



## **New York Personal Injury Law Firm Explains Three Things Building Owners Must Know About the New York "Scaffold Law"**

*A recent New York Court of Appeals decision rejected a building owner's defense that he didn't know a tenant had contracted work and was not liable for a worker's injury. As a result of this ruling, under Labor Law Section 240, building owners will be held liable for any accidents occurring to workers when performing work at an elevated height. Partner in the New York personal injury law firm Gersowitz, Libo & Korek and New York Trial Lawyers Association President Jeff S. Korek explains three things a building owner must know.*

New York, NY ([PRWeb](#)) July 8, 2008 -- According to a decision recently handed down by the New York Court of Appeals (Sanatass et al., v Consolidated Investing Company, Inc. et. al., {2008 NY Slip Op 03515}), building owners will be held liable for any accidents, whether or not they authorized that construction, whether or not a tenant violated the lease in doing so. One law that addresses construction site safety is Labor Law Section 240. Also known as the "scaffold law," it is imperative that building owners know it well.

"No longer can a building owner plead ignorance when work is being done at an elevated height on his or her property," says Jeff Korek, Partner in the New York personal injury law firm Gersowitz, Libo & Korek and New York Trial Lawyers Association President. "So building owners need to better understand this law, especially three key points."

Point #1: Building owners are legally liable. Building owners are legally liable for accidents that occur at elevated heights during construction or renovation, whether or not the building owner was aware of that work. This applies both to having equipment that is well-constructed and that is equipped with safety features, such as a safety bar, guard rail or net.

Point #2: Scaffold Law applies to window washing, too. In *Brogg v Rockefeller Group, Inc.* {2007 NY Slip Op 05775}, the New York Court of Appeals ruled that the "scaffold law" applies to acts such as window washing, because work is done at an elevated height. So building owners are also legally liable for accidents occurring at elevated heights during routine maintenance and cleaning, whether or not the maintenance occurred in conjunction with construction.

Point #3: Safety first: workers protected. For years New York has been one of the states with the fewest number of yearly construction accidents. Since owners and contractors historically have tried to chip away at laws making them responsible for a laborer's on-the-job injury, the Appeals Court's recent decision further strengthens the "scaffold law."

About GLK

Gersowitz, Libo & Korek (GLK) is a New York and New Jersey personal injury and medical malpractice law firm that's passionate about helping seriously injured people. Our clients are seriously injured in auto accidents, construction accidents, by defective products or through doctors' mistakes. They and their loved ones deserve dignity and justice, and we work hard to deliver for them. For more information, call: 1-800-LAW-9997 or visit:



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