

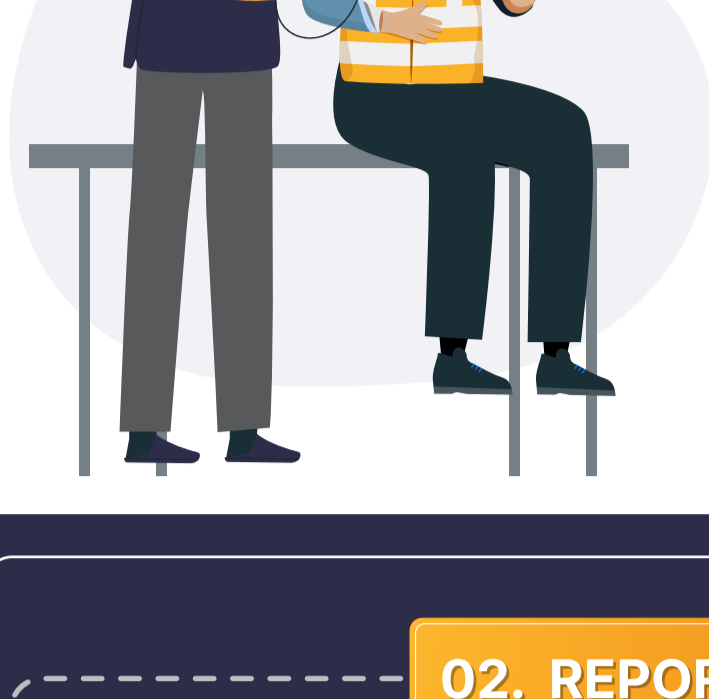


NAVIGATING CONSTRUCTION ACCIDENTS IN NYC

A construction accident can have devastating consequences. Understanding the steps involved in filing a claim is crucial to protecting your rights and getting the compensation you deserve.

01. SEEK IMMEDIATE MEDICAL ATTENTION

Prioritize your health and well-being



- Go to the nearest emergency room or urgent care center immediately, even if your injuries seem minor.
- Document all injuries with photos and obtain copies of medical records.
- If you are unable to go to a medical facility, call 911 for emergency assistance.

02. REPORT THE ACCIDENT

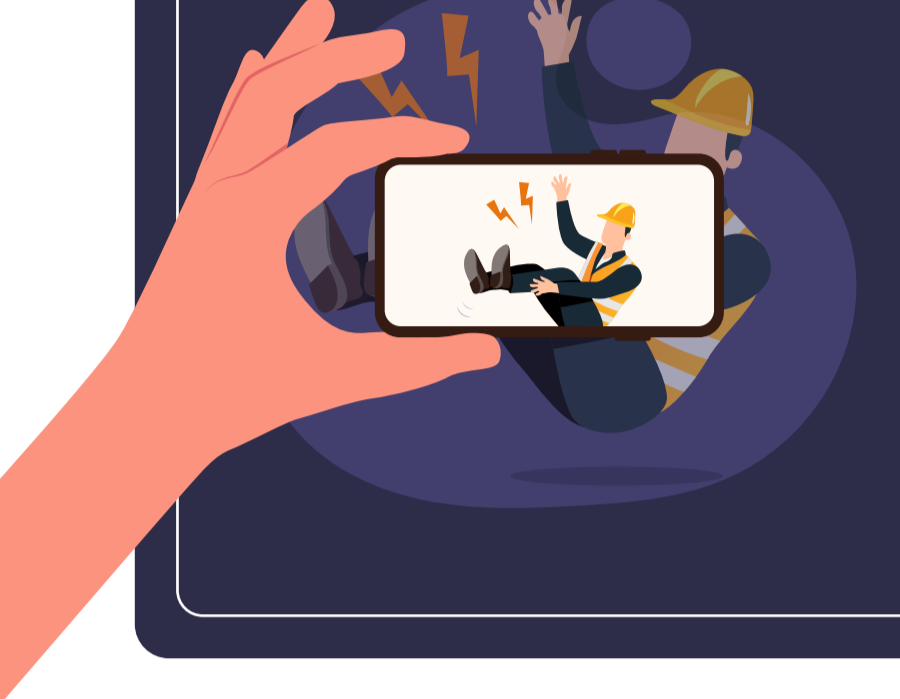
Notify your employer or site supervisor immediately, both verbally and in writing

- Keep a detailed written record of your report, including the date, time, and names of the individuals involved.
- If your employer or supervisor refuses to acknowledge the accident or take action, report it to the appropriate government agency, such as the Occupational Safety and Health Administration (OSHA) at <https://www.osha.gov/>.



03. DOCUMENT THE SCENE

Take photographs of the accident scene, equipment, and any hazardous conditions



- Gather contact information from witnesses who saw the accident or the hazardous conditions.
- If possible, take videos of the accident scene to capture the full context.

