STATE OF NEW YORK

1948--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 13, 2021

Introduced by M. of A. BARNWELL, COLTON, COOK, FERNANDEZ, MONTESANO, PHEFFER AMATO, SEAWRIGHT, STECK, TAYLOR, VANEL, WILLIAMS -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to requiring certain persons engaged in the construction and demolition of buildings to complete safety training program

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 819-a to read as follows:

§ 819-a. Safety training program. 1. For the purposes of this section:

(a) "covered project" shall mean a building site, or demolition site, four or more stories, or forty or more feet (12,192 mm) in height.

(b) "safety training program" shall mean a training program authorized and approved by the commissioner for the trade or craft for which a person is employed that provides a minimum number of required hours for completion in safety related instruction on covered projects.

2. The commissioner is hereby directed to implement a safety training program with the intention of ensuring safety standards on covered projects.

(a) Such training program shall be approved by the commissioner and consist of at least ten hours of coursework regarding state and federal best practices for the construction and demolition of buildings and construction industry safety and health, including standards promulgated by the United States Department of Labor Occupational Safety and Health Administration (OSHA).

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

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(b) Upon completion of such program, a worker shall be provided documentation certifying completion of the program. Such certification of completion shall be valid for five years and be recorded in a publicly searchable registry available through the department's website.

3. Before the hiring of any worker on a covered project the person, contractor, sub-contractor, developer, LLC, LLP, corporation, partnership, or any other legal entity, responsible for the hiring of such individual worker shall verify such worker's completion of a safety training program.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that subdivision 3 of section 819-a of the labor law as added by section one of this act shall take effect on the one hundred eightieth day after it shall have become a law and shall not apply to contracts entered into before such date.