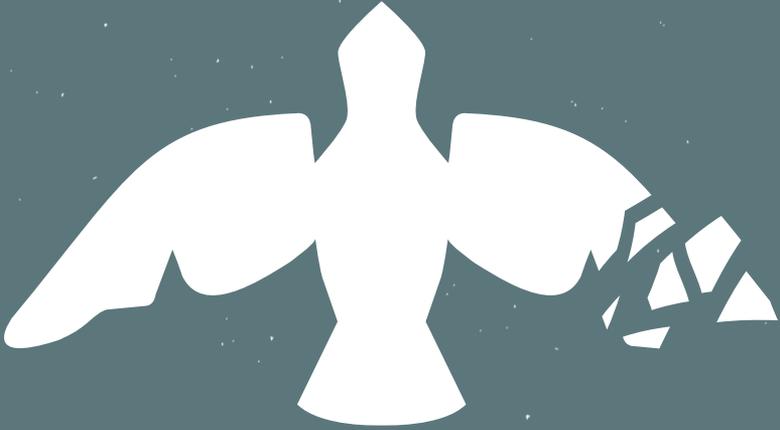


**ARISE**

CHICAGO



**BROKEN  
BODIES,  
FIGHTING  
SPIRITS**

*life after a  
workplace injury*

“ NEVER IN MY LIFE DID I NOT WORK FOR  
A FULL YEAR, WITH NO MONEY,  
**DEPENDING** ON EVERYONE ELSE. ”

“ YOU ALWAYS LIVE WITH **PAIN**. ”

“ PART OF THE **LONELINESS** IS NOT KNOWING  
WHERE OR WHO TO TURN TO TO ASK  
FOR ADVICE OR HELP. ”

“ I WAS **HAPPIER BEFORE** ... I TOOK CARE  
OF MY KIDS, MY LOVED ONES, BUT NOW I DON'T  
FEEL THAT WAY. ”

“ AN INJURY AFFECTS YOU NOT ONLY PHYSICALLY,  
BUT ALSO YOUR **MORALE**. ”

“ WHEN I ARRIVED HERE, MY EYES WERE COVERED  
BECAUSE THE ONLY THING I KNEW WAS WHAT MY  
BOSS WANTED ME TO KNOW. NOW I FEEL MORE  
CONFIDENT KNOWING **MY RIGHTS**. ”

---

## ACKNOWLEDGMENTS

Special thanks to the participants of the pilot group whose personal reflections and wisdom shaped this publication. Arise Chicago is deeply appreciative to our staff members Carolyn Morales and Jorge Mújica who launched this group, and to Manuel Díaz and our intern Rebecca Carreño Galván who assisted with translation.

November 2017. Authors retain all rights.  
Booklet and cover design by Susie Copithorne.



## FOREWORD

Arise Chicago builds partnerships between faith communities and workers to fight workplace injustice through education, organizing, and advocating for public policy changes.

Since our founding in 1991, Arise Chicago has supported hundreds of low-wage, immigrant workers to exercise their rights after becoming injured or ill due to preventable workplace hazards. We believe that all workers deserve to earn a living in healthy and safe workplaces. Unfortunately, workplace hazards are present in all industries and cause injuries ranging from minor burns, cuts, or fractures to lifelong major disabilities and even death.

We were surprised to find that across diverse industries, income brackets, and education levels, workers' experiences navigating the Worker's Compensation system in Illinois were distressingly similar, and quite dismal. Workplace injuries wreak havoc on all aspects of a person's life, even when the injury is minor. Injuries have serious ramifications on: physical health and well-being — workers must learn to manage pain, cope with a long-term illness, or adjust to new physical limitations; mental health and well-being — workers suffer from depression, increased anxiety, and loneliness as injuries often lead to losing a work life that structured their day, their identity as a breadwinner, and their sense of self-sufficiency; and economic health and well-being — injuries seriously jeopardize workers' ability to support themselves and their families.

In 2017, Arise Chicago launched a group for injured workers where they could learn more about their rights in a complicated workers compensation system and how workplace health and safety improvements could prevent similar injuries and illnesses for other workers. Most importantly, we wanted to provide a common space for workers to share their stories and provide mutual support.

What follows are the personal reflections and observations of the participants who hope others can learn from their experiences and that their stories will lead to safer, more humane working conditions for all workers.



