

The General Contractor Was Supposed to Keep That Job Site Safe

How New York Labor Law 241(6) Holds General Contractors Accountable

When you show up to a [construction site](#) every day, you're trusting that someone above you, someone with the authority to fix hazards before they hurt anyone, is actually doing that job. Most of the time, that person is the general contractor. They coordinate the trades, schedule the work, and are supposed to make sure the site follows basic safety rules. When a general contractor lets that responsibility slide, workers pay the price in broken bones, torn ligaments, and injuries that can end a career.

Our New York construction accident attorneys at [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP](#) have spent decades holding general contractors accountable when their failure to enforce basic safety standards leads to a worker getting hurt. New York Labor Law 241(6) is one of the most powerful tools injured construction workers have for doing exactly that, and understanding how it works can open the door to compensation that workers' compensation benefits alone simply don't cover.

What Does Labor Law 241(6) Actually Require?

[Labor Law 241\(6\)](#) requires that construction, excavation, and demolition sites be constructed, equipped, and operated in a way that provides reasonable and adequate protection to everyone working there or lawfully present. What makes this section unusual, and unusually powerful for injured workers, is that it doesn't just set a general standard of care. It incorporates specific, detailed safety rules from New York's Industrial Code, which means a violation of one of those specific rules can support a claim even without proving the general contractor was careless in some broader sense.

This distinction matters because it shifts the legal fight. Instead of arguing over whether a general contractor acted reasonably in the abstract, an injured worker's case can focus on a concrete question: was a specific Industrial Code rule violated, and did that violation cause the injury? That's often a far more provable claim than a general negligence argument.

- **Falling Objects And Debris:** Industrial Code rules require protection against [materials falling from above](#), including netting, planking, and designated drop zones.
- **Unsafe Flooring And Walking Surfaces:** Sites must maintain safe walking and working surfaces free from debris, holes, and slip hazards.
- **Inadequate Lighting:** Poorly lit stairwells, corridors, and work areas violate specific illumination standards that contribute to falls and equipment accidents.
- **Improperly Guarded Equipment:** Machinery without required guards or safety devices creates hazards the Industrial Code specifically addresses, similar to the standards covering [industrial and manufacturing equipment](#).
- **Unsafe Scaffolding And Elevated Work Areas:** Beyond the [separate protections under Labor Law 240](#), the Industrial Code sets additional requirements for how elevated work platforms must be built and maintained.

Who Can Be Held Liable Under Labor Law 241(6)?

This is where the statute becomes especially valuable for injured workers, because liability under 241(6) extends beyond just your direct employer. General contractors and property owners can both be held responsible for Industrial Code violations on a site, even when the specific hazard was created by a subcontractor. The law places the ultimate responsibility for site safety on the parties with the authority to control the work, not just the crew performing a particular task.

That structure exists because general contractors are the ones coordinating multiple trades working simultaneously, often in close proximity to one another, whether that means [ironworkers](#) tying steel on one level or an electrical crew running conduit below. A framing crew, an electrical crew, and a plumbing crew might all be working on the same floor at once, and it falls to the general contractor to make sure those overlapping activities don't create hazards that any single subcontractor couldn't have prevented alone. When a general contractor fails at that coordination role, Labor Law 241(6) allows an injured worker to pursue a claim directly against them.

- **Notice Of The Hazardous Condition:** Evidence that the general contractor knew or should have known about the dangerous condition strengthens a 241(6) claim significantly.
- **Site Inspection And Safety Records:** Logs showing infrequent inspections, or documented complaints that went unaddressed, can establish a pattern of neglect.
- **Subcontractor Coordination Failures:** Records showing overlapping trade work without adequate safety planning support claims involving multi-crew hazards.
- **Photographs Of The Hazard:** Images taken shortly after an accident, showing the specific condition that caused the injury, often become central pieces of evidence.

Consider an electrician working on the third floor of a building under construction who slips on debris left behind by a demolition crew that finished earlier that day. No one swept the area, and no barrier separated the demolition zone from the electrician's work area.

The injured worker's attorney identifies the specific Industrial Code provision requiring safe walking surfaces, documents that the general contractor's own site logs show no inspection occurred that day, and establishes that the general contractor had the authority to coordinate cleanup between trades but failed to do so.

