S T A T E O F N E W Y O R K

1162

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. SEMINERIO -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to employee safety when working on or near low voltage lines, circuits or equipment

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The labor law is amended by adding a new section 207-b to read as follows:

S 207-B. EMPLOYEE SAFETY IN WORKING ON OR NEAR LOW VOLTAGE LINES, CIRCUITS OR EQUIPMENT. 1. THE EMPLOYER SHALL INSURE THAT EACH EMPLOYEE WORKING ON OR NEAR ANY ELECTRICAL LINE, CIRCUIT, FIXTURE OR EQUIPMENT IS EQUIPPED WITH AND USES UNITED STATES OCCUPATIONAL, SAFETY AND HEALTH ADMINISTRATION (OSHA) COMPLIANT INSULATED TOOLS. SUCH COMPLIANT TOOLS SHALL BE USED WHENEVER THE LINE, CIRCUIT, FIXTURE OR EQUIPMENT HAS A VOLTAGE DIFFERENTIAL IN EXCESS OF FIFTY VOLTS FOR QUALIFIED INDIVIDUALS AND A DIFFERENTIAL IN EXCESS OF ZERO VOLTS FOR NON-QUALIFIED INDIVIDUALS.

2. FOR PURPOSES OF THIS SECTION, THE TERM WORK SHALL INCLUDE BUT NOT BE LIMITED TO THE ERECTION, MAINTENANCE, REPAIR, CONSTRUCTION OR INSTALLATION OF SUCH ENERGIZED CONDUCTORS, LINES, EQUIPMENT, FIXTURES OR CIRCUITS IN BOTH EMERGENCY AND NON-EMERGENCY SITUATIONS.

3. FOR PURPOSES OF THIS SECTION, A QUALIFIED WORKER IS ONE WHO HAS PASSED ALL REQUIREMENTS OF THE ELECTRICAL TRADE STANDARDS TO BE ADMITTED TO THE TRADE AS A JOURNEYMAN.

4. NO PROVISION IN THIS SECTION SHALL PREVENT OR PROHIBIT ANY APPROPRIATE ADMINISTRATIVE OR RULEMAKING BODY FROM MAKING OR ISSUING APPROPRIATE RULES AND REGULATIONS CONCERNING EMPLOYEE OR WORKER SAFETY IN THE WORK TO BE PERFORMED ON OR NEAR ENERGIZED CONDUCTORS, LINES, EQUIPMENT, FIXTURES, CIRCUITS OR MACHINES.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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