

SKY LINES

#48

**VOLUME FIFTEEN
SPRING 2024**

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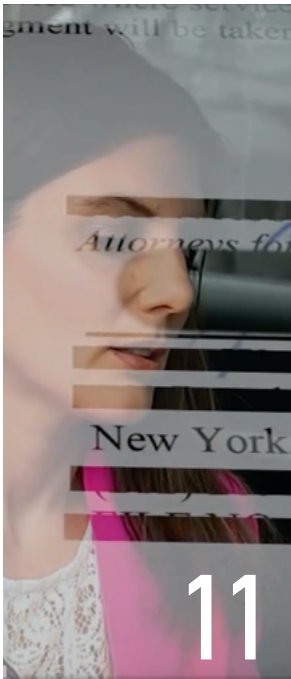
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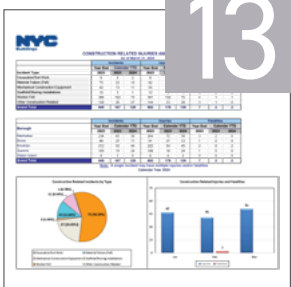
SUPPORT A. 8981A / S. 8413A Timeline of Construction Fraud

Workers undergo unnecessary surgeries while criminals cash in.

- Organized crime recruits workers.
- Lawyers train workers to take construction jobs and stage accidents through law firm-sponsored OSHA presentations.
- Workers stage construction accidents.
- Workers are connected with medical mills and lawsuit lending firms.
- Medical mills manufacture imaging and physical therapy routines.
- Workers undergo unnecessary surgeries.
- Lawyers file fraudulent lawsuits and claims.
- Lawyers, medical mills, and lenders cash in on inflated payouts.

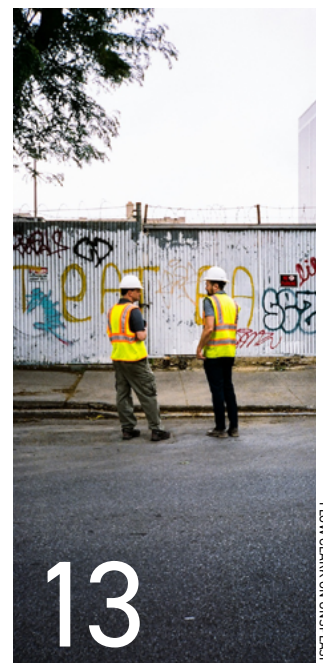
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15 YEARS OF SKYLINES

With this issue of SKYLINES, we proudly enter the fifteenth year of our newsletter. What began in the spring of 2010 as a four-page printed publication (photo above) has evolved into a comprehensive 16-page format, complemented by our online presence at SKYLINESnews.com. Here, you can explore our fifteen-year archives, charting the evolution of our industry and the steadfast commitment of our community.

Issue #48, like all previous issues, is dedicated to bringing you news and information that is both valuable and engaging.

The epidemic of staged accidents is a growing concern. Proposed legislation aimed at curbing this issue has garnered support from New York District Attorneys but faces opposition from unions. Details on pages 8-12 and more online.

Attention all involved in parking structure maintenance and inspections: an Initial Observation Report might now be necessary before you submit the full engineering report.

Mark your calendars and get ready for an unforgettable day on the greens. [Skyline Restoration's 16th Annual Golf Classic](#) at the Old Westbury Golf & Country Club is on June 24th. This event supports The Skyline Charitable Foundation and promises a day of fun, camaraderie, and philanthropy.

As we embark on our fifteenth year, we remain committed to providing you with the most relevant and insightful content. Thank you for being a part of our journey, and we look forward to continuing together.

Warm regards,

Eva Hatzaki
Editor@SkylinesNews.com

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ATTENTION SST CARD HOLDERS

The NYC Buildings department urges construction professionals carrying Site Safety Training (SST) cards produced by Valor Consulting to get legitimate SST training from a different course provider as soon as possible to avoid any interruptions in their ability to work.

On April 2, 2024, Buildings Commissioner Jimmy Oddo announced that the Department of Buildings has issued a notice of intent to revoke Valor Consulting's status as an agency-approved safety training course provider for construction industry professionals, and as a result any Site Safety Training (SST) cards issued by this company would be immediately invalidated.

This action follows a criminal indictment filed in Manhattan Criminal Court against senior executives and employees at Valor Consulting for allegedly selling construction safety training identification cards to workers without providing any of the required safety training.

Any SST cards that have been issued as a result of training certificates produced by Valor have been deactivated, and construction workers with these SST cards will no longer be allowed to work on the larger and more complex work sites requiring SST training in New York City until they are able to acquire a new SST card from a legitimate DOB-approved course provider.

[Read the press release.](#) ■

PARKING STRUCTURE INSPECTIONS

INITIAL OBSERVATION REPORT PRIOR TO SUBMITTING THE FULL ENGINEERING REPORT MAY BE REQUIRED

Under new rules, parking structure owners in the Upper East Side of Manhattan, Upper Manhattan, Bronx, Brooklyn, Queens, and Staten Island must submit an initial observation report for their parking structures to NYC Buildings by August 1, 2024*. This initial assessment report is in addition to the full engineering report and is submitted in [DOB NOW: Safety](#). Data on the NYC Buildings' interactive [map](#) shows that there are 4,372 parking structures in the Periodic Inspection for Parking Structures (PIPS) five-borough universe:

