



BTEA EXECUTIVE SUMMARY:

INTRO. 1447-C; WORKER SAFETY TRAINING BILL

September 28, 2017

D) PROJECTS COVERED: all private construction, alteration and demolition permits above four stories

II) WHO IS REQUIRED TO BE TRAINED: all trade workers, foremen and supervisors in *three* implementation phases:

1. MARCH 2018: MANDATORY LIMITED SITE SAFETY TRAINING CARD:

- **Minimum 10 hours of training**: To receive a limited site safety card each worker must have:
 - OSHA 10 HR Card or equivalent; or
 - OSHA 30 HR or equivalent; or
 - The worker has received at least 100 hours of technical training in a NYS DOE or DOL approved program;

2. SIX MONTHS FOLLOWING: APPROXIMATELY SEPTEMBER 2018, SECOND IMPLEMENTATION MILESTONE:

- **Minimum 30 safety training hours**: Worker training requirements for card are:
 - OSHA 10HR Card plus minimum 20 of additional training; or
 - OSHA 30HR Card or equivalent; or
 - 100 Hour Technical Training Program

Implementation can be delayed by DOB for up to six additional months

3. SIX MONTHS FOLLOWING BUT NO LATER THAN SEPT. 2020: FULL SITE SAFETY CARD IMPLEMENTATION: Each worker must have the full SST Card

- Minimum additional total of 10 or up to 25 hours of training (to be set by SST Task Force) for a comprehensive total of **40-55** hours

Implementation can be delayed by DOB for up to six additional months

4. SST SUPERVISORS CARD (Foremen and Supers) – As already required by Building Code, each Supervisor must have an OSHA 30 Hour card. In addition, that supervisor must meet all the requirements of SST card for a minimum of 70 safety training hours, in addition to any Code requirements.

III) CONTRACTOR RESPONSIBILITIES FOR WORKFORCE TRAINING:

1. Permit Holder (CM/GC) required to enter a “binding agreement” with each subcontractor that each employee of subcontractor complies with worker training requirements
2. Permit Holder must **certify** to the Dept. of Buildings that all workers hold appropriate training cards. Each incident of an untrained worker at the site would result in the issuance of a violation to the owner, permit holder, general contractor and subcontractor in the amount of \$2500, a civil penalty from DOB from \$1,000-25,000 and the costs of training one or more workers to comply with the applicable section of Chapter 33.
3. Permit Holder must maintain a daily log of each worker along with copies of their training cards for each day’s workforce. For each incidence of the absence or untimeliness of a daily log the permit holder shall be issued a violation with the above-mentioned penalties.
4. Should an owner or contractor be found in violation of having an untrained worker(s), each other site owned by such owner, or, each other site where such permit holder is working shall be subject to an unannounced inspection by DOB.
5. MARCH 2018: Requiring that each employee has:
 - OSHA 10 Hour Card or equivalent; or
 - OSHA 30 Hour Card or equivalent; or
 - 100 HOUR Technical Training

SECOND IMPLEMENTATION MILESTONE, SIX MONTHS AFTER:

- Limited SST Card

FULL IMPLEMENTATION, NO LATER THAN SEPTMEBER 2020:

- Full SST Card

IV) ENFORCEMENT DETAILS TO DATE:

1. Proposed Section 28-204.1.1 allow for a valid defense of a violation of worker SST training to be that the worker presented a “card”. There was a similar large scale fraud when some workers were required to present OSHA 10 cards.

2. Violation is \$2500 per worker per site to owner, permit holder, and, when possible, subcontractor
3. One violation would mandate a sweep of other sites under construction by the permit holder
4. TRAINING PROVIDER AUDIT: a recommendation made by the BTEA for DOB to randomly audit training providers to help in the prevention of the issuance of fraudulent training cards.

IV) SITE SAFETY TRAINING PROVIDER:

1. A SITE SAFETY TRAINING PROVIDER IS:

- An OSHA “Train the Trainer” for either 10 Hour or 30 Hour safety training; or
- An approved course provider providing training in a 100 hour training program; or
- Licensed Site Safety Manager; or
- Alternative requirements to be set by the Task Force

2. CITY FUNDED TRAINING: City will commit to \$5 million in funding for existing non-union training providers to provide training for free or low cost

VI) SITE SAFETY TRAINING TASK FORCE:

1. The Task Force would be comprised of 14 members, both from union and non-union industry sectors, day laborers, and MWBE members, as appointed by the Mayor and Council. The Task Force will be chaired by the Buildings Commissioner.
2. The Task Force will set the final curriculum for the requirements of the Full SST Card.
3. Currently, there is no specific designation made for contractors or owner representation on the Task Force.

VII) PRIOR SECTIONS OF PROPOSED LEGISLATION THAT WERE DELETED AS RECOMMENDED BY THE BTEA:

1. § 28.112.12 SST Fees
2. Subsection 1, 2 and 3 Worker Training Credits
3. § 28.112.12.1 Permit Fees:
4. § 28.204.1.1 Violation penalties of Section 3322:
5. Additional position of Site Safety Training “Monitor”
6. Full Stop Work Order issuance for one violation