

“Do I need a lawyer after a construction accident in New York?”

Knowing what to do after a [construction accident](#) can be confusing. Many workers believe that they will be taken care of if they merely notify their employers after an accident, but in many cases, that simply isn't true. Construction workers need to understand their legal rights and options in the wake of an accident, especially if a negligent third party is involved. Hiring an experienced attorney can make a meaningful difference.

How common are construction accidents in New York?

Construction accidents have become increasingly common nationwide and in New York, especially in New York City, where the number of construction accident injuries and fatalities has skyrocketed in recent years.

In 2015, there were 433 construction accidents, nearly double the number of construction accidents in New York City in 2014, when there were 231 construction accidents, according to New York City Department of Buildings records, reported by [The New York Post](#).

Construction accident injuries in New York City also increased dramatically during the same time period. In 2014, there were 246 construction accident injuries in New York City. In 2015, there were 471 injuries. Statistics for 2016 were not available.

As far as fatal construction accidents in New York City, there were 23 fatalities in 2015, according to statistics compiled by the [U.S. Bureau of Labor Statistics](#). In 2014, there were 20 fatalities. The year before, there were only 11 construction fatalities in New York City in 2013. Statistics for 2016 were not available.

Nationwide, there were 937 construction fatalities in 2015, the highest number since 2008, according to statistics compiled by the [Occupational Safety and Health Administration \(OSHA\)](#). In contrast, there were 902 construction fatalities nationwide in 2014 and 845 in 2013. Statistics for 2016 were not available.

Why do construction accidents happen in New York?

Construction accidents happen for many different reasons. But four specific causes account for most construction accidents, according to OSHA. Known as the “Fatal Four,” these four causes accounted for 64 percent of all construction fatalities nationwide in 2015.

The “Fatal Four” causes of construction accidents nationwide in 2015 were:

- Falls – 364 out of 937 construction accident deaths (38.8 percent)
- Struck by an object – 90 deaths (9.6 percent)
- Electrocutions – 81 deaths (8.6 percent)
- Caught in between objects – 67 deaths (7.2 percent)

Why do such accidents happen? In many cases, it's because construction companies fail to take steps to protect workers' safety. Sometimes, it's hazardous working conditions. Other times, it's failing to properly train workers. Other common causes of construction accidents include:

- Unmarked hazards
- Defective equipment
- Poor lighting
- Mistakes made by untrained workers
- Mistakes made by inexperienced workers

What makes New York construction accidents unique?

Construction accidents in New York, especially New York City, are unique for many reasons. In particular, many construction workers work at great heights. That's why [scaffolding accidents](#) are so common in New York City and nationwide, according to [OSHA](#).

As a result, New York State has strict laws designed to protect workers who work on scaffolding. Known as the "Scaffold Law," New York Labor Law 240 was created in 1885 to protect workers who work at great heights.

But many construction accidents occur closer to the ground in New York City. Between 2010 and 2015, 75 percent of construction accident fatalities occurred in buildings less than 10 stories tall. The reason? [Worker safety regulations are not as strict for shorter buildings](#).

Another important factor is that there are often a large number of companies working at the same construction site in New York. There might be several companies working at the same location from several different states. Workers injured in construction accidents at these sites may have grounds for a third-party personal injury lawsuit, depending on the circumstances.

Finally, in New York, it is very common for contractors to use non-union trade workers in order to cut costs. These workers do not have the safety training that unionized workers do, which makes the construction site much less safe for everyone involved.

Common legal issues involving construction accidents.

The biggest legal obstacle construction accident victims in New York often face involves proving that a construction company or someone else acted in a negligent or reckless manner, which resulted in the construction accident.

This might seem simple, but problems arise when construction companies often deny any wrongdoing. They may even try to blame the injured worker for causing the accident.

And without evidence proving that a construction company or another business caused the accident, obtaining financial compensation for a construction accident can be nearly impossible. Moreover, even if they can obtain evidence documenting the cause of a

construction accident, injured workers may face strong resistance from insurance companies or attorneys representing construction companies or construction equipment manufacturers.

That's why it's critically important for anyone injured at a worksite to take pictures of the site and any visible injuries and to get the full names of any witnesses right away. As soon as someone is hurt on a site, the general contractor will start to build a case to defend against liability. The injured worker needs to do the same to level the playing field.

How can an attorney can help me with my construction accident?

Having an experienced, New York City construction accident lawyer on your side can level the playing field. Instead of construction companies or insurance providers dictating what happens to you, you can set the agenda.

An attorney can help you with your construction accident case in many different ways, including:

- Conducting an independent investigation of your construction accident. This often includes:
 - Interviewing witnesses who saw your accident.
 - Reviewing construction company safety inspection reports (Was there a history of safety violations? And what did the company do about them?)
 - Reviewing construction company hiring records (Did the company hire experienced, licensed construction workers?)
- Helping you file the necessary paperwork with your employer notifying them of your construction accident injury.
- Making sure you meet all the mandatory deadlines for applying for compensation for your construction accident in New York State.
- Helping you get the medical care you need and deserve during your recovery.
- Negotiating with insurance companies on your behalf if necessary.
- Filing a lawsuit against the person or business responsible for your injury if applicable.
- Representing you in court if necessary.
- Filing an appeal if your application for benefits is denied.

For More Information

[Contact](#) Giampa Law, a New York law firm focusing on representing injured construction workers. The firm has offices in the Bronx and Peekskill, New York.