

**Rising From Our Hardship**  
***Support the Hunger Strikers***  
***& Stop Pataki's Attack on Our Health***

**May 6-13, 2003**

**New York City**

**The It's About *TIME!* Campaign for Workers Health and Safety**

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On May 6, injured workers—hurt on the job or injured by the toxic air after 9/11—will embark on a seven-day hunger strike to stop Governor Pataki's attack on our health. Like so many of us here in the U.S., they worked hard to provide for their families and to keep this country going. But instead of a better life, their health and their lives have been destroyed. In the past eight years, Pataki's inhuman policies have been promoting longer work hours and a failing Workers' Compensation Board (WCB) that delays and denies urgently needed benefits and medical treatment for those injured on the job. After 9/11, many families have suffered health and economic problems; Pataki abandoned them. Now he plans to slash vital health programs that injured and low-income workers have had to rely on like Medicaid, SSI, and Family Health Plus.

Thousands of low-income people and 9/11 victims tried to bring their health concerns to Pataki's attention. Pataki refused to listen and even escalated his 'rob the poor, feed the rich' agenda. The hunger strike is a brave act of resistance at a time when working people are told that we all must sacrifice our wages, benefits, health, and lives in a time of budget deficits and war. It represents the pure determination of workers who have been stripped to the bone and have nothing left except their will to fight for justice. Together with the hunger strikers, we will stop Pataki's attack on the working people and demand our human right to health, to dignity, and to our lives.

***"We want to let the world know how Governor Pataki's brutal policies are destroying our health, our families and our lives."***  
***The hunger strikers***

**Maria Reyes**

Maria Reyes came to New York from the Dominican Republic in June 1994 and found work in the city's notorious sweatshops, where she worked 9 to 10 hours a day, five days a week sewing sweaters. "It was depressing and sad to go there every day," she recalls. In 1995, after a tiring day at the factory Maria tripped and injured her knee and hip. She was told that she needed surgery. After two years of waiting in vain for her Workers Comp benefits and for authorization for her surgery, Maria was forced to return to work despite her pain. She found a job in a wedding dress factory, sewing, ironing, and cleaning elaborate gowns with harsh chemicals. The boss would brag that the dresses they meticulously sewed were to be worn by movie stars such as Halle Berry in blockbuster

films. In addition to working long hours on the job, Maria often brought dresses home with her to finish in the evenings. In the factory, there was no ventilation, and the protective equipment they were eventually given turned out to be useless. Some of her co-workers had miscarriages or their children were born with birth defects as a result of the chemical exposure. When she spoke out against these conditions, the boss retaliated against Maria, forcing her to work even harder and longer hours.

Maria began experiencing respiratory problems, including asthma, irritation of her trachea, shortness of breath, and dizzy spells. By February, 2000, she was completely unable to work. Six years after Maria's first injury, the Workers Compensation Board finally authorized the surgical procedure she needed and offered her \$113 a week. She is still waiting for treatment and compensation for her second injury. "Because of Workers Comp my husband is forced to work three jobs and my sons work long hours to support our family. I'm hunger striking because we've suffered too much, and I've taken part in too many protests. We need changes now."

### **You Di Liao**

For You Di, July 4 is a special day. She remembers July 4, 1997 as the last day she was able to walk without the use of a cane. As America was celebrating its birthday, You Di was hanging garments in the heat and dust of a factory inside a Chinatown tenement. It was on that day that her exhaustion from the grinding work hours - 12 hours a days, 6 or 7 days a week - finally gave way. You Di remembers collapsing and hitting the floor and the voices of co-workers around her. She recovered consciousness in a hospital and was told that she had suffered a stroke and lost the use of half her body. Every day activities like walking became struggles. Unable to work, she was abandoned by her boss and her union. To survive, You Di looked through garbage for soda cans. Each can could be redeemed for 5 cents each.

Dealing with the pain of her injury and the poverty that she found herself in had virtually drained the life out of her until another injured worker told her to go to Chinese Staff & Workers' Association. You Di met other workers at CSWA and with them began organizing injured workers. In October, 2001, she was part of a delegation that traveled to Mexico to file an international lawsuit against Governor Pataki and the New York State Workers' Compensation Board. In February, 2002, upon invitation from U.S. Senator Hillary Clinton, You Di testified at a U.S. Senate Hearing on workplace health and safety, and Clinton promised to write a letter to Governor Pataki on Liao's behalf. Two months following the Senate Hearing, You Di won her case, but the insurance company refused to pay. Almost six years have passed since You Di's injury, and she has still not received a single penny from the Workers' Compensation. *"I do not yet know the hardship of a 7 day hunger strike but after six years of suffering at the hands of a heartless government, I am determined to do this. To have an honest chance of making the government listen, I need support. All who are not joining me on the hunger strike need to get involved and become active. You have a role to play."*