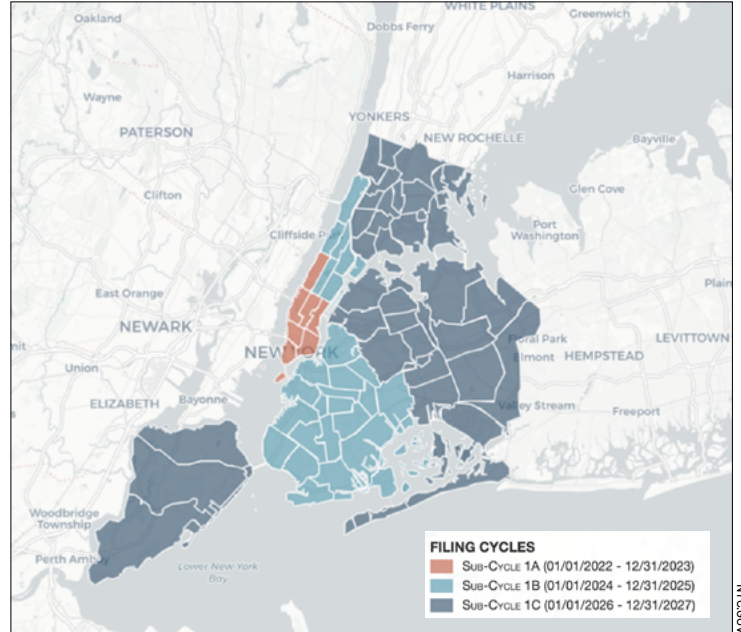
1545	Manhattan
1265	Queens
1072	Brooklyn
452	Bronx
38	Staten Island

Status as of 4/12/2024:

126	Unsafe
164	SREM**
166	Pending status
186	Safe
3,730	No report filed yet.

*Owners of parking structures who submit a Periodic Inspection for Parking Structures (PIPS) full engineering report by August 1, 2024, are not required to submit an Initial Observation report.

** Safe with repairs or engineering monitoring. ■



NYC Buildings' interactive map shows 4,372 parking structures in the Periodic Inspection for Parking Structures (PIPS) universe.

PARKING STRUCTURES REQUIRING AN INITIAL OBSERVATION REPORT BY AUGUST 1, 2024*:

Sub Cycle 1B	Sub Cycle 1C
1/1/2024 - 12/31/2025	1/1/2026 - 12/31/2027
Manhattan Community Districts 8 -12, and Brooklyn	Bronx, Queens, and Staten Island
Required*	Required

"TOP 10" REASONS FOR A STOP WORK ORDER

The Department of Buildings issues a Stop Work Order (SWO) at a work site when inspectors determine a site has unsafe working conditions and asks contractors to keep their work sites in safe condition to avoid any unnecessary project delays. As listed on the Department's website, in the first quarter of 2024, the top 10 violating conditions resulting in an SWO are:

- #1 Miscellaneous Violations
 - #2 Work Without a Permit
 - #3 Work Does Not Conform to Approved Construction Documents And/or Approved Amendments
 - #4 Failure To Maintain Display on Site Documents Required by BC Chapter 33
 - #5 Failure To Safeguard All Persons and Property Affected by Construction Operations
 - #6 Multiple Violating Conditions
 - #7 Unlawfully Continued Work While on Notice of a Stop Work Order
 - #8 Failure To Maintain Adequate Housekeeping Per Section Requirements
 - #9 Failure To Institute, Maintain Safety Equipment Etc., - No Guard Rails
 - #10 Electrical Work Without a Permit
- [See DOB's new Stop Work Order interactive map](#) ■

NEW SIDEWALK SHED DESIGNS

Arup US and Practice for Architecture and Urbanism (PAU) to design new sidewalk sheds and pedestrian safety equipment for New Yorkers

New York City Mayor Eric Adams, Department of Buildings Commissioner Jimmy Oddo, and the Mayor's Office of Contract Services (MOCS) Director Lisa Flores recently announced the selection of two companies – [Arup US](#) and [Practice for Architecture and Urbanism \(PAU\)](#) – to deliver six new designs for sidewalk sheds and pedestrian safety equipment in New York City.



The designs will be publicly released to give contractors the ability to build and use them.

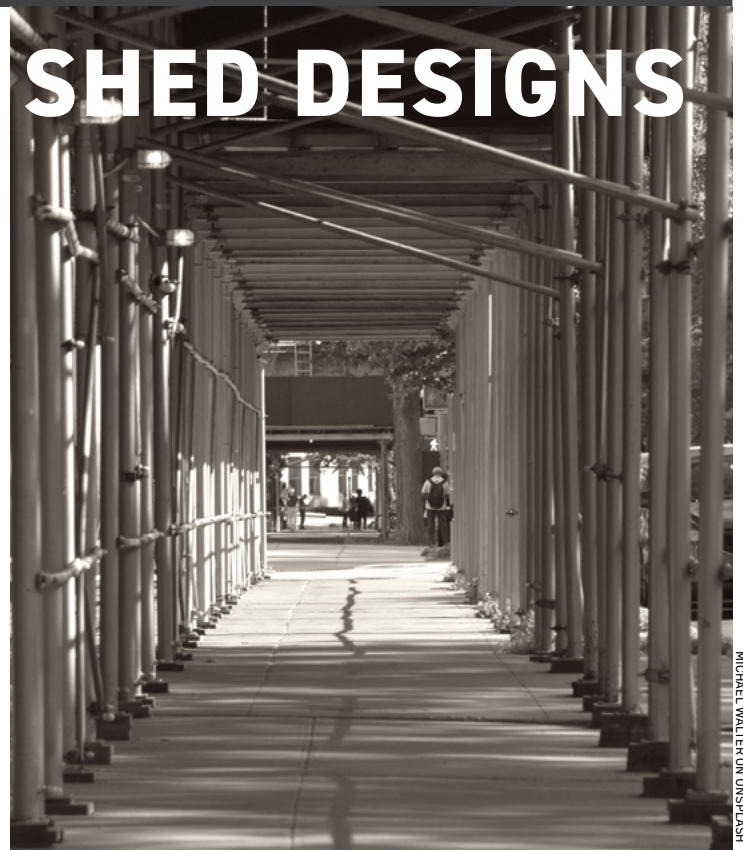
The new designs aim to “improve the pedestrian experience, beautify the streetscape, keep costs low for building owners, and provide more aesthetically pleasing pedestrian safety equipment.”

The redesigns include four options for sidewalk-level sheds and two options for non-sidewalk-level pedestrian safety

equipment, such as mesh fiber wraps or netting.

The six designs will be incorporated into the building code and will be available for public use, giving contractors the ability to build and use them. The new designs will be implemented by early 2025.

