

WORKERS' RESOURCE GUIDE 2018

A listing of lawyers and medical providers for workers of all industries living in Long Island, New York City and the Westchester County Region.



New York Committee for
Occupational Safety and Health

WORKERS' RESOURCE GUIDE 2018

NYCOSH's Workers' Resource Guide for 2018 was created for workers throughout Long Island, New York City, and the Westchester County Region. In it you will find:

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LEGAL SERVICES

BARASCH & MCGARRY, PC

“Lawyers for the 9/11 Community”

11 Park Place, #1801
New York, NY 10007
Phone: (212) 385-8000
www.wtclawyers.com
michael@wtclawyers.com

About Us: Our law firm represents seriously injured workers with special focus on those who have been diagnosed with cancer due to their exposure to the toxins of the World Trade Center site on 9/11 or during the 8 months that followed.

Practice Areas: 9-11 Victim Compensation Fund, Personal Injury and Construction Injury

Region: New York City

Languages: English, Spanish, Chinese and Russian

FUSCO, BRANDENSTEIN & RADA, P.C.

“The Disability Lawyers”

Ten Offices – NYC – Long Island – Westchester

Phone: (800) 416-5454

www.FBRlaw.com

Info@FBRlaw.com

About Us: Since 1978, Fusco, Brandenstein & Rada, P.C., has successfully handled thousands of Workers' Compensation, Occupational Disease & 9/11 Cases; Social Security Disability & SSI claims; Veterans Disability, NYS & NYC Disability Retirement Pensions, Long Term Disability and Personal Injury Cases. With nineteen attorneys and offices in Manhattan, Brooklyn, Bronx, Queens, White Plains, Mineola, Woodbury, Commack, Medford and Riverhead, let us serve you.

Practice Areas: Workers' Compensation, Social Security and SSI Disability, Veterans Disability, NYS & NYC Employee Disability Pensions, Personal Injury-Negligence, Long Term Disability Insurance Claims and General Practice

Regions: New York City, Long Island and Westchester

Languages: English and Spanish

GREY AND GREY, LLP

“Representing injured workers since 1967”

111 Broadway, Suite 809, New York, NY 10006

Phone: (212) 964-1342

118-35 Queens Boulevard, Suite 1505, Forest Hills,
NY 11375

Phone: (718) 268-5300

360 Main Street, Farmingdale, NY 11735

Phone: (516) 249-1342

www.greyandgrey.com

info@greyandgrey.com

About Us: We represent injured and disabled workers in claims for workers' compensation, social security disability and personal injury in NYC, Long Island and Westchester.

Practice Areas: Workers' Compensation, Personal Injury and Social Security

Regions: New York City, Long Island and Westchester

Languages: English and Spanish

MIRER, MAZZOCCHI, JULIEN AND CHICKEDANTZ, PLLC

150 Broadway, Suite 1200
New York, NY 10038
Phone: (212) 231-2235
www.mmjclaw.com
kmazzocchi@mmsjlaw.com

About us: MMJC is a workers' rights centered law firm. The firm provides legal representation to exploited workers and is counsel to unions, worker centers and progressive activist groups alike. The goal of the firm is not only to recover money damages that exploited workers deserve, but in doing so, utilize an intersectional holistic model to solve problems of worker exploitation. We do this by applying unique and innovative approaches to advocacy and the legal process and by remaining dedicated to a model that centers around transformative worker-centered justice.

Practice Areas: Wage Theft, Labor Law, Employment Law and Personal Injury

Region: New York City

Languages: Spanish and English

THE KLEIN LAW GROUP, PC

*“Workplace Accident Lawyers/ You Build New York,
We Rebuild Lives”*

39 Broadway, Suite 1530

New York, NY 10006

Phone: (212) 344-9022

www.thekleinlawgroup.com

david@thekleinlawgroup.com

About Us: The Klein Law Group, P.C., fights for the rights of those who have been hurt at work or are unable to qualify for disability pay. We have helped thousands of people in the New York City area obtain the full benefits they are entitled to under state and federal law.

