

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:

1 Section 1. The labor law is amended by adding a new section 819-a to
2 read as follows:

3 § 819-a. Safety training program. 1. For the purposes of this
4 section:

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

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

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

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

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

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

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

10 § 2. This act shall take effect on the ninetieth day after it shall
11 have become a law; provided, however, that subdivision 3 of section
12 819-a of the labor law as added by section one of this act shall take
13 effect on the one hundred eightieth day after it shall have become a law
14 and shall not apply to contracts entered into before such date.