

Who Can I Sue After A New York City Construction Accident?

An experienced lawyer can help you recover compensation

There are many hazards on a construction site. If proper and required safety precautions are not taken, a [construction accident](#) can happen that leaves a worker seriously injured. An injured worker can experience losses that total thousands or even millions of dollars. Under New York law, they have the right to seek compensation for these losses from certain parties.

As they are covered by workers' compensation benefits, an injured worker may not file a personal injury lawsuit against their direct employer. However, they can take legal action to recover compensation against a third party whose negligence led to the workplace accident that left them injured.

There are many types of third parties that can be found on a construction site. These include:

General contractors

When a property owner seeks to build or renovate a property, a general contractor is often hired to complete the project. This contractor is responsible for making sure that all federal and state safety regulations are followed each day on the site, and that workers are properly trained. This includes an assessment of potential hazards on the site and actions to protect workers against any hazards found. Workers must also be provided with any safety equipment that is needed to protect them. The contractor also must hire subcontractors that are qualified and have good safety records.

Subcontractors

Other contractors are often hired by the general contractor of a construction project to perform specific tasks. These can include excavation to prepare a site for building, pouring concrete for a foundation, erecting framing for a building, putting on roofing or siding, installing an HVAC system, installing an electrical system, doing plumbing work, bricklaying, plastering, or painting. As with the general contractor, subcontractors are also responsible for following federal and state safety regulations and ensuring the safety of their workers.

Property and business owners

While owners themselves may not be doing any construction work, they still have certain responsibility for ensuring the safety of others. All workers who are their property are protected by New York premises liability law. Owners need to hire general contractors who are qualified and have a good safety record. They must take steps to address any known safety hazards before the project begins and take steps to prevent the creation of any hazardous conditions. This applies to residential and commercial property owners, as well as business owners.

Engineers

A site engineer is responsible for the planning of the project and preparing the site for construction work. This includes making sure workers have the appropriate materials, tools, and safety equipment needed to do their jobs. Their responsibilities also include making regular inspections of the site to check for potential hazards and taking steps to address those hazards.

Architects

The architect who designs a building has to make sure that it will be structurally sound and choose the appropriate materials to be used in construction. Failing to take these considerations into account can result in a building collapse during the construction process, putting workers at risk.

Equipment Manufacturers

There are many different types of machinery, power tools, and heavy equipment used on construction sites. When there is a defect that prevents any type of equipment from functioning as it should, even an experienced worker can be injured. The manufacturer or distributor of the equipment can be held liable. This also applies to safety equipment that does not properly protect workers due to a defect.

Other Third Parties

Construction work is often done in very busy sections of New York City, and there can be many other parties involved in an accident. For example, a driver may cause an accident that leaves workers on the site with injuries. Or a security company may be responsible for allowing a crime to be committed on the site.

Know your legal options after an accident

There are many different examples of third-party negligence on a construction site that can result in an accident. These include:

- Failing to follow federal or state safety regulations
- Failing to warn about or address hazardous conditions
- Unsafe demolition plans
- Using substandard materials for a building or scaffolding
- Unsafe use of a vehicle or heavy machinery
- Failing to provide needed safety equipment

But a third party may deny doing anything wrong and refuse to accept responsibility for the accident. Third parties will also have the backing of their insurance carriers and their own attorneys. That puts the injured worker in the position of having to prove negligence.

That's why it's important to consult an experienced New York construction accident attorney as soon as possible if you were hurt in a workplace accident. An experienced law firm will have the resources to investigate the accident. This involves gathering evidence, reviewing accident reports and other documentation, and interviewing witnesses. As needed, an attorney can also consult industry experts who can help determine negligence.

When a negligent third party has been identified, a lawyer can file a lawsuit on your behalf to recover compensation for your losses. In general, you can seek compensation for some lost wages, lost future income, replacement services, home and vehicle modifications, pain and suffering, and other damages.

While you generally have three years from the date of your accident to take legal action, a stronger case can be built if you act quickly. If you were injured in a New York City construction accident, [contact us](#) to schedule a free consultation. Attorney Pat James Crispi can review the details of your accident and discuss your legal options.