“As we work toward removing



MICHAEL WALTER ON UNSPLASH

scaffolding and construction sheds faster, we also recognize the function that sheds play in keeping pedestrians safe, but that doesn't mean they have to be a drab eyesore. Today, we're taking an important step

toward redesigning sheds and scaffolding, making them better-looking and keeping costs low,” said Mayor Adams, announcing the selection of Arup and PAU, on February 29. [Read](#) the press release. ■



CARP JENNIFER ON UNSPLASH

CONGESTION PRICING APPROVED

New York city made history by approving congestion pricing, a move aimed at curbing traffic and pollution in its bustling downtown. The Metropolitan Transportation Authority board has authorized a \$15 toll for drivers entering Manhattan below 60th Street during peak hours, expected to generate funds to upgrade mass transit. Implementation is set for mid-June, with installation of zone cameras almost complete.

Legal challenges, including from New Jersey, seek to halt the program. As [Crain's reports](#), the MTA will send congestion pricing money to the neighboring state. As per the Authority's CEO

Janno Lieber during a *Crain's New York Power Breakfast* “the presentation made to the feds does call for some allocation of mitigation dollars to New Jersey,” but declined to give details. Drivers using already-tolled crossings receive a \$5 discount during the day, lowering fees to \$10. Nighttime and weekend rates are discounted by 75%, with different rates for commercial trucks to incentivize off-peak travel.

The plan mirrors schemes in London, Stockholm, and Milan. The law targets \$1 billion in annual tolls for \$15 billion in transit upgrades, though lawsuits could delay the initiative. ■



WON'T YOU BE MY NEIGHBOR?

Typical view of adjacent building roof protection installed.

By Mike Lopez, R.A., AIA
Director, Rimkus

In a city as vast and densely populated as New York City, performing exterior work is likely to impact an adjacent or neighboring building. It is an inevitability for most buildings.

Annoyances like roof protection, scaffolding, noise, dust, debris, intruders, time, and money are a handful of the issues that come up when talking about performing work on or over an adjacent building. In the past several years, many design professionals have had to take the time to fully understand the effort dedicated to obtaining access to an adjacent property and incorporate that process into the overall schedule. What this ultimately means is that even if you have filed and awarded a project, there is still the unknown factor of how long it will take to gain access to an adjacent property.

For those who have not dealt with this, accessing a neighboring property is typically completed through an access agreement, required by the 2022 New York City Building Code. Yep, that's right, the 2022 New York Building Code requires that notification and an agreement be in place to access an adjacent property. The access agreement is made between two or more parties and becomes the legal document to allow/grant access onto another's property for a specified reason. In most cases, this is for a construction or demolition project. Here is an excerpt from the building code:

[Chapter 33: Section 3309](#)

Protection of adjoining property states:

"Where a construction or demolition project will require access to adjoining property in accordance with this section, written notification shall be provided to the adjoining

property owner at least 60 calendar days prior to the commencement of work. Such notification shall describe the nature of work, estimated schedule and duration, details of inspections or monitoring to be performed on the adjoining property, protection to be installed on the adjoining property, and contact information for the project. Where no response is received, a second written notification shall be made no more than 45 calendar days, and not less than 30 calendar days, prior to the commencement of work."

Even with this code-prescribed requirement that speaks to timing limitations, our team has seen and had first-hand experience with access agreements taking several months and even over a year to obtain. It begs the questions:

- What factors are causing these

delays?

- How are these agreements going to affect a project's completion date?
- What can we, as design professionals, do to mitigate these issues?

After several recent projects, brainstorming, and discussions with trusted industry professionals, we came up with the following list to help navigate this process. It may go without saying that each project should be reviewed, and all legal advice should be obtained from the appropriate legal parties.

1. Establish a relationship with the neighbor's owner or managing agent.

As a team, efforts to avoid these delays have included broaching the conversation of access well before a design is issued for bid or even filed. Months and even years before a project, it can be helpful to simply know the

points of contact and the players involved to obtain a future access agreement. Our team has found that while this may start the agreement process, it ultimately comes to a stop requiring more detailed and regulatory agency approved documents. This includes Department of Buildings (DOB)-approved plans and, at times, a DOB-approved Site Safety Plan, that would not be obtained until after the initial project filing's approval.

In a recent project of Rimkus, opening the conversation with neighboring properties and developing the agreement had taken place years before this project. The agreement spoke to the requirements for protection and access, as many previous projects for this building required repeated access over a neighboring building. This effort, in theory, mitigates the inevitable delay in obtaining access. At the time of this article, this specific agreement was still in legal review.

2. The direct route may not be the only way to accomplish the project.

In some projects, owners and contractors have had to think outside the box to phase projects creatively and safely to progress the work and avoid a complete and utter standstill. As an example, a recent project included performing work at a particular elevation instead of all elevations at the same time, while the remaining access agreement was being finalized. Another example utilized supported scaffolding in lieu of suspended scaffolding as a means of access. This avoided the need to store equipment on a neighbor's terrace. This change in access was not the most ideal for the contractor but it allowed for the project to continue rather than wait on approval of the access agreement.

"...Nothing in this chapter [Chapter 33: Section 3309.2] shall be construed to prohibit the owner of the property undertaking construction or demolition work from petitioning for a special proceeding pursuant to Section 881 of the Real Property Actions and Proceedings Law."

From the perspective of an owner, the change in access or phasing can be frustrating, as it adds to the cost of the project; however, at the same time, it helps a project to progress forward and can minimize the legal fees that would be incurred during negotiation of the access agreement.

3. Set a firm timeline.

In some projects, obtaining an access agreement can be anywhere from a few months to over a year in the making. This, coupled with extensive legal fees and monetary demands, can escalate the project cost exponentially.

