

Worker claims he's being fired for injuries sustained on-the-job

By Shawn Cohen and Jennifer Bain

March 30, 2015 | 4:27am



Michael Lewery Chad Rachman

MORE ON:

DEPARTMENT OF SANITATION

Woman was fired for reporting worst co-worker ever: lawsuit

Elderly man struck by car driven by sanitation worker in Chinatown

See it: Man sucker punches sanitation worker in the Bronx

Mother and son struck by garbage truck in Queens

A sanitation worker who suffered a severe shock from a power line while clearing debris from Hurricane Sandy is now being treated like trash by the city, he charges.

Michael Lewery says he's being canned by the Department of Sanitation because of the injuries he suffered in the November 2012 on-the-job accident.

He says he's now being denied a disability retirement he says he needs to support himself and his two young daughters.

"It leaves me very bitter toward New York City, how they treat their own," said Lewery, 48.

Lewery said he sustained nerve damage that makes it difficult to walk. Still, he said he tried to return to "light duty" last June, but fell and had to be hospitalized.

The department's neurologist found Lewery was unable to work because of his injuries, and the agency is, therefore, moving to "terminate" him, a spokeswoman told The Post, calling the move a "medical separation process."

But the NYC Employee Retirement System (NYCERS) denied him benefits after its medical board found "no objective evidence" of a disability that would prevent him from working.

Lewery, a dad to daughters 7, 11, and 23 years old, said he has worked for only about two months since then, but said the nerve damage continues to impair his movement.

"I have problems in my left eye, my left leg. I get around but I can't be on my feet any given amount of time," said Lewery.

"I have two little ones. I used to chase them around the park. Now I can't do that and it breaks my heart," added Lewery, is suing the city for his injuries, and Con Edison for not shutting the power off.

Lewery is also suing NYCERS for his disability retirement.

"The city has done nothing but turned its back on a dedicated 13-year employee who risked his life to help those in need after Hurricane Sandy," said his lawyer, Joseph Tacopina.