04. CONSULT A NYC CONSTRUCTION ACCIDENT ATTORNEY

An experienced attorney can guide you through the legal process, maximize your compensation, and protect your rights

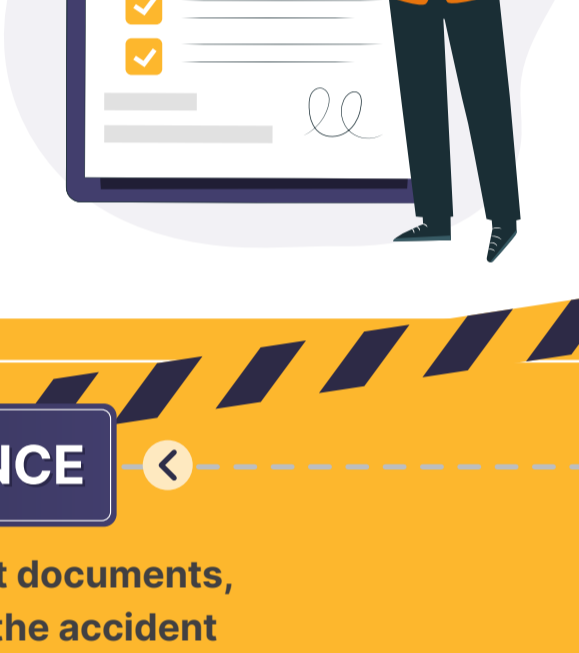


- Choose an attorney who specializes in NYC construction accident claims and has a proven track record of success.
- Ask for referrals from friends, family, or other trusted sources.
- Schedule a free consultation to discuss your case and get legal advice.

05. FILE A CLAIM

Be aware of deadlines for filing workers' compensation and third-party claims. In NYC, the statute of limitations for construction accident claims is typically three years from the date of the accident (NY CPLR § 214 at <https://www.nysenate.gov/legislation/laws/CVP/214>)

- Your attorney will help ensure all paperwork is completed accurately and on time.
- If you are unable to file a claim yourself due to your injuries or other reasons, your attorney can assist you.



06. GATHER EVIDENCE

Collect medical records, employment documents, and any correspondence related to the accident



- Your attorney may also gather expert testimony and additional evidence, such as accident reconstruction reports or safety violation records.
- Keep a detailed journal or diary to document your injuries, treatment, and the impact of the accident on your life.

07. NEGOTIATE OR LITIGATE

Your claim may be settled out of court or proceed to trial

- Trust your attorney's advice on whether to accept a settlement or go to court.
- If your claim goes to trial, be prepared to testify and present your evidence to a jury.



08. RECEIVE COMPENSATION

Compensation may include medical expenses, lost wages, and pain and suffering



- Understand what types of damages you are eligible for and the value of your claim
- Your attorney can help you calculate your damages and negotiate a fair settlement.

NYC-SPECIFIC STATISTICS



In 2023, NYC saw over **600** construction-related injuries, with falls accounting for **50%** of accidents. (Source: https://www.nyc.gov/assets/buildings/pdf/annual_construction_safety_report.pdf)



According to a study published in the Journal of Construction Engineering and Management, approximately **30%** of construction accidents in NYC result in legal disputes. (Source: "Construction Accidents in New York City: A Study of Legal Disputes," Journal of Construction Engineering and Management, Vol. 140, No. 3)

COMMON PITFALLS TO AVOID



Delaying medical treatment

Prompt medical attention is crucial for documenting your injuries and preserving evidence.



Failing to report the accident promptly

Timely reporting can help protect your rights and initiate the claims process.



Settling too early without consulting an attorney

An attorney can ensure you receive fair compensation and protect your interests.

CONCLUSION

Understanding and following these steps can significantly increase your chances of a successful construction accident claim in NYC. Share this guide to help others navigate the complexities of the claim process.

For more information or to consult with a specialized NYC construction accident attorney, visit **Dansker & Aspromonte Associates** at

WWW.DANDALAW.COM/NEW-YORK-CONSTRUCTION-ACCIDENT-LAWYER/

Always wear appropriate safety gear and follow all safety protocols on the job site.



FREQUENTLY ASKED QUESTIONS

What is the statute of limitations for filing a construction accident claim in NYC?

The statute of limitations for construction accident claims in NYC is typically three years from the date of the accident. However, there may be exceptions in certain circumstances.

Can I receive workers' compensation benefits even if I was partially at fault for the accident?

In most cases, yes. New York's workers' compensation laws generally provide benefits regardless of fault. However, if you were intoxicated or engaged in willful misconduct at the time of the accident, your benefits may be reduced or denied.

What factors are considered when determining the amount of compensation I can receive?

Several factors can influence the amount of compensation you receive, including the severity of your injuries, your lost wages, medical expenses, pain and suffering, and the circumstances of the accident.