It can be immensely helpful to set an internal timeline for when to follow up and when to establish a date to start legal action, should no response or agreement be obtained. Sometimes being overly nice equates to a slip in the timeline for reaching an agreement. This delay, along with others, can create a compounding

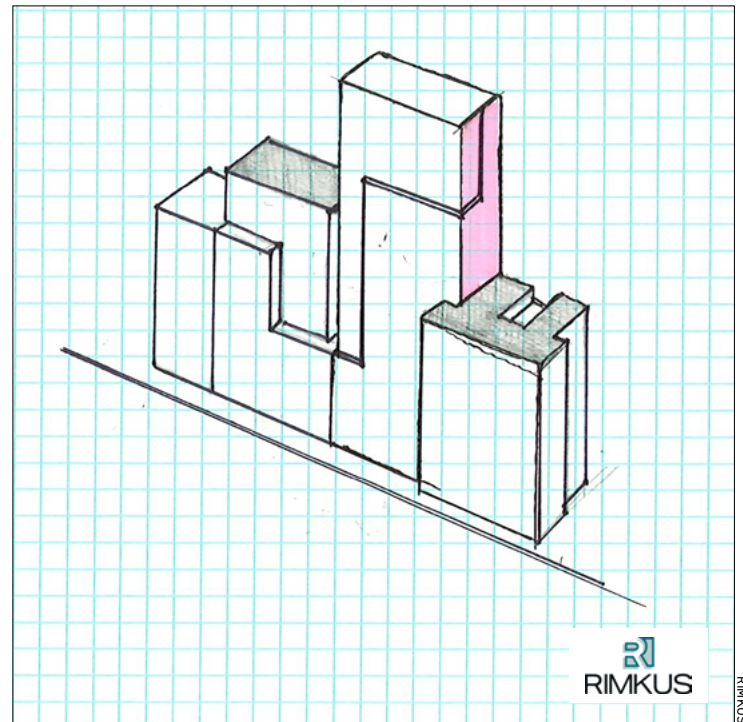


Diagram depicting a typical multistory building with neighboring buildings and areas in need of protection/requiring access.

effect to the point that may result in a delay of the entire project into the following year.

4. Do not be afraid of legal action.

While it may seem like a last resort, beginning the 881 Action, which is the legal proceeding to obtain access in New York City, starts the clock and informs the neighbor that the situation is serious. Discussions with the building's legal counsel are key to getting this started.

5. Give reciprocal rights.

As the golden rule goes, "treat others as one would want to be treated." Our experience shows that new access agreements may be delayed or ignored due to previous negative interactions among neighboring building owners in processing such agreements. Though there is no perfect formula for obtaining access from a neighbor, it is ultimately necessary in order to perform exterior repairs and maintain safe buildings. ■



Mike Lopez is the Director of Technical Services for Architectural Engineering at Rimkus. He has been working within the building envelope industry for nearly 15 years and has extensive building envelope consulting and construction administration experience, specializing in exterior restoration, waterproofing, roofing, and leak remediation. Mr. Lopez is a Registered Architect in the states of New York, Texas, Louisiana, Rhode Island and Florida. He is also a Level 1 Rope Access Technician and a QEWI.

LEGISLATION TO HALT THE EPIDEMIC OF STAGED ACCIDENTS RECEIVES NY DISTRICT ATTORNEYS' ENDORSEMENT, OPPOSITION BY UNIONS



A coalition of organizations stood in support of the Staged Accidents bill A8981/S8413 introduced by State Senator Neil Breslin (left) and Assemblyman David Weprin (right) on March 5th at a press conference on the steps of the iconic Million Dollar Staircase at the State Capitol in Albany. Andromeda Advantage President Andriana Vamvakas (center at podium) spoke.

A8981/S8413 would make staging a construction site accident a Class E felony

Staged Accidents bill [A8981/S8413](#), that would make staging a construction site accident a Class E felony, was introduced by State Senator Neil Breslin and Assemblyman David Weprin at a [press conference](#) in Albany on March 5th. A coalition of organizations stood in support.

This proposed legislation is key to halting the rampant epidemic of fraudulent claims that threatens to cripple New York City on multiple levels.

In its annual (2023) [Construction Safety report](#), the NYC Department of Buildings highlights a concerning trend: Despite the decline in violations and Stop Work Orders issued by the Department—a clear sign of more sites operating in compliance— worksite injuries are on the rise for a third straight year, increasing by 25 percent since 2022. Coinciding with the increase in reported injuries, is an increase in injuries that are investigated and where no safety violations are found.

Multi-year data collected by insurance investigators, underwriters, and legal teams, unveils a [troubling nexus](#) of staged accidents and fraudulent claims, the result of the growing exploitation of New York State

Labor Law §240/241 (the Scaffold Law), which holds contractors and property owners [strictly](#) liable for any “gravity-related” incident.

A distinguishing characteristic of the Staged Accidents bill is that it targets not only the claimants, but anyone who “directs, hires, requests, encourages, orchestrates, or invites another individual or individuals to stage a construction site accident.” The legislation encompasses all the bad actors – corrupt doctors, lawyers, and the crime syndicates.

ENDORSEMENTS AND OPPOSITIONS

In his May 6th [letter](#) to Senator Breslin, Michael E. McMahon, the Richmond County District Attorney and President of the **District Attorneys Association of the State of New York (DAASNY)**, [supports](#) legislation aimed at closing a loophole in existing insurance fraud laws. McMahon points out that current New York law does not explicitly prohibit the staging of construction-site accidents, allowing some organizers of such fraudulent acts to avoid liability. The proposed bill would address this gap by holding those who orchestrate staged construction accidents for false insurance claims directly accountable.

The **Building Trades Employers’ Association (BTEA)**, representing over 1,200 union construction managers, general contractors, and specialty trades subcontractors in New York, expressed its support for legislation S8413A/A8981. In its May 14 [letter](#) addressed to Majority Leader Stewart-Cousins, Speaker Heastie, Senator Bailey, and Assembly Member Dinowitz, the BTEA highlights that insurance costs in New

York are more than triple those in neighboring states, largely due to the Scaffold Law, but also significantly exacerbated by fraudulent construction accidents. These fraudulent activities lead to increased workers’ compensation and general liability insurance costs, affecting contractors and contributing to New York’s affordability crisis by inflating costs across the economy. Recognizing that staging construction accidents for the purpose of insurance fraud for the crime that it is will be a step in the right direction which the BTEA [supports](#).

