

# \$500,000 Awarded for Worker Who Injured Heel When He Fell From Scaffolding in New Jersey

*A worker who fell 16 feet and broke his heel when the scaffolding he was working on collapsed received a \$500,000 settlement in his Essex County suit.*

ESSEX COUNTY, NEW JERSEY, UNITED STATES, November 26, 2024

/EINPresswire.com/ -- A construction worker who fell 16 feet and broke his heel when the scaffolding he was working on collapsed received a \$500,000 settlement in his Essex

County suit, *DaAnunciacao v. All County Exterior*. The injured client, 36 year-old Leandro DaAnunciacao was represented by [Mark W. Morris, Esq.](#) of the [Clark Law Firm](#), P.C. in Belmar and Newark, NJ.



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*Mark W. Morris, Esq.*

On November 14, 2019 Mr. DaAnunciacao was performing siding work at the site of a major luxury home development when the pump jack scaffolding he was working on collapsed, causing him to fall 16+ feet to the ground. The developer and general contractor for the project hired All County Exterior to perform siding work on the project. All County in turn hired Mr. DaAnunciacao’s employer to side the newly constructed homes.

The suit alleged that the fall occurred because the general contractor and All County failed to follow and enforce basic work site safety rules as set forth by the Occupational Safety and Health Administration (“OSHA”) and other industry authorities with respect to scaffolding fall protection, training and the use of a safety harness with an anchorage point.

At the time of the incident, our client and his coworker were standing towards the mid-left side

of the scaffolding they had assembled when the middle beam caved in causing the scaffolding to collapse. Had the worker been provided with and instructed to use a body harness with an anchorage point, he would not have fallen to the ground and become injured. Instead, because there was no fall protection, the worker fell 16+ feet to the ground, landing on his left foot, breaking the foot near the heel area.

At first the bosses put the worker in a truck and took him home. From there, the worker went to Monmouth Medical Center where he was diagnosed with a calcaneus fracture. The worker underwent surgery with a plate and screws being implanted in his heel to put the broken bones back together. Our client missed nearly a year of work, but fortunately was able to return to work in the construction industry.

A lawsuit was filed in Essex County claiming the companies who hired Plaintiff's employer had a non-delegable duty to implement and enforce job site safety rules and that they failed to do so. Following fact discovery, depositions and exchanging expert reports, the case proceeded to mediation with the Honorable Jamie D. Happas, P.J.Cv. (Ret.) in January of 2024.

Defendants disputed they were at fault for the incident and blamed Mr. DaAnunciacao for assembling the scaffolding that collapsed and for working without fall protection. The defense also maintained that our client's injuries were not that bad. They produced a video just before mediation taken from social media of our client jumping up and down celebrating a win by his favorite soccer team in an effort to minimize his damages.

Shortly following the mediation with Judge Happas, the matter resolved for \$500,000 with All County Exterior paying the majority of the settlement.

"Job site safety rules exist so that at the end of each work day, workers can go home to their families in one piece and without life changing injuries," said attorney, Mark W. Morris, Esq. "Had basic workplace safety rules relating to fall protection been implemented and enforced, this type of needless injury would not have occurred. We're happy to have obtained the result we did for our client and hope contractors follow the rules OSHA requires to prevent this type of thing from happening again."

The Docket Number for this case is - ESX-L-7155-21

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