SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION, FIRST DEPARTMENT

Fields v. Junius-Liberty Dev. LLC

Fields, 2026 NY Slip Op 01401 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Index No. 808496/22; Appeal No. 6066; Case No. 2025-02246 · Decided March 12, 2026

SUMMARY

The Appellate Division, First Department unanimously affirmed an order granting the plaintiff summary judgment on liability under Labor Law §§ 240(1) and 241(6). The court held that the plaintiff established a violation of Labor Law § 240(1) by showing that he fell from an unsecured ladder while performing construction-related repair work, and that the defendant failed to raise a triable issue regarding routine maintenance, sole proximate cause, or comparative negligence.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Kennedy, J.P.; Gesmer, J.; Mendez, J.; Pitt-Burke, J.; Rosado, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	March 12, 2026
DOCKET	Index No. 808496/22; Appeal No. 6066; Case No. 2025-02246
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff moved for summary judgment on liability under Labor Law §§ 240(1) and 241(6). Supreme Court, Bronx County, granted the motion, and defendant appealed.
STANDARD OF REVIEW	Summary judgment is proper where the movant establishes entitlement to judgment as a matter of law and the opposing party fails to raise a triable issue of fact.
PRECEDENTIAL VALUE	Published appellate decision
PARTIES	Junius-Liberty Development LLC v. Randy Fields

TOPICS

construction law · appellate procedure · standard of review

PRACTICE AREAS

construction law | personal injury | New York Labor Law

QUESTIONS PRESENTED

1. Whether plaintiff established prima facie entitlement to summary judgment on liability under Labor Law § 240(1) by showing that defendant failed to provide adequate safety devices.
2. Whether plaintiff's repair work constituted mere routine maintenance outside the protections of the Labor Law.
3. Whether defendant raised a triable issue of fact as to plaintiff's status as the sole proximate cause of his injuries.
4. Whether plaintiff's alleged comparative negligence or conduct in touching a hot pipe defeated his Labor Law § 240(1) claim.
5. Whether defendant's arguments concerning Labor Law § 241(6) required reversal when summary judgment under Labor Law § 240(1) was properly granted.

HOLDINGS

1. Plaintiff established prima facie entitlement to summary judgment by showing that defendant failed to supply adequate safety devices to protect him from falling from the ladder.
2. Defendant failed to raise a triable issue of fact that plaintiff was engaged in mere routine maintenance; plaintiff's repair of a ceiling leak was work protected by the Labor Law.
3. Defendant failed to raise a triable issue of fact that plaintiff was the sole proximate cause of his injuries.
4. Comparative negligence is not a defense to a Labor Law § 240(1) claim.
5. Defendant's arguments concerning the Labor Law § 241(6) claim were academic because summary judgment on the Labor Law § 240(1) claim was properly granted.

KEY QUOTATIONS

> *"Plaintiff established prima facie entitlement to summary judgment on his Labor Law § 240(1) claim by showing that defendant failed to supply him with safety devices adequate to protect him from falling"*

> *"comparative negligence is not a defense to a Labor Law § 240(1) claim"*

FACTUAL BACKGROUND

Plaintiff was performing repair work at a construction site, including repairing a ceiling leak by cutting into the ceiling with a sheet-rock knife and an electric saw. While standing on an unsecured ladder, the ladder gave way and plaintiff fell to the ground. Defendant argued that plaintiff was engaged in routine maintenance, that he was the sole proximate cause of the accident, and that emergency-room records showed he caused the ladder to shake after touching a hot pipe.

PROCEDURAL HISTORY

The Supreme Court, Bronx County, granted plaintiff's motion for partial summary judgment on liability under Labor Law §§ 240(1) and 241(6). The Appellate Division, First Department, unanimously affirmed the order.