## **Laura Gillis**

It is always hard for Laura to talk about the day she refers to as the “eleventh day.” Laura loved swimming, running, and even biking across the country, but her life completely changed when she got a job as a temp in a chemical manufacturing company. Laura noticed an ammonia-like odor around her workspace, but when she brought this to her supervisors, her concerns were dismissed. By the end of her 11<sup>th</sup> day on the job, she felt a burning sensation in her nose and throat and was completely disoriented. She couldn’t use her hands or remember how to drive. Her head felt as if it was clamped in a vise. Later, she was diagnosed with toxic encephalopathy, a condition affecting her central nervous system and causing damage to the brain. Since her exposure in 1992, Laura suffers from cognitive impairment such as slow recall and speech as well as muscle spasms, breathing problems, chest pains and depression. With the deterioration of her health, she relies on her partner, Steffi, to survive. After a torturous eight-year Workers’ Compensation case—which included 30 hearings, 12 insurance-company-paid doctors, and \$12,000 in legal fees—her lawyer and doctors pressured her to settle for \$170 per week. Says Laura, “I went through eight years of torture. I can never get back my health. I have lost the joy of social activity. I and others have all reached new levels of frustration and exhaustion as we struggle for our survival. This hunger strike is our effort to be heard. I want to let the world know how badly we are treated here and hope they stand beside us.”

## **Nereida Buitrago**

Nereida has lived on the Lower East Side for over 35 years. On the morning of September 11<sup>th</sup>, she was getting ready to leave her apartment when she began hearing noises followed by the sound of blaring sirens. She looked out of her kitchen window and saw the plane hit the World Trade Center. It was the second plane. She heard screaming and crying. “I’ll never forget that morning.” Horrified, she tried to turn on the t.v. to find out what had happened only to find that there was no electricity. Both her t.v. and radio were out. When she tried to call family, Nereida discovered the phone lines were down. A little later she began to smell the smoky fumes and debris of the collapsed WTC.

The 9-11 disaster immediately began to affect Nereida’s health, worsening her eyesight and her allergies. She developed respiratory problems despite never having had a history of such illnesses. Her close friend and companion of many years – who is 87 years old – was also harmed by the toxic fallout, requiring Nereida to spend more time monitoring and taking care of his health. “On top of these new health problems, it’s hard to also take care of someone else who now has even worse health after 9-11. All these new strains on my time and health and I can’t even get health care. And instead of explaining why we’re getting sick down here, the government has covered up the problem, lying to us that the air was safe.” Living only on a widow’s pension, Nereida has been forced since 9-11 to pay hundreds of dollars out of her own pocket for medicine because her income had put her just above the income level requirement for Family Health Plus and Medicaid. “I’m a victim of 9-11 and I can’t get help from my own government. Our government went

after Saddam Hussein's chemical weapons but refuses to do anything about the toxic air here in Lower Manhattan that is slowly killing us.”

### **Stanislawa Kocimska**

For eight years, Stanislawa was among the thousands of home health attendants who cared for our country's elderly and disabled. In March of 1994, the man she was caring for fell from his bed. As she tried to catch him, Stanislawa permanently injured her knee and back. Although Stanislawa always easily passed the annual physical checkup that was required of her job, the Workers Comp Board insisted that Stanislawa's injuries predated her job and closed her case. After depleting her \$25,000 in life savings, Stanislawa has been homeless since 1998. For four years she spent most nights sitting in a McDonald's in Brooklyn until management called the police on her. Other nights she slept on the steps of churches, or if lucky, in a hallway of an apartment building, or on the floor of a deli until closing time. She was forced to go to the hospital four times in the last year because of problems with her heart and legs. She had come to this country for a better life—to provide for herself and her children. Now her friends avoid her because she has borrowed money from them. She is ashamed to tell her family in Poland about what has happened or to even return to her native country; she is afraid of being a burden. Says Stanislawa, “I am 76 years old. I am homeless because Workers' Comp has denied me benefits. And, in 1996 a doctor told me I needed surgery on my knee but Workers Comp refuses to pay for the operation. I am hunger striking because I have no choice. I want the world to know how this country is treating me -- I have already gone hungry for nine years. This country is breaking my heart. I've lived through Nazis and Communism in my country, but the poverty I have lived through here is the worst.”

Joining Laura, Maria, Nereida, You Di, & Stanislawa, are seven other hunger strikers rising from their hardship to demand change now.

#### **Pataki's Attacks On Our Health:**

##### ***Health Care***

- Under Pataki, 3.2 million New Yorkers are without health insurance, 19% of the state's residents. His 2003-2004 budget proposal is making it worse for the state's low-income children and families.

