STATE OF NEW YORK

1287

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

Introduced by Sens. AVELLA, LANZA -- 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:

Section 1. Legislative findings. The legislature hereby finds and declares that the health and safety of the population living in and around the many construction projects within the densely populated city of New York is a matter of state concern as pressure mounts to build more and more while completing projects in the shortest time possible. Construction is the most dangerous occupation, with death rates four times the average for other workers and conditions adjacent to construction sites dangerous to the public. Recent construction accidents involving cranes, for example, have killed construction workers and members of the public, and have resulted or will result in the expenditure of state resources for emergency services, court administration and infrastructure repair. Additionally, two senior buildings department officials were recently charged with various state crimes related to their failure to perform their duties and to protect public safety. Construction safety in the city of New York is covered by federal, state and local statutes, regulations and agencies and can only be achieved through proper coordination and cooperation among the federal, state and local government. Testimony at a 2008 legislative hearing focused on safety problems in the New York City construction industry, including the lack of coordination, cooperation and joint planning among and between participants in the construction industry in the City of New York, including workers, industry, safety advocacy organizations and the federal, state and local government. The establishment of a construction safety task force with membership from these various constituencies is 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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ty of the population living in and around the many construction projects within the densely populated city of New York be protected.

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

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

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

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

§ 6. This act shall take effect immediately.