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WTC Cleanup Workers' Cases Can Proceed

By LARRY NEUMEISTER – 13 hours ago

NEW YORK (AP) — Lawsuits can proceed on behalf of thousands of workers who say they were not properly protected as they cleaned up the World Trade Center site after the 2001 terrorist attacks, a federal appeals court said Wednesday.

Lawyers for New York City and the Port Authority of New York and New Jersey, which owns the site, had argued that they are immune from nearly 8,000 workers' claims.

The 2nd U.S. Circuit Court of Appeals however said it is too early to decide whether the defendants are protected from these sorts of lawsuits.

The ruling means the city and the Port Authority must continue to defend the claims of respiratory and other personal injuries from emergency workers and contractors who rushed to clean up the site.

Lawyers have said the lawsuits would not be ready for trial for several years.

The city law department is reviewing the ruling, according to spokeswoman Connie Pankratz. The Port Authority did not immediately answer a request for comment.

David Worby, an attorney for the plaintiffs, said he was "elated" by the decision.

"Every day, another one of our people comes in wheezing, coughing, choking," said Worby. "They're getting sicker. All they want to know is when will we have our day in court and the answer is soon."

In a statement, the city said it worked tirelessly after Sept. 11 with contractors to protect workers' health and safety, including requiring respirators be worn, and workers' safety meetings were held daily and sometimes twice a day.

"Protecting the health and safety of workers was always the top priority for the city and the contractors, and any suggestion to the contrary is simply not supported by the facts," the city said.

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