

Presidents Message
Michael K. Gruber

Happy Spring WILG Warriors! Even though the weather is warming up around the country, the atmosphere for injured workers is becoming decidedly more chilly. The recently passed budget agreement in New York contains a number of changes to the states workers compensation system, the vast majority of which are detrimental to compensation claimants. These changes include limitations on temporary disability benefits, new impairment guidelines and implementation of a drug formulary. Despite winning measures that will severely lower benefits to injured workers and essentially rolling back any concessions made to workers during the 2007 New York compensation reforms, business leaders in New York are calling these further reductions “a good start”, thereby signaling their intent to push for further compensation changes in the near future. In Iowa, Governor Terry Branstad recently signed a comprehensive workers compensation “reform” package into law. Unsurprisingly, this new law significantly curtails benefits for injured workers. Also unsurprisingly, the Governor explicitly blamed injured workers attorneys for the need for changes to the workers compensation system. When signing the bill, Governor Branstad stated that “in the past 10 years, Iowa’s workers’ compensation system has mutated into a system benefiting trial lawyers at the expense of Iowa businesses and Iowa workers”. Blaming attorneys for any deficiencies in the workers compensation system has always been fashionable for business interests, although it is difficult to see how zealous advocacy is detrimental to anything other than the bottom line of insurance companies. It is certainly difficult to see how injured workers are harmed by their attorney’s efforts when, in many instances, fees in compensation matters are paid only if a lawyer is successful in obtaining benefits for their client.

As I always stress in my President’s messages, these continuing and unrelenting “deform” measures are why your membership, and more importantly, your active participation in WILG is so important. WILG has been engaged in the legislative battles across the country and our members have been in the forefront of the campaigns against further deterioration of benefits for injured workers. We recently held our third Southeastern Regional Convention which was held this year in Atlanta. I want to congratulate Ben Gerber and David Nomberg for putting on a fantastic program. One of the presentations in Atlanta was from Ben Jordan, Deputy Legal Counsel for Georgia’s House Majority Leader, Rep. Jon Burns. Mr. Jordan spoke about how to effectuate change through the legislative process and what legislators are looking for when they are considering potential workers compensation bills. This was a very informative session and it provided knowledge that every injured workers advocate should possess.

In the next few weeks, we will be holding our annual Cherry Blossom event in Washington D.C. where WILG members will meet with Congressional members to discuss a variety of issues effecting injured workers. We will also be presenting at the New Jersey Association for Justice Boardwalk Seminar in Atlantic City New Jersey. WILG is out there, across the country, continuing to spread the warning about the detrimental effect workers compensation “deform” is having on both a federal and state level. Your continuing support and participation in this effort is critical to our success.