

RECENT CASES:

SANITATION WORKER WINS 3/4 PENSION FOR TRIPPING ON SIDEWALK

Sanitation worker, Nelson Jaime, was doing collection in Brooklyn on Union Avenue when he tripped and fell over a broken sidewalk. He injured his knee, had surgery and never returned to work. Due to his injuries, our office was successful in obtaining a 3/4 accident disability pension from NYCERS. A lawsuit has also been filed against the landowners for the defective sidewalk. **

SANITATION WORKER WINS 3/4 PENSION FOR SLIPPING IN LUNCHROOM

Sanitation worker, Jack Shands, was in the QE13 lunchroom when he slipped and fell, injuring his shoulder, due to a leaking refrigerator. As a result, he underwent shoulder surgery and never returned to work. Our office was successful in obtaining a 3/4 accident disability pension from NYCERS. A lawsuit has also been filed against the City of New York for failing to fix or maintain the refrigerator.

SANITATION WORKER WINS 3/4 PENSION FOR DRIVING BROKEN TRUCK

Sanitation worker, Andrew Avellino, was performing a relay in Staten Island when his vehicle struck a roadway bump causing him to be thrown from his seat. He subsequently learned that the vehicle had a history of mechanical problems which were never completely repaired. As a result, he sustained serious spinal injuries and never returned to work. Our office was successful in obtaining a 3/4 accident disability pension from NYCERS.

** **SIDEWALK LIABILITY:** In 2003, the Administrative Code of the City of New York was amended. These amendments shift the liability for injuries and property damage caused by the negligent maintenance or repair of public sidewalks, as well as the negligent failure to remove snow, ice, dirt or other material, from the City of New York to the abutting landowners. There are limited exceptions for certain residential use buildings.

IMPORTANT THINGS TO REMEMBER

☞ **YOU HAVE 2 YEARS FROM DATE OF YOUR L.O.D.I. TO FILE FOR A 3/4 ACCIDENT DISABILITY PENSION WITH NYCERS.**

☞ **IF YOU ARE INJURED ON THE JOB AND THE CITY IS OR MAY BE RESPONSIBLE IN ANY WAY, YOU HAVE 90 DAYS TO FILE A NOTICE OF CLAIM.**

☞ **If you are involved in a LODI with a motor vehicle, you must apply for NO-FAULT benefits with the NYC Comptroller within 30 days of your accident.**

☞ **World Trade Center Presumptive Disability Bill: If you qualify for receiving benefits under this bill, you MUST file a Notice of Intention by 6/13/07 with NYCERS. Forms are available at www.nycers.org**