



U.S. Department of Justice

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FOR IMMEDIATE RELEASE

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PRESS RELEASE

**CONTRACTORS PLEAD GUILTY TO FEDERAL CHARGES IN CONNECTION
WITH BROOKLYN SCAFFOLD COLLAPSE RESULTING IN EMPLOYEE'S DEATH**

NASIR BHATTI, a contractor and owner of Metla Construction, Inc. ("Metla"), pleaded guilty this afternoon to causing the death of a worker by failing to comply with Occupational Safety and Health Administration ("OSHA") regulations requiring contractors to provide fall protection equipment for their employees. TARIQ ALAMGIR, BHATTI's brother and the supervisor of Metla, pleaded guilty to making a false statement to an OSHA Compliance Officer in connection with OSHA's investigation into the collapse. The proceedings were held before United States District Judge Nina Gershon, at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York.

The guilty pleas were announced by **Roslynn R. Mauskopf**, United States Attorney for the Eastern District of New York, **Gordon S. Heddell**, Inspector General, United States Department of Labor, and **Rose Gill Hearn**, Commissioner, New York City Department of Investigation.

The charges against the defendants followed an investigation into the collapse of a scaffold being used by Metla workers to waterproof the brick point on a multi-family residential apartment building at 345 Eldert Street in Brooklyn, New York, on June 1, 2005. Upon completion of their work that day, two Metla workers were attempting to hoist the scaffold, upon which they were standing, to the roof when one of the large metal hooks attached to the scaffold came loose. One side of the scaffold dropped abruptly, causing the victim worker, Mohamadou Jabbie, to fall to his death in the courtyard, approximately 60 feet below. The investigation revealed that Metla had not provided either of the workers with the federally

mandated fall prevention equipment. Government records revealed that Metla had received prior OSHA citations in 2004 and 2005 for failing to provide fall protection equipment for its workers.

“Contractors are legally responsible for providing for the safety of workers and the public at construction sites,” stated United States Attorney **Mauskopf**. “A willful failure to comply with OSHA safety regulations that results in a worker’s death, coupled with an attempt to mislead the resulting investigation with false statements, are serious crimes. The defendants will now be held accountable for their actions.”

Department of Labor Inspector General **Heddell** stated, “It is unacceptable for businesses to disregard safety in the workplace. Today’s guilty pleas demonstrate how seriously we take investigative matters involving the injury/and or death of American workers. My Office remains ready to assist OSHA and the U.S. Attorneys when investigating and seeking prosecution of business owners and managers who do not protect the health and safety of their employees.”

NYC Department of Investigation Commissioner **Hearn** stated, “Sadly, it took the tragic, untimely death of a worker for these defendants to learn the importance of workplace safety laws and of telling the truth. While today’s guilty pleas cannot resurrect the victim, I hope they bring some small comfort to the victim’s family, friends, and coworkers.”

BHATTI faces a maximum sentence of six months’ imprisonment and a \$10,000 fine for causing the death of Mohamadou Jabbe by willfully failing to comply with OSHA regulations. ALAMGIR faces a maximum sentence of five years’ imprisonment and a \$250,000 fine for making false statements to the Department of Labor. Pursuant to their plea agreements with the government, both defendants have agreed to pay \$126,000 in penalties to settle the OSHA citations issued in connection with the scaffold collapse. The defendants will also pay restitution in the amount of \$100,000 to the victim’s family.

The government’s case is being prosecuted by Assistant United States Attorney Sarah Coyne.

Pedigree Information:

Name: NASIR BHATTI, also known as “Bill Metla” and “Bill Churdy”
DOB: 04/15/69

Name: TARIQ ALAMGIR, also known as “Alex Metla,” “Alyyas Metla,” and “Alex Matila”
DOB: 05/05/70