## J.R.

It is sad to realize that after a back injury, everything in your life changes. And it doesn't just affect me, but also my entire family. I was someone who enjoyed working and being independent. I liked to provide for my family. I worked hard to give everything to my kids. I cleaned my house by myself and cooked.

And then everything changed. I stopped working. My daughter had to find a job and my husband had to be responsible for everything, not only financially, but doing everything around the house like cleaning and cooking. It is sad when you want to return to work and you can't, but you know that you have to try.

It's sad when my son who just turned 16 asks, "Mom, are you going to go back to work?" And I say "I think so. Why?" And my son begins to cry, and he never cries. I ask him "Why are you crying?" And he says, "I don't want you to go back to work because you are going to get hurt." It makes me so sad that my son is sad for me. He also said it would be better for him to drop out of school to start working so I don't have to go back to work.

My motivation is my children and my family. I don't want them to worry about me. For them, I pretend to not be in pain, but they see the sadness in me. I have to fight for my kids and my family because I do not want to suffer the same problems my mother has. My mother has had back pain for more than six years, trying hard to move forward.

That's why I want to get more information to know how I can help myself — information about my rights, referrals for more help. I want to learn about all the help that is available for my family and my mother because being injured from work, with pain day and night, not being able to work, having no money, with so much stress, with depression, it is the worst especially because it affects your whole family.

## HONORIA PIMENTEL

Today I feel very helpless at not being able to do any of what I was able to do before and seeing the people who see me now and say “Oh, she’s just faking it, it shouldn’t hurt that badly,” and I am unable to show them my pain. I wish, at the very least, that they would experience my pain for half an hour to really feel what my pain is like. They ask me, “How are you today?” And I say to them “Well, I don’t feel any worse nor any better.” And they look at me as if they are saying, “Are you sure? Because we don’t believe you.” At these times, how I would want them to have this experience for a few minutes and know that I am not lying, but it is very difficult to show your pain because no one can feel it except the person who is injured. I tell them “If I was faking it, my case would have already been closed,” but how could I prove it, if I am not useful to myself, let alone useful for other people. This is what people cannot understand and they will never understand until they experience a similar situation. But, how could this ever happen to the boss if they only order others around and never do the work that the needy and poor do?

What else? All we have left is to continue living with the pain. If I laugh or someone notices that I am doing okay, people think that “She is faking her pain,” that “She only feels bad because she wants to get money out of it.” They don’t understand that even with pain, you can still laugh and dance and do things because whether or not you do it or don’t do it, the pain is constant. Even educated doctors can’t understand pain. Only the person who is living with the pain or who experienced the trauma are able to understand what happens when a person gets injured. Due to this, you start to hate parts of your body, because you lay on one side or start putting weight on the areas of your body that are not injured. This will cause injuries on the other side and nobody understands this, or rather, they don’t want to see it so they don’t have to pay the doctors. It is very difficult to not be able to show my pain.

How difficult it is to live with pain and not be able to show the pain you feel, not even to a doctor! Employers profit from people, and you give all your strength, your loyalty, to show them that you can do the job even if it is a risk to your life,

and they look to you as if you are a robot, not like a human, because if a machine breaks down because it is made out of metal, all the more so because you are a human. The body is fragile and the work is risky and dangerous. And how ironic that if the machines look damaged, they get more attention than a human. It's sad, but that is the reality. If a machine is damaged they fix it quickly, but what they do with a human is replace it with another person; they should do the same with the machines, leave them as they do to a human.

People think that you fake your pain to get money, but they are very wrong because if they knew how difficult it is to be injured, to not even be able to fend for yourself, it is extremely frustrating. I speak from personal experience. My pain is very frustrating; it hurts, it burns, it pulses all the time and sometimes I want to scream, run, pull out my hair. I don't know what to do with this pain anymore because it is unbearable.

Doctors think that therapy will fix everything, but for me personally it has been a martyrdom or punishment or a torture. They don't understand that every time I have therapy, I become feverish, and I have been carrying this pain for two years. It is a torture for me because I don't rest at night because I hurt a lot. There is not a single day when I don't feel pain, which is why I don't even know what to do anymore. Sometimes I just want it to be as if I am not injured and I want to do things I did before, but my injuries don't allow me to. For me, it is very difficult.

