



Scaffold Law Reform Coalition and the New York City Special Riggers Association request moratorium on Scaffold Law as state strives to reopen

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New York, NY With the renewal of construction activity across the state, the Scaffold Law Reform Coalition (SLRC) and the New York City Special Riggers Association (NYCSRA) have sent an appeal to governor Andrew Cuomo asking him to use his executive authority to issue a moratorium on the “absolute liability” provisions of the “anachronistic and inequitable” Scaffold Law. This statute, comprised of New York Labor Law sections 240/241 and commonly known as the Scaffold Law, holds contractors and property owners absolutely liable for any elevation-related injuries sustained by a worker, regardless of the worker’s gross negligence. The NYCSRA has been working with the Lawsuit Reform Alliance of NY to support Scaffold Law Reform.

In a statement, John Kalafatis, board member, NYCSRA said, “Some may say that a moratorium on absolute liability could hurt labor. I say absolutely not – this helps labor! Being a construction business owner for over 40 years where labor safety and well-being are my primary concern, there

have been countless times where our firm's capital expenses are tied up in insurance and legal costs instead of going where they belong—labor, safety, training and productivity. Without question just and equitable compensation for laborers that do get injured is warranted. However, because the absolute nature of the law incentivizes litigation, quite simply, too many allegations are not real. This moratorium would not negatively impact those actually injured. Insurance carriers would return to the New York marketplace where competition is virtually non-existent. The time is now to help our state and do the obvious.”

The letter, dated June 18th, praises the governor and his team's vision for the infrastructure and small business and reminds him that he has supported fixing the Law in public comments. It notes that his forward-looking agenda is hindered by a law that makes NYS infrastructure projects some of the most expensive anywhere in the world and that New York is one of the only states in the nation to retain such a law. The Coalition calls for the moratorium as an opportunity to “help our state come back strong.” The letter states numerous facts supporting the repeal of the Scaffold Law.

Public support progressive speaker of the NYC Assembly, Corey Johnson, called for repealing New York's Scaffold Law in his plan to fix the MTA. Over half of the state's county governments have passed resolutions supporting the reform or repeal of the state's Scaffold Law. New York is one of the only remaining states that has a law like the Scaffold Law. Illinois repealed its Scaffold Law in 1995, and construction-related fatalities decreased by 26% over five years.

For more information, please visit scaffoldlaw.org, nycsra.com and lrany.org.

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