

## DAVID HERNANDEZ'S Permanent Disability Horror Story



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

**About Me:** My name is David Hernandez. I am 34 years old, and I live in Watsonville, near Salinas.

**My Family:** I have two daughters, ages 5 and 1 1/2.

**My Job and What Happened:** I'm a farmworker. I worked for the last 14 years driving tractors in strawberry fields. We'd also load the strawberries in and out of the trucks from the fields. In May 2004, I fell in the back of a truck while loading strawberries. I injured my back in the fall. One of the disks in my spine was knocked out of place, pressing onto the nerve in my back.

**What this has meant to my life:** I live with pain each day. I can't stand or sit for more than a half-hour. I can't return to farm work, because I can't lift more than 15 pounds, or do any other heavy work. The doctor said surgery might fix my back, but there was a good chance surgery wouldn't correct it, and could make it worse. I can't work to help support our family. I'll probably never do farm work again. My wife is now the sole support for our family. We've fallen behind on bills, and have trouble making our rent.

## How the Governor's Schedule Affects Me

**How Workers' Comp was supposed to help me:**

How can \$20,000 compensate me for the earnings I will lose over my entire working life due to my on-the-job injury? My Permanent Disability Compensation is my **ONLY** compensation for my inability to do my old job, or compete with others for similar work, for the chronic pain, mental anguish, and inability to enjoy my family and my life as I used to. Why is the governor taking away almost all of my Permanent Disability compensation?

**BEFORE**

\$60,400

**AFTER**

\$20,050  
(Down 67%)

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