

Steps To Take After a Construction Accident Injury in Brooklyn

A workers' compensation lawyer explains what to do

[Construction accident](#) injuries often occur in [Brooklyn](#). In fact, more than 1 out of 4 construction accidents (26 percent) in New York City occurred in the borough in 2022, according to the most recent construction accident data from the [City of New York](#).

Compared to other types of work, construction work has always been one of the most dangerous industries in New York City. In fact, in 2022, construction work accounted for the most fatalities (24 deaths) in the city, which had 83 workplace fatalities overall, according to the [U.S. Bureau of Labor Statistics \(BLS\)](#). That's 28.9 percent of all NYC workplace fatalities in 2022.

When these workplace accidents happen, it's critical that injured workers know what to do. So what should [injured Brooklyn construction workers](#) do? What steps should they take? What are their options? Our Brooklyn [workers' compensation](#) attorneys at [Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP](#) explain.

What should I do after a construction accident in Brooklyn?

You need to take certain steps right away, especially if you sustained a serious injury as a result of your Brooklyn construction accident. Such steps can help protect your health and your right to receive workers' compensation benefits. They include:

- **Seek immediate medical attention** – Your health should always come first. If necessary, go to the nearest emergency room hospital. Brooklyn has many hospitals throughout the borough, including the Emergency Department at NYU Langone Health – Cobble Hill and Maimonides Bay Ridge Emergency Department in Brooklyn.
- **Gather evidence at the construction site** – If you can safely do so, take pictures of the construction accident scene. If your injuries are too severe, ask a co-worker or someone you trust to do it. These photos can serve as valuable evidence in support of your claim.
- **Get witness statements** – Again, when it's safe to do so, talk to people who saw what happened. Get their full names and phone numbers, especially if they don't work with you at your Brooklyn construction site. Witness statements can be critical.
- **Write down what happened** – As soon as you can safely do so, write down exactly what you were doing at the time of the accident and other important details. Was it raining? Did scaffolding collapse? Did someone's reckless behavior cause your Brooklyn construction accident? Every detail counts.
- **Schedule a follow-up doctor's appointment** – Even if you have already seen a doctor after your construction accident, schedule a follow-up doctor's appointment. Many times, construction accident injuries have delayed symptoms. In addition, many construction injuries get worse over time. Don't take chances with your health. Have a doctor examine you again at least once after your construction accident.

- **Follow your doctor's advice** – If your doctor tells you to take certain steps, do exactly what the doctor tells you to do. This is important for several reasons. One, you will hopefully fully recover. Two, by following your doctor's advice, you will hopefully not have any problems later getting the financial compensation you deserve for your construction accident-related expenses.
- **Keep all records** – Make sure you keep written copies whenever possible of all records associated with your Brooklyn construction accident. Such records can include medical bills, prescription medication slips and copies of any forms filled out in relation to your construction accident.
- **Call a lawyer** – The sooner you talk to an attorney, the more you will know about your legal rights and options after your Brooklyn construction accident.

Do I need to see a doctor after my construction accident?

Yes. As briefly explained above, there are several important reasons why you should have a doctor examine you as soon as possible after your Brooklyn construction accident:

- Many construction accident injuries can be life-threatening. If you don't seek immediate medical attention, you could experience serious or even fatal consequences later.
- Early diagnosis of serious construction accident injuries can improve your ability to fully recover.
- If you don't see a doctor and later complain about chronic pain or other medical issues, you might have a hard time getting the financial compensation you deserve for the medical care you need.
- By seeing a doctor, you will have documentation linking your Brooklyn construction accident with your construction injury. That way, there will be no debate later about what caused your injury.

Do I have to tell my employer I got hurt in a construction accident?

Yes. If you sustained an injury at work in a construction accident, you are required to inform your employer. That's the law in Brooklyn and throughout the State of New York. Otherwise, you could jeopardize your ability to obtain the financial compensation and other benefits that are available to injured construction workers.

Technically, you can notify your employer verbally about your workplace injury. However, it's always in your best interest to notify your employer in writing. That way, you have an official record of your notification. Plus you can carefully decide exactly what you want to say about your construction accident injury.

How much time do injured construction workers have to notify their employer?

In New York State, you have 30 days from the date of your workplace injury to tell your employer that you sustained a work-related injury. These rules apply to Brooklyn construction workers and all other workers statewide.

If you do not inform your company about your workplace injury within 30 days, you will forfeit your right to obtain workers' compensation benefits in most cases. As a result, you could be forced to pay for your construction accident-related expenses out of your own pocket.

Do injured construction workers have to notify the New York Workers' Compensation Board?

Yes. Along with notifying your employer about your workplace injury, you must also tell the New York State Workers' Compensation Board that you sustained an injury on the job. This is especially important if your injury required medical treatment and resulted in you not being able to work while you recover from your accident.

The method you must use to notify the state board about your workplace injury is to file a formal workers' compensation claim in writing. The claim form is called a Form C-3. An attorney can help you fill out this form so there are no mistakes or errors on your application for workers' compensation benefits.

What is the deadline for applying for workers' compensation for injured construction workers?

While you only have 30 days to notify your employer about your workplace injury, you have up to two years to file your Form C-3 workers' compensation claim with the New York State Workers' Compensation Board.

However, it's often in your best interest to notify the state about your construction accident injury as soon as possible. If you wait until the last minute, you could miss the deadline due to a clerical error or a mistake on your application form.

In addition, the state Workers' Compensation Board might deny your application for benefits because there could be questions about whether your workplace injury actually took place at work since you waited so long to submit your Form C-3 claim for workers' compensation benefits.

Can injured construction workers receive compensation from other sources?

Along with workers' compensation, you may be able to obtain financial compensation from other sources for your construction accident. This is especially true in many cases involving construction accidents. That's because your injury may have been caused by someone working for another company at the same Brooklyn construction site.

If this is the case, you may be able to file a third-party lawsuit against the at-fault party, which in this case would be another company working at the same construction site. If your third-party lawsuit is successful, you could receive additional financial compensation as well as your workers' compensation benefits.

Remember, you can and should receive workers' compensation regardless of who was at fault. Workers' compensation is a state-mandated insurance program in New York that was created to provide money for medical bills, replacement income and other expenses in the event of a work-related injury or illness.

Why should I hire a Brooklyn workers' compensation attorney?

Just because you are eligible to receive workers' compensation benefits or other financial compensation for your Brooklyn construction accident does not mean you will automatically receive this money. It's common for many workers' compensation claims or injury lawsuits to be denied for a variety of reasons in New York.

Our Brooklyn workers' compensation lawyers at the Law Offices of Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP know exactly what to do in such situations. That's because we have been doing this work for years in Brooklyn and throughout New York City. As a result, you won't lose valuable time when seeking to obtain critical workers' compensation benefits and other possible compensation.

Give your Brooklyn construction accident claim the best opportunity for success. [Contact us](#) and schedule an appointment with a Brooklyn workers' compensation attorney at a law firm with a long track record of success. We have 12 offices conveniently located in New York, including one on Flatbush Avenue in Brooklyn.