I think about all the people that are injured, because I know that this is not drama nor acting nor anything of the sorts. I believe that no one has the ability to fake this because it is very painful, but as I said, employers don't really care if you are suffering. They believe that with money they can fix everything but it isn't like that because money runs out but the pain is always there; not even with all the money in the world can they compensate you. What irony of life that those who have money believe that with a few dollars, they can fix everything. Nobody understands, only those who are in pain understand how uncomfortable it is to live like this.

**P.D.**

Changes in my life after the accident:

In my experience, as I do not have any family here, it is very difficult to undergo this kind of situation. You do not know your rights after suffering from a workplace injury, and companies do whatever they want with you. My Achilles tendon was severed while working. Since I was not working, they took me to the temp agency's health clinic where they told me everything was fine, it was just a cut. They gave me a few stitches and told me I could return to work.

A month passed and still I was not better. I could not put any weight on my foot and the doctors only gave me medication for the pain. I believed that I would get better by taking medicine, as they said I would, but it was not so until I insisted that I was not well. I told them that if they could not do anything more for me, I would go elsewhere on my own.

I went to my own doctor where they ran tests and later told me that I needed surgery. They explained the process and the risks. That was when my life changed. It was a very difficult moment. Many things came to my mind, especially that I can't count on any family here. How would I get around after the surgery? It is very difficult when you have depression, anxiety, thinking of what the future will bring. In my case, I am single. You think that probably you will stay single in these moments. Thanks to God, I was able to get ahead. I am also thankful to Arise Chicago for their support, since I no longer worked for that company and they were not paying my disability until I was able to find an attorney to take my case. Thanks to this, I am able to move forward today.

## **RAUL ÁLVAREZ**

The experience of living through a workplace accident is indescribable; the physical pain caused complete powerlessness, frustration, hopelessness, and even changes in my disposition and mental health. This caused a series of events that radically changed all aspects of my life, not only within my family, but also economically and socially.

My physical pain started in one leg, and then it extended up my spine, causing paralysis and muscle strains that to this day prevent me from doing daily activities. All of this has created dysfunction in my life. Nowadays, whenever the pain returns, I estimate that out of a scale of 10, it is between 8 and 10.

Showing my pain, or the discomfort from the pain, or the physical discomfort is frustrating at times because other people cannot understand or assess all the trauma it causes; moreover, some people, on more than one occasion, do not believe it or even deny it exists, because of how difficult it is to demonstrate your condition given the changes that it causes in your life and to those around you.

My experience in the workplace, and specifically to have had an accident, caused a chaos that started with the physical trauma and pain. To have had to go to a hospital, look for legal assistance so I could receive the benefits to which I had a right, and after a period of time, disappointment of not seeing positive results in any of these areas. Unfortunately, a lack of time and resources made me make erroneous decisions, and without any advice and not knowing my rights as a worker, I ended up incorrectly accepting the terms that the owner established, under threatening decisions from the insurance company.

The biggest frustration was being unable to perform all the activities to which I was accustomed (in general). My biggest motivation to move forward from that unpleasant and frustrating situation were my young children; They asked me to get up and play with them. Besides that, I could not resign myself not to walk on my own again and be watching everything happen

around me and cause pity. Currently, I am not at 100%, but I learned to endure the discomfort and make it less traumatizing.

Nowadays, and belatedly, I am learning about my rights and the general possibilities that at the time I did not have. Attending this group now has given me the satisfaction of learning in order to help other people so that they are not the victims of their own ignorance related to their legal rights.

## MINERVA VILLA

I injured my back at work. Besides experiencing a lot pain, you feel worthless. You feel useless now. I feel as if there is no use for me in this planet anymore. I started battling severe depression, anxiety, and panic. There were times when I was unable to sleep; especially at night, I would start feeling panic attacks because my heart would beat really fast as if I couldn't breathe. I would sweat a lot.

My son is the one taking care of me. He lives with me and he has been taking care of me since my surgery. He is the only support I have, only him.

It has been very difficult [to deal with and navigate the bureaucratic system, my lawyer, and the insurance company] because since I've been hurt, since 2011, I have not worked, I'm not working. And so right now, I am not doing anything. It's been more than a year since I earned any money, nothing. So, you have to depend on others. I was used to working, making my own money and spending it how I pleased. Now, it is different having to rely on others and constantly reminding that we ran out of this or need that. And sometimes they get upset when you say we need this or that.

The other day, my daughter and I were angry at each other because I told her I don't like it when people throw things back in my face. I said, "I tell you to buy dish soap, bathroom cleaner, toilet paper, basic things we need at home" because I told her that we are all helping her with LINK, with this piece we are helping, at least we do not need food.

