

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

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

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

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

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

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

34 7. TRAINING SHALL INCLUDE AT A MINIMUM:

35 (A) THE REQUIRED REGULATORY TRAINING AS OUTLINED BY THE FEDERAL AND
36 STATE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, THE FEDERAL DEPART-
37 MENT OF TRANSPORTATION, THE PUBLIC EMPLOYEE SAFETY AND HEALTH BUREAU
38 WITHIN THE DEPARTMENT, THE AMERICAN NATIONAL STANDARDS INSTITUTE AND ANY
39 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.