



NEWS RELEASE

From New York State Workers' Compensation Fraud Inspector General
Catherine Leahy Scott

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QUEENS CONTRACTOR FALSIFIED INSURANCE DOCUMENTS AND LEFT EMPLOYEES WITHOUT WORKERS' COMPENSATION COVERAGE FOR NYU BUILDING RENOVATIONS

ALBANY – New York State Inspector General Catherine Leahy Scott today announced the arrest of the owner of a Queens building contracting company on charges he and the company falsified proof of insurance, left his employees without Workers' Compensation coverage and stole more than \$56,000 in insurance premiums that another construction company was ultimately forced to cover during a construction project at New York University ("NYU") buildings in Manhattan and Brooklyn.

Gerard Marino, 41, of Maspeth, and the company he owns, GMCM Contracting Corp. in Astoria, were arraigned on charges including Grand Larceny in the Second Degree, Insurance Fraud in the Second Degree, Falsifying Business Records in the First Degree and Criminal Possession of a Forged Instrument in the Second Degree, all felonies.

An investigation by Inspector General Leahy Scott found that Marino provided falsified proof-of-insurance certificates to a construction company on building façade renovation projects at NYU. In 2014, in order to become a construction subcontractor on the project, Marino needed to prove to the primary contractor that he had Workers' Compensation coverage for his own employees. The investigation found that Workers' Compensation insurance coverage for Marino's company was cancelled in late 2013, more than a year before the building façade project contracts were entered into, and the proof Marino provided was falsified and fraudulent.

As a result of the alleged fraud, the primary construction company on the project was required to pay \$56,409.58 in Workers' Compensation insurance premiums for Marino's employees at GMCM Contracting Corp.

"This defendant's brazen theft and acts of fraud gave him an unfair advantage over honest contractors and left his employees without critical insurance coverage to protect their wellbeing," said Inspector General Leahy Scott. "I will continue to use the powers of my office to pursue anyone who defrauds the Workers' Compensation system."

Marino was arraigned in Queens Criminal Court and released pending reappearance in court Dec. 19, 2017.

Inspector General Leahy Scott thanked the State Insurance Fund for their assistance with the investigation and Queens District Attorney Richard A. Brown for prosecuting this matter.

The defendant is presumed innocent until and unless proven guilty in a court of law.

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The New York State Office of the Workers' Compensation Fraud Inspector General investigates fraud, abuse and/or illegal acts against the New York State Workers' Compensation system, including fraud by medical service providers, employers seeking to evade appropriate Workers' Compensation charges, and employees who fabricate injuries to fraudulently receive system benefits. Complaints and referrals are kept confidential. We can be reached by calling toll free: 1-800-367-4448, utilizing our online complaint form at <http://www.ig.ny.gov> or sending an email to: inspector.general@ig.ny.gov. You also can write to our office at: Office of the Workers' Compensation Fraud Inspector General, Empire State Plaza, Agency Building 2, 16th Floor, Albany, New York 12223