

that must be worked out between lawyers and judges.

**Myth: I Am Entitled To Benefits So My Benefits Should Be Paid Quickly**

**TRUTH: Workers' Compensation is sometimes automatic, but it is more often a long fight.**

Just as you may demand benefits from the insurance company, the insurance company may reject your demand. This is true even if you worked at Ground Zero. The reason you need a lawyer is **because** the insurance company may refuse to pay you your money, and may refuse to pay your doctor—you need a lawyer to fight your case, which can take as long as a year or two before it is finished.

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**GROUND ZERO**



**AND  
WORKERS'  
COMPENSATION**

**FIGHTING FOR THE  
RIGHTS OF INJURED  
AND DISABLED WORKERS**

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Ground Zero clean-up workers were exposed to a deadly cocktail of toxins both in the air and in the buildings that they were responsible for restoring to a safe, healthy condition.

In addition, the aftermath of the destruction has caused psychological damage to many Ground Zero workers.

There are so many news reports, advertisements, lawyers and politicians, making statements about Ground Zero, that it is easy to become confused about what you are entitled to if you have filed a Workers' Compensation case. People have a right to know what they are entitled to. People have a right to know the truth. Please read this pamphlet carefully because it will help you to understand the myths and the truths involved in workers' compensation and Ground Zero clean-up.

**Myth: My Case is Worth a Million Dollars or More**

**TRUTH: Workers' Compensation will pay you a maximum of \$500 per week, medical care, and a reimbursement of your traveling expenses to doctors and that is all.**

There are many ways that a Ground Zero worker can be compensated for his injuries. Workers' Compensation is only one of those

ways. You may be part of a civil lawsuit or class action—that is a different kind of claim. If the federal government opens up a victims' fund in the future, you may be entitled to that—it will be a third sort of claim. Each kind of claim has its own rules, its own court, its own time frame—and most important, each kind of claim pays different amounts of money.

Workers' Compensation exists to replace only some of your wages if you cannot work due to your medical condition. If you are not working due to your medical condition, or if you can only work part-time because of your condition, only then are you entitled to a weekly benefit.

Workers' Compensation has been around since the early part of the 20<sup>th</sup> century. Benefits are the same for all workers in the state. The lawmakers have not given any special workers' compensation to Ground Zero clean-up workers. The **only** special benefit is an extension in the time to file a claim—that is all.

**Myth: My Case Will Settle for a Million of Dollars or More**

**TRUTH: Workers' Compensation settlements are based only on your weekly wage-replacement check, and sometimes on your right to future medical care.**

If you have filed a lawsuit, your

lawyer may have told you that you are claiming a great deal of money in your suit. However, workers' compensation settlements are the same for all workers throughout the state—they are only based on your right to a continuing weekly benefit. It is very rare that a workers' compensation case will settle for more than seven years worth of weekly benefits. If the **maximum** that **anyone** can receive in compensation is \$500 per week depending on your accident date, and if the range of settlements rarely exceeds seven years, then you can see that workers' compensation is not like a civil lawsuit or class action.

**Myth: My Friend Has the Same Injuries as Me, So We Should Both Get the Same Amount of Money**

**TRUTH: Every Workers' Compensation case is different.**

You are special and your case is special in the eyes of the law. That means that sometimes you will receive more money than your friend who was also a Ground Zero worker, and sometimes you will receive less. Your case may take much shorter than your friend's case, or it may take longer. If your friend is upset because your case is progressing better than his, remind him that even though his case may **seem** the same as yours, there are very often **unseen** differences