The **New York State Building and Construction Trades Council (NYSBCTC)**, representing over 220,000 unionized construction workers through various councils and unions, strongly [opposes](#) legislation S8413/A8981. The NYSBCTC argues that this bill is unnecessary since existing penal laws already cover such insurance fraud. They contend that the bill is driven by the insurance and business communities to undermine the Scaffold Law. The NYSBCTC emphasizes that construction workers often face hazardous conditions and targeting them with potential criminal charges for workplace accidents is unjust. They believe that existing laws sufficiently address insurance fraud without singling out construction-related incidents, and therefore urge the legislature to reject the bill.

The **New York State AFL-CIO**, representing 2.5 million union members, retirees, and their families, [opposes](#) legislation S8413/A8981. They argue that the bill is an attempt by the financial services industry to intimidate workers and discourage valid workers’ compensation and Scaffold Safety Law claims. The AFL-CIO asserts that the

legislation is unnecessary because insurance fraud is already covered under [Article 176 of the Penal Law](#). They emphasize that the Scaffold Safety Law is crucial for holding employers accountable for worker safety by requiring proper equipment and instruction on construction sites. The AFL-CIO views this bill as an effort to undermine worker safety protections and urges the legislature to reject it.

The **New York Committee for Occupational Safety and Health (NYCOSH)** opposes legislation S8413A/A8981, which seeks to criminalize the staging of construction accidents. NYCOSH argues that insurance fraud is already addressed under [Article 176 of the Penal Law](#).

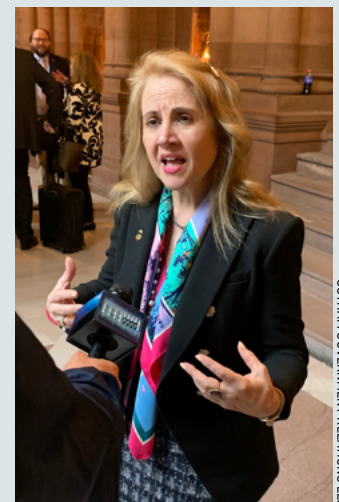
making this bill unnecessary. They contend that it would deter workers from reporting genuine job-related injuries or fatalities, especially in the inherently dangerous construction industry. NYCOSH, a non-profit advocating for workplace safety through education and advocacy since 1979, emphasizes that many workers, particularly vulnerable groups like Latinx immigrants, already hesitate to report safety concerns or file workers’ compensation claims due to fear of retribution. Highlighting the disparity between the high number of recorded workplace injuries and the significantly lower number of workers’ compensation claims

Continued on page 12

PRESS CONFERENCE HIGHLIGHTS

The press conference introducing A8981/S8413 highlighted the need for the proposed legislation to combat:

- 📍 Inflated insurance premiums for construction projects and housing that are passed down to consumers in prohibitive costs.
- 📍 Involvement of organized crime syndicates. These bad actors exploit vulnerable individuals, often migrant workers, seek to manipulate the legal system, and delay construction projects.
- 📍 Worsening of the housing affordability crisis. Bogus claims cause construction costs to zoom upward which “trickles down” and makes affordable housing more and more of a misnomer as housing prices become prohibitive for a broadening segment of the City’s population.

