

1 EQUIPMENT. CONTRACTORS WHO MAY BE ENGAGED TO OPERATE OR MAINTAIN THE
2 EMPLOYER'S EQUIPMENT SHALL BE ADVISED OF THE UNIQUE HAZARDS RELATED TO
3 THE EQUIPMENT WHICH MAY AFFECT THE ACTIVITIES IN WHICH THE CONTRACTOR'S
4 EMPLOYEES SHALL ENGAGE.

5 2. TRAINING SHALL BE PROVIDED PRIOR TO INITIAL ASSIGNMENT OF AN
6 EMPLOYEE TO A JOB OR TASK. ALL EMPLOYEES SHALL FURTHER BE REQUIRED TO
7 HAVE REFRESHER TRAINING, WHICH SHALL BE CONDUCTED ANNUALLY, FOR THE
8 PURPOSE OF MAINTAINING THE REQUIRED LEVEL OF COMPETENCE. RETRAINING
9 SHALL BE PROVIDED FOR EMPLOYEES WHENEVER THERE IS A CHANGE IN THEIR JOB
10 ASSIGNMENTS, OR A CHANGE IN EQUIPMENT THAT PRESENTS A NEW HAZARD. ADDI-
11 TIONAL RETRAINING SHALL BE PROVIDED WHENEVER A PERIODIC INSPECTION BY
12 THE DEPARTMENT REVEALS, OR WHENEVER THE EMPLOYER HAS REASON TO BELIEVE
13 THAT THERE ARE EMPLOYEE DEVIATIONS FROM PROCEDURES OR INADEQUACIES IN
14 THE EMPLOYEE'S KNOWLEDGE OF PROCEDURES.

15 3. EMPLOYERS SHALL REFER EMPLOYEES TO, AND HAVE READILY AVAILABLE, THE
16 MANUFACTURER'S, INSTALLER'S OR MODIFIER'S INSTRUCTIONS TO ENSURE THAT
17 CORRECT OPERATING AND MAINTENANCE PROCEDURES AND WORK PRACTICES ARE
18 UNDERSTOOD AND FOLLOWED.

19 4. AN EMPLOYER SHALL REQUIRE THAT TRAINING IS PROVIDED EITHER BY A
20 CONTRACT LABORER'S PARENT EMPLOYER OR BY THE EMPLOYER FOR EACH JOB OR
21 TASK THAT IS PERFORMED.

22 5. THE EMPLOYER SHALL MAINTAIN TRAINING RECORDS TO INCLUDE THE DATE OR
23 DATES OF TRAINING AND THE TYPE OF TRAINING RECEIVED. RECORDS SHALL BE
24 MAINTAINED AS REQUIRED BY REGULATIONS TO BE PROMULGATED BY THE DEPART-
25 MENT. CONTRACTORS AND EMPLOYERS OF CONTRACT LABORERS SHALL PROVIDE THE
26 EMPLOYER WITH APPROPRIATE TRAINING RECORDS UPON DEMAND.

27 6. TRAINING SHALL BE TAILORED FOR INDIVIDUAL OPERATIONS AND THE TYPE
28 OF EQUIPMENT UTILIZED INCLUDING DETAILED, EQUIPMENT SPECIFIC, TRAINING
29 FOR DRIVERS, EQUIPMENT OPERATORS AND LOADERS, AS WELL AS MAINTENANCE
30 PERSONNEL AND SUPERVISORS. TRAINING SHALL INCLUDE A PRACTICAL DEMON-
31 STRATION OF EQUIPMENT OPERATION, THE KNOWLEDGE AND SKILLS NEEDED BY THE
32 EMPLOYEE TO OPERATE SUCH EQUIPMENT AND THE CONSEQUENCES FOR FAILURE TO
33 OPERATE THE EQUIPMENT PROPERLY, AS APPROPRIATELY RELATED TO THE REQUIRE-
34 MENTS OF THE EMPLOYEE'S JOB DUTIES.

35 7. TRAINING SHALL INCLUDE AT A MINIMUM:

36 (A) THE REQUIRED REGULATORY TRAINING AS OUTLINED BY THE FEDERAL AND
37 STATE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, THE FEDERAL DEPART-
38 MENT OF TRANSPORTATION, THE PUBLIC EMPLOYEE SAFETY AND HEALTH BUREAU
39 WITHIN THE DEPARTMENT AND ANY OTHER APPLICABLE REGULATORY AGENCIES; AND

40 (B) THE OPERATIONAL INSTRUCTION ON EACH SPECIFIC TYPE OF EQUIPMENT
41 USED BY THE EMPLOYEE.

42 S 2. This act shall take effect on the one hundred eightieth day after
43 it shall have become a law; provided, however, that effective immediate-
44 ly, the addition, amendment and/or repeal of any rule or regulation
45 necessary for the implementation of this act on its effective date is
46 authorized and directed to be made and completed on or before such
47 effective date.