

## DISTURBING FACTS

— While insurance costs have risen greatly in all other areas, the workers' compensation "pure" premium rate, the average employers pay for coverage, has declined 12 consecutive years, a 57.4%+ cut. Savings are \$6.3 billion+ since 1990.

— Though officials attribute the savings almost entirely on improved workplace safety, Oregon OSHA 's budget and enforcement powers have been slashed. Safety inspections are similar in number to 1987 with about 50% more workers. Surprise inspections are almost nonexistent and routine inspections are 21 years apart. In 1998 statistics, Oregon ranked last in employer penalties for conditions "creating a substantial probability of death or serious physical harm to workers." The average penalty was \$287. In the latest figures, we're 49th among the 50 states.

— Workers' compensation laws continue to violate Oregon's Constitution including:  
**Section 10. Administration of justice.** No court shall be secret, but justice shall be administered openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property, or reputation.  
**Section 20. Equality of privileges and immunities of citizens.** No law shall be passed granting to any citizens or class of citizens privileges, or immunities, which upon the same terms, shall not equally belong to all citizens.

— In 2001, Oregon's Supreme Court ruled the major standard used in the system, "exclusive remedy," violated our constitution in Section 10 above. The illegality was in 1995's Senate Bill 369, pushed through the legislature a few weeks after an almost identical ruling on the same issue by our state's highest Court as a result of unconstitutional changes made in 1990. In quick response to the 2001 ruling, more questionable legislation was passed with SB 485. Workers whose basic rights were taken away illegally for 11 years have been prohibited from receiving justice now due to statute of limitations laws.

## PLEASE ASSIST US!

To succeed in improving the lives of Oregon workers, present and future, we need your help. Please volunteer a few hours a month. It'll make an enormous difference for thousands.

A life-changing work injury can occur in any occupation. No one is safe from the destructive aftermath under present-day laws, agency administrative rules, and the standard practices of insurance companies.

Although IWA's physical address is in the Portland tri-county area, we have dedicated volunteers and supporters throughout Oregon. IWA assists those who wish to form more localized organizations.

If you can't spare a few hours a month, please assist our efforts through our Political Action Committee. You can contribute up to \$50 (single filer) or \$100 (joint filers) and receive it entirely back per state law if you owe Oregon income taxes for the year. It costs you nothing! Details are at our Web site, along with secure on-line PayPal credit card processing. Please assist us in helping you and your loved ones. An injury can occur to anyone in a moment's time.

Contact  
IWA



## Injured Workers' Alliance

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# Injured Workers' Alliance

WE EDUCATE & ADVOCATE FOR YOU!

# [www.injuredworker.org](http://www.injuredworker.org)

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## ABOUT OREGON'S IWA

IWA is a grassroots organization formed in July 1998. Our members are injured workers, their friends and families, and other concerned Oregonians. We're unpaid volunteers committed to helping our fellow workers. Almost all of our injured members are beyond the point where any changes in law could benefit them. This is truly an effort from the heart.

We were forced to organize in response to the overwhelming suffering being experienced by many thousands throughout Oregon. Moderate to severely injured workers are not receiving vital medical treatment, including surgery, in a timely manner. Many have received no medical care whatsoever. These deplorable conditions routinely cause a worsening of injuries, resulting in permanent, life-long pain and misery.

IWA is dedicated to improving the lives of all workers. We do so through educating workers to existing laws involving workers' compensation and workplace safety, assisting workers one-on-one in need, and advocating for changes in law so Oregon's system works for the benefit of all, not just insurers and large employers. IWA works closely with worker advocacy organizations in every part of the country, including several based in Oregon. Please visit our Web site and learn more about the fine work being done on your behalf by these dedicated organizations.

## INJURED WORKER COALITION

IWA is proud to belong to IWC, a 24-Oregon member organization. In just one of many recent projects, the Coalition provided a survey to gubernatorial and legislative candidates, along with mid-term senators. They were asked about their willingness to bring fairness back to the workers' compensation system. The briefing paper sent with the survey outlines some of the problems we face and includes proposals to remedy them. Please visit our site to view the detailed briefing paper and individual responses.

## OUR MISSION STATEMENT

IWA advocates for a responsible, ethical, and supportive environment for Oregon's most valuable resource, our workers. IWA strives to make our workplaces safer through education, tougher laws, and improved inspections. We advocate for negligent employer accountability.

After injury, workers must be treated respectfully. Every effort must be made to allow workers to recover so they can adequately provide for themselves and family. Workers should receive all needed medical treatment, compensation for all lost wages, and when necessary vocational retraining that upon completion will provide a similar standard of living from pre-injury days.

IWA assists workers in the following areas and in other ways. With your help, it's our hope to add to and increase our efforts in the future.

— Educate Oregon workers who have not yet endured our state's workers' compensation system so they're fully prepared if injured on-the-job. We provide detailed information, along with links to present-day law. Due to strict time restrictions, many employment injury claims are lost from the beginning due to faulty information given by fellow workers, employers, and many times by insurance companies themselves.

— Alert workers to insurer and employer tactics used to deny claims or delay the legal process, a practice called "starve-out." It is common for those with the most serious injuries to go many months to a few years without receiving lost-wage compensation. During the drawn-out legal process, medical bills go unpaid, and in many cases all treatment is withheld. IWA helps to prepare workers for what may be a very long, highly emotional, and terrifying experience.

— Keep workers informed about legislative, administrative, and Management-Labor Advisory Committee leanings and actions. We testify at hearings and attend conferences involving safety and workers' compensation at every possibility.

— Provide tools of communication through our 400+ page Web site, e-mail, fax, surveys, and newsletter capabilities. Our on-line File Library has hundreds of documents on medical issues, safety, law, examples of fraud, media articles, and other subjects of benefit to workers. Our Message Forum has had 4,600+ postings and provides workers a means to communicate and share knowledge on such things as events, safety, workers' compensation, and actions of insurance companies, vocational councilors, the media, employers, public servants, and others.

— Bring wide public awareness to safety issues and the plight of injured workers by regularly contacting the media, mass mailings, and by organizing rallies. There's power in numbers so large attendance at events is crucial if together we are to improve workplace safety and bring fairness to the workers' compensation system.

— Routinely petition the governor, legislators, and other public officials involved in safety and workers' comp issues. Our representatives were elected to govern for the common good of all, not just for large employers and insurance companies. Should elected and appointed officials ignore our heartfelt pleas for a humane system, we'll devote tremendous energy to pass a ballot initiative to correct the many wrongs. It's our duty to prevent additional workers, for generations to come, from suffering as we, our friends, and our family members have.

— Propose and lobby for legislation to improve the workers' compensation system and workplace safety. Work closely with others in efforts to make Oregon a worker-friendly state. Collectively, advocates except to propose a record number of pro-worker bills in the 2003 session.

Present law, documented insurance company and employer abuse, and numerous Oregon court rulings that found wrong with enacted legislation are our strongest weapons to restore integrity and create a balanced system that benefits employers and employees equally. No reasonable, informed person in our state can rightly justify or defend the practices of the past, or the massive suffering being inflicted upon Oregon workers and their families to this day.