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## Report: Surge In Construction Site Deaths Mostly Impacting Recent Immigrants

by [Emma Whitford](#) in [News](#) on [Nov. 27, 2015 12:20 pm](#)



*Supervisors at 9-19 Ninth Avenue were charged with manslaughter over the summer, an exception to the rule when it comes to construction site discipline (via Manhattan DA).*

Construction-related deaths and injuries are soaring in New York City, and an overwhelming number of victims are recent immigrants who feel outsized pressure to keep working and even forge their identification for fear of losing potential income on non-union construction sites, according to a new [in-depth NY Times investigation](#).

Many of the immigrants who have recently died in construction-related accidents were undocumented, and therefore more likely to be untrained, paid in cash, and discouraged from speaking up about unsafe working conditions.

The paper reviewed every construction-related fatality in the five boroughs over the last two years, and found that "many" could have been easily avoided—often, workers did not wear harnesses or helmets while working on building exteriors. Deaths and injuries have also been concentrated in gentrified neighborhoods like Williamsburg and the Lower East Side.

"He told me, 'It's a miracle we're alive,'" said Lourdes Gordillo, the widow of 32-year-old Claudio Patiño who died after falling through a hole in the floor while renovating a connected five-story walkup at 124 Ridge Street on the Lower East Side last December. According to Gordillo, Patiño had been nervous about the slipperiness of the construction site as winter approached, but had felt pressure to keep working.

Patiño had been working for Casur Management & Maintenance, a building contractor from Long Island that had been fined \$2,400 that August for "no

guardrail around opening" at 124 Ridge Street. OSHA warned Casur at the time that "a person could fall."

In April, Gurmeet Singh was doing facade work at the Dream Hotel on 55th Street in Midtown, without guardrail support, [when he fell eight stories](#) onto a sidewalk shed and died. Thirteen years before his death, Singh had moved to the US from India on a tourist visa. From the Times:

The boss said: 'Can you just finish this job? I'll give you \$10,000 and a free ticket to India,' his other daughter, Palwinder Kaur, said in a telephone interview from India.

The NY Times reports that seven workers have died on construction sites since July, three of whom died over the course of nine days in late summer.

A 30-year-old worker [fell down an elevator shaft to his death](#) at a construction site in Hell's Kitchen in August. Earlier this year, a construction worker at the Barclays Center was [fatally struck](#) by falling beams. Trevor Loftus, 40, was [struck and killed](#) by a malfunctioning crane in Midtown later that month. In May, a worker [tumbled down a 24-story elevator shaft](#) at the site of the future luxury Riu Hotel at Times Square.

The annual average in construction-related deaths over the last four years was just five and a half. Construction-related injuries jumped 53% in the last fiscal year to 324 total workers.

Meanwhile, repeat offenders [continue to maintain unsafe work sites](#) without the supervision or monetary incentive to change their ways. Fines leveled against contractors responsible for five recent deaths have totaled just \$60,000, and only 66 federal safety inspectors cover the entire city.

According to the Times analysis, a luxury building going up at 252 East 57th Street has racked up the most Department of Buildings violations for "site conditions endangering workers"—40 in total since January 2014. In one complaint, a worker reported to the DOB that "I was working on a construction site yesterday. Two people were injured. They were advised NOT to call EMS."

When it comes to prosecuting bad actors, there have been exceptions to the rule. In August, the Manhattan District Attorney and the Department of Investigation [indicted](#) the foreman of an excavation subcontractor and the senior superintendent of a construction contractor.

Both men allegedly ignored warnings about unsafe working conditions on an active construction site in the Meatpacking District, where 22-year-old construction worker Carlos Moncayo was crushed and killed in an unsecured trench this April. Wilmer Cueva, 50, of Sky Materials Corp. and Alfonso Prestia, 54, of Harco Construction LLC were charged with manslaughter and criminally negligent homicide.

In direct response to this particular case, construction inspectors are now required to report unsafe worksite conditions to the DOB, not just the contractor in question. Vance and DOI Commissioner Mark Peters have also announced a task force to investigate construction misconduct in the city.

