

WORKERS' COMPENSATION NEWSLETTER

This is a newsletter of interest to professionals who provide services to Injured Workers.

Settling a Workers' Compensation Case Without a Job is a Mistake

If a worker has been released by the treating physician at maximum medical improvement and they have been assigned a permanent partial disability rating then the insurance company or the employer is going to be ready to settle. What happens if the injured worker can no longer perform their previous position due to the injury that they suffered?

Then they shouldn't settle for the rating. Workers' Compensation in the State of North Carolina is intended to compensate the injured employee for the loss in wage earning capacity. If they can no longer perform their position then a scheduled injury settlement will not compensate them for their injuries. The insurance company or employer will have to assist the injured worker with finding another job in the competitive marketplace that offers them wages as close as practicable and within their physician restrictions.

The insurance company or the employer will do anything within their power to convince them to resolve their claim without truly attempting to try and offer them compensation for their inability to return to their position. The insurance company and the employer do not wish to put the injured employee into vocational rehabilitation due to the cost and expense. When an injured employee is in vocational rehabilitation not only do they have to provide temporary total disability benefits to the injured employee, but they have to pay a trained specialist to assist the employee in returning to suitable employment.

To the insurance company or the self-insured employer it is about money and cost saving but to the injured employee it is about their future and well being. If an injured worker cannot return to work with their previous employer due to their restrictions they do not need to settle in a hurry at the insurance company's first offer. They need to make sure the compensation they receive is reasonable. After the case is settled it is business as usual for them.



Training for Your Group or Office

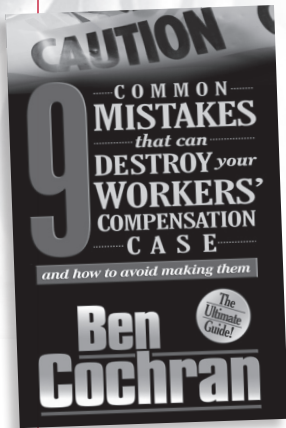
We are available to conduct workshops or short training meetings, tailored to the needs of your office staff. **There is no charge for this.** Please call our office to make arrangements for in-service training, or talks to groups and organizations on any area of Workers' Compensation law.

**1-800-
LAWYER-NC**

Call or visit www.asklawyernc.com and enter your questions. You will get answers by an attorney the same day, confidentially and with no obligation.

www.lawyernc.com

Worker's Compensation Book For FREE



Ben Cochran, a Board Certified Specialist in Workers' Compensation Law, has written a new book for injured workers and consumers to educate them as to the pitfalls on the Workers' Compensation claims process. *9 Common Mistakes that can Destroy your Workers' Compensation Case and how to avoid making them* is written in plain English without the legal mumbo jumbo. This book will help you learn what you should and should not do when pursuing a Workers' Compensation claim.

If you or your office would like some free copies for your staff, patients or clients, please call 1-800-600-7969 and we will get you as many copies as you need.



**Do you
know
someone
who has
been injured
on the job?**

What is Workers' Compensation?

To protect an injured worker from loss of income if injured at work and for payment of medical bills, the State Legislature adopted the North Carolina Workers' Compensation Act. The legislative intent of the Act is to make employers responsible for the injuries of their employees who were injured by accident in the furtherance of the employer's business. This Act provides workers with full compensation for medical bills and partial compensation for lost wages if they have been injured on the job. The Act also compensates injured workers for any permanent disability or lasting inability to earn the same wages due to the compensable accident.