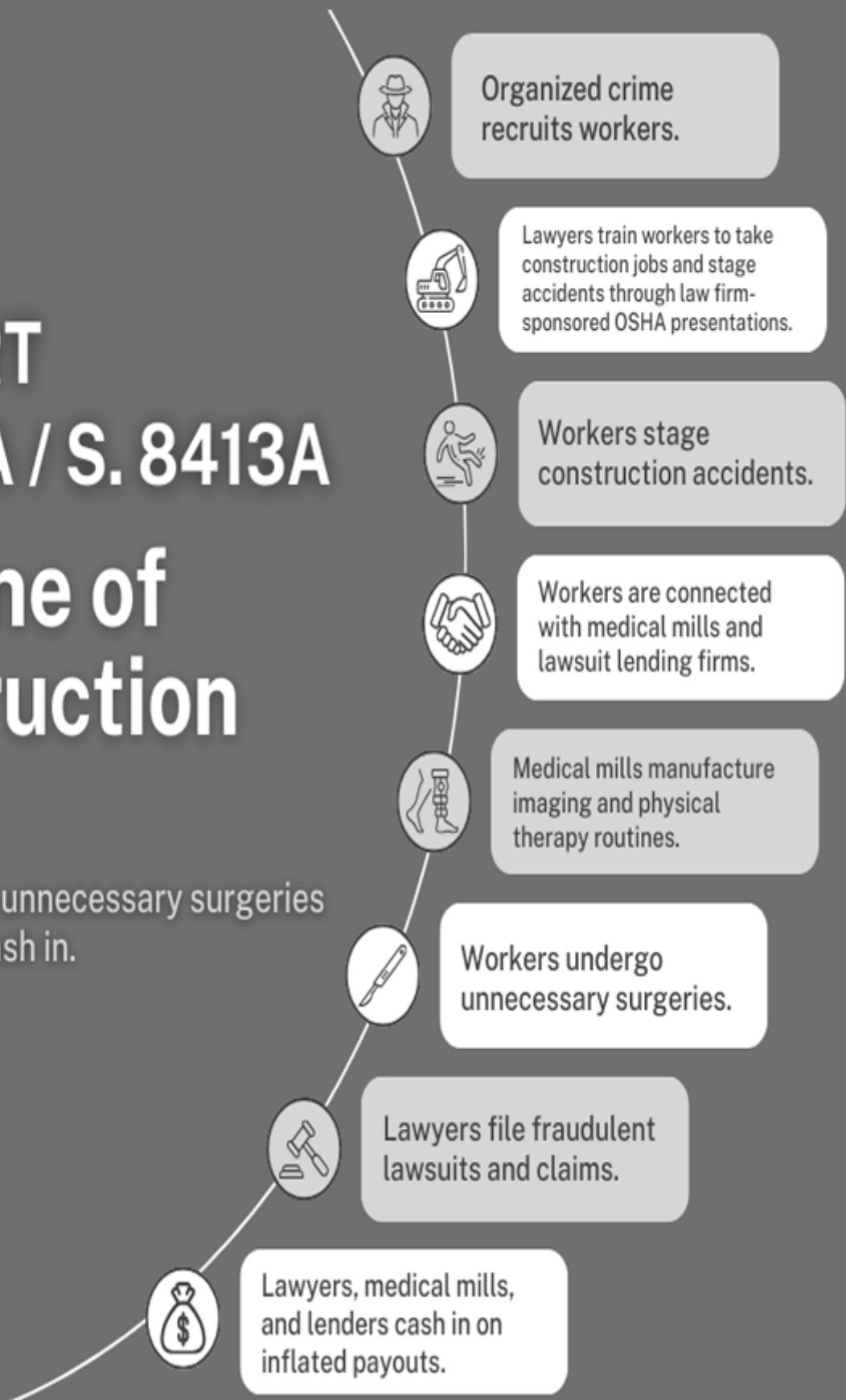


GOTHAM GOVERNMENT RELATIONS LLC

Andriana Vamvakas, president of Andromeda Advantage and leading advocate of the Staged Accidents bill, answers reporters’ questions after the introduction of the bill at a press conference held by State Senator Neil Breslin and Assemblyman David Weprin on March 5, 2024, at the State Capitol in Albany.

SUPPORT A. 8981A / S. 8413A Timeline of Construction Fraud

Workers undergo unnecessary surgeries while criminals cash in.



“If these staged accidents continue unchecked, they will devastate the construction industry in New York City,” said Andriana Vamvakas, president of Andromeda Advantage, on [The Legal Lowdown](#) with Imran H. Ansari, Esq.

“This [Staged Accidents bill] is good for everybody. This is good for the workers. This is good for business. This is good for insurance companies – [for] all of us, New York City residents and people that come to work here. We have to stay united and combat this activity,” said Andriana Vamvakas, president of Andromeda Advantage, a construction consulting company, speaking on WMCA-Radio’s *The Legal Lowdown* hosted by Imran H. Ansari, Esq. in March.

Vamvakas was discussing the proposed Staged Accidents bill ([A8981/S8413](#)), that would make staging a construction site accident a Class E felony.

The push for this long overdue and much needed legislation is key to halting the rampant epidemic of fraudulent claims that threatens to cripple New York City on multiple levels.

Waging war against corruption is familiar turf for Vamvakas, who joined Andromeda following a 34-year career with the federal government. As the Northeastern Regional Director of the U.S. Department of Labor, her responsibilities included conducting large-scale, high-profile civil and criminal investigations throughout 11 states, Puerto Rico and the Virgin Islands into corrupt practices of union officials, employees,

trustees, lawyers, contractors and accountants.

“I’ve developed a good understanding for identifying fraudulent patterns,” said Vamvakas in the radio interview. The rise in fraud, exacerbated by the Covid lockdown, is disturbing and consequential. Vamvakas told Ansari that today half of construction site accidents are labeled fraudulent and coordinated by “gangs” – organized crime syndicates. One red flag to ID a spurious claim is when the allegedly injured party refuses to undergo thorough medical diagnostic testing such as taking an MRI.

Vamvakas said that the average cost of a Scaffold Law claim is about \$1.5 million. “If these staged accidents ...continue unchecked they will devastate the construction industry in New York City,” she explained, noting that the fraud is costing the industry billions. “These are scams,” she said. “People take advantage of the system.”

Taking a bold stance on behalf of its clients, Andromeda Advantage is refusing to settle fake claims. Said Vamvakas, “We are not going to settle ...We know these are the result of fraudulent activity. We have instructed our lawyers to adjourn these cases and not to settle ... We would be rewarding criminality...” ■

650 FRAUDULENT INSURANCE CLAIMS IN FOUR YEARS

A [lawsuit](#) has been filed by Tradesman Program Managers (TPM) and Roosevelt Road Re, a reinsurer and TPM’s general program managing agency, based on the insurer having received over 650 fraudulent claims in the last four years.

A brief introducing the lawsuit says, “dozens of local lawyers, doctors and others” have caused the firm’s insurance premiums to skyrocket. The firm filed a federal RICO (Racketeer Influenced and Corrupt Organizations Act) lawsuit in the Eastern District of New York against “attorneys, medical providers and others who we believe may have contributed to these activities.”

It continues, “We have uncovered information suggesting a systemic affront to the judicial process that has in essence ‘hijacked’ both the New York construction and habitational markets” costing customers of the insurer billions.

The brief explains that undocumented migrant laborers are being groomed and coerced into participating in criminal schemes. They are given counterfeit IDs, aliases, stolen or fake SST cards and other falsified documents to gain employment with construction companies. Invalid OSHA safety training cards are illegally issued by training classes sponsored by entities seeking to exploit the workers, contractors and contractors’ insurers.

Federal identity theft, mail fraud, wire fraud and bank fraud perpetrated by these bad actors have, according to TPM and Roosevelt Road Re, resulted in an “an existential crisis” that, if unabated, “will result in the collapse of important stakeholders.”

PREYING UPON VULNERABLE IMMIGRANTS

WABC-TV Channel 7 Eyewitness News covered fake falls in a segment last November that was reported in [SKYLINES #47](#). This year, Kristin Thorne followed up with two segments that aired on March 16th and April 2nd, and appeared on the station’s website.

[The first TV segment](#) noted that corrupt medical providers and lawyers are preying upon “vulnerable primarily Spanish-speaking immigrants to engage in the fraud” which heaps profit on those orchestrating the faked incidents. Attorney Kirk Willis, interviewed on the program, said, “They train the migrants how to act at some of these staged accidents...”

[The second segment](#) presents a construction worker who says his identity was stolen to file false workers’ compensation claim and a lawsuit.

“IT’S THE GOOD GUYS AGAINST THE BAD GUYS AND RIGHT NOW THE BAD GUYS ARE WINNING”

NYS State Senator Neil Breslin, chairman of the Senate Committee on Ethics and Internal Governance and Insurance, quoted in an article in [The Daily Gazette of Schenectady](#) on March 8 said, “This kind of crime [staged accidents and fraudulent claims] must be met with severe punishment” as its harm casts a wide shadow.

“Contractors and developers have become burdened with exorbitant insurance premiums, which are ultimately passed down to consumers and result in higher housing expenses for all New Yorkers.”