"Why didn't we do it this way five years ago?" Peters [wondered](#).

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**Nalano635** • 2 years ago

"But union regulations are strangling our economy!"

- inevitable libertarian douchebag

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**BlackHeywood** • 2 years ago

The City and US Government allows businesses to employ illegals and cheap labor contractors and sub contractors , the day of the unionized worker who followed OSHA rules and regulations has almost disappeared . I guess it's cheaper to throw some dollars to the families of the illegal workers, give them legal status and life goes on. This is our government working against the American people.

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**tranquiperspective**  BlackHeywood • 2 years ago

Businesses also want to hire undocumented workers for various reasons it's not all on the government.

2   • Reply • Share >



**BlackHeywood**  tranquiperspective • 2 years ago

It is the government fault for not implementing current laws against Businesses who employ illegal aliens . The US government now provides Cheap Labor for businesses, our government no longer is a government for the Citizens of this country.

6   • Reply • Share >



**tranquiperspective**  BlackHeywood • 2 years ago

There are some laws in place that cover such hiring practices but you generally correct in stating that the federal government is not doing enough to address the current issue. However, businesses will and would continue to hire undocumented workers regardless of whether the government decided to crack down hard on such practices.

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**BlackHeywood**  tranquiperspective • 2 years ago

This can be stopped in heartbeat if the Obama administration wanted to stop it. Heavily fine and place business owners in prison as the law dictates, then business owners will get the message.

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**Seal\_Of-The-Sea**  tranquiperspective • 2 years ago

The government of this country and this city could stop the hiring of undocumented workers by not making it so easy for them to live and work here. Don't allow undocumented to rent/buy property. don't give them ID cards and the proposed driver's

license. Business owners should be fined heavily for hiring them. LLs fined for renting to them. Doctors fined for giving them free health care etc.

On the side of the undocumented, they are being treated, and paid poorly. The threat of deportation hangs over their heads so they are forced to work in conditions that are unhealthy and dangerous, forced to work long tiring hours with no breaks. It's inhumane.

1 ^ | v • Reply • Share >

 **BlackHeywood** → Seal\_Of-The-Sea • 2 years ago

. The threat of deportation hangs over their heads so they are forced to work in conditions that are unhealthy and dangerous,

All because of the choices they made, not anyone else. If you make yourself available to be taken advantage of, people will do just that.

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 **Seal\_Of-The-Sea** → BlackHeywood • 2 years ago

Right. I've never understood wanting to come and stay in a country that treats you worse than your own. Even refugees, who are (supposedly) escaping a fate worse than death, have a valid work Visa and a SSN and don't have to fear deportation for complaining about being treated badly. But, illegals have no rights and no power. They get treated like crap, are overworked, and paid lower than minimum wage. I don't know why they stay. As much as I love the U.S., and in particular NY, I wouldn't stay here if that was my life.

^ | v • Reply • Share >

 **Sean Bro** → Seal\_Of-The-Sea • a year ago

They stay temporarily. Then leave with all the money they saved up. Go home to the 3rd world , and live like kings. Do you know what 1 USD, can get you in 3rd world countries ?

These illegals are taking over the NYC construction industry. I mean taking OVER. It's disgusting. We are talking about union jobs that payed well over 30 an hour. Now going to illegals, because they work for cheap. Not because they want to be citizens so bad. But because they want to live like kings when they go back home. They don't want to be Americans. They could care less. Their loyalty is to their home countries. Never forget that.

I work in the business. Even 10 years ago, it wasn't as bad. Now it's dispicable, and the unions know all about it. But their getting paid off under the table, so they couldn't care less. It's sickening

^ | v • Reply • Share >

 **Seal\_Of-The-Sea** → Sean Bro • a year ago

Well, it's up to us to vote in the right mayor, state and country officials and protest the unions that are being paid off and supporting this. New York is in a major building boom right now, and as with any big money making project there is more likely more illegal stuff taking place than legal.

The country has to fix it's immigration system as well. People should not be able to immigrate here , not pay taxes, and send money to another country, nor be able to bring umpteen family members here as soon as they get a Visa. As for anchor babies, don't get me started.