Anyway, how are they going to operate on me again? I just hope and pray to God that if I have surgery again, I get better. If not, I tell my children, if I end up in a wheelchair, I'd rather die during surgery. Because what will I do in a wheelchair? But hopefully not. My family keeps joking that I finally have a vacation, but then I tell my son, what vacation? What about this is being on vacation? As if I was feeling well. This is no vacation. I tell my son, even though you think that I am on vacation, I'll rather go to work even if I am injured.

Ugh! And my Attorney! Because we went — He called me saying that I had an appointment in court on the 10th and he called me a day before this appointment to tell me to go. So, I went. But then, right away he started attacking my daughter. He told her that we have been secretly seeing another lawyer, but we hadn't seen another attorney! My doctor's secretary, M. was there when I went to see the doctor, so she happened to see that a man was there who gave me a card saying that helps people defend their rights and punish their lawyers and jeer at the companies. And when I arrived with my daughter, the lawyer told me "Do you know what? I am dropping your case. It is very difficult and I won't be making money from it, and since you already went to see another lawyer, I am no longer working with you."

And then later when I complained to my lawyer as to why his secretaries don't have any of my reports, he says, "They don't have any records of you going to the doctor, and the doctor never documents anything about you. Then what, you don't have anything wrong?" And so I told him, "I know that you are upset and I'm upset, but look, I have been calling you for a whole month, and you never, ever call me back." I also told him, "And you never tell your secretary to call me so that I can know what's going on with my case. Are we waiting on something or what? The other day I went to your office and she told me you were with a client. Afterward I called and I remembered that you were with a client or you had already left, and I said 'Well then, who am I? Am I or am I not a client?'"

So my lawyer became very, very angry with me. He told me, "You only call me for medicine, only medicine, medicine, and more medicine." And so I responded, "My body hurts! What do you want me to do? I am in pain." And he said that he is no doctor, and blah blah blah. So I tell him, "The thing is that when I went to see the doctor, the one who gives me my medicine, he sent the prescription to the pharmacy. And then the pharmacy said that they needed to talk to you because it seems like my case is closed they wanted you to talk to them so that they will continue to provide me the medicine. And

they said that they called you and that you did not respond to them.” So I told my lawyer, “I am not only coming just for medicine. The doctor told me that he already talked to you about when was going to be next surgery, and so I call you and nothing! You never answer me! I leave messages about what the doctor keeps telling me, and about the prescription as well, that they don’t want to give it to me, and I leave messages. And then Dr. A., who did my surgery, sent me to see Dr. V., the pain specialist. They gave me the appointment, but then sent home because if he saw me and gave me medicine, I would have to pay for it myself. And how? I am not even working right now.”

And I told him, they do not give me anything, right now they are not giving me anything. It has been a long time since I received any money, and now I have nothing, so I tell him, “My children are not giving me anything now!” But my lawyer says that no, he left a message saying that I had an appointment at the court the next day. And so I explained to the lawyer that his secretary told me, “Look, I am going to pass your message to the attorney, by recording.” But look, you never returned my call or anything. And later he says he doesn’t want anyone to get upset.” I told the secretary, “Please tell the lawyer that I am calling because Dr. V. wants to give me an appointment, and I want to know if I can go or not. Or should I wait until after court?” And again, nothing, nothing. Until today, I haven’t heard anything

My children tell me not to call the lawyer anymore because I’m going to make him mad. But I tell them, no! He is like a psychiatrist. I have to tell him my problems, what it is happening, just like a psychiatrist, ‘look, this is happening,’ or ‘that is happening.’ But the attorney got extremely angry with me. He even told me that my daughter and I went to see another attorney, he said “I know that you both went to see another attorney,” I told him, “Yes, I went, but not to see a lawyer, I went for something else.”

## **KITTY FIGUEROA**

These past 3 almost 4 years I've watched my husband's pain go up and down. Some days he cannot even put his own shoes on. Most days he complains of pain and his fear of never being able to live a day where the pain doesn't exist. Things mostly everyone, including myself, take for granted on a daily basis, he can't do anymore — sitting, standing, walking, even laying down for long periods of time gives him pain and it hurts my heart to see him hurting.

He doesn't sleep well because his body twitches with the discomfort. I honestly believe the exhaustion from the constant pain he feels is the only reason he sleeps at all.

