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CIVIL JUSTICE ADVOCATE CALLS ON PENN STATION TASK FORCE TO PUSH FOR ACTION ON LABOR LAW REFORM

‘Scaffold Law’ a financial drain on infrastructure dollars

“statute carries archaic liability rules that exist nowhere else in the nation”

Albany, NY – Today, **Tom Stebbins, Executive Director of the Lawsuit Reform Alliance of New York** sent a letter urging the newly formed Penn Station Task Force to support reforming the costly liability rules under the state’s controversial ‘Scaffold Law.’

“The statute carries archaic liability rules that exist nowhere else in the nation,” wrote Stebbins, “contractors and property owners – including the state and public authorities – face 100% liability in lawsuits for gravity-related construction accidents, even if the party had nothing to do with the accident.”

“The state’s crumbling infrastructure cannot continue to suffer under this imbalanced law. We urge you to make Scaffold Law reform a priority,” he continued.

Earlier this year, **Assemblymember John McDonald (D-Cohoes)** introduced A.5624, a concise and comprehensive bill aimed at solving the liability crisis created by the law.

“I see very quickly that New York State is losing its competitive advantage,” Assemblymember McDonald said as he addressed the attendees of the Scaffold Law Reform Coalition’s annual lobby day in Albany this past February.

According to the memo accompanying the bill, the legislation “will provide much needed relief to school districts, counties, and local governments by lowering their liability exposure and creating significant savings on all infrastructure construction projects in New York State.”

“Most importantly,” the memo concludes, the proposed reform “would not weaken the law’s safety provisions.”

Louis J. Coletti, President & CEO, Building Trades Employers' Association told the press in 2016, “the trial attorneys have been the 4th branch of state government for far too long. Reform for them isn't about worker safety—it is about the money they earn in §240 cases”

At 2016's Scaffold Law Reform Day, **Jolie Milstein, President & CEO of the New York State Association for Affordable Housing (NYSFAFH)** said, "New York is facing a statewide housing crisis and the Scaffold Law is standing in the way of more affordable housing for low- and middle-income families and seniors.”

Similarly, in March of 2017, **Habitat for Humanity of New York State President and CEO, Judith Nelson** wrote to Governor Cuomo and legislative leaders in support of McDonald's bill: “Due to the Scaffold Law's ‘absolute liability’ standard, no insurer would write the policy to cover our volunteers... We urge you to consider changing these archaic laws and assist affordable housing providers with more viable and economical solutions to the housing needs of New York families.”

Scaffold Law reform is supported by a diverse coalition including the New York State Association for Affordable Housing, New York State School Boards Association, New York State Farm Bureau, Business Council of New York State, the New York Conference of Mayors, Associated General Contractors, Unshackle Upstate, National Federation of Independent Businesses, the Manufacturers Association, and chambers of commerce across the state.

See letter to Penn Station Task Force here: <https://goo.gl/frAjwk>

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The Lawsuit Reform Alliance of New York (LRANY) is a nonpartisan not-for-profit association of businesses, professionals, healthcare providers, membership organizations, taxpayers, and concerned citizens committed to changing New York's legal system to help create jobs and energize our economy.