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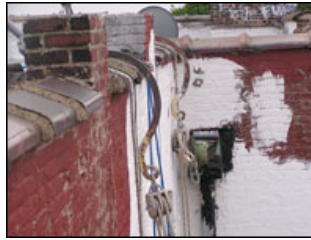
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**City Cracks Down on Dangerous Scaffolding**  
by Beth Fertig

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NEW YORK, NY January 11, 2007 —It's hard to walk through New York City lately and not pass under a construction site. The building boom has been good for the economy. But it's also led to more hazardous construction sites. The number of construction related deaths increased by 61 percent over the last fiscal year, according to the federal Occupational Safety and Health Administration. In response, the Bloomberg administration is proposing stiffer fines and new regulations to make construction sites safer. As WNYC's Beth Fertig reports, it's the smaller contractors who are most likely to escape regulation.

REPORTER: The construction boom isn't just changing the Manhattan skyline. It's reshaping the low rise neighborhoods of the outer boroughs, as well.

On McGuinness Boulevard in Greenpoint, along the border of Queens and Brooklyn, you can see new residential buildings going up everywhere. You can also see numerous violations if you take a tour with Jim Bifulca a consultant with Total Safety Construction. He stops his car by a seven-story brick apartment building under construction and gazes up at the scaffolding.

BIFULCA: There's so many things that are deficient, missing guard rails, platforms that are not fully planked.

REPORTER: We walk upstairs for a closer look. Crews are working inside on the electrical system, while the bricklayers work outside on scaffolds suspended on poles. Some of platforms have guardrails, in compliance with federal regulations. But one doesn't and that's where we find John Thomas.

REPORTER: What are you doing?

THOMAS: I'm doing brickwork.

REPORTER: Did you get any special training to work on a scaffold?

THOMAS: No, not yet.

REPORT: A city law that went into effect in November requires anyone working on a suspended scaffold this high to have four hours of training. Nearby, another worker on a platform WITH a guardrail says he was trained by his union. I ask Thomas what he does to avoid any dangers since he's only a few feet away from the unprotected edge, about 60 feet above the street.

THOMAS: I don't go there, I stay over here. I stay in front of the scaffold, got bricks behind me.

REPORTER: The safety expert, Jim Bifulca, says situations like this are common. And this site is better run than most in the neighborhood. He looks out over Greenpoint from the rooftop and sees buildings covered with scaffolding on nearly every block.

BIFULCA: You can see the site a couple of blocks away there's absolutely no guard rails, open floors, no perimeter protection at all. This site it seems there is at least some attempt to implement some of the safety requirements.

REPORTER: New York City is trying to crack down on this climate of seemingly unregulated construction. Robert Limandri has been working on the problem as deputy commissioner for the Department of Buildings.

LIMANDRI: What we have done is we're moving toward more regulation,



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more review and more proactive programs on smaller sites.

REPORTER: Those smaller sites are likely to be more dangerous than the big office buildings that are subject to more enforcement. According to OSHA, the federal Occupational Safety and Health Administration, there were 29 construction deaths in New York City during the last fiscal year. More than two thirds of them involved firms with ten employees or less.

There was also an increase in the number of accidents on hanging scaffolds – which don't have rigid support poles. Most of them involved simple structures hung from hooks over a rooftop ledge which require no permits. Often there were no licensed riggers on site, in violation of the building code. And half of the workers involved in the accidents weren't trained; many didn't tie their harnesses properly. Now, Limandri says a task force is proposing higher fines and more regulation to bring the owners and contractors into compliance.

LIMANDRI: The object here is to be able to lodge fines against the rigger and or the building owner depending on what the issue is, and making it a wakeup call to the hierarchy of the people involved and hopefully using it as vehicle to take away someone's rights to operate.

REPORTER: First time offenders who don't employ fully trained workers would see their fines triple, to 15-hundred dollars, if the recommendation is approved by the City Council.

A week after WNYC's visit to the construction site in Greenpoint, every scaffold DID have guardrails. The subcontractor in charge of the brickwork acknowledged there had been a mistake. He also said he didn't know about the training law and would now send his workers to classes – adding that most are unionized. He didn't want to be interviewed because he didn't want any negative attention.

The general contractor for the site, Bill Van Salisbury of Superior Construction, describes the recent building boom as something like the Wild West. He's been in the business for 30 years and believes there aren't enough inspectors to stop people who break the rules. At a diner in Williamsburg, he said he's become more selective about who he works with. A lot of contractors are cutting corners because of intense competition, he says, and hiring untrained workers.

VAN SALISBURY: The biggest problem I have with some of the personnel we deal with whether they're ignorant, naive, they don't understand, don't want to understand, never been trained, it becomes redundant. I mean I hound them this is for your protection. They yes you to death. They do understand and they'll make corrections, I leave I go back 2 days later a day later and the same condition occurs, these people don't seem to get it through their head that they have to comply with safety.

REPORTER: He says many subcontractors are immigrants who aren't used to regulation in their native countries. Cheap, immigrant labor was definitely a factor in the recent accidents. The Buildings Department found 75 percent of the construction deaths in the last year involved workers who were either undocumented or who didn't speak English. It's recommending better outreach to immigrant advocacy groups and to day laborers about regulations and training. But those in the industry say these efforts won't make much difference if there's nobody in the field to enforce the rules. Joel Shufro is executive director of the non profit New York Committee for Occupational Safety and Health, and was a member of the scaffold task force.

SHUFRO: The question will be whether the department will have enough inspectors to deal with the hundreds of scaffolds that are hung. It does no good for workers to have -in terms of enforcement -to have hundreds of reports coming in if you don't have people out in the field.

REPORTER: Despite a 50 percent expansion in staffing under the Bloomberg Administration, the Buildings department only has 350 inspectors responsible for almost a million buildings citywide. And OSHA has even fewer. The task force is recommending a new scaffold enforcement unit, with input from OSHA. But it hasn't asked for any specific numbers. The department is waiting for the mayor to review the report, hopeful it will influence his city budget proposal in coming weeks. For WNYC I'm Beth Fertig.

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