I'm sorry your industry seems to be in a mess right now. My brother and his friends used to work construction during the

summer months and now the kids can't seem to find jobs like that anymore. As well, we have all these untrained people building things right above and beside us. Just an invitation for disaster.

^ | v • Reply • Share >



**Sean Bro** → Seal\_Of-The-Sea • a year ago

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My industry is fine. It's solid. I'm an engineer. But I hate seeing this happen to my fellow country men. It disgusts.

^ | v • Reply • Share >



**OaklandTenant** → BlackHeywood • 2 years ago

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It's the role of the employer to ensure OSHA rules are being followed.

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**BlackHeywood** → OaklandTenant • 2 years ago

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It's up to the Dept of Labor to ensure businesses are following OSHA rules.

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**enon** • 2 years ago

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the fines are a fucking insult, compounded by the fact that nothing will change and these scumbag developers will just bank their millions and move on. the houses on either side of where i live have both been rehabbed -- one crew latino and the other crew mostly from bangladesh. they've knocked out cable to our house several times; coned a couple. construction debris is tossed into the backyard, and without the insistence/reporting by our landlord, they never would have provided the scaffolding to protect the front entranceway from the debris being tossed/blasted away by the removal of the front brickwork.

66 fucking federal investigators for the zillions of developments currently underway? why the hell should developers give a shit about killing people and ruining lives..

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**SFNY** → enon • 2 years ago

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Paying out \$10,000 per death is basically a rounding error on these projects. Until the penalty is significant and includes prison time, it's going to keep happening.

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**tranquiperspective** → SFNY • 2 years ago

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"Cost of doing business"

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**Theodore Wirth** • 2 years ago

Not a mention about cracking down on the abuse of undocumented workers.

Meanwhile, everybody is hysterical about immigrants. If these illegal jobs were not available, there would be fewer of them. Until the laws on the books are enforced, I

don't want to hear any moaning about immigrants taking jobs from Murkans.

7 ^ | v • Reply • Share ›



**realposter** → Theodore Wirth • 2 years ago

— | ↗

Exactly - and as someone from an immigrant family - it is absolutely hypocritical. Illegals take jobs from legal migrants as well. it's disgusting hypocrisy. The only people who support illegal migration are those who make money off of it or who never had to LEGALLY migrate anywhere.

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**Sean\_Bro** → realposter • a year ago

— | ↗

How about the pols looking for the votes ?

^ | v • Reply • Share ›



**Seal\_Of-The-Sea** → Theodore Wirth • 2 years ago

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They don't take Americans' jobs. They take the jobs that none of us would do, for the pay none of us would take. THAT should be what's controlled - the amount of pay and work hours and treatment of people on the job should be controlled. No off the books pay.

^ | v • Reply • Share ›



**bluecanary1** → Seal\_Of-The-Sea • 2 years ago

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They take jobs at wages for which Americans won't work. Most of the jobs now done by undocumented workers used to be done by union workers. Slaughterhouses, construction, etc., etc., all used to be union labor that provided a middle class lifestyle. Americans will do these jobs. They just won't do them for slave wages.

And our government enabled all of this.

3 ^ | v • Reply • Share ›



**Seal\_Of-The-Sea** → bluecanary1 • 2 years ago

— | ↗

Exactly. Our government allowed it. I didn't know that slaughterhouses were at one time union. Another reason why our meat is so tainted. Safety is not being followed anymore.

1 ^ | v • Reply • Share ›



**Sean\_Bro** → bluecanary1 • a year ago

— | ↗

Absolutely. They have taken over construction jobs in NYC. Even in class A buildings, which are supposed to be union only. It makes me so sick.

They have taken everything except electrical. Still using local 3. But everything else, except for building engineer and electricians has been taken over. It's so sad.

^ | v • Reply • Share ›



**Sean\_Bro** → Seal\_Of-The-Sea • a year ago

— | ↗

That's B.s. I see it everyday. They are taking old union jobs that use to pay 30 an hour, just 15 years ago.

I see it everyday. It's disgusting. They have crushed the market for construction work. Screwing every American, because of the ripple effect.