Practice Areas: Workers’ Compensation Claims, Personal Injury, Construction Injury and General Law

Region: New York City Area

Languages: English, Spanish, Chinese, Russian, and Italian

THE LAW OFFICES OF JOSEPH A ROMANO, PC

“Making a real difference for real people”

1776 Eastchester Road, Suite 210

Bronx, NY 10461

Phone: (855) 965-1515

www.romanoatlaw.com

joe@romanolegalservices.com

About Us: Since 1989, we have represented injured clients in the Bronx and communities throughout New York’s five boroughs. Whether you were injured on the job or developed a disability that prevents you from working, our law firm can help. The staff of Joseph A. Romano PC, will thoroughly investigate your condition and present your case in the best, most comprehensive manner possible.

Practice Areas: Workers’ Compensation, Social Security disability and Supplementary Security Income, Accident Claims, Disability Pensions, Long Shore and Harbor Workers Compensation, Immigration and Family Law

Regions: New York and Long Island

Languages: English, Spanish, Mandarin, Cantonese, Polish, Greek, Portuguese, Hindi, Sindi, Bangali, Albanian, Mangoli and Russian

THE PERECMAN FIRM, PLLC

“A Voice for Accident Victims for Over 35 Years”

250 West 57th Street, Suite 401

New York, NY 10107

Phone: (212) 977-7033

www.perecman.com

zperecman@perecman.com

About Us: Founded in 1983, The Perecman Firm, PLLC is a personal injury law firm that has built a reputation on handling construction accident cases. The firm handles all four potential major legal needs of an injured construction worker: third-party Labor Law lawsuits, workers' compensation, Social Security Disability, and appeals. The firm achieved nine of the top verdicts and settlements in New York State in 2016 (*The New York Law Journal*) and has been recognized by US News' *Best Law Firms* for seven years in a row.

Practice Areas: Construction Accidents, Personal Injury, Workers' Compensation and Social Security Disability

Regions: New York City

Languages: English, Spanish, and Polish

PITTA & BAIONE, LLP

“9/11 Victim Compensation Fund Attorneys”

120 Broadway, Floor 28

New York, NY 10271

Phone: (212) 658-1766

www.911benefits.com

info@pittabaione.com

About Us: A firm deeply rooted in the labor movement, Pitta & Baione LLP has successfully recovered millions of dollars in 9/11 compensation for union members. Founding partner Vincent F. Pitta has spent his 40-year career representing dozens of the country's largest and strongest labor unions. Clients are afforded direct access to attorneys at all times.

Practice Areas: 9-11 Victims Compensation Fund and Personal Injury

Region: New York City

Languages: English, Spanish, Mandarin, Cantonese, Toisanese, Hakka and Italian

SULLIVAN PAPAIN BLOCK MCGRATH & CANNAVO P.C.

“New York’s Premier Personal Injury Law Firm”

120 Broadway, 18th Floor

New York, NY 10271

Phone: (800) 962-9954; (212) 732-9000

www.TrialLaw1.com

spbmc-ny@triallaw1.com

About Us: Sullivan Papain Block McGrath & Cannavo P.C. is one of New York’s premier personal injury law firms. We are dedicated to representing those who have been seriously injured or lost a loved one as a result of negligence, medical malpractice, defective products and other wrongful acts. In the last 10 years we have recovered over \$2 Billion for our clients.

Practice Areas: General Negligence, Motor Vehicle Accidents, Construction Accidents, Medical Malpractice, Premises Liability, Products Liability, 9/11 Victim Compensation Fund Claims

Regions: New York City, Long Island and New Jersey

Languages: English, Spanish, Chinese and Albanian

MCINTYRE, DONOHUE, ACCARDI, SALMONSON & RIORDAN, LLP

“Protecting Injured Workers for over 60 Years”

8 E. Main Street
Bay Shore, New York 11706
Phone: (631) 665-0609
www.licomplaw.com

About Us: McIntyre, Donohue, Accardi, Salmonson, & Riordan, LLP has a long, proud history that has led to over 60 successful years of representing the hard-working men and women of New York and Long Island. Our expert legal team helps guide workers through the process of filing for the workers' compensation, social security disability, or municipal pension benefits they are entitled to.

Practice Areas: Workers' Compensation, Social Security Disability Benefits, Municipal Pension and Disability Benefits.