I've watched him give up some days and I try my best to hold him up. My hope for him would be one day he will be without pain and the smile on his face will show it. Surgery is scary, but I'd go through everyday at his side and pray to God that 50/50 is in his favor ...

## MARÍA ESCUTIA

My experience has been very difficult since this nightmare began. I was so afraid! I knew from my coworkers that employees had been injured at other locations before and the company looked for any pretext or excuse to fire them. I prayed to God that my injury would not be severe, but after a few days, my condition got worse and I was even more afraid.

I was terrified that I did not have insurance and that doctors are so expensive in this country. In those moments I not only felt the physical suffering, but I was also scared to think that I could not miss even one day of work out of fear of losing my job, and also the simple fact that missing one day would seriously impact my budget, because not only do I support my family (including my kids), but I help my parents. I was so tormented at how this situation impacted my physical life and emotionally, and also my family life, as the pain was so severe I was unable to sleep and every day I was more irritable, and the only ones who paid the consequences were my children. I did not know my rights and I did not know how to handle this whole situation.

I had been working for 15 years at this fast food company, during which I always had an excellent record. But accidents happen, and I think that owners don't know that word. The district manager, my "boss," made up his own scenario; he assumed and drew his own conclusions.

It's very sad to know how they manipulate these situations and accuse you of not getting hurt at work and that you are only looking for money. They tried to scare and intimidate me many times, but my response was always the same: "I am not lying, I am not afraid, and I am willing to fight for my rights so that you fulfill your obligations." It is very sad to know that things would be different if they gave all workers the same treatment and respect, but it was not so, and because they did not open a case on time with the Workers' Compensation (WC) insurance company, they did not want to be responsible.

Not receiving medical treatment worsens our injuries.  
Consulting a doctor and hearing that they can not follow up

until WC accepts your case, because securing the payment is your responsibility, is very stressful. You feel that you are in limbo: no treatment, no medications, no therapies, no tests, and with the great uncertainty of not knowing what is really wrong and what would be the treatment to feel better.

After months I received medical treatment, but the treatment was very poor in every way. I am still following all the medical instructions and trying to learn by reading books about my condition.

After living 2 years and 3 months with pain, the surgery was approved with the help of Arise, but I think it came too late! My body has not responded the way the doctor had told me it would. I am only 35 years old but I realize that maybe I will not be able to fulfill many of my dreams and goals.

My motivation in all this nightmare are my children and my parents; they are my engine and my light to continue trying hard. I have great faith that God will continue to give me peace of mind so I can continue. Now I understand that the most important thing is my health, my body, because there are many jobs, but I only have one body and I have to take care of it.

I invite you all, either those in the midst of this process or those who can before being in a similar situation, to learn and know your rights. Most people work and ironically almost nobody knows their rights. Knowing them can make a big difference, and although the law says we all have the same rights regardless of our status, the reality is different. Of course, as long as we know them, we can better defend ourselves!

I also invite you to research and ask questions to your doctors. Most of the time, people do not know what medications they take and their side effects. "It's time to learn," and although we may not be able to change the laws, we can help ourselves by asking all our questions and doubts to the doctor, and researching in books and verified websites. Remember, it is our body and we have every right to say "no!" to any procedure we are afraid of;

until you are convinced of what they are going to do to you, always remembering that everything has time limits. And finally, something very important: look for a good lawyer, even though in these times it is very difficult. I have not had a good experience; if it were not for Arise the truth is this nightmare would be worse.

**THANK YOU** to Arise for being an important part in my struggle, may God bless you, and even though there's still a lot left to do, I am optimistic and have a lot of faith!

## **AFTERWORD**

As these personal reflections so poignantly demonstrate, a work-related illness or injury has huge ramifications on all aspects of someone's life.

Sadly, business interests are sacrificing workers bodies for profits every day. At the federal level, lobbying groups are attacking health and safety rights with their attempts to defund the Occupational Health and Safety Administration (OSHA), which enforces health and safety protections for private-sector workers. This will no doubt lead to an increase in workplace injuries or illnesses due to hazards workers face on the job.

Once injured, workers must learn to navigate the complex state Workers' Compensation system, an arduous process that can last years and leaves workers' minds, bodies, and spirits forever changed. Alarmingly, the very same business interests continue to call for the dismantling of Workers' Compensation protections in Illinois and states across the country.

