

November 1, 2023

To: The Workers Compensation Advisory Council and Chairman

Dear Mr. Peters And Council:

I wrote to you /the Workers Compensation Advisory Council in September to ask that the Council please consider increasing the supplemental benefits for the permanent totally disabled workers such as myself. I have since had the opportunity, with a little help, to do some research and learn more about what has been transpiring with the Council and the work comp system as a whole. I do not know if I am more disappointed or more angry.

This is what I have learned:

In 2017, the Council agreed to a modest increase in the supplemental benefits amounts...raising the index number from \$669 to \$711 and also adding an additional 2 year time period where injured workers getting PTD became eligible for the supplemental benefit. [see *footnote 1*, at the end of this letter] Unfortunately, that bill never made it out of the legislature so it did not become law. Since that time, the Council has developed two additional agreed bills, yet the supplemental benefit proposal that was a good idea in 2017, and certainly needed, failed to reappear in either bill. I must assume that was a result of the Employer's decision to keep it out.

I know the Employer's side of the Council typically seeks concessions from Labor to help pay for the items that Labor would like to see included in the agreed bill. That is apparently part of the traditional *trade offs*, so to speak...and that usually makes sense. Except, I also just learned that the Wisconsin work comp insurance premiums (set by the state) that employers pay for work comp coverage have remarkably **decreased cumulatively by over 40% during the past eight years!** [*footnote 2*] As best as I can determine, there has never been a longer or greater decrease like that in Wisconsin's history. During this same time period, the cumulative rate of inflation ran at 29.9%. [*footnote 3*] So while almost everything a disabled worker had to buy had gone up 30%, employers reaped over a 40% reduction in their work comp premium costs!

So why do Employers now really need any concessions from labor when Employers have been saving and pocketing hundreds of millions of dollars annually - undoubtedly adding up to billions of dollars over eight years- because their employees are working more safely over the past eight years and reducing those costs? WHY?

During the same period when insurance premiums rates were falling like a rock, I learned that PPD rates for workers who sustained permanent injuries working for their employers, stayed exactly the same for an unprecedented 5 plus years and that in the Council's 2019 agreed bill [*footnote 4*], Employers would apparently NOT agree to any increase for PPD for workers with permanent disabilities, despite the fact Employers' work comp premiums were continuing to fall like a rock and saved them hundreds of millions of dollars every year. Someone will have to explain to me how that is fair or equitable.

And now? Employers/insurers propose stopping payment of PTD and supplemental benefits for permanently and totally disabled workers when a PTD worker begins getting their Social Security benefit? That rises to a new level of horrible that is tantamount to reaching into a workers pocket to snatch their last few coins just to help Employers polish their bottom line. Younger and even middle aged workers who are injured have had little to no chance to build an earnings history to get them to even a modest Social Security benefit level. (I was only 24 years old when my injury occurred). Many have never had a chance to earn even a small pension, and almost no PTD worker had the ability to save any significant sum for retirement in their own IRA or 401K plan. Is the ultimate plan to have PTD workers go on food stamps and other government programs to survive? This Employer proposal is cruel and despicable and would devastate most PTD workers. It would cut what I have to survive on by over 50% and force me into having to make unthinkable decisions.

Because of my injuries, I could not obtain life insurance. Because of my injuries, I cannot drive and often spent most of my days in bed. When the weather changes, I know 4 hours ahead of time because of my increased suffering. Why not just stop our needed medical care, or maybe better, just have us euthanized when we reach age 65? We are now only a drain on our Employer's resources, having lost our ability to economically contribute to our Employer since we suffered permanent injury trying to help them become (or stay) a viable and profitable businesses.

I ask only this: That our Employers recognize that we, the broken and injured, are indeed actual human beings... American workers... who worked long and hard for their benefit. We should be more than just a red number in your ledgers. Please consider treating us as you would wish to be treated if you were in our shoes. Ask how you would want your mother/father or sister/brother or daughter/son treated if they became seriously injured and permanently and totally disabled while working for their employer. We don't get any 'bonus' for our years of pain and suffering, nor do we request one. But for god's sake, please don't kick us into the gutter for the sake of a few more coins in your pocket.

Employers, you have reaped unprecedented and HUGE monetary savings over the past eight years in reduced premiums. Now have the courage to dare to do the right thing. Share a fair amount of that bounty with those injured in your service, and make that sharing automatic for those poor souls who have been permanently injured. Consider the *good book's* mandate of compassionate: "In everything, do to others what you would have them do to you."

Thank you.
Sincerely,
Brad Harrell
Appleton, WI.

.....

Footnotes

1. [SB-665](#) WC Agreed Upon Bill for 2018 was introduced in the Wisconsin State Senate on December 21, 2017: <https://dwd.wisconsin.gov/wc/councils/wcac/pdf/2018-sb665-wcac-agreed.pdf> {See/go to SECTION 49}

2. https://www.wcrb.org/annual-reports/WCRB_2023_State_of_the_State/?page=4;
<https://dwd.wisconsin.gov/press/2023/230731-wc-premiums.htm>

3. Cumulative rate of US inflation , (2015 to 2023 = 29.9%)
<https://www.usinflationcalculator.com/>

4. 2019 SENATE BILL 673;
<https://dwd.wisconsin.gov/wc/councils/wcac/pdf/2019-sb673-wcac-agreed.pdf>