



NEW YORK STATE SENATOR

James Sanders Jr.

Governor Hochul Signs Senator James Sanders Jr.'s Cancer Bill Into Law AKA "The Nigro Bill"

[JAMES SANDERS JR.](#) November 2, 2021

Governor Kathy Hochul signed Senator James Sanders Jr.'s cancer-related bill aka the "Nigro Bill" (S.661/SANDERS Same as A.6424/Bichotte Hermelyn) into law last week. The legislation temporarily amends the worker's compensation law for death benefits with relation to cancers caused by diesel exhaust exposure.

"I am very proud of this legislation which will allow grieving families to be able to seek financial justice for the loss of their loved one," Sanders said.

Specifically the bill allows for a filing of a claim within one year from the effective date of this section for death benefits due to cancer caused by exposure to diesel exhaust, superseding other legal provisions which would bar such claims due to time-constraints.

On January 5, 2012, Anthony Nigro - after whom the bill is named – died of lung cancer after a long career as a bus mechanic. Over the course of his job, Mr. Nigro was regularly exposed to the harmful diesel exhaust. Although his widow filed a timely claim for death benefits, other widows/widowers and dependents of workers who died of cancer due to diesel exhaust exposure are barred from filing claims for workers' compensation benefits because the statute of limitations expired before scientific proof of diesel exhaust as a Class 1 carcinogen became available. The public policy of the State of New York states that workers compensation benefits shall be provided to the dependents of workers who die as a result of workplace accidents and illnesses.

TWU Local 100 President Tony Utano said: "This is an important bill that we have been fighting for the past few sessions in Albany. I'm happy that we were finally able to bring it across the finish line for those transit families who will ultimately benefit from this victory."

The signing of this bill into law further cements Senator Sanders' leadership in ensuring equitable treatment for union members. Just recently he sent a letter to Governor Kathy Hochul urging her and the MTA board to act in the name of fairness and equity and approve the same contract that Transport Workers Union (TWU) Local 100 as was given to the Amalgamated Transit Union (ATU) locals 726, 1056, and 1179. The letter was co-signed by some 50 other elected officials.