

David P. Grey – Ret.
Robert E. Grey
Brian P. O’Keefe
Kevin M. Plante
Daniel A. Dutton
Alissa P. Gardos
Sherman B. Kerner
Christa M. Collins



Reply to:
360 Main Street
Farmingdale, New York 11735
(516) 249-1342
www.GreyandGrey.com

Ronald L. Epstein
Peter Tufo
Steven D. Rhoads
Sanjai Doobay
Evelyn F. Gross
Andra Fraiberg-Vetro
Stuti Desai

**CONSTRUCTION SITE ACCIDENTS:
FAILING TO KEEP WORKING AREAS CLEAN
CAN CAUSE SERIOUS INJURIES**

Construction sites are dangerous places to work. When someone is careless, leaves garbage or debris behind them, or takes a shortcut on safety, serious injuries can occur. This is especially true when ladders or scaffolds are involved – not only because workers can fall from them, but also because the floors around them must be kept clear to provide a safe landing area for someone climbing down from a height.

All too often, the floors and working surfaces of construction sites have holes, garbage, debris, new and used construction materials, tools, and other items that prevent construction workers from getting a clear view of the area they are walking on. The law requires owners and general contractors to keep the floors of working areas clear to help prevent trip-and-fall or slip-and-fall accident.

In early 2018, we won a case for a construction worker who was involved in exactly this kind of accident. Our client was a carpenter who was working from a ladder to install framing on a new construction project. His work area was strewn with garbage and debris, which prevented him from seeing an uncovered hole in the concrete slab (apparently for the later placement of pipes). When he came down from the ladder his foot went into the hole and twisted, resulting in serious injury.

The insurance company moved to dismiss the case, arguing that the hole was part of the construction project and that it was our client’s fault for not seeing the hole. We appealed and the Appellate Division, First Department reversed the judge’s decision. The Court agreed with us that the owner and general contractor had a duty to provide a safe place for our client to work and that the fact that the hole was left uncovered and then obscured by garbage and debris that should have been cleared away was a violation of the safety rules that apply to construction sites.

Our client will now get his day in court so the claim can be decided by a jury – and hopefully other owners and general contractors will remember to keep construction sites safe and clear of uncovered holes and debris in the future.

You can read the decision in *Licata v. A.B. Green Gansevoort* on the Appellate Victories page of our web site.

NASSAU
360 Main Street
Farmingdale, NY 11735
(516) 249-1342
**By Appointment Only*

SUFFOLK*
646 Main Street
Port Jefferson, NY 11777
(631) 249-1342

QUEENS
118-35 Queens Boulevard
Suite 1505
Forest Hills, NY 11375
(718) 268-5300

MANHATTAN
111 Broadway
Suite 809
New York, NY 10006
(212) 964-1342

BRONX*
305 East 149th Street
Second Floor
Bronx, NY 10451
(718) 268-5300

WESTCHESTER*
300 Hamilton Avenue
Suite 209
White Plains, NY 10601
(914) 984-2292