He quoted sobering statistics:

- *Workers compensation premiums increased an average of over 10% in 2022, outpacing the rate of inflation.*
- *Insurance premiums in New York are 400% higher than the national average.*

Breslin summed up the crisis in stark terms: “It’s the good guys against the bad guys and right now the bad guys are winning.”

Continued from page 9

in New York State, NYCOSH believes this legislation would exacerbate workers’ reluctance to report injuries. They urge the government to build trust in vulnerable communities instead of advancing this bill and recommend voting [against](#) it.

The **Construction Workforce Project (CWP)**, a nonprofit advocacy organization collaborating with various community groups and industry leaders, strongly [supports](#) legislation S8413A/A8981. This bill aims to classify the staging of construction site accidents for insurance fraud as a Class E felony. CWP highlights that open/merit shop workers, who comprise about 80% of private developments in New York City, are predominantly Black and Latino, with 87% of the workforce being minorities and 82% residing in the five boroughs. CWP emphasizes the critical need for this legislation due to the alarming increase in staged construction site accidents, which exploit the workers’ compensation system and harm workers, particularly non-English speaking individuals. These fraudulent schemes, often orchestrated by criminal organizations, force workers into false claims and unnecessary surgeries, jeopardizing their health and financial stability. The legislation seeks to dismantle these fraudulent activities, holding accountable those who exploit vulnerable workers and ensuring timely medical and financial support for genuinely injured workers. By addressing fraud, the bills aim to improve the overall integrity of the construction industry and support New York’s efforts to manage its housing affordability crisis. CWP commends the bill sponsors for their efforts to enhance worker

protection and promote an ethical construction sector.

A GROWING COALITION

The coalition of organizations standing in support of the Stage Accidents bill is expanding and includes:

- 📍 The Business Council of New York State
- 📍 The Associated General Contractors of New York State
- 📍 National Federation of Independent Business
- 📍 The Empire State Chapter of the Associated Builders and Contractors
- 📍 New York Insurance Association, Inc.
- 📍 The Long Island Builders Institute
- 📍 The Lawsuit Reform Alliance of NY
- 📍 Northeastern Subcontractors Association, Inc.

and many more add their support daily.

In May, the coalition met with many elected officials, including

Majority Leader Andrea Stewart-Cousins’ office and Deputy Majority Leader Michael Gianaris.

As of 5/16/2024 co-sponsorship of the bill spreads among Democrats and Republicans.

A8981 – Sponsor Weprin

Co-sponsors: Ardila, Hyndman, Lucas, Pretlow, Zebrowski, Lavine, Blumencranz, Bendett, McGowan, Dinowitz, Thiele, Dickens.

Multisponsor: Levenberg

S8413 – Sponsor Breslin

Co-sponsors: Jacob Ashby, George M. Borrello, Patricia Canzoneri-Fitzpatrick, Patrick M. Gallivan, Andrew J. Lanza, Jack M. Martins, Mario R. Mattera, Dean Murray, Thomas F. O’Mara, Anthony H. Palumbo, Rob Rolison, Luis R. Sepúlveda, James Tedisco ■

The Empire State Chapter of Associated Builders and Contractors (ABC) urges its members to support this legislation that would make staging a construction site accident a Class E Felony and allow prosecution of the individuals faking the accident on the site and the nefarious doctors and lawyers who perpetuate this fraud. ABC has set up a [site](#) for supporters asking elected officials to sponsor S8413/A8981.



ABC President,
Brian Sampson

HELP MAKE STAGING A CONSTRUCTION SITE ACCIDENT A FELONY

CONSTRUCTION RELATED INJURIES AND FATALITIES REPORTED BY THE NYC BUILDINGS DEPARTMENT IN THE 1ST Q OF 2024

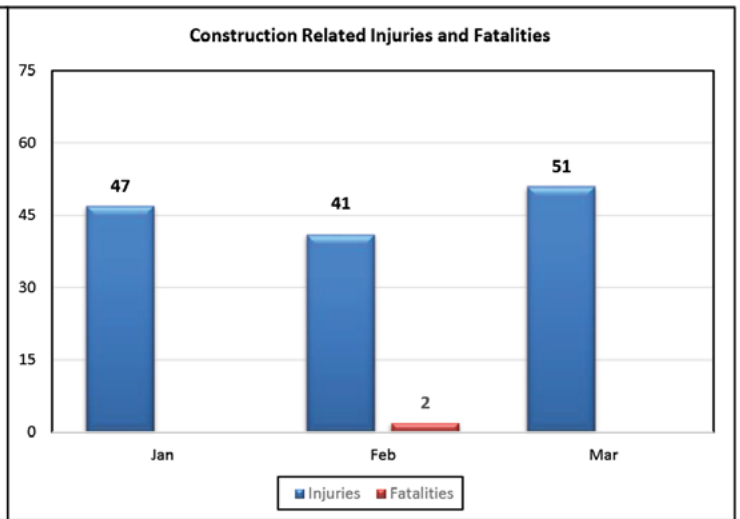
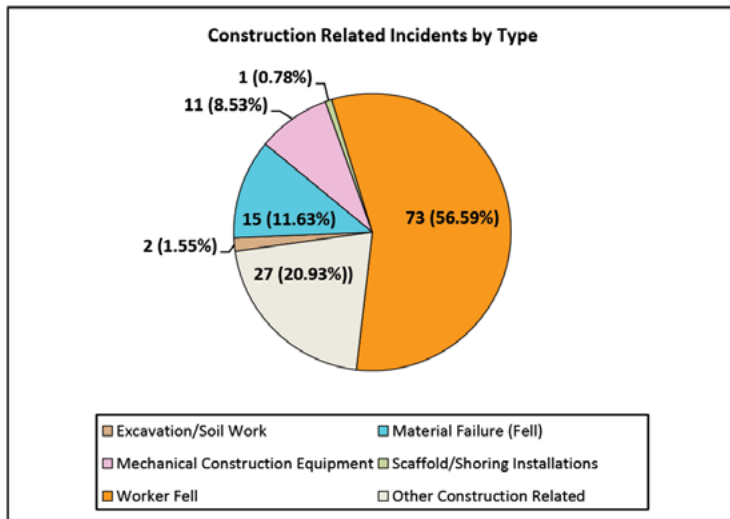


