Joe Miller: If you're watching this video, you've probably been hurt on the job. Maybe you've been hurt severely. Maybe you're wondering whether you should contact an attorney. My name is Joe Miller. I'm a worker's compensation attorney in both Virginia and North Carolina. This is what we specialize in, this is what we do. I've been doing it a long time.

Joe Miller: This video is to encourage you, and to explain to you the dangers, of not calling a worker's compensation attorney if you've been hurt at work, and I'm going to give you an example of what happened in one gentleman. I think it's a little bit of an extreme example, but it really does illustrate the point very nicely.

Joe Miller: One thing that's important to understand, okay, that a lot of people get confused about, before I tell this story is that when you call an attorney's office, if you hire us, if you hire any attorney, you're not going to have to come in and stroke a check, okay? We do stuff basically on a contingent basis. If we don't do something for you, then we don't get paid.

Joe Miller: There's other videos on the website here about exactly how we're paid, but there's some money that we get if we get you an award, if we do some work in the claim. These are very small amounts, and they only come out of your check if you have an award or you have an ongoing claim, and there's small amounts that come out each week. And most of the time, nothing comes out, and we don't get paid unless you get paid which means you get a nice settlement at the end of the claim. So don't think that you're going to have to [inaudible 00:01:29], "I can't afford an attorney." Well you don't have to afford an attorney. You don't have to pay us anything. So let's get that straight from the get go.

Joe Miller: All right, so here's a story I want to tell you that we got a call recently, and I don't mean to embarrass this gentleman if you're watching this video. I hope you don't mind if I use your example as a way to make sure that other people don't suffer the same fate that you did, okay? With that being said, here's what happened to this gentleman.

Joe Miller: He's working at a factory where he's on a line, and they have certain machines that they work with. One of the machines was apparently tagged out. There was a safety problem with this machine. Somehow the tag didn't get on the machine, the tag came off, and whatever the safety problem was, it was bad enough that it actually chopped off this gentleman's hand completely, and they could not reattach it. So now here's this fellow with no hand, all right? Here's a fellow that's going to need prosthetics on his hand for the rest of his life, probably generally prosthetics need to be changed out about every five years or so, and they cost a lot of money. They're very expensive.

Joe Miller: Once he finished treating, and once he got his prosthetic, the employer said, "Well why don't you come on back to work. We'll have a job for you. We've got a job for you that you can do with just one hand. How about that?" So they put him on a light duty job for many, many years, and this guy thought he was doing everything right. Did he ever call an attorney? Did he ever enforce his rights? Did he ever file anything? The answer is no to all three.

Joe Miller: So what ended up happening to this fellow is he worked this job for many, many years, he never filed anything, he never got paid for his permanent partial impairment where he'd lost the hand which we're talking about thousands upon thousands of dollars. And guess what happened. The statute of limitations ran on his claim, and he never filed anything, and therefore all his rights were completely lost. That permanent partial impairment, again we're talking thousands of dollars gone. His medical aware, which would also be worth thousands of dollars in a potential settlement because of all the prosthetics that he would need over the course of the rest of his life, gone.

Joe Miller: If we had been representing him, we would've made sure that he got into a functional capacity exam whether the doctor was taking the appropriate steps to make sure that it was appropriate for him to be in that job. In which case, if it wasn't appropriate, he'd be entitled to ongoing checks probably for the entire 500 weeks that he'd be entitled to.

Joe Miller: So we're talking about thousands upon thousands of dollars that this man will never receive, and here's the worst part. What do you think happened after a number of years to this gentleman, of working for this company? That's right. He got fired. He got laid off from the job. So now he's a gentleman who's much older. He's got one hand for which he cannot afford prosthetics, and he has no award so there's no obligation for them to pay for any prosthetics ever, okay. What's he going to do now? The answer is there's not much he can do, and there's nothing that we could do. We felt so powerless because there was nothing we could do for him because he didn't enforce his rights within the appropriate time period. You have to enforce those rights within that time limit, or they are gone forever.

Joe Miller: Now, some of these things are alluded to a little bit on the little pieces of paper that you might see at the back of the office, at the back of the factory, that your employers require to put up on the wall by the Virginia Workers' Compensation Commission or the Industrial Commission of North Carolina. The information is extremely scant. I don't mean to ... it's not an indictment of the Workers' Compensation Commission, it's just a fact that the information on there doesn't really tell you what you need to do to enforce your rights, and most people think, "Well my employer took care of it. My employer filed my claim, and everything's ..." Let me explain something to you. This is very important to understand. Your employer cannot and will not file your claim to protect your rights. They cannot do it. Only you can do it or your attorney can do it for you, and to make sure it's done properly you need to speak to an attorney.

Joe Miller: And I shout this from the mountaintops every day, and it's not just for me. We have a wealth of information on this website about this. We have books for you to download. You can call our office, and we'll send you a book that explains your rights under Virginia Workers' Compensation law and North Carolina Workers' Compensation law. Please don't hesitate to do that. Please call us. It's very easy to call our office. We're nice people. The intake person that you get on the phone is so sweet, you won't believe it, and it will not take her very long to find out if you have a claim that we can help you with.

Joe Miller: Don't wait to call a lawyer. It won't cost you anything to call us. Get us on the phone. Find out if you have a claim. Don't wait. Don't be this gentleman who just threw his rights away. Thousands and thousands of dollars down the tubes, and now he's destitute with one hand and no way to get compensated.

Joe Miller: If you have been hurt on the job, I want to wish you a speedy recovery. God bless you, and Joe Miller out.