DISPOSITION

affirmed

CASES CITED

- Begnoja v. Hudson Riv. Park Trust, 238 A.D.3d 481, 481 (1st Dep't 2025)
- Daniello v. J.T. Magen & Co. Inc., 239 A.D.3d 516, 517 (1st Dep't 2025)
- Rodriguez v. BSREP UA Heritage LLC, 181 A.D.3d 537, 538 (1st Dep't 2020)
- Rivas v. Panama Leasing, LLC, 238 A.D.3d 549, 549-550 (1st Dep't 2025)
- Hill v. Acies Group, LLC, 122 A.D.3d 428, 429 (1st Dep't 2014)

OPINION

Fields v. Junius-Liberty Dev. LLC 2026 NY Slip Op 01401

PER CURIAM.

Fields v Junius-Liberty Dev. LLC (2026 NY Slip Op 01401) Fields v Junius-Liberty Dev. LLC 2026 NY Slip Op 01401 Decided on March 12, 2026 Appellate Division, First Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports. Decided and Entered: March 12, 2026 Before: Kennedy, J.P., Gesmer, Mendez, Pitt-Burke, Rosado, JJ. Index No. 808496/22|Appeal No. 6066|Case No. 2025-02246| [*1]Randy Fields, Plaintiff-Respondent, v Junius-Liberty Development LLC, Defendant-Appellant. Gallo Vitucci Klar LLP, New York (Christopher Laurence Parisi of counsel), for appellant. Rosenberg, Minc, Falkoff & Wolff, LLP, New York (Jesse M. Minc of counsel), for respondent. Order, Supreme Court, Bronx County (Erik L. Gray, J.), entered February 5, 2025, which granted plaintiff's motion for summary judgment on liability on his Labor Law §§ 240(1) and 241(6) claims, unanimously affirmed, without costs. Plaintiff established prima facie entitlement to summary judgment on his Labor Law § 240(1) claim by showing that defendant failed to supply him with safety devices adequate to protect him from falling (see Begnoja v Hudson Riv. Park Trust , 238 AD3d 481 , 481 [1st Dept 2025]). Plaintiff submitted his deposition testimony, in which he stated that as he stood on an unsecured ladder to do repair work at a construction site, the ladder gave way and he fell to the ground. This testimony is sufficient to establish liability, as plaintiff was not required to show that the ladder was defective to establish entitlement to summary judgment on a section 240 claim (see Daniello v J.T. Magen & Co. Inc ., 239 AD3d 516 , 517 [1st Dept 2025] ; Rodriguez v BSREP UA Heritage LLC , 181 AD3d 537, 538 [1st Dept 2020]). Defendant failed to raise a triable issue of fact in opposition, as the evidence it submitted does not establish that plaintiff was engaged in "mere routine maintenance" at the time of his accident (Rivas v Panama Leasing, LLC

, 238 AD3d 549 , 549-550 [1st Dept 2025]). The evidence establishes that plaintiff's work repairing the ceiling leak involved cutting a hole in the ceiling with a sheet-rock knife and an electric saw, and a piece of pipe insulation. Thus, he was entitled to the protections of the Labor Law. Furthermore, defendant failed to raise an issue of fact as to whether plaintiff was the sole proximate cause of his injuries. Even assuming that plaintiff did not ask his coworker to hold the ladder while he worked, a coworker is not a safety device contemplated by Labor Law § 240(1) (Rodriguez , 181 AD3d at 538). The uncertified emergency room records that defendant submitted on its opposition do not compel a different result. Even if, as defendant argues, the records establish that plaintiff caused the ladder to shake after he touched a hot pipe, defendant failed to show that the ladder was an adequate safety device for plaintiff's task (see Daniello , 239 AD3d at 517). In any event, even assuming that plaintiff negligently touched the pipe, comparative negligence is not a defense to a Labor Law § 240(1) claim (see Hill v Acies Group, LLC , 122 AD3d 428, 429 [1st Dept 2014]). Defendant's arguments concerning the Labor Law § 241(6) claim are academic because Supreme Court properly granted plaintiff's motion for partial summary judgment on the Labor Law § 240(1) claim (see Rodriguez , 181 AD3d at 538). THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: March 12, 2026

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