



**CYRUS R. VANCE JR.,  
DISTRICT ATTORNEY**

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**FOR IMMEDIATE RELEASE**

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**CONSTRUCTION COMPANY PLEADS GUILTY TO MANSLAUGHTER, PAYS FULL  
RESTITUTION TO WORKERS**

*SSC High Rise Inc. Convicted of Manslaughter for Causing Death of Carpenter Juan Chonillo*

*Subsequent Investigation Revealed [Institutionalized Scheme to Steal Workers' Wages](#)*

Manhattan District Attorney Cyrus R. Vance, Jr., New York State Governor Andrew M. Cuomo, New York State Department of Labor ("NYS DOL") Commissioner Roberta Reardon, and New York City Department of Investigation ("DOI") Commissioner Mark G. Peters today announced the resolution of a joint investigation into SSC HIGH RISE INC. ("SSC") for a 2016 construction site fatality, as well as wage theft and insurance fraud schemes uncovered by the joint investigation. SSC pleaded guilty to Manslaughter in the Second Degree for causing the death of construction worker Juan Chonillo, paid approximately \$842,000 in restitution, and was assessed a \$10,000 corporate fine, the maximum permitted under New York Law. In a Superior Court Information previously filed in New York State Supreme Court, SSC admitted to causing the death of Chonillo, stealing more than \$500,000 in wages from more than 50 employees, and underreporting nearly \$2 million in payroll.

“SSC High Rise stole half a million dollars from vulnerable workers, and then robbed Juan Chonillo of his life,” said District Attorney Vance. “It is unthinkable that after a preventable tragedy like the death of Chonillo—a father of five—the company faces a maximum penalty of just \$10,000. This is pennies on the dollar compared to the potential profits on a high-rise construction job in a booming real estate market. My Office and our partners will continue pursuing criminal cases against companies that [endanger](#) and [defraud](#) their workers, but meaningful, practical deterrence—in the form of higher corporate penalties for killing and maiming workers—is the only way that New York State can end these dangerous and unlawful practices that put vulnerable New Yorkers’ lives at risk.”

Governor Andrew M. Cuomo said: “I am committed to protecting all workers in New York State, especially our most vulnerable. We will continue to work with strong prosecutors like Cyrus Vance to ensure we stop fraudulent and criminal behavior, hold perpetrators accountable for swiping hard-earned pay from our residents, and protect communities in every corner of the state.”

NYS DOL Commissioner Roberta Reardon said: “Protecting the hard-working men and women of New York is a priority of the Department of Labor and by cracking down on these unscrupulous business practices our message is clear: wage theft will not be tolerated in this state. Half a million dollars is a lot of money—especially when it is coming out of the pocket of our workers. Let this case serve as a warning to those who would seek to steal from hard-working New Yorkers: you will be brought to justice.”

DOI Commissioner Mark G. Peters said: “Today’s disposition holds accountable this company that gambled with the lives of their workers. SSC High Rise violated City building codes, allowing a construction platform to dangle precariously by a crane with no structural support and five employees on board—one who fell to his death. More severe penalties must be applied to companies whose illegal conduct directly causes terrible tragedies like the death of Juan Chonillo and other workers who have perished or been seriously injured on construction sites. DOI will continue to work with Manhattan District Attorney Vance and his team to see that these companies are investigated and prosecuted to the fullest extent of the law.”

The guilty plea and restitution follow a joint investigation led by the Manhattan District Attorney’s Office’s Construction Fraud Task Force, NYS DOL, DOI, and New York State Insurance Fund (“NYSIF”).

### *Construction Site Fatality*

In February 2016, SSC was hired as a subcontractor to perform concrete superstructure work at 161 Maiden Lane, a 60-story, luxury residential building project near the South Street Seaport. Construction commenced on the project in July 2016. As part of its work, SSC used a three-tiered, bracketed scaffolding system created by PERI Formwork Systems, Inc. that

vertically moved the construction platforms from floor to floor using a crane or hydraulic climbing mechanism. The construction platforms were secured to the exterior of the structure by retractable components known as “wall shoes,” which lock into place.

Recognizing the danger of unsecured scaffolding platforms, the New York City Building Code requires loads to be properly secured before being moved, and operators are prohibited from lifting, lowering or moving loads in any direction while individuals may be present, attached to, inside, or standing on top of them, unless advance notification is filed with the New York City Department of Buildings (“DOB”). PERI system guidelines also specify that individuals must not be inside or on top of a climbing unit if the platform is unattached to a building facade or being moved vertically, laterally, or diagonally while unhooked and unsecured.

