

Permanent Disability Horror Story No. 2 - Gustavo Ortiz

The Schwarzenegger Administration's Disability Rating Schedule severely cuts benefits to permanently disabled workers.

About Me: My name is Gustavo Ortiz. I am 29, and I live in Salinas. I was born in Michoacan, Mexico, I am a permanent legal resident of the U.S. and have had a permit to work in California since 1995.

My Family: My wife and I have one son, now 2 years old, who was born just 17 days before my injury at work.

My Job and What Happened: On March 11, 2003, I was working as a steelworker for Earth Tech at Duke Energy's Moss Landing facility. A coworker and I were using torches to cut steel while tearing down an oil tank. We were on the roof, up 50 feet in the air, when the roof collapsed and we fell to the ground. I injured my right wrist, arm and shoulder, and my left hip, among other body parts. I had multiple surgeries, including bone grafts in my shoulder. I will likely need more surgeries. I can barely lift my right arm and may need a cane to walk. I have been rated 97% disabled.



What this has meant to my life: I will never return to steel work again, or anything like it. I am a young man, but I cannot live as a young man. The work injury changed my life forever. I will probably need a cane to walk for the rest of my life. I don't know how I'll support my family. I want to learn a new occupation. I started learning office work, but I can't even lift my arm to put it on a desk.

How the Governor's Schedule Affects Me

How Workers' Comp was supposed to help me:

Permanent disability compensation was supposed to replace my lost future earnings due to my injury's long-term effects. It is also my ONLY compensation for my inability to do many everyday things, engage in recreation, and take part in and enjoy family and social outings. My compensation under Governor Schwarzenegger's rating schedule is cut by more than 75 percent!

BEFORE	AFTER
\$334,577	\$69,976
(\$135,355 PD award, plus \$147 per week for life = \$199,222)	(Total, for life!)

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For more information, please contact Mark Hayes at 714/396-5260 or email to oneinjuredworker@aol.com