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Business Groups Seek to Change Scaffold Law

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A new coalition of business groups has been formed to promote alterations to Labor Law §§240 and 241, the so-called "Scaffold Law" that essentially holds employers responsible for most injuries suffered by workers in elevation-related falls. Groups in the new coalition include the Business Council of the State of New York, the New York Farm Bureau, Unshackle Upstate, the Associated General Contractors of New York State and the New York State Builders Association.

Tom Stebbins, executive director of the Lawsuit Reform Alliance of New York, said yesterday that the groups in the new coalition believe Governor Andrew M. Cuomo's administration may be more business-friendly than previous administrations and that the time may be right to press for changes in the law. "The Scaffold Law is 'Exhibit A' of our outdated and biased legal system," Mr. Stebbins said in a statement.

The group said it is backing A2835, which has not been approved by either chamber of the Legislature, as an alternative approach to the current law. It would allow an employer or property owner to argue, where appropriate, that injuries suffered by a worker in an elevation-related fall was the worker's fault. Similar bills have failed in the past because of opposition by the Democrats who dominate the Assembly, led by Speaker Sheldon Silver, D-Manhattan.