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DISTRICT ATTORNEY

FOR IMMEDIATE RELEASE

October 18, 2023

D.A. Bragg, Construction Fraud Task Force Announce Indictment In \$170k Wage Theft Case

Workers Allegedly Performed Dangerous Rigging Without Insurance on Landmark New York City Skyscrapers, Including Empire State Building, Chrysler Building

Manhattan District Attorney Alvin L. Bragg, Jr., today announced the indictment of GEORGE COLE, a licensed Master Rigger, and his company COLE NYC LLC, for stealing approximately \$169,500 of wages from his workers between February 2022 and April 2023. He also operated without insurance for more than a year after failing to maintain his New York State Insurance Fund (“NYSIF”) policy, while submitting forged documentation to New York City and State agencies claiming it was still in effect. The New York State Supreme Court indictment charges COLE and his company with Scheme to Defraud in the First Degree, Failing to Secure Compensation under New York’s Workers’ Compensation Law, Offering a False Instrument for Filing in the First Degree, and Forgery in the Second Degree.¹ [1]

The indictment is the result of a joint investigation conducted by members of the Manhattan D.A.’s Construction Fraud Task Force, including the New York State Department of Labor, the New York City Department of Investigation, the Inspector General’s Office of the Port Authority of New York & New Jersey, and the New York State Insurance Fund.

“These workers performed extremely dangerous rigging work from the top of landmark skyscrapers, a job that requires both extreme skill and nerves of steel,” said District Attorney Bragg. “Yet, for nearly 18 months, we allege George Cole operated a lucrative company without insurance for his employees – all while stealing their wages. This indictment demonstrates the importance of collaboration among the members of our Construction Fraud Task Force to keeping New York’s workers safe, and I thank each of our partners for their work on this investigation.”

New York State Department of Labor Commissioner Roberta Reardon said, “Stealing wages from workers is intolerable, but this case is especially egregious as the employer forced workers to perform dangerous tasks without insurance. Our message to unscrupulous employers is simple: If you choose to skirt the law and steal from workers, we will seek justice. I thank District Attorney

¹ The charges contained in the indictment are merely allegations, and the defendants are presumed innocent unless and until proven guilty. All factual recitations are derived from documents filed in court and statements made on the record in court.

Bragg and our other Construction Fraud Task Force partners for helping to protect hardworking New Yorkers.”

DOI Commissioner Jocelyn E. Strauber said, “As charged, this defendant ran a profitable business doing maintenance and repair work atop New York City’s iconic skyscrapers, while cheating the employees who handled this dangerous work out of nearly \$170,000 in wages, and failing to maintain insurance for them. I thank the Department of Buildings for their assistance in this investigation and the Manhattan District Attorney’s Office for their commitment to ensuring fair pay and proper insurance for the City’s workforce.”

“Fraudulent schemes like this compromise the safety of all on public projects,” said Port Authority Inspector General John Gay. “The Port Authority takes these matters seriously on its projects and has taken swift action when this wrongdoing was uncovered. We are proud to collaborate with our local, state, and federal Task Force partners to ensure fairness and safety throughout the construction industry.”

New York State Insurance Fund Executive Director & CEO Gaurav Vasisht said, “Fighting fraud is a key component of ensuring that New York employers receive the lowest possible cost workers’ compensation and disability insurance. I would like to thank D.A. Bragg and the other members of the Construction Fraud Task Force for their partnership in holding bad actors accountable and protecting the state’s businesses and their employees.”

The joint investigation began when multiple members of the Task Force, including the Manhattan D.A.’s Office, received complaints against COLE and his company, one of approximately 300 Rope Access Technician companies in New York City. Rope Access Technicians perform a range of construction and maintenance work while using a rope system to hang freely from skyscrapers and high-rise buildings. COLE worked on numerous New York City landmarks, including the Chrysler Building, the Empire State Building, the Oculus, and the Trump Building at 40 Wall Street.

According to court documents and statements made on the record in court, in November 2021, COLE failed to maintain his NYSIF policy while continuing to take on rigging jobs throughout the City. On July 1, 2022, COLE submitted a forged Certificate of Insurance to the New York City Department of Buildings, with inaccurate dates and a QR code linking to a website that stated his insurance coverage ended on November 28, 2021. He also submitted a similarly forged certificate to the Port Authority on August 2, 2022, pertaining to work being done at the Oculus in Lower Manhattan.

Between February 2022 and April 2023, COLE also engaged in a wage theft scheme through which he stole at least \$169,500 in wages owed to seven different employees. One employee is owed at least \$48,000 for 20 weeks of work. COLE gave his employees partial payments, made excuses for the missing wages, and insulted them when they asked for full payment.

During this time period, COLE spent hundreds of thousands on his girlfriends, concert tickets, floral arrangements, a Mercedes Benz, and other luxury purchases. COLE also cashed more than \$2 million at Pay-O-Matic during this time, including on days where he refused to pay his workers their wages.

Assistant D.A. Rachana Pathak (Chief of the Worker Protection Unit and Chief of the Construction Fraud Task Force) is handling the prosecution of this case under the supervision of Assistant D.A.s Michael Ohm (Deputy Chief of the Rackets Bureau), Judy Salwen (Principal Deputy Chief of the Rackets Bureau) and Jodie Kane (Chief of the Rackets Bureau and Acting Chief of the Investigation Division). Worker Protection Unit Coordinator Danielle Corbett, Rackets Bureau Secretary Cristal Rodriguez, Investigative Analyst Simon Otero, Trial Preparation Scott Kauffman, and Financial Investigator Jessica Abanilla, assisted with the investigation.

For the Department of Investigation, the case was investigated by Special Investigator Edward Vallejo, in DOI’s Office of the Inspector General for DOB and supervised by Chief Investigator James McElligott, First Deputy Inspector General Kim Ryan-Flores, Inspector General Gregory

Cho, Deputy Commissioner of Strategic Initiatives Christopher Ryan and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

District Attorney Bragg thanked the New York City Department of Investigation, the New York State Insurance Fund, the New York State Department of Labor, the Inspector General's Office of the Port Authority of New York & New Jersey, and the New York State Worker Compensation Board for their assistance.

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