Region: Long Island

Languages: English and Spanish

ROSADO, APAT AND DUDLEY, LLP

“Hardworking People Deserve Hardworking Lawyers”

100 Duffy Avenue, Suite 310, Hicksville, New York 11801
95-49 Roosevelt Avenue, 2nd Floor, Jackson Heights,
NY 11372

2426 Eastchester Road, Bronx, New York 10469

Phone: (800) 471-4878

www.RADlawny.com

About Us: With over 75 years of legal experience, our lawyers can help you with your legal issues while you concentrate on your health. At Rosado, Apat and Dudley, we are guided by the principle that hardworking people deserve hardworking lawyers.

Practice Areas: Workers' Compensation, Personal Injury, Social Security Disability, Construction Accidents and Occupational Injuries

Regions: New York City and Long Island

Languages: English and Spanish

Turley, Redmond, Rosasco & Rosasco

“We Work When You Can’t”

Five Offices in Long Island and New York City

Phone: (800) 671-4927

crosasco@nydisabilitylaw.com

nydisabilitylaw.com

About Us: Over the past 30 years, Turley, Redmond, Rosasco & Rosasco has established itself as one of the most effective, results-driven and well respected law firms in the NYC area.

Areas of Practice: Workers’ Compensation Claims, Social Security Disability Claims, 9/11 Victim’s Claims, Veterans Disability Claims

Regions: Long Island, New York City

Languages: English, Spanish

FINE, OLIN AND ANDERMAN, LLP

“The Only Law Firm with offices throughout New York State representing union members and their families for Workers’ Compensation, Social Security Disability, Personal Injury and Veterans Disability Benefits”

39 Broadway, Suite 1910

New York, NY 10006

Phone: (212) 267-1650

www.foalaw.com

ckraus@foalaw.com

About Us: Fine, Olin & Anderman, LLP, (FOA) has represented union members and their families seeking Workers’ Compensation, Social Security Disability, Personal Injury and Veterans Disability benefits for over 50 years. FOA retains first class attorneys who use innovation, technology, and communication to provide clients with premier legal services for workplace accident and disability cases. Each client is assigned both a legal assistant and a managing attorney.

Practice Areas: Workers’ Compensation, Personal Injury, Social Security Disability, Veterans Disability Benefits and General Law

Regions: Long Island, New York City, Westchester, Rockland & Orange Counties

Languages: English and Spanish

PASTERNAK, TILKER, ZIEGLER, WALSH, STANTON AND ROMANO, LLP

“Working for the people who make New York work”

551 5th Avenue, Suite 520

New York, NY 10176

Phone: (212) 341-7900

www.workerslaw.com

contactme@workerslaw.com

About Us: Pasternack, Tilker has been representing injured and disabled workers for more than 90 years. The firm’s continued growth and success are testimonials to its expertise, diligence, and dedication to the best interests of its clients. PTZWSR has 12 conveniently located offices in New York including 6 in NYC, and 6 more in Long Island, Westchester, Rockland and Albany counties.

Practice Areas: Workers’ Compensation, Social Security Disability Claims, Civil Service Pension Claims and Personal Injury

Regions: New York City, Long Island, Westchester, Rockland, Orange and Albany

Languages: English and Spanish

PAZER, EPSTEIN, JAFFE AND FEIN, PC

“Fighting for Injured Workers’ Rights for Decades”

20 Vesey Street, #700

New York, NY 10007

Phone: (212) 227-1212

www.pazerandepstein.com

mjaffee@pazerandepstein.com

About Us: We represent injured workers in lawsuits involving construction site accidents, premises accidents (trip, slip and fall), automobile accidents and malpractice. Millions of dollars recovered for injured workers and their families. We represent union and non-union clients. We fight for workers’ rights and guide our clients through one of the most difficult periods of their lives.

Practice Areas: Personal Injury, Construction Injuries

Regions: New York City and Long Island

Languages: English and Spanish

RAPPAPORT, GLASS, LEVINE AND ZULLO, LLP

“Your Construction Accident Lawyers for NYC, Long Island and the Greater New York Area Since 1968”

1355 Motor Parkway
Islandia, New York 11749
Phone: (800) 734-9445
www.rglzlaw.com
info@rapplaw.com

About Us: RGLZ has won hundreds of millions of dollars for injured construction workers in New York. We have a 5 decade history of representing workers who have suffered from injuries due to construction accidents, including brain, spinal injuries, disfigurement, paraplegia, quadriplegia, amputation, disfigurement and other permanent disabilities. If you’ve been injured on the job we can help you.

