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2nd Win in Albany

Medical Review For Pensions in EMS

By MARK DALY

The city's Emergency Medical Technicians and Paramedics achieved their second legislative victory of the year as Governor Pataki approved a law that opens an easier route for ambulance technicians to qualify for a service-related disability pension.

The new law gives EMTs and Paramedics the right to seek an independent medical review if their applications for higher-paying disability pensions are rejected by the New York City Employees' Retirement System. By requesting an outside review, members of the Fire Department's Emergency Medical Service can avoid the expense of filing a lawsuit in state court to overturn an unfavorable determination by NYCERS.

Reacted to Ruling

The EMTs' and Paramedics' union, Local 2507 of District Council 37, moved quickly to get the legislation through Albany after the Court of Appeals, the state's highest court, ruled June 3 that FDNY ambulance technicians weren't entitled to an independent medical review. In just nine days at the end of June, the State Senate and Assembly introduced and passed the bill and the City Council issued a "home rule" message supporting it. Mr. Pataki signed the bill into law at the end of November.

Local 2507 secured a service-related disability pension for its members in 1998 to bring the FDNY's EMS personnel up to par with firefighters. Under the law, EMTs and Paramedics who suffer disabling injuries or illnesses on the job can re-



GOVERNOR PATAKI: Looks kindly on EMS.

ceive a pension equal to 75 percent of their final salary, instead of the 33 percent of salary awarded to injured civilian employees.

Two months after approving the new EMS pension, the State Legislature and Mr. Pataki passed a separate law that gave Tier 3 and Tier 4 members of NYCERS the same right to an independent medical review available to Tier 1 and Tier 2 members. The law allows injured workers to bring their cases to an outside panel of specialists, provided the workers waive their right to seek redress in court for an unfavorable decision.

Because the two new laws didn't contain clear references to each other, NYCERS said it was compelled to disqualify ambulance technicians from the review process. Two lower courts held that Local 2507 members were entitled to an outside review of their cases,

EMS Pension Bill

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but the Court of Appeals unanimously upheld NYCERS' strict interpretation of the law.

Banner Year for Local

In a year in which the state and city's precarious finances made many pension bills non-starters, the 2,500-member Local 2507 has enjoyed outsized success. In October, Mr. Pataki signed a bill into law that grants a lifetime payment to the families of EMS staff who are killed on the job.

In another recent bill-signing, Mr. Pataki approved a law that will make it easier for unions to tap their retiree base to raise funds for political campaigns.

Under the new measure, retirees can have their contributions to union political action committees deducted directly from their pension checks, eliminating the need to write a separate monthly check to the union PAC. Retirees must sign an authorization card before the deductions can begin.

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