

Construction Contractor Faces Manslaughter Charge in Worker's Death

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Practices

Workplace Safety and Health

A New York man and two construction companies he owns have been indicted on manslaughter and other charges in the death of an employee who plunged six stories to his death after allegedly being directed to perform work without fall protection.

Salvatore Schirripa, 66, and his Brooklyn companies, J & M Metro General Contracting Corp. and Metrotech Development Corp., face eight counts, including second-degree manslaughter, criminally negligent homicide, and second-degree reckless endangerment, according to a [press release](#) from the Brooklyn District Attorney (DA). Schirripa was arraigned in Brooklyn Supreme Court on June 6 and was released on \$35,000 bail. If convicted, he could get up to 15 years in prison.

The victim was one of eight New York City construction workers to die from falls in 2015. In the [Occupational Safety and Health's QuickTakes newsletter](#), Regional Administrator Robert Kulick called the deaths "needless and preventable," adding, "This indictment sends a strong message to those employers who would neglect their legal responsibility to provide their employees with safe workplaces and working conditions." Referring to the death in the Schirripa case, Brooklyn DA Ken Thompson said, "A hardworking man died tragically and unnecessarily because proper safety measures were not taken to protect his life."

According to the DA's release, J & M Metro was the concrete subcontractor on a commercial building under construction on Coney Island. On April 1, 2015, Schirripa directed his workers to pour and smooth the concrete without harnesses outside a protective wire cable fence that was situated several feet from the unprotected edge of the floor. While working backwards and using a rake-like tool to smooth the concrete surface, Vidal Sanchez-Ramon, 50, reached the edge and fell to his death.

Prior to the accident, Schirripa had received multiple warnings and citations for not providing his employees with fall protection. On six occasions between 2011 and August 2014, Schirripa and Metrotech Development were ordered either by city building inspectors or the Occupational Safety and Health Administration to provide systems immediately to protect workers from falls at various worksites, the release stated.

The indictment also charges the defendants with first-degree falsifying business records, offering a false instrument for filing, second-degree criminal possession of a false instrument, violating the workers' compensation law, and willful failure to pay contributions to the unemployment insurance fund.

Both civil and criminal liability can result from serious workplace accidents and allegations of safety violations. Contact Jackson Lewis attorneys for advice on protecting your business from legal liability.

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