Joe Miller: Hi. Once again, I'm Joe Miller, Workers' Compensation attorney, trial attorney in Virginia, North Carolina.

Joe Miller: I wanted to talk to you a little bit more today about your rights under Virginia Workers' Compensation law in the event you've been injured at work. As has been discussed, many times, in each of these videos about Virginia Workers' Compensation, I think it's so important that I need to repeat in every video, and that is that you have no rights, no rights whatsoever, under Virginia Workers' Compensation law unless you enforce those rights. If you want to know more about how to enforce those rights, I encourage you to continue to watch these videos. Give us a call at the number on the screen. Contact us.

Joe Miller: Today I want to talk to you a little bit about something called an award agreement. What is an award agreement, and why is it important? It usually happens when you've gone ahead and filed your claim for benefits. In that case, the employer has 20 days, 20 days to act in order to respond to that. They're going to do one of two things. They're going to either deny the claim, okay, which is surprising to many people, because it'll happen sometimes even after you've been getting your benefits, or they're going to accept the claim and they're going to issue you something called an award agreement. An award agreement is a document that they will send you that is sort of similar to the claim for benefits, setting forth what body parts they agree that you've injured and what benefits they've agreed to give you, okay?

Joe Miller: Let's assume now that you've gone ahead and signed that document. Is that the end of it? No, and I'm going to tell you something now that you're not going to believe. We often see people that will sign these award agreements, because that's all they are, it's just an agreement. It is not an award. They're going to sit on it until you are returned to light duty. Then they are going to cut you off of your benefits, and you're going to flip out.

Joe Miller: Now, you're going to call the adjuster and say, "What happened? I thought we had an agreement." They're not going to call you back. Or, if they call you back, they're going to hem and haw and give you some kind of mumbo-jumbo, because you have to understand something. The folks you are dealing with at the Workers' Compensation's insurance company are not the people that you have known for years as your employer. Perhaps you've worked for an employer for many years. Doesn't make a difference. These people don't know you, and they don't care about you.

Joe Miller: That agreement that you sent to them has sat on their desk or been put in the trash can. That's what happened, because it's a tactic that they use to trap you. You think that you have something that's substantive. Let me tell you what you have if you have an award agreement. You have nothing. The Workers' Compensation insurance company adjuster failed to send that award agreement to the Commission so it could be entered into an order. Once that award agreement is converted into order, that's when you're almost home free, okay? But until that point, you have nothing.

Joe Miller: And remember, an award is a proclamation or an order from the Virginia Workers' Compensation Commission that says that you are entitled to benefits until they can prove otherwise. Until that happens, they got to continue to pay you, but that only happens once the award is entered. The agreement which happens before the award means nothing.

Joe Miller: If you've been injured at work, seriously injured, you or a family member, please give us a call and let us take a look at the award agreement. Let us help you, because there's so many pitfalls in the Virginia Workers' Compensation Act. We're familiar with them, we know them, and we can help you. Please call the number on the screen or look us up and contact us through our website at JoeMillerInjuryLaw.com.

Joe Miller: I really thank you for listening today. Thank you so much.