



SCAFFOLD LAW REFORM

A. 5624 (McDonald)

We, the organizations listed, represent thousands of businesses throughout New York State, and we **SUPPORT** this legislation to require existing comparative negligence standards to claims filed under article ten of New York State Labor Law.

New York Labor Law sections 240/241, otherwise known as the “scaffold law” imposes absolute liability for gravity related injuries on employers and property owners. New York is currently the only state in the nation that enforces this standard. The financial impact on taxpayers and our economy is substantial, over \$2 billion combined annually, and the ability of small employers to find affordable liability insurance is virtually impossible.

This legislation does not take away an employee’s right to sue an employer for injuries sustained on the job. This bill simply contains the costs of absolute liability in an equitable manner by implementing a comparative negligence standard. Currently, contributory negligence is not being considered by the courts as a reasonable defense for employers and property owners. The fact that substantial awards can be granted absent thorough consideration of the actions of an employee is unlike any other standard in New York Civil Law. This legislation simply rectifies that by ensuring that liability is proportional to fault.

This commonsense reform to an antiquated law will reduce taxpayer burden, reduce liability insurance for employers AND continue to guarantee workers receive just awards by the courts.

For these reasons, we urge your support of this bill.

