

# **BB NY** **Businesses for a Better New York**

*NY Labor Law 240/241 must be eliminated to help stabilize the cost of working and living in New York State. It is estimated that construction related insurance costs have skyrocketed 250-500% for New Yorkers from 2004-2006; jobs are being lost by the increased cost of doing business in New York; and, these costs are substantially increasing the cost of living for New York citizens. **BUSINESSES FOR A BETTER NEW YORK (BBNY)** has formed for the sole purpose of effecting a positive change for New York by pursuing, via legal action, the elimination of this outdated NY law. BBNY is looking for support of this action from concerned NY businesspersons and citizens. Your financial participation is urgently needed. For further information, please visit the BBNY web site at [www.bbny.org](http://www.bbny.org).*

SUPPORT OF THIS IMPORTANT ACTION ARE SUGGESTED AS FOLLOWS:

- \$\_\_\_\_\_ - VIP Supporter
- |  |   |
|--|---|
| <input type="checkbox"/> \$1,500 - Round Table Supporter | <input type="checkbox"/> \$500 - Silver Supporter   |
| <input type="checkbox"/> \$1,000 - Platinum Supporter    | <input type="checkbox"/> \$250 - Bronze Supporter   |
| <input type="checkbox"/> \$750 - Gold Supporter          | <input type="checkbox"/> \$_____ -Special Supporter |

*Please consult your tax professional for the appropriate treatment/possible deductibility as a qualifying business expense.*

PLEASE COMPLETE THIS FORM AND ENCLOSE IT WITH YOUR CHECK MADE PAYABLE TO:  
**BUSINESSES FOR A BETTER NEW YORK**

Please mail all checks to: **BBNY**  
**POST OFFICE BOX 206**  
**Lancaster, NY 14086**

*Would you like to receive emails from BBNY? If so, please complete the following information:*

NAME OF BUSINESS: \_\_\_\_\_  
CONTACT NAME: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ TELEPHONE #: \_\_\_\_\_  
ADDITIONAL COMMENTS: \_\_\_\_\_

CONTRIBUTIONS OR GIFTS TO BBNY ARE NOT DEDUCTIBLE AS CHARITABLE CONTRIBUTIONS FOR FEDERAL INCOME TAX PURPOSES.

**THANK YOU FOR YOUR SUPPORT OF THIS IMPORTANT ACTION!**



## **LIABILITY INSURANCE RATES/SECTION 240/241 OF NYS LABOR LAW**

*There has been a greatly increased awareness within our industry of the oppressive liability insurance rates we are all experiencing and the following will attempt to shed some light on the problem and prompt all to action:*

*Q. How old is this law?*

A. This was passed in the late 1800s – long before worker’s compensation insurance and OSHA laws were passed to protect construction workers.

*Q. This law is also called the "Scaffold Law". Why?*

A. 240-241 was passed when the first tall buildings were being built in New York City. Workers had no insurance and very few job safety rules, so the law was enacted to provide workers coverage in the event of an accident.

*Q. How many other states have such a law?*

A. None. Only New York State still has such a law on their books. All other states repealed their obsolete laws when worker’s compensation insurance was developed in the 1930s.

*Q. Why are New York liability insurance rates going up so dramatically?*

A. Personal injury attorneys are using this law to milk the insurance companies for huge settlements. One of the largest firms is said to annually spend in excess of \$4,000,000 to attract clients. Another local firm has actually offered to make sales calls at construction sites – complete with coffee and doughnuts! These firms, and others like them, persuade potential clients to call them and then they simply file a claim against all possible insurance companies without concerned for who may actually be at fault, and proceed to collect one-third of the settlements. Without possibility of defending themselves, the insurance companies are stuck paying whatever the lawyers agree upon.

*Q. Who could possibly support such an obviously unfair law?*

A. Trial lawyers and their spokespersons in Albany. Assembly Speaker Sheldon Silver has, in the past, refused to consider any reform to the current law. Assembly member Susan John, who is the chairperson of the Assembly Labor Committee, claims to be concerned about this problem, but she is dead set against any reform to the law itself. Why?

First, the New York State trial lawyers are the largest contributors to politicians in Albany by far – with this law in effect, they can afford to be - and those politicians who help inflate their profits are the beneficiaries of these contributions. Second, Assembly Speaker Silver is a trial lawyer himself and Susan John is also a lawyer. Those are the facts from which you can draw your own conclusions.