Please don't buy the b.s. because even if it's true, do you expect them to keep doing those jobs that Americans supposedly won't or can't do ? They will be coming for your job next. It's already happening in I.T jobs.

Your neXT.

^ | v • Reply • Share ›



**Seal\_Of-The-Sea** → Sean\_Bro • a year ago

— | ↗



Seal\_Of-The-Sea · Sean Bro · a year ago

Well, then that's something we should be bringing up to our elected officials. Instead of personal attacks and rumor mongering, perhaps we should be asking our officials to do something about wages, about proper job training, about having the proper Visa to work here. If the states would all set a proper minimum wage (even to illegals) then Americans would do the work. Most Americans can get more on unemployment than these employers are willing to pay.

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Sean Bro → Seal\_Of-The-Sea · a year ago

Because illegals have crushed the market wage. They can work for small wages because they don't plan on staying in America. They work here for several years, save their money. Then go back home to The 3rd world and live like Kings on the USD.

^ | v · Reply · Share >



Sean Bro → Seal\_Of-The-Sea · a year ago

I was just correcting the record. You stated something completely false. And you know it. No personnel attacks, by the way. You just got called out on B.S. Dont get butt hurt about it. Learn, research, we at least owe that.

^ | v · Reply · Share >



Seal\_Of-The-Sea → Sean Bro · a year ago

Wow, defensive much? GFY

^ | v · Reply · Share >



Sean Bro → Seal\_Of-The-Sea · a year ago

Defensive ? I'm just correcting the record. Your whining like a little bitch. Go hit your safe spot. Loser

^ | v · Reply · Share >



whysenhymer · 2 years ago

Construction in Greenpoint mostly happens on Sundays and Holidays when the inspectors aren't working.

1 ^ | v · Reply · Share >



enon → whysenhymer · 2 years ago

sundays is illegal... one of the former tenants in our building would report when the crews worked, and they did suddenly stop showing up on that day.

^ | v · Reply · Share >



OaklandTenant · 2 years ago

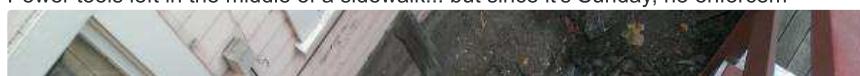
OSHA won't do anything unless they witness it happening, but also won't come to a job site until they've issued a written warning and received a response from an employer.

I sent photos and videos of a worker balancing a table law on 2 plastic chairs, but an OSHA investigator was not actually AT the site to personally WITNESS the violation, they dismissed it without any fines. I don't blame the workers. I blame the licensed contractor, who should be at the site, ensuring that all health/safety laws are being followed.

After numerous emails with photos and videos of the various illegal and unsafe work practices, OSHA finally came out to the job site and issued a measly \$7300 in fines.

Meanwhile, the same contractor had other active job sites where this was happening, but he never got caught.

Power tools left in the middle of a sidewalk... but since it's Sunday, no enforcem



[see more](#)

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**87ytens** → OaklandTenant • 2 years ago

You should have just stolen that table saw and sold it on CL. That's horrifying that it was left there.

^ | v • Reply • Share >



**GinaS13** • 2 years ago

All of these ridiculous condos popping up are mainly built by non-union workers. It's ridiculous. I drive by a site yesterday, Thanksgiving, and it is full of men working. It is sad and bad for New York.

2 ^ | v • Reply • Share >



**nyhcmaven84** • 2 years ago

Good god. I remember reading all about these unsafe construction sites and workers falling to their deaths and permanent disability in 100+ year old books like Jews Without Money when the robber barons were at their apex.

History is repeating itself. All these tax abatement sucking luxury eyesores are being built on undocumented labor then the same people their employers hobnob with are the first to scream about undocumented immigrants. Sickening.

1 ^ | v • Reply • Share >



**realposter** → nyhcmaven84 • 2 years ago

Actually - most of the projects are on small projects spread throughout the boroughs... It has very little to do with "luxury eyesores" - since they expect a certain level of skill. Let's not confuse the issues.

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