We believe that ALL workers deserve to return home from their job in the same condition as when they left. Based on their personal experiences navigating the Illinois Workers' Compensation system and the aftereffects of a workplace injury, participants in the Injured Workers Group and Arise Chicago offer the following recommendations to create safe and healthy workplaces and to eliminate barriers for injured workers to exercise their rights.

---

## **DEDICATION**

Arise Chicago dedicates this book to the courageous workers who came out of the shadows to make their voices heard so that others may learn from their experiences and Workers Compensation laws would be improved. We greatly admire that, in spite of your broken bodies, you have fighting spirits!

---

Photograph by William Widmer



**MARÍA ESCUTIA**

Photograph by William Widmer



**HONORIA PIMENTEL**

## WHAT WE CAN DO:

- PREVENT ACCIDENTS BEFORE THEY HAPPEN. TO DO THIS, WE NEED:
  - STRICTER AND MORE CONSISTENT PUNISHMENTS FOR EMPLOYERS WHO WILLFULLY VIOLATE HEALTH AND SAFETY STANDARDS AND ENDANGER THE LIVES OF WORKERS
  - TOUGHER PENALTIES FOR EMPLOYERS WHO RETALIATE AGAINST WORKERS FOR SPEAKING UP ABOUT UNSAFE CONDITIONS OR REPORT AN ILLNESS OR INJURY
- IMPROVE ACCESS TO HEALTH BENEFITS IN A MORE TIMELY MANNER TO PREVENT LONG-TERM COMPLICATIONS OF INJURIES
- CREATE A PUBLIC INSURANCE SYSTEM IN ILLINOIS TO DRIVE DOWN COSTS FOR EMPLOYERS AND IMPROVE ACCESS TO HEALTH BENEFITS FOR INJURED WORKERS
- SUPPORT ARISE CHICAGO'S EFFORTS TO EDUCATE AND TRAIN INJURED WORKERS

## IF YOU ARE FACING UNSAFE WORKING CONDITIONS, REMEMBER:

- YOUR LIFE CAN COMPLETELY CHANGE FROM ONE MOMENT TO THE NEXT!
- IT IS YOUR EMPLOYER'S RESPONSIBILITY TO PROVIDE A WORKPLACE THAT IS FREE FROM HEALTH AND SAFETY HAZARDS
- YOU HAVE THE RIGHT TO:
  - BE TRAINED TO PROPERLY PERFORM YOUR JOB
  - KNOW WHAT DANGEROUS CHEMICALS OR TOXINS YOU MAY WORK WITH
  - RECEIVE PERSONAL PROTECTIVE EQUIPMENT ( *like safety glasses, masks, gloves, etc.* ) FREE OF CHARGE
  - REFUSE TO DO ANY UNSAFE WORK WITHOUT SUFFERING RETALIATION
- YOU CAN FORM A HEALTH AND SAFETY COMMITTEE WITH OTHER COWORKERS TO IMPROVE CONDITIONS IN YOUR WORKPLACE
- IF YOU FACE ONGOING SAFETY HAZARDS OR DANGER ON THE JOB, CALL OSHA AT **1.800.321.6742**

## IF YOU HAVE BECOME SICK OR INJURED ON THE JOB IN ILLINOIS:

- IF IT IS AN EMERGENCY, CALL **911**
- REPORT THE INJURY IMMEDIATELY TO YOUR SUPERVISOR
- DOCUMENT THE PROBLEM
  - DATE, TIME, WHAT HAPPENED, ANY WITNESSES
- GET MEDICAL CARE RIGHT AWAY AND STATE WHETHER YOUR INJURY OCCURRED WHILE WORKING
  - IF POSSIBLE, SEEK CARE FROM AN OCCUPATIONAL HEALTH SPECIALIST
- SEEK EMOTIONAL SUPPORT FROM A TRUSTED FRIEND, FAMILY, OR COMMUNITY MEMBER
- REMEMBER:
  - YOU HAVE THE RIGHT TO SEE YOUR OWN PHYSICIAN
  - IT IS YOUR EMPLOYER'S RESPONSIBILITY TO PAY FOR MEDICAL EXPENSES RELATED TO A WORKPLACE INJURY
  - IF YOU ARE UNABLE TO WORK DUE TO A WORKPLACE INJURY OR ILLNESS, YOU MAY BE ELIGIBLE FOR COMPENSATION