Practice Areas: Personal Injury and Construction Accidents

Region: New York City, Long Island and Westchester

Languages: English and Spanish

RELLA & ASSOCIATES, PC

“Workers’ Compensation Law Firm”

16 New Broadway
Sleepy Hollow, NY 10591
Phone: (914) 333-0444
Grella@rella-associates.com
www.Rella-associates.com

About Us: Rella & Associates, P.C. has been trusted to handle a range of work-related injury and workers’ compensation claims including New York State Workers’ Compensation, Social Security Disability, New York City Employees’ Retirement System. We pride ourselves on our client services over 100 years combined experience representing injured workers.

Practice Areas: Workers’ Compensation and Social Security Disability

Region: Westchester

Languages: English and Spanish

Morrin & Sands, PLLC

“Committed To Helping The Injured”

400 Post Avenue, Suite 402
Westbury, New York 11590
Phone: (516) 307-8000
www.mydisabilityatty.com
dmorrin@mydisabilityatty.com

About Us: At the Law Office of Morrin & Sands PLLC, we represent clients with disabilities and injury victims from all walks of life. Through our primary areas of practice – Social Security Disability and New York Workers’ Compensation – we strive to make a positive impact on the lives of others.

Practice Areas: Social Security Disability, New York Workers’ Compensation

Regions: Throughout the New York area including, but not limited to Nassau County, Suffolk County, Queens County, Brooklyn and New York City.

Languages: English and Spanish

MEDICAL SERVICES

Mount Sinai Selikoff Centers for Occupational Health

“The safety and health of workers matters to us”

1468 Madison Avenue Annenberg Building, 3rd Floor
New York, NY 10029
(212) 241-1554
www.mountsinai.org/selikoff
selikoff@mssm.edu

About Us: Worker health and safety is the number one priority of the Selikoff Centers for Occupational Health. At our conveniently located clinical centers in New York City and the Lower Hudson Valley, we offer care for the occupational health needs of workers in all industries. We offer preventive services, health and safety education, and expert diagnosis and treatment of work-related health problems. We work together with your unions, your community organizations, and your employers to protect your health.

Practice Areas: Confidential medical exams and treatment of work related injuries and illnesses; Screenings for asbestos, lead and other toxic substances; Assistance

with Workers' Compensation, social services and other benefits, World Trade Center Health Program for 9/11 workers and volunteers, Health and Safety education, and worksite evaluation.

Regions: New York City: Manhattan and Staten Island,
Lower Hudson Valley: Yonkers and Monroe

Languages: English, Spanish and Polish

Occupational and Environmental Medicine of Long Island

“OEMLI: Keeping workers healthy and safe”

2035 Lakeville Rd, Suite 300, New Hyde Park, NY 11040

Phone: (516) 492-3297

2950 Expressway Drive South, Ste. 108, Islandia, NY 11749

Phone: (631) 439-5300

oemli@northwell.com

www.northwell.edu/oemli

About Us: OEMLI's clinics set the standard for evaluation, diagnosis and treatment of work-related injuries and illnesses. Our providers have unparalleled expertise in workers' compensation, asbestos and silica evaluations, musculoskeletal injuries, OSHA exams, as well as heavy metal and other hazards. Since its inception, OEMLI has been dedicated to keeping the workers of New York healthy, safe and on the job: now more than ever.

