



VIRGINIA WORKERS' COMPENSATION BENEFITS

Virginia Workers' Compensation Claims - there are numerous facets to a workers' compensation claim in the Commonwealth of Virginia. Of significant importance is that a claimant is entitled to several benefits under the Act (which is codified under Virginia Code 65.2 et seq.) Claimant's may be eligible for Temporary Total Disability (TTD), Temporary Partial Disability (TPD), Permanent Partial Disability (PPD), Medical Payments Benefits, and Rehabilitation benefits. A Claimant may be eligible for one, some, or all of these benefits in any given claim, depending on the seriousness of the work-related injury.

TEMPORARY TOTAL DISABILITY BENEFITS (TTD) is a monetary benefit paid for time off work over a period of seven (7) days. It is $66 \frac{2}{3}$ percent of the claimant's average weekly wage, calculated over the past year. If the claimant is off work, he or she is entitled to this benefit and to Medical Payments (see below).

TEMPORARY PARTIAL DISABILITY BENEFITS (TPD) is another monetary benefit available if the claimant returns to work but is unable to earn the same wages as prior to the injury. TPD benefits make up the difference between the wages the claimant makes and the $\frac{2}{3}$ percent comp rate.

PERMANENT PARTIAL DISABILITY BENEFITS (PPD) become available if the claimant has sustained an injury that limits the use of an extremity (and the treating physician has provided a loss of use rating). It is a one-time benefit payable in a lump sum after the claimant returns to work.

MEDICAL PAYMENTS BENEFITS are available in all claims and pay the Claimant's medical bills for all injury-related treatment if that treatment is causally related to the work injury.

REHABILITATION BENEFITS are available if the claimant is unable to return to work and requires assistance in finding and securing employment within his or her physical capabilities. Rehabilitation benefits are provided under Virginia Code Section 65.2-603 and can be used, unfortunately, by the employer to force claimant's back to work. However, they are considered "benefits" since the intent behind rehabilitation was to provide valid assistance returning to work.

Please note that this list is a short review of the workers' compensation benefits provided under the Virginia Workers' Compensation Act. If you have been injured, always consult with a qualified workers' compensation attorney to ensure that you receive all the benefits to which you are entitled. Remember, all injuries must 1.) arise from the employment, and 2.) occur during the employment to be compensable. Repetitive stress injuries are not, as a rule, compensable.



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