

# SCAFFOLD LAW REFORM

Labor Law 240/241

## ACTIONS NEEDED:

- **Tell the Governor this is a critical jobs issue. It is driving up business costs and preventing job growth.**
- IIABNY supports A.5624 (McDonald), that provides a clear comparative negligence standard that equally distributes the burden.



## THE ISSUE:

- The Scaffold Law (Labor Law 240/241) holds property owners, employers and contractors **ABSOLUTELY LIABLE** for “gravity related” injuries that happen on the job even if the workers’ gross negligence contributed to the accident.

## THE FACTS:

- **New York is the only state in the union that retains this archaic statute that pre-dates the Workers’ Compensation Law.**
- New York’s workplaces are not “safer” because of the act; in fact much evidence points to the contrary.
- New York’s trial attorneys are the only group that across the board support retention of this outdated destructive law. Labor groups are split on their position.
- Loss costs for insurance impacted by the Scaffold Law are as much as 5 times higher than places without Labor Law.
- Causes New York’s general liability insurance costs to be highest in the nation for construction.
- The New York School Construction Authority’s insurance costs have nearly tripled in the last three years because of the Scaffold Law.
- The number of carriers that write general liability policies for construction in New York is declining.
- Costs the construction industry an estimated \$3 billion annually.
- Costs NY taxpayers \$785 million annually because of increased cost of construction on public projects.