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**DOI SWEEP OF 16 CONSTRUCTION SITES IN FOUR BOROUGHES NETS 30 ARRESTS
FOR BOGUS SCAFFOLD CERTIFICATION AND OSHA SAFETY CARDS**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced the result of a two-week sweep with the City Department of Buildings ("DOB") that found and confiscated more than 70 fraudulent scaffold certification and U.S. Occupational and Safety Administration ("OSHA") safety cards and resulted in the arrest of 30 construction workers at sites in Manhattan and Brooklyn. The cards are required to work on scaffolding and for workers at major buildings in the City. The individuals arrested include a construction company owner at a Manhattan site who was charged with possessing 32 fraudulent scaffold certification cards that he manufactured by altering legitimate cards. The joint operation also resulted in partial and full stop work orders issued at 14 of the sites for a variety of violations, including unapproved installation of supported scaffolding.

DOI Commissioner Rose Gill Hearn said, "Safety at construction sites is a priority, and this joint sweep underscores the City's commitment to enforcement. Using fake certifications to bypass required training is wrongdoing that puts workers and the public at risk and will not be tolerated. I commend the DOI investigators and the DOB inspectors who uncovered and stopped this hazardous conduct. DOI's effort in this area continues."

DOB Commissioner Robert D. LiMandri said, "Safety training is essential to safe construction operations, and these arrests send a clear message that anyone who attempts to circumvent these regulations will face serious consequences. Construction is vital to our City's growth, but those who cut corners on the job site are putting the safety of all New Yorkers at risk. I would like to thank Commissioner Rose Gill Hearn and her staff for their great work, as well as our inspectors who participated in this important investigation."

Manhattan District Attorney Cyrus R. Vance, Jr., said, "Cutting corners on construction projects is not only dangerous, but possibly criminal. Everyone in the construction industry must make safety a priority. New Yorkers walk under scaffolding every day on their way into their homes, to work, to school. The integrity of construction scaffolding must be upheld, and I thank DOI and DOB for conducting this investigation."

Brooklyn District Attorney Charles J. Hynes said, "These rules are in place to protect the public. Bypassing regulations at construction sites puts us all at risk. These offenders will be prosecuted to the full extent of the law."

DOI initiated this operation after DOB reported in September that its inspectors had found fraudulent scaffold certification cards at numerous work sites in Manhattan. DOI coordinated a response with DOI investigators and DOB inspectors visiting 16 work sites in Manhattan, the Bronx, Brooklyn, and Queens beginning on Friday, October 12, and resulting in arrests at ten of the locations. Three individuals were charged with Criminal Possession of a Forged Instrument in the Second Degree, a class D felony, and the remaining individuals were charged with the class A misdemeanor Criminal Possession of a Forged Instrument in the Third Degree. The forged cards displayed numbers that were never issued and training courses that did not exist, used thin paper instead of plastic, and included typos, among other irregularities. Defendants indicated they purchased individual bogus cards for between approximately \$25 and \$450 at locations throughout the City.

No individual may use a supported scaffold without a scaffold user certificate. Valid scaffold certification cards are required under Local Law 52 and must be obtained from OSHA, OSHA-trained or certified providers, or a provider of a training course reviewed by DOB, which has posted on its website a list of courses in keeping with the local law:

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www.nyc.gov/buildings. Separately, workers performing construction work at major New York City buildings must complete an approved course in construction safety approved by OSHA.

Arrests occurred at the following sites. Locations where DOB inspectors found violations are noted:

- 236 E. 47th St., Manhattan (1 arrest)
- 530 Park Ave., Manhattan (1 arrest)
- 502 Park Ave., Manhattan – partial stop work order issued for work contrary to approved plans regarding the installation of supported scaffolding. (2 arrests)
- 923 Fifth Ave., Manhattan – partial stop work order issued for not having correct training certificate cards for workers on supported scaffolding. (1 arrest)
- 444 E. 75th St., Manhattan – partial stop work order issued for work contrary to approved construction documents. Violation also noted the northeast suspended scaffold was not on the approved plan. In addition, a violation was issued for a worker on site without a valid OSHA card. (1 arrest)
- 425 E. 86th St., Manhattan – partial stop work order issued for work contrary to approved construction documents, including the installation of the supported scaffold on the main roof. (1 arrest)
- 304 E. 42nd St., Manhattan – full stop work order issued for the use of supported scaffold without scaffold user certifications. (6 arrests)
- 401 E. 34th St., Manhattan – full stop work order issued for work contrary to approved construction documents. (10 arrests)
- 201 E. 21st St., Manhattan – full stop work order issued for work contrary to plan. (5 arrests)
- 325 Clinton Ave., Brooklyn – partial stop work order issued for a lapse of workers' compensation insurance and violations for inadequate safety measures in place. (2 arrests)

The following were sites visited during the sweep in which there were no arrests, but building violations were issued:

- 55 Park Ave., Manhattan – partial stop work order issued for no rigging foreman on the site while rigging was in use and no certificate of fitness cards for workers on suspended scaffolding.
- 201 Clinton Ave., Brooklyn – partial stop work order issued for a lapse of workers' compensation insurance.
- 205 Clinton Ave., Brooklyn – partial stop work order issued for a lapse of workers' compensation insurance.
- 209 Clinton Ave., Brooklyn – partial stop work order issued for a lapse of workers' compensation insurance.
- 903 Summit Ave., Bronx – partial stop work order issued for failure to have rigger or designated foreman on site during operation, no record of daily inspection of suspended scaffolding performed by authorized individual on site, among other issues.
- 69-40 108 St., Queens – partial stop work order issued for work contrary to approved construction documents and inadequate protection of sidewalk and walkways in front of building.

Of the 30 individuals charged, 28 were referred for prosecution to the office of the New York County District Attorney Cyrus R. Vance, Jr., and two were referred to the office of Kings County District Attorney Charles J. Hynes.

Commissioner Gill Hearn thanked DOB Commissioner Robert D. LiMandri, New York County District Attorney Cyrus R. Vance, Jr., Kings County District Attorney Charles J. Hynes, and their staffs, and the New York / New Jersey Regional Fugitive Task Force, for their assistance in this investigation.

Criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.

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