

## Disability claims soar in Montgomery County

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### *Records reveal spike in filings by firefighters*

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A sharp upsurge in disability claims by public safety workers in cash-strapped Montgomery County in recent months — including an avalanche of claims by firefighters — has drawn the attention of county investigators.

More than three times as many Montgomery County firefighters applied for disability payments in recent months than were awarded the financial perk all of last year, *The Washington Examiner* has learned.

Documents from the county's Office of Human Resources show a dramatic spike in firefighters who claim they are too disabled to work — despite heightened efforts by Montgomery officials to crack down on a system they say shells out millions of taxpayer dollars to able-bodied employees.

In May alone, 16 fire department employees sought disability payments, and though their cases are pending, the vast majority of applicants are successful, county officials say.

Between March and June, according to the documents, 25 Fire and Rescue Service employees applied for disability pay. In comparison, seven firefighters were given the benefit for the first time all of last year.

Some call the surge evidence of a rush by workers to cash in on disability handouts that far exceed those in other jurisdictions throughout the Washington region.

"It's clear to me you still have a high number of people using disability as an alternative retirement package," said Councilwoman Duchy Trachtenberg, D-at large.

However, Assistant Fire Chief Scott Graham defended the jump in disability cases, saying it reflected a push to eliminate department employees who couldn't handle the physical rigors of the job.

He said workers who didn't meet physical standards for fire response were told to "retire or apply for disability" and called the change part of a "cost-saving plan."

Dozens of public safety employees are still collecting disability checks despite moving on to stable jobs elsewhere, according to county officials.

The County Council last week introduced a bill that would develop a two-tiered system in which disability payments would be determined by injury severity for all police and general government employees given money for disabilities. Right now, officers who break their finger are eligible for the same amount of money as a colleague paralyzed while on duty.

Police officers and municipal employees are given two-thirds of their annual salary in a tax-free pension, under the current system.

The proposed council reform wouldn't affect firefighters, who already use a two-tiered system. Those considered partially disabled receive more than half of their annual salary, tax-free, and fully-disabled employees bank 70 percent of yearly wages.

From 1985 to 2008, 40 percent of retiring officers left work with disability pay, according to the police union -- far eclipsing surrounding counties.

Inspector General Thomas Dagley in a 2008 report also concluded "a prudent person would consider [the system] abusive." He found more than 60 percent of officers retired with a disability pension in a recent three-year period.

By comparison, Fairfax County, which maintains a similar work force, had only a handful of similar cases.

"I believe because we're a right-to-work state, we are able to more effectively deal with disability and discipline issues," observed Fairfax County Supervisor Pat Herrity, R-Springfield. "The unions have a huge influence in those public safety departments."

Montgomery County Council members previously balked at efforts to alter disability payments, calling it a bargaining matter.

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