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Bravest Fume at FDNY

By **Staff Writer**

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Numerous firefighters who survived 9/11 have found themselves trapped in desk jobs – too ill to battle blazes but not sick enough to qualify for disability pensions, the Daily News has learned.

A group of 30 active and retired firefighters are now preparing a class-action lawsuit to force the Fire Department to make up its mind – restore them to active duty or let them retire on disability.

The firefighters were designated for light duty by FDNY doctors who found them disabled by asthma or other lung-related problems. But in late 2003, the medical board of the pension fund changed the standard for lung disability, according to the Uniformed Firefighters Association.

“The rules changed after the Fire Department realized how many firefighters were affected by 9/11,” said lawyer Jeffrey Goldberg of Lake Success, L.I., who is preparing the lawsuit.

“There’s no logic to keep them on the payroll. I think there’s a political agenda to protect the pension fund.”

Prior to the change, firefighters who flunked a breathing test – called the Methacholine challenge – were generally granted a tax-free disability pension by the trustees on the pension board.

Now they’re being sent out by the medical board for a pulmonary function test that the union charges doesn’t check for the “reactive airway condition” that afflicts many of these firefighters.