Practice Areas: Occupational Medicine, Asbestos, Silica, Lead, Mold, Radon, Solvents, Dust and Respiratory irritants

Regions: New York City and Long Island

Languages: English and Spanish

NON-PROFIT ORGANIZATIONS THAT ADDRESS ISSUES OF WORKERS RIGHTS IN NEW YORK CITY, LONG ISLAND, AND WESTCHESTER REGION

New York Committee for Occupational Safety and Health (NYCOSH)

Manhattan office: (212) 227-6440

Hempstead office: (631) 435-1857

La Colmena

Staten Island: (718) 442-7700

New Immigrant Community Empowerment (NICE)

Queens: (718) 205-8796

Workers Justice Project (WJP)

Brooklyn: (718) 600-0425

Make the Road NY

Brooklyn: (718) 418-7690

Mobilization for Justice

Manhattan: (212) 417-3700

Workplace Project

Hempstead: (516) 565-5377

Long Island Jobs with Justice

Hauppauge: (631) 348-1170 ext. 317

Community Resource Center

Mamaroneck: (914) 630-7022

Empire Justice Center

Yonkers: (914) 595-0910

Central Islip: (631) 650-2306

Catholic Charities – Obreros Unidos

Yonkers: (917) 579-9048

Neighbors Link

Mount Kisco: (914) 666-3410

Don Bosco Workers Inc.

Port Chester: (914) 433-6666

HEALTH AND SAFETY ON THE JOB

New York County District Attorney (Workers Rights; human trafficking; wage theft; health and safety): (646) 712-0298

OSHA (Occupational Safety and Health Administration): (800) 321-OSHA. OSHA allows workers to file anonymous complaints. Please call NYCOSH at (212) 227-6440 for help with filing an anonymous complaint about hazards at your workplace.

OCCUPATIONAL HEALTH CLINICS

Selikoff Centers for Occupational Health, affiliated with the Icahn School of Medicine at Mount Sinai (Yonkers, Monroe): (914) 964-4737

Selikoff Centers for Occupational Health, affiliated with the Icahn School of Medicine at Mount Sinai (Manhattan, Staten Island): (212) 241-1554

Bellevue/NYU Occupational & Environmental Medicine Clinic, affiliated with Health and Hospitals Corporation (Manhattan): (212) 562-4572

Occupational & Environmental Medicine of Long Island, affiliated with Northwell Health: (516) 492-3297 (New Hyde Park); (631) 439-5300 (Islandia)

WORKERS' COMPENSATION

New York State Workers' Compensation Board:
(800) 877-1373

WAGE THEFT

New York City Comptroller: (212) 669-8927 (for violations of prevailing wage laws);

New York State Department of Labor: (888) 469-7365 / (888)-4NYSDOL

New York State Attorney General: (518) 776-2000

US Department of Labor – Wage and Hour Division:
(866) 4USWAGE / (866) 487-9243

ILLNESS CAUSED BY WORLD TRADE CENTER – 9/11

National Institute of Occupational Safety and Health (NIOSH) World Trade Center Health Program:
(800) 232-4636

**NYCOSH's World Trade Center Health Program
Coordinator:** (212) 227-6440 ext. 21
llynch@nycosh.org

DISCRIMINATION

New York City Human Rights Commission:

(212) 306-7450

New York State Division of Human Rights:

(888) 392-3644

Equal Employment Opportunity Commission (EEOC):

(212) 336-3620

UNEMPLOYMENT INSURANCE

New York State Unemployment Insurance Program:

(888) 209-8124

Legal Momentum: (212) 925-6635 for help with unemployment benefits where victim has to leave due to domestic violence or violence at work.

VARIOUS

Paid Sick Leave – NYC Office of Labor Policy and Standards: 311

NYC ID – free, government issued photo ID for everyone: 311

NYC Department of Health & Mental Hygiene – for mental health services: 311

NLRB (National Labor Relations Board): (212) 264-0300

Office of Crime Victims Services: (800) 247-8035

INFORMATION FOR WORKERS: YOUR RIGHTS, AND HOW TO GET HELP

In the workplace, all workers have rights! It is important to know what they are so that you can defend yourself and your co-workers and organize to improve your conditions on the job. NYCOSH and other pro-worker organizations help workers to ensure that these rights are protected.

