



# **Local Law 196 of 2017** ***Construction Safety Training*** **Information Session**

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Friday, December 15, 2017



# What is Local Law 196 of 2017?

Local Law 196 of 2017, previously referred to as Intro. 1447, when fully phased-in in 2019, will require that

- **Workers** at certain job sites receive a minimum of 40 hours of safety training; and
- **Supervisors** at certain job sites receive a minimum of 60 hours of safety training

# Who must be trained?

- **Workers** at job sites that require a Site Safety Plan must be trained. This includes sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager.
- **Supervisors** at these job sites must also be trained. This includes Site Safety Managers, Site Safety Coordinators, Concrete Safety Managers, Construction Superintendents and competent persons.

# Who does not need training?

- Delivery persons, flag persons, professional engineers, registered architects, special inspectors, and Department-licensees (excluding safety professionals) are not required to be trained.
- Workers at job sites that only involve minor alterations or the construction of a new 1-, 2-, or 3-family home are not required to be trained.

*NOTE: If you fall into one of these categories but serve as a Site Safety Manager, Site Safety Coordinator, Concrete Safety Manager, Construction Superintendent or competent person, you **must** receive training.*

# How much training will be required?

- **Workers** will be required to receive between 40 and 55 hours of training.
- **Supervisors** will be required to receive between 60 and 75 hours of training.

# What will the training entail?

Workers will have a variety of options available to them. The training could include either:

- an OSHA 10-hour class; ***or***
  - an OSHA 30-hour class; ***or***
  - a 100-hour training program approved by the Department (such as training received through an apprenticeship program);
- and***
- any additional training specified by the Department.

# Training Hours and Curriculum

- The total number of hours of required training will be decided by the Department after receiving recommendations from a task force composed of members of the construction industry.
- The list of topics that could satisfy the training requirements will be decided by the Department in the same manner.

# Training Hours and Curriculum

*(continued)*

- The task force **must** provide its recommendations to the Department by no later than March 1, 2018.
- The Department will determine the total number of hours of required training and the list of eligible topics before December 1, 2018.



# When will workers need to be trained?

Training will be phased-in in **three** parts beginning on **March 1, 2018**, with full training being required by as late as **September 1, 2020**.

By March 1, 2018, all workers must have received a minimum 10 hours of training.

By May 1, 2019 or September 1, 2020 if the Department determines that there is insufficient capacity to provide training, workers must have a Site Safety Training Card, which means that they have been fully trained.

By December 1, 2018 or June 1, 2019 if the Department determines that there is insufficient capacity to provide training, workers must have at least a Limited Site Safety Training Card, which includes a minimum 30 hours of training.

*NOTE: This timeline is not intended to be all inclusive.*

# Training Required on March 1, 2018

On March 1, 2018, at a minimum, the following training will be required:

- an **OSHA 10-hour class**; *or*
- an **OSHA 30-hour class**; *or*
- a **100-hour training program** approved by the Department (such as training received through an apprenticeship program).

# Training Required on December 1, 2018

On December 1, 2018 (or June 1, 2019 if the Department determines that there is insufficient capacity to provide the training), at a minimum, the following training will be required, evidenced by a **Limited Site Safety Training Card**:

- an **OSHA 10-hour class and 20 additional training hours** specified by the Department, including eight hours of training relating to safeguarding against the dangers posed by falling workers and objects ; *or*
- an **OSHA 30-hour class**; *or*
- a **100-hour training program** approved by the Department (such as training received through an apprenticeship program).

# Training Required on December 1, 2018

*(continued)*

On December 1, 2018 (or June 1, 2019 if the Department determines that there is insufficient capacity to provide the training), **supervisors** will be required to have a **Site Safety Training Supervisor Card**, which means that they have been fully trained.

*NOTE: At this point, new entrants to the construction or demolition work force may begin working with a **Temporary Site Safety Training Card**, which is a nonrenewable card that expires after six months that is issued to a person who completes an OSHA 10-hour class.*

# Training Required on May 1, 2019

On May 1, 2019 (or September 1, 2020 if the Department determines that there is insufficient capacity to provide the training), the following training will be required, evidenced by a **Site Safety Training Card**:

- an **OSHA 10-hour class and 30-45 additional training hours** specified by the Department, including eight hours of training related to safeguarding against the dangers posed by falling workers and objects; *or*
- an **OSHA 30-hour class and 10-25 additional hours of training** specified by the Department, including eight hours of training related to safeguarding against the dangers posed by falling workers and objects; *or*

# Training Required on May 1, 2019

*(continued)*

- a **100-hour training program** approved by the Department (such as training received through an apprenticeship program).

*NOTE: At this point, new entrants to the construction or demolition work force may begin working with a **Temporary Site Safety Training Card**, which is a nonrenewable card that expires after six months that is issued to a person who completes an OSHA 10-hour class.*

# Online Training

- Online training in any format received before **October 16, 2017** will be accepted.
- After **October 16, 2017**, only in-person training and actively proctored online training will be accepted. Actively proctored online training is:
  - online training that is taken in a classroom with a proctor; *or*
  - online training that at a minimum requires the individual receiving the training:
    - to attest that they are the individual that received the training and that the training was received without assistance; and
    - to have their participation monitored at random times to ensure that the individual receiving the training is present for the entirety of the training.

# How will the training requirements be enforced?

- Permit applicants will be required to certify to the Department that workers who will be working under the permit will have the requisite training.
- If the Department discovers that workers at a construction site are untrained, the Department will issue a violation with civil penalties that go as high as \$5,000 per untrained worker to the owner of the site, the permit holder and the employer of the untrained worker. These civil penalties can be mitigated if an employer sponsors training for such untrained worker.



# How will the training requirements be enforced?

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- If the Department discovers that a permit holder has failed to maintain a log that demonstrated that all of the workers at a site are trained, the Department will issue a violation with a civil penalty of \$2,500.
- The Department will also conduct unannounced inspections at sites where untrained workers have been discovered.

# Dates to Remember

- **October 16, 2017:** This is the date the legislation took effect and is relevant to online training.
- **March 1, 2018:** This is the date by which at least 10 hours of training will be required. This is also the date by which the Site Safety Training Task Force is required to issue its recommendations regarding additional training hours and training topics to the Department.
- **December 1, 2018:** This is the earliest date by which at least 30 hours of training will be required.
- **May 1, 2019:** This is the earliest date by which full training will be required.

# QUESTIONS

If you have any questions about these training requirements, email the Department at [LocalLaw196@buildings.nyc.gov](mailto:LocalLaw196@buildings.nyc.gov)

