



New York Farm Bureau  
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## MEMORANDUM OF SUPPORT

**Assembly Bill 5624 (Assemblyman McDonald)**

**AN ACT TO AMEND THE CIVIL PRACTICE LAW AND RULES, IN RELATION TO DAMAGES RECOVERABLE WHEN CONTRIBUTORY NEGLIGENCE OR ASSUMPTION OF RISK IS ESTABLISHED IN CASES INVOLVING BUILDING CONSTRUCTION, DEMOLITION AND REPAIR WORK**

**Date: 3/13/2017**

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New York Farm Bureau, the state's largest general farm organization, urges your support of this legislation. This bill would apply existing comparative negligence standards to claims filed under article ten of New York State Labor Law.

Quite simply, this legislation does not take away an employee's ability to sue an employer for injuries sustained on the job; rather it limits what actions he or she may bring against the employer in tort in the above situation. New York is the ONLY state in the U.S. that does not have some form of limited liability available to employers when a worker is injured from a fall or falling object.

The lack of access to affordable liability insurance greatly influences farmers and other small businesses in New York State. With regard to this legislation, farmers can face lawsuits, and their financially damaging effects, from employees of contractors that have failed to properly apply their safety training or utilize the safety equipment provided while working to construct new barns or other farm buildings. This results in financial harm for the farm business by hindering access to necessary insurance coverage or at the very least continuing to drive up liability insurance premiums on businesses across the state.

For these reasons, your support of this legislation is requested.