



SOME TRAINERS INSURE, OTHERS GET BY

Those who mark 'no employees' face little scrutiny

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80 percent — reported they had five horses or fewer.

But many who have fed, watered, trained and raced thoroughbreds say that no matter how small the stable, nobody can do it all alone.

"As soon as you take that horse to the races, the first thing you do when you get off the van is you hire somebody to run the horse, 'cause you got to saddle it. So, right there, that person's not covered," said Shawn Autry, a former exercise rider and trainer who was permanently disabled on the track.

"You're signing this paper ... saying you don't have any employees. But they know you can't lead the horse over there and hold him and saddle him at the same time. ... Common sense would tell you that it just can't happen."

Some trainers with only a few horses say they often use family, or trade off with another trainer.

Other trainers who don't carry workers' comp usually cite a legal loophole: that those who work for them are independent contractors, not employees, and are not subject to coverage.

Covering independent contractors

such as jockeys and freelance exercise riders would bankrupt trainers, said Jack Poole, a Northern Kentucky trainer who used to race his 30 horses at Turfway. He now races at Mountaineer Park in West Virginia, where purses are generally larger.

"You know they're going to get into that workers' comp and close all of us down," Poole said. "If it's a freelance exercise rider, he's on his own. ... Don't you think when you go to covering jockeys it'll go through the roof? It's the most dangerous job in the world."

Poole has a sizable stable, and he said he provides workers' comp coverage for his employees. But other trainers with comparable stables try to get by without it.

Danny Lang, an Ohio trainer, said he doesn't carry workers' comp even though he's had as many as 30 horses. He said he either does everything himself at the track or relies on friends.

Lang, a former jockey, knows firsthand how difficult life can be after a serious accident without workers' comp. "I went down in a spill in '92 in Chicago. ... Lost a third of my liver, my gall bladder, broke all my ribs but two, got hurt real bad."

What would happen if one of his

friends were injured while holding his horse in the paddock?

"They'd be in the same boat I was in when I got hurt," he said.

High costs prompted Roger Anderson of Portland, Tenn., to drop his workers' comp insurance six or seven years ago.

"Nobody really wants to take that insurance anyway," said Anderson, who had about 20 horses in his stable. "Now, I do without. Now, if I get a boy hurt, I just pay the bill."

He estimates he's paid \$10,000 in medical bills so far — but that's less than what he thinks he would have paid in insurance premiums.

Anderson said that he's had no trouble racing in Kentucky without insurance. He just marks his license "no employees," and no one has ever questioned it.

Other states scrutinize trainers more closely by requiring that they show proof of coverage before they can work at tracks.

Ricky Short of Broughton, Ill., said he carries workers' comp — in Illinois. "It's kind of a poor deal to have to have it. ... That's why I like to race here (in Kentucky). They just kind of let horse people be horse people."

"Look the other way' has been the motto of racing, and especially in the state of Kentucky, for so long it's been unbelievable."

John Ward, horse farm owner, trainer and president of the Kentucky Thoroughbred Association

Kentucky racetracks should be checking more closely when trainers claim they use only independent contractors, said Michigan owner/trainer Gary Goldberg.

"That's the way a trainer does it when he doesn't want to cover people," Goldberg said. "I'm surprised — in Kentucky, the home of horse racing, I thought they'd be adept at keeping track of these situations."

The lack of policing doesn't surprise Claude Felts, a trainer who also owns a Paris farm, Elizabeth Station.

Trainers who don't carry workers' comp are "just playing with a loaded gun. But that's been going on for years, and a lot of times that gun doesn't go off," Felts said. He said he provides coverage when he has employees, but that most of the time he and his wife do all the work: "Sometimes it makes

me feel like I'm kind of stupid, when everybody else is getting by."

Felts noted that most small horse farms — the bulk of the industry in Kentucky — don't carry workers' comp insurance. In fact, they are not required to: State law explicitly exempts them.

"You still have a bunch of 'hard-boots' running the Kentucky horse industry, and they still believe everyone's a gentleman, and they take your word for it."

But not all veteran horsemen think the law is fair, and many would like to see it changed.

"As a long-term participant in the business who has always carried the required insurances, paid the required payroll taxes, it essentially puts me at a competitive disadvantage with the guy next to me, who does none of that," said John Ward, the horse farm owner and trainer, who is also president of the Kentucky Thoroughbred Association. "This has been one of the biggest fallacies as far as racing goes."

Change is coming, Ward said. "Look the other way' has been the motto of racing, and especially in the state of Kentucky, for so long it's been unbelievable."

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