All workers have a right to:

Get Paid at Least the Minimum Wage:

New York State General Minimum Wage Rate Schedule		
Standard Minimum	2018	2019
NYC – Large Employers (of 11+ employees)	\$13.00	\$15.00
NYC – Small Employers (10 or less)	\$12.00	\$13.50
Long Island & Westchester	\$11.00	\$12.00
Remainder of New York State	\$10.40	\$11.10

New York State Fast Food and Tipped Workers Minimum Wages	
Fast food workers – NYC	\$13.50
Fast food workers – outside NYC	\$11.75
*Tipped Workers – NYC/Large	\$9.80
Tipped Workers – NYC/Small	\$9.05
Tipped Workers – LI & Westchester	\$8.30
Tipped Workers – Remainder of NYS	\$7.85
*Tipped food service/NYC Large	\$8.65
Tipped food service /NYC Small	\$8.00
Tipped food service/Rest of NY State	\$7.50

*Tipped workers need to be paid enough in tips so that their minimum wage meets the standard minimums listed above. Workers who are considered tipped employees can be paid a lower cash wage, but their wage and the amount of tips they receive must add up to at least the same amount or higher than the minimum wages listed above. For example, if a worker doesn't receive any tips for one week, then the employer has to pay the difference between the tipped wage and the standard minimum wage.

If you are an hourly employee and you work for more than 40 hours in a week, your employer is required to pay you 1.5 times (“time and one-half”) your hourly rate for all hours over 40 for the week.

WORKERS ON PUBLIC WORKS PROJECTS

Workers on public work projects, such as roads or libraries, ought to be paid a higher wage rate called the Prevailing Wage. The amount depends on the type of work. As an example, a Laborer, on a prevailing wage site should be paid at least \$41.50 per hour without including benefits. If you are not being paid at the correct rate, you may be able to file a claim to recover these wages.

Get paid more if you work overtime:

If you are an hourly employee and you work for more than 40 hours in a week, your employer is required to pay you 1.5 times (“time and one-half”) your hourly rate for all hours over 40 for the week.

EXAMPLE: You are paid \$15 per hour at a clothing store and you worked 50 hours in a week, how much should you be paid for the week?

For the first 40 hours... $\$15/\text{hour} \times 40 \text{ hours} = \600 ...
PLUS

For the extra 10 hours... $\$22.50/\text{hour} (\$15 \times 1.5 \text{ times rate of pay}) \times 10 \text{ hours} = \225

Total pay: $\$600 + \$225 = \$825$

A safe workplace:

Every day, on average, 13 workers die on the job and about 10 million are injured or get sick from work. Many workers don't receive training or the tools and equipment they need to make their jobs safer, and they are afraid to speak up for fear of being fired.

Under the OSHA law, employers must identify dangers in your workplace, and fix them so workers don't get hurt or sick. Workers have the right to:

- **receive training about the dangers on the job.** And if you need protective gear to do your job (like a harness, gloves, respirator), your employers should pay for it.
- **talk to your supervisor about dangers at work.** The law says you should not be fired or punished for this, and you can file a complaint (within 30 days) if that happens. Call NYCOSH or your worker organization if this happens to you.
- **report unsafe work to OSHA.** OSHA will **not** tell the employer your name if you ask them not to; get help from NYCOSH if you need it!
- **refuse to do a job task if it is very unsafe.** If you can be badly hurt or even killed, tell your employer you can do it only when it's safe to do. But don't walk off the job! Ask for other work to do until the other task is safe to do.

What is the difference between an Employee and an Independent Contractor under OSHA? OSHA covers employees, but does not cover independent contractors. Many factors are used to determine if someone is an employee or not, but one of the most important factors is who controls the way the worker performs their assigned duties. So if the employer tells the workers how to do the work, then they are responsible to make sure the workplace is safe for those workers.

Work together with your co-workers:

You can join with other co-workers you trust to take action around workplace issues under the National Labor Relations Act (NLRA), but you must do it with others – you may not be protected under this law if you do it alone. Get help from a workers' rights organization if you want to file a complaint about working conditions, or if you want to join a union.

Freedom from harassment and discrimination:

You have the right to equal treatment regardless of race, color, religion, sex (gender identity, sexual orientation, pregnancy), national origin, age, disability, or genetic

information. If you believe that you are being treated differently, such as being denied a promotion, given different wages or hours, or fired, because of any of those reasons, this can be discrimination.

Sexual harassment is also illegal and a violation of your rights. Whether it is someone sexually harassing you physically or verbally, your co-workers creating a hostile environment for you at work, or a supervisor demanding a date, your employer is required to stop the abuse and provide you with a safe workplace. Seek out support from your workers center or union, and find out what action you can take to stop the abuse.