On September 21, 2017, in contravention of the Building Code, an SSC foreman directed employees to unhook a PERI platform from its wall shoes and use a crane to move the platform unit laterally while five workers were still on the unit. During the move, the platform became stuck to one of the wall shoes, which prompted Juan Chonillo, a carpenter, to release his harness so that he could attempt to correct the jam.

The platform, which was still connected to the crane, subsequently jolted and dangled in the air, causing Chonillo to fall 29 stories to his death. A native of Ecuador, Chonillo was 44 years-old and the father of five children.

#### *Wage Theft Scheme*

Between August 2011 and September 2017, SSC failed to pay more than 50 workers approximately \$517,000 in wages for overtime work over a six-year period. As part of its plea agreement, the company has paid full restitution in the form of back wages to current and former employees, as well as additional fees totaling approximately \$568,700 to the New York State Department of Labor (“DOL”).

#### *Insurance Fraud*

Between March 2014 and November 2016, SSC also underreported nearly \$2 million in payroll by paying workers in cash and failing to disclose the company’s actual payroll details. As a result, SSC paid a significantly reduced premium to the New York State Insurance Fund (“NYSIF”). As part of the plea agreement, SSC has agreed to pay approximately \$325,000 in restitution to NYSIF.

#### *Construction Fraud Task Force*

In 2015, the Manhattan District Attorney’s Office formed the [Construction Fraud Task Force](#) with partners in law enforcement to investigate and pursue criminal cases against individuals and companies who endanger the safety of others and undermine the integrity of the

construction industry. Following a series of [successful trial convictions](#) related to the death of worker Carlos Moncayo, District Attorney Vance created the Construction Safety Community Project to train workers to recognize workplace safety hazards and signs of fraud, and proactively report them to law enforcement.

#### *How to Report Worksite Safety Violations, Wage Theft*

Workers are encouraged to send tips related to wage theft and dangerous work sites directly and anonymously to the Manhattan District Attorney's Office through WhatsApp at (646) 712-0298. These reports may be investigated by members of the Construction Fraud Task Force, which has secured a number of notable convictions and has [previously returned approximately \\$649,000 in stolen wages to workers](#).

This week, District Attorney Vance and Construction Fraud Task Force Coordinator Hildalyn Colon Hernandez [joined "Off-Kilter," a podcast](#) produced by the Center for American Progress Action Fund, to discuss how the Manhattan District Attorney's Office's prosecutions are prompting changes in the construction industry and achieving restitution for victims of wage theft and other crimes.

**WhatsApp Manhattan DA:** (646) 712-0298

**NYS Department of Labor:** 1 (888) 4-NYS-DOL

Assistant D.A. Rachana Pathak handled the resolution of the case under the supervision of Assistant D.A. Diana Florence, Attorney-in-Charge of the Construction Fraud Task Force, Assistant D.A. Michael Ohm, Deputy Chief of the Rackets Bureau, Assistant D.A. Judy Salwen, Principal Deputy Chief of the Rackets Bureau, Assistant D.A. Jodie Kane, Chief of the Rackets Bureau, and Executive Assistant D.A. Michael Sachs, Chief of the Investigation Division. Task Force Coordinator Hildalyn Colon Hernandez, Investigative Analyst Amanda Bauza, and Task Force Consultant Damaye Williams provided additional assistance with the investigation.

District Attorney Vance also thanked the following agencies and individuals for their assistance with the investigation: the Office of New York State Governor Andrew M. Cuomo; NYS DOL, and in particular, Commissioner Roberta Reardon, Deputy Commissioner for Workers Protection James Rogers, Assistant Deputy Commissioner for the Labor Standard Division Milan Bhatt, Chief Labor Standard Investigator Frank King, and Supervising Labor Standard Investigator Jeong Lee; DOI, and in particular, Commissioner Mark G. Peters, First Deputy Commissioner Lesley Brovner, Deputy Commissioner and Chief of Investigations Susan Lambiase, Associate Commissioner James Flaherty, Inspector General Greg Cho, Chief Investigator James McElligott, Assistant Inspector General Dan Taylor, and Investigators Janaina Seguencia, Alejandra Gomero, and Jessica Matias; NYSIF, and in particular, Executive Director Eric Madoff, Deputy General Attorney Peter Cusick, Director of the Division of Confidential Investigations John Dormin, NYC Supervisor Benedict Emengo, Senior Forensic

Auditor Granville Mo, and Senior Investigator Malika Williams; and DOB, in particular, Executive Engineer Geoff Eisele.

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Defendant Information:

SSC HIGH RISE INC.

Convicted:

- Manslaughter in the Second Degree, a class C felony, 1 count

Sentenced:

- \$842,000 in restitution
- \$10,000 in corporate fines and penalties

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