Sam Gold, Injured Worker Activist: The Power of the Media to Counter an Abusive Workers’ Comp System

JUNE 20, 2013 - 11:14AM

What challenges did you face as an injured worker and how did your personal experience in the comp system lead to your activism today?

I suffered two work injuries while working as an employee in the sheet metal industry, one to my knee and the other a constant ringing in my ears, caused because my employer did not provide the proper noise attenuating headgear. The first shock I had was when my employer’s attitude suddenly turned from friendly to hostile. When you file a claim they look at you like you’re a crook.

The employer’s insurance company sent me to their own doctor for an assessment regarding the work-relatedness and seriousness of my injury based on which I would receive comp benefits. This doctor only wanted to prove I did not have a valid claim and even made up a false story to use against me in court. Luckily, I had recorded every meeting I had with him, so was able to prove he was lying. Dealing with the bias of insurance paid doctors (IMEs) is a key issue injured workers face all the time.

As with many injured workers, the insurance company tried every trick in the book to prove that my claims were fraudulent, including subjecting me to surveillance. They could not find any proof that I was not honest. The big problem here is that even though they did not win against me, there was no consequence to the insurer or employer for ordering surveillance, falsely accusing me of fraud, and trying to intimidate me into giving up the money they owed me.

During the ten years that I was caught up in the workers’ comp system I faced constant delays in treatment. After years of being forced to fight for every doctor’s appointment, I finally settled my case. This was not what I wanted to do, but the insurance company’s tactic is to wear out injured workers until settling seems like the best option. With a portion of the time and money the insurance company spent fighting my claims I could have received the treatment I needed.

Seeing how badly injured workers are treated within the workers’ compensation system, I wanted to make sure that others did not enter the process without knowing what they were being thrown into. So I got together with a few other people and started the National Organization of Injured Workers (NOIW), an advocacy and support group for injured workers. People have to help one another. After you have been through hell, you want to make sure the next guy does not have to go through the same thing and that they can benefit from your experience and what you have learned.

Tell me more about NOIW and why you recently decided to disband the organization.

Our organization, which functioned from 2002-2013, had two major purposes, to act as a support network for injured workers, and to use radio and television to broadcast the voices of injured workers and educate the public about how the comp system allows employers and insurance companies to prioritize profits over human life. Injured workers who heard or saw our radio and television programs would call in and
this was one of the greatest services we could offer to individuals - to just be there so they can vent to a sympathetic ear, cry on the shoulder of someone who understands them, and get the information they need to prepare them for the fight they face against unsympathetic insurance companies.

For NOIW’s Injured on the Job television show, I would interview an injured worker and a pro-worker attorney so that we would have both authenticity and expertise. It proved to be a winning formula to demonstrate that while the individuals on the show changed, the stories followed the same theme: people are not being treated humanely in the workers’ comp system. Consider for example that the other side uses media very effectively to convince the public that employee fraud is the norm while the reality is that employee fraud is only about 1% of workers’ comp fraud. Television and radio reach a very wide audience and being able to show people how injured workers are treated in their own words is a powerful tool for creating a counter-narrative and dispelling the myths that have been created about employee fraud.

We recently had to close our doors at NOIW because it became too much to sustain our work on the sparse resources we had. We are hoping however to continue to use our expertise in media as an advocacy tool for injured and ill workers. We have great media equipment and a team with excellent video skills so we are looking for opportunities to partner with other organizations and get their message out to a wider audience in a highly effective way.

**What do you think needs to happen to advance pro-worker change in the workers’ compensation system?**

We need to even the playing field because it is not level right now. Insurance companies and other actors, including many attorneys and doctors, can engage in the most unscrupulous anti-worker conduct and get away with it. We need laws to hold them accountable. Reform needs to be at the national level. Otherwise each time, there will need to be 50 different fights and many states’ politics would prevent pro-worker change from advancing. The powerful insurance lobby has captured the ear of legislators, resulting in widespread anti-worker legislation. To counter this, injured workers need to speak to their legislators personally and share their stories through the media until legislators and the public recognize that this brutal insurance behavior is not isolated to a few cases, but is part of a tactic companies use to cut costs and terrorize workers.

*Sam Gold is an injured worker activist and operator of the Injured Workers Television Network, a network quality internet based video network. He is presently involved in the production of a documentary entitled Scam of the Century: Why Workers’ Compensation Doesn’t Work in California or Any Other State In The Union! He can be contacted at (toll free) 866.755.2279 or at sam.gold@noiw.org.*