

ACCIDENT INFORMATION RECORD

NAME & ADDRESS OF YOUR EMPLOYER:

PHONE NUMBER:

ACCIDENT LOCATION:

DATE OF ACCIDENT:

WITNESS:

Name, Address & Phone Number

Name, Address & Phone Number

POLICE INFORMATION:

Precinct

Report No.

Badge Number:

OTHER IMPORTANT INFORMATION:

LAW OFFICES OF MICHAEL S. LAMONSOFF, PLLC
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WHAT TO DO IF YOU ARE INVOLVED IN A CONSTRUCTION ACCIDENT

Accidents can happen to anyone.
You can protect your legal rights if
you know what to do.



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CONSTRUCTION ACCIDENT BROCHURE

The information in this brochure is not limited to construction, and may also apply to industries such as:

PAINTING • POINTING • DEMOLITION
REPAIRING • ALTERING • MAINTENANCE
CLEANING OF A BUILDING OR STRUCTURE

INTRODUCTION

Construction accidents happen every day. Anyone working in this hazardous field can be severely injured on the job. As a result, powerful and protective laws have been passed to help injured workers receive the compensation they deserve. It is essential that you know how to protect your legal rights so that you can seek the protection of these laws. This pamphlet is a guide that will help explain how to protect your rights. **The Accident Information Diary located at the end of this booklet details the information you will need to protect your rights.** Keep this pamphlet with you at work or in an easily accessible place.

PROTECT YOUR RIGHTS

What you do after a construction accident could affect the rest of your life. Do not allow anyone to convince you not to seek necessary medical care and treatment or coerce you into giving false information about your accident. Recording your correct name, address and the facts of the accident will help protect your rights. Giving false information may later be used against you and prevent you from receiving Workers' Compensation benefits and/or receiving a monetary award in a lawsuit for personal injuries.

DOCUMENT YOUR ACCIDENT

Although your very first priority should be seeking medical care, it is also important to try to preserve evidence at the scene of your accident. If you are incapacitated, enlist the help of a co-worker or helpful bystander.

PRESERVE EVIDENCE

If possible, take photographs of the equipment and/or tools that contributed to your injuries. Also take pictures of the area where you were injured. If possible, keep the tool or equipment that contributed to and/or caused your injury.

WITNESSES:

Determine if there are any witnesses to your accident and seek their help. Get their contact information.

REPORT YOUR ACCIDENT IMMEDIATELY:

Report the accident to your foreman or supervisor. Write down his/her name and position. *Do not say anything that might be used against you later such as "It was my fault."*

Although you may think you are at fault, the law provides extremely strong protections for construction workers. As your lawyer will later explain to you, the law states that owners and contractors may be completely responsible for your injuries from an accident *regardless of your actions*. For example, if you are injured in an accident and were not provided with proper safety equipment, such as safe scaffolds, secure ladders, safety harnesses, and equipment designed to prevent you from falling, the owner and/or contractor may be held totally responsible for your accident.

GO TO THE HOSPITAL

If you are injured, go to the hospital to have your medical conditions checked. If you are in need of an ambulance, ask for one. Tell the ambulance attendants and all medical personnel everything that hurts. It is important to document all areas of your body which were injured as a result of the accident. This will allow doctors to treat the affected areas and avoid disputes later as to which areas of your body were injured as a result of the accident.

BEWARE OF BEING "STEERED" BY YOUR EMPLOYER, FOREMAN, SUPERVISOR OR UNION OFFICIAL TO PERSONAL INJURY FIRMS.

Your foreman or supervisor may try to "steer" you to a particular law firm. Many times these people are paid for getting injured workers to specific law firms. Not only are they engaging in illegal activity, the attorneys who pay them are specifically forbidden by the rules governing professional conduct from doing this. You only have one chance to be compensated for injuries that may last a lifetime. You shouldn't place your future in a law firm that is engaged in illegal or unethical behavior. If a lawyer has to pay "bribes" to get injured workers as clients, how good can that lawyer really be?

Undocumented Workers' Construction Injuries in New York:

Many illegal immigrant workers who are injured while working fear bringing claims because of their immigration status. Even if your immigration status is illegal, it cannot be considered in determining whether you are entitled to worker's compensation benefits or your right to bring a personal injury lawsuit. Your status is protected and cannot be reported to the authorities.

WHAT YOU ARE ENTITLED TO:

1. You may be entitled to bring a lawsuit for **considerable** money damages for personal injuries, pain, suffering and financial loss. As stated above, the law provides strong protection for injured workers in civil cases.
2. **New York Workers Compensation Benefits** provides 2/3 of your gross weekly salary to a maximum rate which is calculated yearly with adjustments made for inflation each July. The maximum rate as of July 1, 2014 was determined to be \$808.65 per week for the time you miss from work. Medical treatment related to your accident is paid separately.
3. Reimbursement for all out of pocket expenses, including transportation to and from your doctor's office.
4. Possible money awards for permanent impairment to extremities, regardless of whether or not you lose any time from work.
5. Extended weekly benefits possibly for life if you are determined to be permanently disabled.

CONTACT OUR FIRM IMMEDIATELY:

Call our firm! We will advise you about how to protect your rights and what your responsibilities are. We will investigate your accident, photograph the accident scene before it is changed, and take statements from witnesses before their memories grow "dim." Having the right lawyer from the beginning can have a substantial impact on the outcome of your case. A well prepared case starts at the very beginning. You only have one chance to be compensated, and you should choose a law firm dedicated to you.



For more information contact the
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