



Emergency responder protection sought by engineers

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When the terrorists attacked the World Trade Center on 9/11, structural engineers joined other emergency responders at Ground Zero to assist the city of New York with the multiple tasks before it. They were there to assess the structural stability of the surrounding buildings and the massive debris pile that in some areas reached the height of a ten-story building. Many of the consulting engineering firms that provided these services are now being sued, not for their work as structural engineers, but for injuries related to exposures to dust and other contaminants - areas of responsibility entirely outside their assigned tasks.

Within a year of the attack, some first responders and others claim to have become sick with respiratory and other illnesses. Those who are ill are now being represented by law firms that are suing anyone who had a contract for work at Ground Zero, regardless of their actual roles and responsibilities. The structural engineers think these lawsuits are unfair. They believe the lawsuits against them should be dismissed and they want legislation enacted to prevent them from being subjected to the possibility of such lawsuits if they are called on again to lend assistance following a disaster.

From September 11 through July 2002, 26 firms provided professional structural engineers, 24 hours a day, 7 days a week. It was an amazing and heroic effort. They worked alongside the contractors in partnership with the city of New York. Sadly, should another disaster strike, structural engineers may be reluctant to respond given the thousands upon thousands of lawsuits currently pending against them resulting from their prior willingness to help. Clear legislative protections are needed to prevent such reluctance and encourage an enthusiastic and quick response.

Engineers, by nature, are committed to public safety. It is at the crux of their profession. After the terrorist attacks, the New York City engineering firms wanted to help. They provided a tremendous service, working alongside the first responders and contractors in the most horrific conditions. As an association representing the business interests of consulting engineering firms, the American Council of Engineering Companies of New York (ACEC New York) is concerned that the next time there is a manmade or natural disaster in New York State, engineers will not respond for fear of spending years in litigation and putting their businesses at risk.

What was considered a positive effort by the engineering community in support of the city has become a negative turn of events for the responding engineers and a situation that is not being addressed by legislators and officials who at some point in the future may again have to call upon the Architecture, Engineering and Construction (AEC) community for help. Right now, engineers feel that maybe Claire Booth Luce had it right when she said, "No good deed goes unpunished."

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