CONSTRUCTION RELATED INJURIES AND FATALITIES As of March 31, 2024

Incident Type	Incidents			Injuries			Fatalities		
	Year End 2023	Calendar YTD 2023	2024	Year End 2023	Calendar YTD 2023	2024	Year End 2023	Calendar YTD 2023	2024
Excavation/Soil Work	6	0	2	8	0	2	0	0	0
Material Failure (Fell)	75	23	15	82	24	14	0	0	1
Mechanical Construction Equipment	42	13	11	55	14	19	0	0	0
Scaffold/Shoring Installations	12	3	1	12	3	1	0	0	0
Worker Fell	386	102	73	391	102	75	4	1	1
Other Construction Related	128	26	27	144	33	28	3	1	0
Grand Total	649	167	129	692	176	139	7	2	2

Borough	Incidents			Injuries			Fatalities		
	Year End 2023	Calendar YTD 2023	2024	Year End 2023	Calendar YTD 2023	2024	Year End 2023	Calendar YTD 2023	2024
Manhattan	236	65	50	264	72	58	3	2	0
Bronx	88	27	11	91	27	12	1	0	0
Brooklyn	212	53	44	222	54	45	2	0	2
Queens	105	19	24	106	19	24	1	0	0
Staten Island	8	3	0	9	4	0	0	0	0
Grand Total	649	167	129	692	176	139	7	2	2

Note: A single incident may have multiple injuries and/or fatalities
Calendar Year 2024



During the first quarter of 2024, New York City experienced two fatalities and 139 injuries at construction sites, as reported by the NYC Buildings department. The fatality rate mirrors the trend observed in the same period last year. The injury rate has decreased by 21%, although March had an increase

to 51 injuries, compared to 41 in February and 47 in January.

Worker's fall injuries specifically saw a decrease from 102 to 75 when comparing the first quarters of 2023 and 2024. Despite this decline, worker's falls remain the most frequently reported type of injury for both years.

The Accident Summary Report is a summary of calendar year-to-date accidents. It contains information on incidents that resulted in a fatality or injury to an individual and were reported to the NYC Buildings department pursuant to [Local Law 78 of 2017](#). This law requires property owners, contractors,

subcontractors, or person(s) otherwise in control of a construction site to report details of an incident that requires transport by emergency medical services or immediate emergency care at a hospital or offsite medical clinic, to the Department of Buildings within three (3) business days. ■

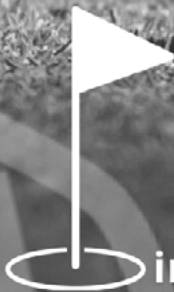


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**VASILIOS (BILL)
PIERRAKEAS**
(1953–2024)

It is with profound sadness and a heavy heart to announce that Bill Pierrakeas passed away on March 30th, surrounded by his entire family and loved ones.

Bill was one of the founders of Skyline Restoration and a pillar in the industry. His hard work and dedication, his genuine love and respect for colleagues, clients, and family contributed to the success and achievements that Skyline Restoration has experienced for over three decades.

Everyone lucky enough to have worked with Bill understood his passion for restoration and his dedication to the craft. More importantly, his dedication to integrity, empathy and a humble persona endeared him to all. Forever with a smile on his face and an open ear, Bill was compassionate and generous.

Messages of sympathy to Skyline Restoration illustrate Bill's great character:

"Bill was a great mentor;" "a gentleman;" "a piece of Skyline's foundation that can never be replaced;" "the consummate professional, who offered everyone he dealt with, his warmth of spirit and willingness to share his vast expertise;" "an honor to work with;" "always there to help."

Bill Pierrakeas is survived by his wife Tina, and his two sons, Alkiviadis and Leonidas.

We love you Vasili, you will forever be in our hearts.

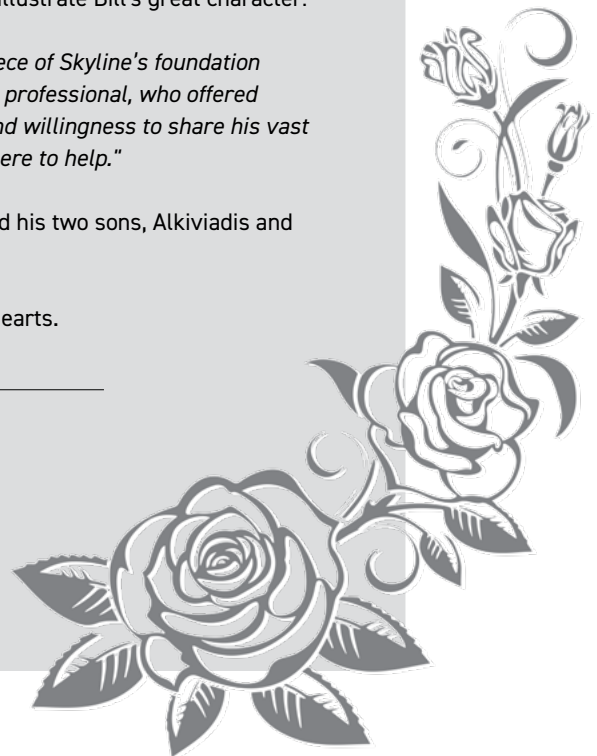
Donations in memory of Vasilios Pierrakeas:

chordoma.org/donate

Chordoma Foundation

PO Box 2127

Durham, NC 27702-2127





GEORGE MADARASZ



MOSAIC

a r t s p a c e

Mosaic ArtSpace (MAS) is a multi-discipline art venue that aspires to showcase and promote various artistic endeavors with outreach to painters, sculptors, musicians, video, performance, installation artists.

MAS seeks to create a dialogue with issues of contemporary art practices to encourage, support and expand creativity and self-expression, forming an environment where the arts flourish and enrich the quality of life. — www.mosaicartspace.com

PHOTO: GEORGE MADARASZ
CITYSCAPE, 2024, OIL ON
CANVAS 78"X48"



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