



CONSTRUCTION SITE PERSONAL INJURY LITIGATION FOURTH EDITION

NEW YORK LABOR LAW §§ 200, 240(1), 241(6)

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NEW YORK STATE BAR ASSOCIATION

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PREFACE

We write this Fourth Edition of Construction Site Personal Injury Litigation during a period of vast changes in our manner of practice and methods of litigating. Practitioners admitted prior to 2020 remember in-person Court appearances, face-to-face depositions and negotiating settlement at a mediation conference table. Today, the practice looks very different. Most proceedings are conducted virtually from our computers, sometimes from the comfort of our home offices. For the most part, gone are the days when counsel would meet colleagues and old friends to collaborate in the Courthouse. This is part of the reason why the New York State Bar Association has become one of the most important organizations to our profession. While maintaining current standards of practice, the Bar Association still brings practitioners together to foster the exchange of ideas, share experiences and resources. This network is critical to maintaining the principles that make the New York Bar exceptional.

Since our last edition, the Court of Appeals has issued six decisions interpreting the Labor Law. These decisions carve out new exceptions and update traditional concepts of the law. In light of the changing landscape of our practice and in the Labor Law, our authors share their analysis of these changes and offer practical suggestions to assist litigating these matters.

It is an honor for us, as members of the New York State Bar Association and legal profession to provide the practitioner and the Courts with our insight and discussions.

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