

OSHA Fines Plummet as Construction Fatalities Rise: A Deadly Disconnect

2025 'Deadly Skyline' Report: 77% of Construction Deaths on Non-Union Sites, Exposing Safety and Accountability Crisis

NEW YORK, NY, UNITED STATES, May 14, 2025 /EINPresswire.com/ -- A report from the New York Committee for Occupational Safety and Health (NYCOSH) has shattered any illusion of progress in construction site safety. [The 2025 Deadly Skyline report](#) reveals a staggering 48% spike in construction worker deaths across New York State—climbing from 50 fatalities in 2022 to 74 in 2023—the deadliest year in a decade.

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New York City saw a parallel crisis, with construction fatalities jumping 25%, from 24 to 30 lives lost in just one

year. Behind these numbers lies a disturbing pattern: most of the deaths occurred on non-union sites and disproportionately affected immigrants, especially Latinx, laborers—workers often operating without the most basic protections.

77% of construction worker deaths in 2023 occurred on non-union sites highlighting a correlation between union representation and workplace safety. These figures mask the persistent dangers faced by workers on non-union sites.

"When developers use subcontractor layers to dodge liability, and 77% of deaths occur on non-union sites, the law must step in. This is a systemic loophole—one that leaves families without justice and workers without protection." says Jeff Korek, Senior Trial Partner at GLK LAW.

The Subcontractor Loophole: A Shield Against Accountability

A significant contributor to the ongoing safety crisis is the prevalent use of subcontractor layering by developers and general contractors. This practice involves hiring multiple tiers of subcontractors, often underinsured or operating as shell companies, to shift safety responsibilities away from the primary stakeholders. Consequently, when accidents occur, developers can claim a lack of control over the worksite, evading liability.

"This subcontractor loophole is a legal tactic that undermines worker safety," Korek explains. "It's a deliberate strategy to prioritise profits over people."

Disproportionate Impact on Latinx and Immigrant Workers

The safety crisis disproportionately affects Latinx and immigrant workers. Despite comprising only 10% of New York's workforce, Latinx workers accounted for 26% of construction deaths in 2023. Many of these individuals work on non-union sites where safety protocols are lax, and training is inadequate.

"These workers are often the most vulnerable, facing language barriers, lack of training, and fear of retaliation," says Korek. "It's imperative that we implement measures to protect them and ensure equitable treatment across all job sites."

OSHA Fines: An Insufficient Deterrent

The Occupational Safety and Health Administration (OSHA) has seen a decline in the average fine for fatal construction cases, dropping from \$59,075 in 2022 to \$32,123 in 2023—a 45.6% decrease. This reduction diminishes the financial incentive for employers to maintain safe work environments.

"Monetary penalties must be substantial enough to compel compliance," Korek asserts.

"Otherwise, they become just another cost of doing business, with workers paying the ultimate price."

Call to Action: Legal Reforms and Enhanced Oversight

To address these systemic issues, Korek advocates for several key reforms:

- Joint Liability Enforcement: Strengthen laws like New York's Labor Law §198-e to hold general contractors accountable for the actions of their subcontractors.
- Increased OSHA Funding: Allocate more resources to OSHA for inspections and enforcement, particularly on non-union sites.
- Transparency in Reporting: Mandate comprehensive reporting of construction-related incidents and fatalities to identify patterns and implement targeted interventions.
- Support for Unionization: Encourage union representation to ensure workers have access to proper training, safety equipment, and advocacy.

The 2025 Deadly Skyline report serves as a stark reminder of the ongoing challenges in ensuring construction site safety. Without immediate and concerted efforts to address oversight deficiencies and protect vulnerable workers, the industry risks further tragedies.

"We must dismantle the structures that allow these tragedies to continue," Korek emphasises.

"It's not just about statistics; it's about human lives."

About Jeff

Jeff S Korek, a past President of the New York State Trial Lawyers Association, is the Senior Trial Partner at GLK LAW, specializing in personal injury, and medical malpractice law with nearly 40 years of experience. Renowned for his expertise in handling complex matters including

construction accident cases, he has been repeatedly recognized by Best Lawyers and is a lifetime honoree in "America's Top 100 Attorneys." For more information, please visit <https://www.lawyertime.com/jeff-s-korek/>

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