



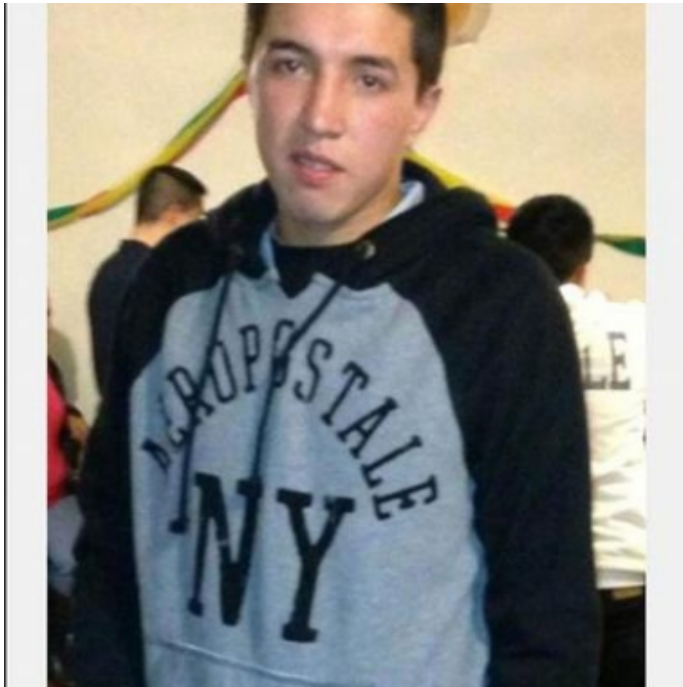
NEW YORK STATE SENATOR

James Sanders Jr.

Senator James Sanders Jr. Continues to Push Carlos' Law Following Queens Construction Death

[James Sanders Jr.](#)

February 24, 2020



Senator James Sanders Jr. (D-Rochdale Village, Far Rockaway) has introduced construction-related safety legislation, which he says is needed now more than ever, in light of a recent construction injury and fatality, which occurred in Jamaica, Queens.

“We need measures to protect all employees working in the construction field,” Sanders said. “I am proud to have introduced Carlos' Law, which creates higher fines for corporations who ignore, disregard, or fail to comply with safety protocols. It also establishes the crimes of endangering the welfare of a worker in the third, second and first degrees.”

One construction worker, David Johnson, 50, was killed another was seriously injured by falling debris at a construction site near Sutphin Boulevard, according to published reports. This is just one of such incidents that have occurred in New York City, and around the country, in the recent past.

Workforce deaths and serious injuries continue to be commonplace in the construction industry. Of the more than 400,000 workplace fatalities since Congress enacted the Occupational Safety and Health Act (OSH Act) fewer than 80 have been prosecuted, and only about a dozen employers have been convicted. That is roughly 1-conviction for every 33,000 fatalities. In the few cases that have resulted in conviction, the penalty was \$1,000.00 on average.

Carlos' Law (S3314B) increases punitive measures so that employers and supervisors who ignore or fail to follow safety protocols and procedures and put workers at risk are less likely to write off serious workplace injuries as a minimal cost of doing business, and more likely to give workplace the serious attention it requires.

We are approaching the 5-year anniversary of the death of Carlos Moncayo for whom the bill is named. He was only 22-years-old when he was buried alive when an unsecured trench caved in on him at a construction site in Manhattan in April 2015.

“We must put an end to these tragedies,” Sanders said. “Here we are, almost 5 years after the death of Carlos Moncayo, and construction workers are still losing their lives due to unsafe construction site conditions. The pain and suffering this causes to the families of these victims is preventable and I am calling on my colleagues in government and all people of good will to stand up and say ‘No more.’ We cannot let this happen and we will not let this happen.”

related legislation

[2019-S3314B](#)

-
- Introduced
 - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate
 - - Passed Assembly
 - Passed Senate
 - Delivered to Governor
 - Signed By Governor
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[Enacts Carlos' law; relates to crimes involving the death or injury of a worker](#)

February 05, 2019

In Senate Committee [Codes](#)

Sponsored by [James Sanders Jr.](#)

Do you support this bill?