

World Trade Center Fact Sheet

The attack on the World Trade Center on September 11, 2001 remains a public health issue to this day. Although it has been 10 years since the attack, workers who performed rescue, recovery, and clean-up duties continue to file and pursue workers' compensation claims.

New York's workers' compensation system covers those people who were at work and were affected by the events of the day, and workers, and in some cases volunteers, who assisted in the rescue, recovery and clean-up operations.*

The events of 9/11 resulted in 2,072 death claims and over 11,000 injury or exposure claims. Claims continue to be filed ten years after the event (for example, 280 claims have been filed with the Board since 9/11/2010).

The introduction of the WTC-12 form in 2006 helps to explain why claims continue to be filed. The WTC-12 form enabled workers and volunteers who participated in rescue, recovery, and clean-up efforts to register their participation with the Board. Filing this form extended the time limit for these workers to file a workers' compensation claim, preserving their rights to future workers' compensation benefits, should they ever need them. It allowed workers who developed a latent injury or illness as a result of the WTC attack to still be eligible for benefits. It also allowed the Board to re-open claims that were previously denied for not being submitted within the time limits for establishing a claim. The extension of the filing deadline to September 11, 2010, in combination with the Tell Us You Were There campaign to encourage WTC workers to file the form, resulted in a significant increase in WTC-12 filings. The legislation allowing the filing of WTC-12's was not extended past September 11, 2010.

As the 10th anniversary approaches, it is important to recognize that the health consequences on affected workers are in some cases still developing. This is an important marker of the long-lasting influence the WTC attack has had on the public health and offers the opportunity to take a measure of how WTC workers' compensation claims have fluctuated over time.

The data that follows is provided by the Workers' Compensation Board Division of Policy and Program Development. The data is drawn from the Board's Claims

* Some individuals who were killed or injured on 9/11 or in the aftermath are not covered under the New York workers' compensation system. Notably, the following groups are not included in the system:

- Uniformed members of the New York City police, fire and sanitation departments
- Federal government employees
- Out-of-state employees on temporary assignment in New York
- Foreign nationals working in New York
- New York City area residents not at work on September 11, 2001

Information System and its Management Information Systems. Some of the data is available through a manual data gathering effort. The data provides information about the WTC claim population, the types of claim, and the major characteristics of the claims. This data includes WTC claims for workers covered under the New York State workers' compensation system.

Claim Population

- The New York State Workers' Compensation Board has 13,269 WTC claims in its systems. Of these, 911 alternative dispute resolution claims and 62 volunteer claims[†] were excluded from this analysis due to the limited available data. This results in 12,296 claims where the Board has sufficient detail on claim characteristics and outcomes.
- As of 7/18/2011 the Workers' Compensation Board has assembled 1,369 claims resulting from volunteers of the World Trade Center disaster and its aftermath. Of these, 94% of the volunteer claims have been resolved. 13% of the volunteer claims have been assembled in the past year.
- There are 48,888 WTC-12 forms filed with the Board.

Distribution of WTC claims by "Injury Claim Type"

Of the 12,296 workers' compensation claims:

- 3.9% (481) were denied claims.
- 44.5% (5,469) are non-compensated* claims.
- 13.2% (1,623) are medical only claims.
- 21.6% (2,651) are indemnity claims.
- 16.9% (2,072) are death claims.

Distribution of non-death established claims[‡] by nature of injury for all group types

Of the 4,274 medical only and indemnity claims:

- 15.6% (666) were due to traumatic injuries.
- 53.0% (2,269) were due to systemic diseases.
- 27.7% (1,182) were due to other diseases.
- 3.7% (157) were not classifiable.

[†] 62 excluded claims had filings for both workers' compensation benefits and volunteer benefits

[‡] An established claim is a claim that has met the Board's requirements for a workers' compensation claim. The injured worker: must 1) establish that there was a workplace accident or occupational disease, 2) provide notice to the employer either within 30 days of the accident, or within two years of the date of disablement in the case of an occupational disease, 3) establish either that the injury suffered was causally related to the accident, or that the occupational disease was related to conditions in the workplace. Filing a WTC-12 form eliminates the notice time limits.

