

A.8981 Weprin / S.8413 Breslin

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BILL A.8981 Weprin /S.8413 Breslin
SUBJECT Establishes the crime of staging a construction site accident.
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SUPPORT

The Business Council enthusiastically supports A.8981 (Weprin) / S.8413 (Breslin) which establishes staging a construction site accident as a crime which results in a class E felony. Construction work is already difficult; loaded with hazards and safety concerns, making it very taxing on workers physically. The construction industry is the bedrock which makes New York so attractive with its tall skyscrapers and vast multi-prong traveling options. We depend on construction workers to shore up our infrastructure to keep bridges and roads safe for travel, while continuing the development of housing and other important projects which are essential to the state. For someone to stage a construction accident for monetary gain, hoping to collect a huge payday based on fraudulent claims is repugnant and unacceptable.

These fictitious claims often result in lawsuits and Worker's Compensation claims which ultimately get settled in lieu of going into an expensive trial because of loopholes in the law (Labor Law 240-241). These bad actors put a payday above the welfare of honest laborers and the needs of the public. Those that engage in this illicit activity are essentially stealing, which is costly for all parties involved. Staging accidents results in increased expenses, high insurance premiums, unanticipated Worker's Compensation expenses, reduced productivity, and delayed work which results in late completion deadlines. Contractors have now had to take measures such as increased training and adding surveillance cameras to combat these issues. This behavior must stop immediately. The staging of construction site accidents has cost the state, insurance companies, the construction industry, and residents millions in unnecessary cost.

These bogus claims have increased insurance premiums in New York resulting in contractors having to pass the cost on to building owners/developers; and in return, they pass that cost on to homeowners and renters. As a responsible contractor, providing effective safety training and equipment while following all mandated laws and policy procedures helps limit potential accidents on the jobs site. However, these efforts can sometimes be rendered useless when false

claims are being filed time after time. We all understand that accidents happen, but because of the immoral behavior of the few, it may sometimes have a negative blight on those laborers who have legitimate claims because of the frequency of false claims. Again, this unruly behavior must be addressed and those engaging in such activity must be penalized.

For these reasons, The Business Council fully supports the adoption of A.8981/S.8413.