

# Confined Spaces Worker Accidents In New York City

## An experienced lawyer can help you recover compensation

Many construction workers do their jobs in confined spaces under hazardous conditions. These include those who work with gas, electricity, water, steam pipes, sewer pipes, and telecommunications lines. A [construction accident](#) can leave them with serious injuries that can be life-altering and sometimes fatal.

What is a confined space? OSHA defines it as a space that is large enough and configured in a way for an employee to enter and perform work, with limited or restricted means for entry and exit.

## Many New York workers deal with dangerous conditions

Examples in New York City include utility spaces, such as manholes, underground vaults, sewer and water pipelines, pumping stations, and storm drains. Some workers do their jobs in access tunnels, crawl spaces, shafts or pits. Others work in water tanks, storage tanks, septic tanks, or cisterns.

Workers in confined spaces face the risk of:

- Breathing hazards – Oxygen levels can be low in a confined space, and oxygen could be replaced by nitrogen or carbon dioxide. There may also be toxic gas, vapors, fumes, dust, or other particles in the space.
- Burns – A buildup of flammable or explosive gas can lead to a fire or explosion in certain circumstances.
- Drowning or asphyxiation – A confined space can quickly fill with oil or water. A confined space below ground can also collapse, leaving a worker buried under dirt or debris.
- Other physical harm – In some confined spaces, there is the risk of falling, being struck by a falling object, being struck by machinery, or exposure to live electricity, resulting in electric shock.

Because conditions in confined spaces can be so dangerous, workers who try to rescue a coworker also face the risk of injury or death.

## A responsibility to keep workers safe

There are federal and state laws that must be followed to help protect workers in confined spaces. Employers have a responsibility to take precautions to keep workers safe. These precautions may include:

- Obtaining required permits before conducting any work in the space
- Testing for potential hazards before work begins and monitoring potential hazards while work is being done

- Training workers on how to safely enter, work in, and exit the space
- Providing workers with all information about potential hazards in the confined space
- Providing workers with personal protective equipment (PPE) when working in a confined space
- Using hoists and fall protection systems with slings for appropriate weight ratings
- Planning to protect workers from pinch points in the space that could cause injury
- Shoring when digging temporary holes or trenches to prevent collapse
- Using flaggers and high visibility clothing when working in the road
- Preparing for a safe rescue if a worker is in trouble

Workers injured in confined spaces accidents may need extensive medical treatment and a long period of rest and rehabilitation. Some are left with a permanent disability. While they can't work, there is no money coming in, leading to a period of financial stress and uncertainty.

Workers' compensation benefits can cover medical expenses and provide partial lost wages. But other damages are not covered.

### **Holding negligent third parties accountable**

If the negligence of a third party caused an accident in a confined space that left you injured, you may be able to recover financial compensation in a lawsuit.

Examples of third parties include business or property owners, general contractors, sub-contractors, site engineers, architects, manufacturers of equipment and materials, and drivers of vehicles if there was a motor vehicle accident.

Third-party lawsuits can be complicated. These parties often don't admit negligence and refuse to accept responsibility for what happened. Insurance companies dispute liability and may blame another party for causing the accident.

That's why you need an experienced New York City construction accident lawyer. An attorney will be familiar with federal and state laws that apply to your case. A law firm will also have the resources to investigate your accident to gather information that is helpful to your claim.

A legal team can collect evidence at the accident scene, review any photos or video, carefully review accident reports and other documentation, and identify and interview witnesses. If needed, industry experts can be consulted to help identify negligent parties.

### **Get legal advice if you've been injured**

A lawyer can help you file a lawsuit and guide you through the legal process every step of the way. In general, you can seek compensation for medical expenses and lost wages not covered by workers' compensation, lost future income, replacement services, home and vehicle modifications, loss of quality and enjoyment of life, and pain and suffering.

Third-party lawsuits are often resolved by a negotiated settlement. Opposing attorneys will question evidence and the seriousness of injuries in an attempt to limit compensation. That's why it's important to be represented by an attorney who has a record of building strong cases that convince insurance companies it is in their best interests to reach a settlement rather than go to court.

If you were hurt in a confined space accident, it's important to get legal advice as soon as possible. While state law generally allows three years from the date of your accident to take legal action, waiting too long can make building a strong case more difficult. Evidence can be lost or destroyed over time, and witnesses may forget important details.

Keogh Crispi, P.C. has a record of getting results for injured workers in New York City. Learn about your rights and options for recovering compensation during a free consultation. [Contact us](#) to schedule a time that is convenient for you.