



Hon. Andrew M. Cuomo  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

Dear Governor Cuomo,

For months, the COVID-19 pandemic has nearly shut down our state's economy. Thanks to your leadership, we have weathered the health crisis and now must set our sights on the current economic crisis and the potential for economic calamity.

New York is a challenging environment for construction in the best of times. Under these dire circumstances, many small contractors, including minority and women owned firms, face the very real possibility of closing their doors.

With Federal relief uncertain and the state's budget under unprecedented strain, we must look to cost-free regulatory relief. No relief would be greater and more impactful than relief from the onerous strict liability of Labor Law 240, also known as the Scaffold Law.

Labor Law 240 costs contractors billions every year in higher insurance premiums. Despite insurance prices that dwarf the national averages, most national insurers will not write policies in New York due to Labor Law 240. Only a handful of admitted carriers will write policies here at all, even as they cover contractors in every other state.

In addition to saving the private sector billions, relief from the Scaffold Law would save the state hundreds of millions of taxpayer dollars every year. The law is estimated to cost the state government over \$750m annually. In addition to the massive savings on infrastructure, the state could save hundreds of millions in education dollars -- the New York City School Construction estimates the Scaffold Law costs them over \$200 million a year.

**The construction community of New York urges you to suspend the application of strict liability under Labor Law 240 during the recovery.** We are not looking for a suspension of ANY of the safety provisions, just the unfair application of strict liability. The application of strict liability provides no safety benefit and has even been shown to be detrimental to worksite safety.

Considering the staggering public and private costs of the Scaffold Law and near total lack of demonstrable public benefit of the statute, we urge you to issue a moratorium on the strict liability of the Scaffold Law during the recovery.

Respectfully,

Allied Building Metal  
American Property Casualty Insurance Association  
Associated Builders and Contractors  
Associated General Contractors of New York State  
Big I New York  
Brooklyn Chamber of Commerce  
Buffalo Niagara Partnership  
Builders Exchange of the Southern Tier  
Building Contractors Association of Westchester and Mid-Hudson Valley  
Building Owners and Managers of Buffalo  
Building Owners and Managers Association of Westchester  
Business Council of New York State  
Business Council of Westchester  
Capital Region Chamber of Commerce  
Construction Exchange of Buffalo  
Fulton Montgomery Chamber of Commerce  
Greater Binghamton Chamber of Commerce  
Home Builders and Remodelers of Central New York  
Lawsuit Reform Alliance of New York  
Long Island Builders Institute  
The Minority & Women Contractors & Developers Association  
National Federation of Independent Business  
New Bronx Chamber of Commerce  
New York State Association for Affordable Housing  
New York State Builders Association  
New York State School Boards Association  
North Country Chamber of Commerce  
Northeastern Retail Lumber Association  
Northeastern Subcontractors Association  
Queens Chamber of Commerce  
Real Estate Board of New York  
Rockland Business Association  
Special Riggers Association  
Subcontractors Trade Association of New York City  
Syracuse Builders Exchange  
Trucking Association of New York  
Westchester County Association