Joe Miller: Hi. Once again, my name is Joe Miller, worker's compensation attorney, trial attorney, in both Virginia and North Carolina. I want to talk today fairly briefly about a subject that comes up a lot in our practice, our worker's compensation practice specifically, and that is the subject of late checks. They're supposed to send you your check every week, your worker's compensation check, and it's not on time when it usually comes. You're living paycheck to paycheck, and of course this is not your whole paycheck. This is two thirds of your paycheck, so people are in very dire circumstance. We definitely understand that.

Joe Miller: In both Virginia and North Carolina, your check is not considered late until you are beyond two weeks, until we can prove that they have not mailed it to you within two weeks of the date that it's due. Particularly in Virginia, if you're under an open award, in North Carolina, if it's an accepted claim, then you can get in North Carolina a 10% penalty on that check, in Virginia a 20% penalty on that check for every check that's beyond the 14 days late.

Joe Miller: Also understand that our power is limited. All that we can really do is call the adjuster and say, "Hey, where's the check?" Sometimes we'll get a song and dance, and sometimes we won't get through to the adjuster. Well, if 14 days goes by and we can show that they did not mail the check out to you within the prescribed time, you're going to get 10% more in North Carolina and in Virginia 20% more. If it's a day or two late, I wouldn't recommend it... There's really not much you can do. Typically there will be some little glitch somewhere that can be straightened out. Sometimes adjusters change. If it happens on a continual basis, particularly if it's beyond the 14 days, we may be able to go and file for some type of sanction against the employer, against the worker's compensation care, because that's just unacceptable. Especially if you're under an open award, they have to pay that money, and they have to pay it on time. In Virginia, 20% penalty. In North Carolina, 10% penalty.

Joe Miller: Again, we hear this all the time. It's excruciating, and it's hard to hear about it, because I know you're struggling. We're here to help you. We'll help you any way we can. If you're having any problems with a worker's compensation claim, or you want to know more about a worker's compensation in either Virginia or North Carolina, please don't hesitate to give us a call at the number on the screen or contact us online at joemillerinjurylaw.com. Thanks so much for watching. I appreciate it, and have a wonderful day.