more than just a practical gesture — it lets them know they don't have to bear the burden of their injury alone.

Support their emotional recovery.

People faced with injuries, disabilities, and illnesses can feel emotionally isolated from their friends and loved ones. They may feel that others won't understand their pain or that they should put on a brave face and not complain. You can't force your friend to talk about their issues, but simply being there to listen to what your friend is going through makes a world of difference. Having someone who is willing to listen without judgment can provide a salve for emotional hardship.

Support their rights.

Sometimes an injury can leave your loved one tangled up in disputes with opportunistic insurance companies or individuals they feel are responsible for their injuries. While you may not be able to represent your friend's legal interests in these situations, you can introduce them to someone who can. Referring your friend to a personal injury firm you trust can help them chart a path toward just compensation for their injuries.



Our Clients Say It Best



"I injured my back at work and was getting the runaround from my employer and the insurance company. I contacted Joe, and he got involved and helped me get things done. I didn't have the physical ability to return to the job I had been doing. Joe got me a settlement that was more than I expected and helped me get my own business started. I am grateful for all they did for me. I love Lisa. She is like having a pit bull on your side in a fight."

-Solly O.

Recent Victories at the Work Injury Center

We are happy to report some recent victories on behalf of our clients. There are many more than these, but here are a couple:

The first is a large settlement for a Norfolk construction worker who was severely injured when he was smashed in between two forklifts. He lost his left leg above the knee and sustained severe injuries to his right ankle as well, requiring the surgical implantation of pins and screws. In addition, he developed post-traumatic stress disorder (PTSD), and became severely depressed as a result of this violent accident and loss of his limb.



After numerous surgeries and a long recovery, he is now doing much better. He has a prosthesis, can walk around, and is in regular psychotherapy. He has moved out-of-state to be closer to family and purchased a home.

The money we obtained for him should provide for his medical needs in relation to the accident for the remainder of his life.

In another case, we won on behalf of a local bus driver who had sustained a severe injury to her knee when she fell over the leg of a table inside of a crowded room. The defendants denied the claim, saying there was no "risk of employment". This defense in Virginia means they are saying there was nothing specific about the claimant's work environment that caused the claimant to fall. We won at hearing, with the Deputy Commissioner finding that the crowded room and the fact that the claimant had to maneuver around various other pieces of furniture was, in fact, sufficient to be a risk of employment.

The defendants appealed to the Full Commission and again, they found in our favor. It remains to be seen whether the defendants will appeal again to the Court of Appeals.

Joe's Monthly 'SOUL SNACKS'

"There is no better exercise for your heart than reaching down and helping to lift someone up."
-Bernard Meltzer

"The highest form of wisdom is kindness."
-The Talmud

Brussels Sprout and Kale Salad

Ingredients

- 1 pound Brussels sprouts
- 1 bunch kale, destemmed and finely chopped
- 2 tablespoons whole grain mustard
- 4 tablespoons fresh lemon juice
- 1/2 cup extra-virgin olive oil
- Kosher salt and fresh ground pepper, to taste

Directions

1. Trim stalks off of Brussels sprouts.
2. Using a mandoline, food processor, or very sharp knife, shred Brussels sprouts very finely.
3. In a large bowl, whisk together mustard, olive oil, and lemon juice. Add kale and Brussels sprouts and toss to coat with dressing.
4. Season with salt and pepper to taste.
5. Serve.