

\*\*\*\*\* The below info is excerpted from the NYCOSH website at: [www.nycosh.org/911info/factsheet\\_english.html](http://www.nycosh.org/911info/factsheet_english.html), as published on February 1, 2007. For additional WTC info and help, including completed sample forms, please go to the above NYCOSH link. \*\*\*\*\*

**The New York State Workers' Compensation Law has just been changed to help you file a claim for workers' compensation if you have a 9/11- related illness.**

**The change also applies to workers and volunteers who are not sick, but who may become sick in the future because they were exposed to the toxic air after 9/11.**

Thousands of people who participated in rescue, recovery or cleanup work after 9/11 are now sick. Many more may become sick as a result of exposure to contaminated dust and smoke. The New York State Workers' Compensation Law has been changed to allow someone who was exposed, but is not sick, to register. Registering now will protect your right to file a workers' compensation claim if you become sick at any time in the future. The law also allows anyone who already filed a claim – but was turned down because the claim was filed too late – to re-file. If you do not register and are sick or become sick later, you will not be able to file or re-file a claim.

Workers' compensation pays all the medical expenses for a sickness or an injury that is work-related. It also pays two-thirds of your average weekly wage up to \$400 a week if you cannot work because of work-related sickness or injury.

**Even if you are now healthy, but were exposed to contaminated air after 9/11, you must register now with the Workers' Compensation Board to protect your right to file a claim if and when you become sick.**

**Who is eligible to apply for 9/11-related workers' compensation or to register?**

Most people who did rescue, recovery or cleanup work, either as a volunteer or for pay, between Sept. 11, 2001 and Sept. 12, 2002

- anywhere in Manhattan south of Canal or Pike Streets, or
- on the barge operation between Lower Manhattan and Staten Island or
- at the Staten Island landfill or
- at the New York City morgue.

There are some workers who are not eligible because they are not in the workers' compensation system. They are NYC uniformed services (firefighters,

police, sanitation workers), NYC teachers and federal employees. But those workers are eligible if they performed any rescue, recovery or cleanup work off-duty, as a volunteer.

**Why must you register, even if you are not sick?**

Rescue, recovery and cleanup workers who are now healthy should register because people who are registered can apply for workers' compensation if they develop a 9/11-related illness at any time in the future. Failure to register during the enrollment period will prevent you from ever receiving workers' compensation benefits, even if you do develop a 9/11-related illness. If you performed rescue, recovery or cleanup work below Canal Street or at the other locations listed above, you must register now to protect your rights to Workers' Compensation benefits.

**When is the deadline to register?**

The deadline for registering is August 14, 2007. If you do not register before the deadline, you will never be able to collect workers' compensation if you develop a 9/11-related illness later.

**What about rescue, recovery or cleanup workers who are sick now?**

If you are already sick you can file a claim for workers' compensation immediately after registering.

**Are volunteers who did rescue, recovery or cleanup work eligible?**

Yes. This program applies both to paid workers and to people who worked as volunteers. The law specifies that all volunteers are eligible, but it does not define "volunteer." Since the definition of volunteer may not be settled before the end of the enrollment period, people who performed any rescue, recovery or cleanup work for no pay should register.

**Does a worker or volunteer who has already established a workers' compensation claim need to register?**

Yes, because if you develop a new 9/11-related condition in the future, your existing claim will not cover the new condition. If you register now, you will be eligible to file a new claim any time in the future.

**What about workers who already filed a workers' compensation claim, but were rejected?**

If you were rejected because you missed the filing deadline, you are eligible to register and then file a new claim.

**Are people who did cleanup in Lower Manhattan, but not at the World Trade Center eligible?**

Yes. You are eligible if you did rescue, recovery or cleanup work anywhere in Lower Manhattan south of Canal Street or south of Pike Street.

**Is this program limited to people who worked in Lower Manhattan?**

No. It also applies to anyone who worked in connection with the barge operation between Lower Manhattan and Staten Island, anyone who worked at the Staten Island landfill and to anyone who worked at the NYC morgue.

**Is a person who was only exposed to WTC contamination in 2003 eligible?**

No. To be eligible, you must have been exposed while performing rescue, recovery or cleanup work between Sept. 11, 2001 and Sept. 12, 2002.

**How does a person register?**

On the Internet, go to [www.nycosh.org](http://www.nycosh.org) and click on the link near the top of the page. Or call 212-227-6440 ext. 23 (for English) or ext. 24 (for Spanish) to request a form. On the form, you must write the dates and locations of the rescue, recovery or cleanup work you did and the name of your employer, or the organization you volunteered with. If you did rescue, recovery or cleanup work for no pay, you should register as a volunteer, even if you were not a part of an organized group of volunteers, giving the details of the work you performed. The registration form must be a sworn and notarized statement, so it is very important to make certain it is accurate and complete.

**What about someone who is not in New York State?**

If you are eligible to register or to file a workers' compensation claim, you should do so. It does not matter if you are now out of state or even out of the country.

**What happens if I register now and become sick in the future?**

When you become sick, you must file all of the forms required by the WCB to establish a claim.

**What kind of illnesses are covered?**

Any illness caused by 9/11-related exposure, including mental conditions such as post-traumatic stress disorder.

**Will someone who registers have difficulty getting health insurance?**

Probably not. The names of people who register are confidential, to be used only by the Workers' Compensation Board, except that the Board informs a workers' employer about the claim.

**Is an undocumented worker eligible to register or receive workers' compensation?**

Yes. The law is clear that your immigration status does not affect your right to workers' compensation.

**What does a person who is eligible and files a workers' compensation claim get?**

Workers' compensation pays 100 percent of the cost of medical care for a work-related injury or illness. If you are unable to work because of the injury or illness,

workers' compensation pays 2/3 of your weekly wage up to \$400 per week.

**Do I need a lawyer to register?**

No, you can register without a lawyer, but if you have concerns about details of your case, you should consult someone who is familiar with this 9/11 workers' compensation program or with a lawyer. If you belong to a union, contact your union representative before selecting a lawyer, because your union may be able to refer you to a law firm that is familiar with issues faced by members of your union. For a list of workers' compensation lawyers in New York State, contact the Injured Workers' Bar Association at [www.injuredworkersbar.org](http://www.injuredworkersbar.org) or call 845-454-9700

*For a registration form and instructions, go to [www.nycosh.org](http://www.nycosh.org) or contact NYCOSH at 212-227-6440 ext. 23 (for English) or ext. 24 (for Spanish).*

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