That combination supports a strong Labor Law 241(6) claim against the general contractor, separate from any workers' compensation benefits the electrician also receives.

How Does a Labor Law Claim Work Alongside Workers' Compensation?

Many injured construction workers don't realize they can pursue both a workers' compensation claim and a separate Labor Law lawsuit at the same time. [Workers' compensation benefits](#) come from your employer's insurance regardless of fault, but they're limited to medical costs and a portion of lost wages. They don't compensate for pain and suffering, and injured workers generally can't sue their own employer directly outside of the workers' compensation system.

A Labor Law 241(6) claim against a general contractor or property owner is a different legal avenue entirely, one that can result in compensation for pain and suffering, the full extent of lost earnings, and other damages that workers' compensation doesn't cover. Reviewing the [average settlement value](#) in similar cases can help set realistic expectations early. Pursuing both isn't just possible, it's often the only way an injured construction worker recovers something close to the true value of what the injury has cost them.

- **File Your Workers' Compensation Claim Immediately:** This ensures medical treatment and wage benefits start regardless of how the Labor Law claim eventually resolves.
- **Preserve Evidence From The Accident Scene:** Photos, witness names, and safety records can disappear quickly once a construction site moves on to its next phase of work.
- **Avoid Giving Recorded Statements To The General Contractor's Insurer:** Statements taken before you have legal representation can be used to minimize the contractor's responsibility later.
- **Identify Every Party Present On Site:** General contractors, property owners, and construction managers may all bear some responsibility, and identifying each one early protects your right to pursue them.

Does It Matter if My Own Employer Wasn't the General Contractor?

Not at all, and this is one of the most important features of Labor Law 241(6) for injured workers. You can work for a subcontractor, whether that's a specialty trade dealing with [ladder accidents](#) or [crane accidents](#), and still bring a claim against the general contractor overseeing the entire project, since the statute doesn't require an employment relationship between the injured worker and the party being held liable.

This is often the only path to real compensation for workers employed by smaller subcontracting companies that may not have significant assets of their own, since the general contractor and property owner typically carry substantial insurance coverage tied to the overall project.

What Defenses Do General Contractors Typically Raise?

General contractors and their insurers rarely accept responsibility without a fight, and the most common defense in these cases argues that the injured worker's own actions were the sole cause of the accident rather than any Industrial Code violation. A contractor might claim you ignored available safety equipment, disregarded a supervisor's instructions, or created the hazardous condition yourself. When that defense succeeds, it can eliminate liability entirely, which is why countering it early with witness accounts and physical evidence matters so much.

The reality on most construction sites makes this defense harder to prove than contractors would like. Workers are often directed to complete tasks quickly, with the tools and conditions actually provided to them, not the ideal conditions a contractor might describe after the fact. General site safety standards under [federal construction regulations](#) reinforce that the responsibility for a safe site rests with those controlling the work, not solely the worker performing a task. Showing that the hazardous condition existed independently of anything the

injured worker did, and that the general contractor had both the opportunity and the responsibility to fix it, usually dismantles a sole proximate cause argument well before a case reaches trial.

We Hold Negligent General Contractors Accountable in New York

A general contractor's job includes keeping every worker on that site safe, not just the ones on their own direct payroll. When that responsibility gets ignored in favor of staying on schedule or cutting corners on safety inspections, the workers caught in the middle are the ones who pay for it with their bodies and their livelihoods. New York law gives injured construction workers a real path to hold those responsible parties accountable, but only if the right evidence gets gathered before it disappears.

Our attorneys have built Labor Law 241(6) claims against general contractors and property owners across New York City and beyond, helping injured workers with their workers' compensation claims to pursue the full recovery a serious construction injury deserves. We know how to [identify Industrial Code violations](#) that a general contractor's insurance company would rather no one notice. We take on Labor Law cases without charging any hourly fees or retainer costs, and our payment comes solely from a percentage of the settlement or verdict we win for you.

If a general contractor's failure to maintain a safe job site left you injured in New York, [contact us](#) to find out whether you can [pursue a claim](#) beyond workers' compensation.