Pataki is proposing to:

- Cut Medicaid by \$1.3 billion.
- Eliminate Family Health Plus coverage for 50,000 people, by lowering eligibility criteria from 150% of the Federal Poverty Line (FPL) to 133% of FPL. For a family of three, the eligible family income level will be lowered from \$1,914 to \$1,697 a month.
- Eliminate Medicaid for 234,000 low-income children.
- Reduce health care services for low-income people and seniors, including prescription drugs, hospitals, nursing homes, clinics, and home care.

- Cut the NYS cost of living adjustment for NYS recipients of SSI.

### ***Workers' Compensation***

Pataki protects and promotes business interests at the expense of workers' health and lives:

- Despite the reduction in premium, Workers' Compensation insurance companies in NY continued to maintain their high profit margin, with an average profit of 14.3%, much higher than auto insurance (5.5%) or home insurance (5.4%).
- It was possible mainly because Pataki's policy allowed insurance companies to drag out claims for years without having to pay medical treatment and benefits to injured workers. As a result, tens of thousands of injured workers are facing outrageous delays or outright denial of their workers compensation benefits.
- Pataki also refused to increase the weekly minimum benefits, making New York State's workers' compensation system the lowest paying system among its neighbors. The weekly minimum benefit in NY is \$40, much lower than \$357.78 in PA, \$237.19 in D.C., or \$158 in NJ.
- Pataki also appointed the WCB Chairman, Robert Snashall, who was formerly a lawyer for the State Insurance Fund.

**Government's (9-11) Disaster Assistance** was geared toward helping the rich and excluding the poor.

- Under the Disaster Housing program, FEMA (The Federal Emergency Management Agency) declared that the lower West Side of Manhattan was unlivable and doled out large supplements to pay for the area's many wealthy residents to stay in hotels. Meanwhile, FEMA abandoned residents in the East Side of Lower Manhattan (i.e. Chinatown and the Lower East Side), despite the proximity of these neighborhoods to the WTC and the heavy cloud of toxic dust that lingered over this area for months.
- FEMA's Mortgage and Rental Assistance (MRA), the main government relief available for low-income workers, also discriminated against them. Its 25% loss of income requirement and its insistence on including unemployment insurance as income disqualified many eligible low-income families whose unemployment insurance represented a large portion of total household income. In addition, the application procedures that required the verification of employers and landlords effectively denied countless low-wage workers from receiving MRA. In low-income neighborhoods, many employers and landlords refused to provide documentation because they constantly violated labor laws or under-reported their rental income. Despite repeated protests from the communities, FEMA refused to address these issues.

### **The Hunger Strike Demands**

“We, the Hunger Strikers, along with thousands of others, demand that the Governor take immediate action to:

1. Overhaul the WCB system so that decisions are made in 3 months, interim benefits are granted within a week, and the minimum benefit rate is raised (currently it is \$40 a week).
2. Expand Family Health Plus so that all New Yorkers can access health care.
3. Provide a long-term health study and treatment program for those affected by the 9/11 toxic air.
4. Ensure that workers have the right to decline overtime hours if they choose to.

It is no secret that the current recession is hitting working people with widespread unemployment and a dreadful wave of wage and benefit cuts. The economic impact is obvious. Given deteriorating conditions, workers are losing their health benefits at a time when their health is most at-risk. Government has responded to the bleeding in the labor force with a double-edged sword by diverting tax monies to the wealthy and cutting essential programs that serve the most vulnerable of workers. It's time that the government got their priorities straight and put the health and well-being of working people above their special interests. All New Yorkers, especially low-income people, should be able to access healthcare through the expansion of existing programs. The long-term health effects of 9/11 must be addressed. And we not only demand the overhaul of the Workers' Compensation Board, we are calling for preventative measures that will keep us from falling into poverty and illness and that protect the health of all working people.

### **The It's About Time Campaign for Workers Health and Safety**

The *It's About Time Campaign for Workers Health and Safety* is a multi-racial, grassroots initiative established in 1999 by three workers centers in New York City—Chinese Staff & Workers' Association, National Mobilization Against SweatShops, and Workers Awaaz. IAT is committed to fighting against the sweatshop conditions, particularly long hours, that have affected the health and lives of working people here in the U.S. Since its inception, the Campaign has been bringing together workers, especially those hurt on the job, to challenge the NYS Workers' Compensation Board's (WCB) inhumane practices. We are also calling for the end to the crippling work hours that are robbing us and our families of control over our time, our health, and our lives. Some of our major efforts include: *October, 2001*: filing an international NAFTA lawsuit against Governor Pataki in Mexico City; *February, 2002*: testifying at a U.S. Senate Hearing upon invitation from U.S. Senator Hillary Clinton; *July 2002 – March 2003*: mobilizing thousands to protest in New York City, Albany, and the White House.