* A non-compensated claim is one that has been assembled by the Board but does not go on to be established.

Distribution of non-death established claims by nature of injury for “Victim” group type

Through a manual review, the Board identifies those who were injured directly as a result of the attack on 9/11. Of the 2,229 direct victims with established indemnity claims:

- 20.1% (448) were due to traumatic injuries.
- 28.1% (626) were due to systemic diseases.
- 50.1% (1,117) were due to other diseases.
- 1.7% (38) were not classifiable.

Distribution of non-death established claims by nature of injury for “Rescue, Recovery & Cleanup (RRCU)” group type (excluded 72 claims for data issues)

Through a manual review, the Board identifies those who were injured in the aftermath of the attack. Of the 1,830 rescue, recovery and clean-up injuries with established claims:

- 9.6% (176) were due to traumatic injuries.
- 85.8% (1,571) were due to systemic diseases.
- 2.9% (53) were due to other diseases.
- 1.6% (30) were not classifiable.

Distribution of non-death established claims by nature of injury for “Other or Not Classifiable” group types

For the 143 claims that do not appear to involve victims or rescue, recovery and clean-up activities:

- 29.4% (42) were due to traumatic injuries.
- 50.3% (72) were due to systemic diseases.
- 8.4% (12) were due to other diseases.
- 11.9% (17) were not classifiable.

Distribution of established claims by insurer type

Of the 6,346 claims filed established by the Board:

- 72.2% (4,584) are covered by Private Insurer Carriers (includes SIF).
- 17.0% (1,076) are from self-insured in the Public Sector.
- 6.0% (380) are from private self-insured companies.
- 3.1% (197) are New York State employees.
- 1.7% (109) are covered by Special Funds or are Unknown.

General claim population data points

- More than half the claims (6,485) were for deaths and injuries suffered as a direct result of the attacks. There were a total of 2,061 death claims for victims, 6 death claims for rescue, recovery and clean-up workers, and 6 other consequential death claims.
- Over a quarter (3,401 out of 12,296 or 28%) of all WTC claims have been filed since January 1, 2004. While people continue to file claims, nearly 95% (11,679) of all claims have no issues under active consideration, while only 5% (617) of claims are pending before the Board.
- 62% (7,335 out of 11,787) of the resolved claims required less than one year from assembly to resolution (509 claims excluded for pending/nfa date issues).
- 11% (1,422 out of 12,296) of the WTC claims have been assembled since Sept. 11, 2007.
- 42% (5,209 out of 12,296) of the WTC claims were assembled two or more years after the incident.

Controverted

- More than 41% (5,109 out of 12,296) of all WTC claims were controverted by the insurer or employer. This is more than twice the typical rate of controversy. For example, of 986,849 non-WTC claims assembled in 2001 through 2007, 161,744 (or 16.3%) were controverted. Insurers and employers disputed more than 26% (1,245 of 4,723) of WTC claims that were ultimately established and for which indemnity benefits were paid. Controverted claims took more than three times as long as non-controverted claims to establish.
- There is a high rate of litigation among RRCU claims. 61% (3,165 out of 5,196) of RRCU claims were controverted (compared with 16% of non-9/11 claims).
- 26.4% (1,245 of 4,723) of WTC death and indemnity claims were controverted.
- 12.0% (440 out of 3,676) of WTC victim indemnity claims were controverted.
- 79.8% (755 out of 945) of WTC rescue recovery cleanup workers indemnity claims were controverted.
- 49.0% (50 out of 102) of WTC not classified or for another group type indemnity claims were controverted.

Ten years after the events of 9/11 the Board continues to address the needs of victims, rescue, recovery and clean-up workers and those who volunteered in the aftermath of the attacks on the World Trade Center.