

**Resolution No. 370**

Supervisors GENDRON AND FAGAN offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING REPEAL OF THE NEW YORK STATE  
“SCAFFOLD LAW”

WHEREAS, in 1885, New York State enacted the so-called “Scaffold Law”, the primary purpose of which was to promote worker safety for construction workers at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law” specifies an employer’s legal liability for injuries caused by an employee’s fall from a height; and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest lawsuits in the state stem from Scaffold Law issues; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; and

WHEREAS, the increase in costs in New York drives away investment by developers and contractors decreases, the number of new construction jobs created, and makes it more difficult for skilled laborers to find employment; and

WHEREAS, federal regulations exist to protect workers from injury related to falls by requiring certain precautions to be in place for people working at height and allows workers to engage federal review of any worksite for compliance with the regulations; now, therefore be it

**Resolution No. 370 (Continued)**

RESOLVED, That the Board of Supervisors hereby urges the State Legislature and the Governor to repeal the New York State "Scaffold Law"; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senate Majority Co-Leader Skelos, Senate Majority Co-Leader Klein, Assembly Speaker Silver, Senator Farley, Assemblyman Butler, All Counties, Fulton Montgomery Regional Chamber of Commerce and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 520 (18) Nays: 25 (1) (Supervisor Young) Absent: 6 (1) (Supervisor Johnson)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 10<sup>th</sup> day of NOVEMBER 2014, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 10<sup>th</sup> day of NOVEMBER 2014

  
Clerk of the Board of Supervisors of Fulton County