File for Workers' Compensation:

If you are hurt on the job, you have a right to file a claim for workers' compensation, **even if you don't have immigration papers, or your employer doesn't have worker compensation insurance.** All workers are covered from the first day on the job.

Note: domestic workers are covered if they work 40 hours a week or more for the same employer.

Benefits include:

2/3 of **lost wages** (not taxed) if a worker misses at least one week of work, up to \$400 week;

Medical care, including doctors' visits, medication, physical therapy, and payment for other medical procedures, and travel costs.

Some **injury payments** for serious injuries that make you disabled;

In some cases, **training** to learn new skills if you cannot return to your old job because of your injury or illness.

You must file a C-3 claim with the New York State Workers' Compensation Board **within two years of your injury**, and you must **let your employer know (best to do it in writing) within 30 days** of the day you were injured or became ill. Your employer will not do this for you; they file other paperwork. A doctor/hospital where you received treatment also must file another form with medical information, called a C-4 – this is needed to keep your case moving through the system.

The Workers' Compensation System is difficult and can take some time, so it may be best to work with a workers'

compensation lawyer to file and win your case. These lawyers are not allowed to charge money when they take your case; the court will pay them when your case is settled.

Sometimes employers want to just pay the employee privately, and not go through the system. **Be careful!** Often the money given to the worker won't cover all the costs, including medical treatment, which may be needed many years after the worker has left the job. Don't sign any documents without consulting with a lawyer first.

Paid Sick Leave

In New York City, if there are more than 5 employees where you work, **your employer must allow you to take off of work for up to 5 days per year and pay you for this time (up to 40 hours will be paid) if you are sick or if you need to take care of a close family member who is sick and cannot work.**

If there are less than 5 employees, your employer must still allow you the time off but does not have to pay you. If you are a domestic worker, you are allowed up to two days off of unpaid leave per year.

If you are fired or treated differently (for example, given many less hours) because you were out sick or took off to care for a sick child or family member, your employer has likely violated the law and you may file a legal claim.

This law applies to employees who have worked at least 80 hours for the employer. This law only exists in New York City and does not apply in the rest of New York State.

Paid Family Leave applies in all of New York State, beginning in 2018, and provides job-protected, paid time off so you can:

- **bond** with a newly born, adopted or fostered child;
- **care** for a close relative with a serious health condition; or
- **assist** loved ones when a family member is deployed abroad on active military service.

You can receive up to 8 weeks of leave at 50% of your current wage. This law applies for both full time and part time workers, but they have to have worked at least 26 weeks (if full time) or 175 days (if part time).

Immigrant workers also have rights!

Most of the above rights apply to you regardless of immigration status. However, employers use the fear of ICE enforcement to threaten workers who want to stand up for their rights.

Remember, if you are approached by Immigration (ICE) or police officials at your workplace or in the community, remain silent!

- Do not answer any questions about your immigration status or where you were born;
- Even if you are arrested, do not say anything or sign anything before you talk to a legal representative;
- Only carry local identification documents with you, like a drivers' license or a NYC ID card.

If you have questions, NYCOSH can help! We are a worker-friendly organization that advocates for safe workplaces, and for protection for all workers' rights. Call us at (212) 227-6440 or email us at nycosh@nycosh.org.

Exercise your rights – it helps to protect all workers!

New York State Committees for Occupational Safety & Health (COSH Groups)

New York Committee for Occupational Safety and Health (NYCOSH)

50 Broadway, 28th Floor
New York, NY 10004
212-227-6440
Fax: 212-227-9854
www.nycosh.org

Western New York Council on Occupational Safety and Health (WNYCOSH)

2495 Main St., #438
Buffalo, NY 14214
Tel: (716) 833-5416
Fax: (716) 833-7507
www.wnycosh.org

Mid-State Education and Service Foundation

123 S. Cayuga St., Suite 204
Ithaca, NY 14850
Tel: (607) 277-5670
Fax: (607) 277-8344

Northeast New York Coalition for Occupational Safety and Health (NENYCOSH)

PO Box 38098
Albany, NY 12203
Tel: (518) 210-8238
www.nenycosh.org

New York Committee for Occupational Safety and Health

50 Broadway, 28th floor, New York, NY 10004

WWW.NYCOSH.ORG