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2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT establishing the "New York city construction safety task force"

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that the health and safety of the population living in and
3 around the many construction projects within the densely populated city
4 of New York is a matter of state concern as pressure mounts to build
5 more and more while completing projects in the shortest time possible.
6 Construction is the most dangerous occupation, with death rates four
7 times the average for other workers and conditions adjacent to
8 construction sites dangerous to the public. Recent construction acci-
9 dents involving cranes, for example, have killed construction workers
10 and members of the public, and have resulted or will result in the
11 expenditure of state resources for emergency services, court adminis-
12 tration and infrastructure repair. Additionally, two senior buildings
13 department officials were recently charged with various state crimes
14 related to their failure to perform their duties and to protect public
15 safety. Construction safety in the city of New York is covered by feder-
16 al, state and local statutes, regulations and agencies and can only be
17 achieved through proper coordination and cooperation among the federal,
18 state and local government. Testimony at a 2008 legislative hearing
19 focused on safety problems in the New York City construction industry,
20 including the lack of coordination, cooperation and joint planning among
21 and between participants in the construction industry in the City of New
22 York, including workers, industry, safety advocacy organizations and the
23 federal, state and local government. The establishment of a construction
24 safety task force with membership from these various constituencies is
25 essential to accomplishing the state's concern that the health and safe-

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

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1 ty of the population living in and around the many construction projects
2 within the densely populated city of New York be protected.

3 S 2. There is hereby created the "New York city construction safety
4 task force" to advise the city on issues related to safety in the
5 construction industry in New York city and to propose changes in rules
6 and regulations, licensing requirements, enforcement, training and any
7 other issue concerning safety in the construction industry.

8 S 3. Such task force shall consist of not less than thirty-eight
9 members as follows: (a) the mayor or the mayor's designee who shall
10 serve as chair, the commissioners of the departments of Buildings, Hous-
11 ing Preservation & Development, Environmental Protection, Fire, Investi-
12 gation, Health and Mental Hygiene and City Planning; (b) the state
13 commissioner of labor and two other representatives from the department
14 of labor; (c) ten representatives from New York state AFL-CIO labor
15 unions representing construction industry workers appointed by the
16 mayor; (d) ten representatives from building owners, contractors and
17 industry trade groups appointed by the mayor; (e) two representatives
18 from immigrant advocacy organizations appointed by the mayor; (f) two
19 representatives from workplace safety advocacy organizations appointed
20 by the mayor; and (g) three representatives from the New York City AFL-
21 CIO Building and Construction Trade Council. The mayor shall also
22 invite representatives from the federal Occupational Safety and Health
23 Administration to serve on the task force.

24 S 4. Such task force shall meet at least quarterly and produce a
25 report at least annually to the mayor of the city of New York, the New
26 York city council, governor, temporary president of the senate, speaker
27 of the assembly, minority leader of the senate and the minority leader
28 of the assembly. Such report shall include, but not be limited to,
29 statistics on accidents and injuries occurring on construction sites.
30 Such statistics shall be compiled by county and by size of project.

31 S 5. The members of the task force shall serve without compensation,
32 except that they shall be allowed their necessary and actual expenses
33 incurred in the performance of their duties under this act.

34 S 6. This act shall take effect immediately.