

Steps to Take after a Construction Accident

An experienced attorney can help you take legal action

Construction sites throughout New York City are dangerous workplaces. There are numerous OSHA regulations and state laws that require employers to take certain safety precautions designed to protect workers. But carelessness or negligence can result in a [construction accident](#) that leaves a worker seriously injured.

Nobody expects to be hurt in an accident when they go to work. And when workers are involved in an accident, they often aren't sure what to do next. There are certain steps they can take that can help protect their health and safety, as well as their right to seek financial compensation in a lawsuit.

Get medical attention.

In the immediate moments following an accident, you may not realize what happened to you. It's possible you may feel shaken up, but otherwise think you are fine. However, there are many injuries that have delayed symptoms – including brain injuries and internal bleeding. It's very important to get medical attention as soon as possible to ensure you are OK. If you are injured, a doctor can begin treatment right away. In addition, a doctor will create documentation of your injuries and medical treatment. This can help your case if you are seeking financial compensation from a third party.

Report the accident.

In order to protect your right to receive workers' compensation benefits, you must notify your supervisor that you were in a workplace accident within 30 days. Ask your employer to document the accident and request a copy for your own records.

Get contact information.

Ask witnesses to your accident for their contact information. These witnesses could include co-workers, sub-contractors, or anyone who was on the construction site and witnessed your accident. You only need to ask for their information, not an account of what they saw. Your attorney can contact witnesses at a later date.

Take photos of the scene.

If you are able to, document the accident scene by taking some photos. Or ask a co-worker to do it. Include photos of any equipment or tools you were working with or near. Also take photos of any visible injuries, as well as visible damage to clothing or safety equipment.

Write it down.

As soon as you have time to do so, write down your account of what happened. Include what you were doing just before the accident. Write down everything you remember and don't leave out any details, even if they don't seem important. Mention everybody who was there at the time of the accident.

Follow your doctor's treatment plan.

Keep all medical appointments, get all recommended tests, and take all prescribed medications. Follow advice on limiting activity and getting rest. Don't try to go back to work before your doctor says it's OK. Your doctor can give you a letter that describes your limitations and discusses your ability to work. Following your treatment plan gives you the best chance of recovering from your injury as possible. If you try to return to work against your doctor's recommendations, it could jeopardize your health and your ability to recover compensation.

Keep records.

A work-related accident and injury can generate a lot of paperwork. Start a file to keep all of this documentation together. This includes all documents from your employer, all medical bills, and communications with the insurance company.

File a claim for workers' compensation benefits.

Under New York law, if you are injured in a workplace accident, you have the right to receive workers' compensation benefits. These benefits will cover the costs of reasonable and necessary medical treatment and provide partial lost wages while you are unable to return to work. You may also be able to receive certain other benefits.

Contact a lawyer.

Because of workers' compensation laws, you are not able to file a lawsuit against your employer for an injury that happened at the workplace. However, you may be able to recover financial compensation if a third party's negligence caused the accident that left you hurt.

Examples of third parties at a construction site include property owners, general contractors, sub-contractors, site engineers, architects, equipment manufacturers, and other third parties such as drivers of passing vehicles.

However, recovering financial compensation is often a complicated process. Third parties may deny negligence and refuse to accept responsibility for what happened to you. This puts you in the position of having to prove a third party was negligent, and that that negligence led to the accident that caused your injury.

Get legal advice as soon as possible

An experienced New York construction accident lawyer will have the resources to investigate a workplace accident to get the facts. This process involves gathering evidence, reviewing any

video of the accident, carefully reviewing accident reports and other documentation, and identifying and interviewing witnesses. If needed, a lawyer can also consult industry experts to help prove negligence.

Once the negligent party has been identified, a lawyer can help you take legal action. In general, you can seek compensation for damages not covered by workers' compensation benefits. These may include lost earning capacity, vocational rehabilitation, home and vehicle modifications, and pain and suffering.

If you were hurt in a New York City construction accident, talk to an experienced attorney about your rights and your legal options for recovering compensation. [Contact us](#) to schedule a free consultation.