

An aerial photograph of New York City, showing a dense grid of skyscrapers and buildings. A semi-transparent blue rectangular overlay covers the middle portion of the image, serving as a background for the title text.

LOCAL LAW 196 OF 2017 ANNUAL REPORT

September 2018

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BACKGROUND

- This annual report has been prepared pursuant to Local Law 196 of 2017, which was approved by the New York City Council on September 27, 2017 and signed by the Mayor on October 16, 2017.
- When fully phased-in, as late as September 1, 2020, Local Law 196 will require that certain workers at certain job sites receive 40 hours of safety training and that supervisors receive 62 hours of safety training.
- The job sites to which Local Law 196 of 2017 is applicable are sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager.
- The workers and supervisors to which Local Law 196 of 2017 is applicable are workers and supervisors who engage in construction or demolition work at the aforementioned sites.

FIRST IMPLEMENTATION MILESTONE

AS OF MARCH 1, 2018

- Beginning March 1, 2018 – the first implementation milestone – all workers must have received a minimum of OSHA 10 training.
- Leading up to the first implementation milestone, the Department began hosting bi-weekly information sessions, that began on December 15, 2017, to inform the public about the upcoming training requirements and created an email address, LocalLaw196@buildings.nyc.gov, to accept questions related to the training requirements.


FIRST IMPLEMENTATION MILESTONE

AS OF MARCH 1, 2018

- The Department also issued a host of Service Notices to inform the public about various facets of the law (see slide 5), including the minimum training required by the first implementation milestone and the requirement for logs to be kept on site, including a template that may be used.
- In addition to the aforementioned, the Department also performed broad outreach to ensure workers became aware of the training requirement, including sharing information via Buildings News, social media, and distributing flyers and palm cards to workers.

FIRST IMPLEMENTATION MILESTONE

AS OF MARCH 1, 2018


JANUARY 2018

SERVICE UPDATE

Construction Safety Training: Information Sessions for Local Law 196 of 2017

The Department will host periodic information sessions to provide guidance of [Local Law 196 of 2017](#) requirements. Local Law 196 of 2017 will require workers at various types of construction sites receive site safety training. Due to space limitations, advance registration is mandatory for all attendees.


Session Registration
To register for one of the Information Sessions listed below, please click the link for that session in the RSVP Link column and follow the steps to register and print your ticket.

Dates, times, and location are subject to change. Updates will be posted on the event website and the Department's website. Your original ticket will be accepted regardless of changes to the venue or otherwise.

DATE	TIME	LOCATION	RSVP Link
1/23/2018	12:30 – 2:00 PM	280 Broadway, 3rd Floor Conference Room	RSVP 1/23/18
2/12/2018	2:00 – 3:30 PM	280 Broadway, 3rd Floor Conference Room	RSVP 2/12/18
2/21/2018	3:30 – 5:00 PM	280 Broadway, 3rd Floor Conference Room	RSVP 2/21/18
3/9/2018	10:00 – 11:30 AM	280 Broadway, 3rd Floor Conference Room	RSVP 3/9/18

POST UNTIL: March 9, 2018

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FEBRUARY 2018

UPCOMING CHANGE

Local Law 196 of 2017: Construction Safety Training

[Local Law 196 of 2017](#) requires workers and supervisors at certain construction sites receive safety training. The safety training requirements will be phased-in in three parts beginning on March 1, 2018, with full training being required no later than September 1, 2020.

1. Training
As of March 1, 2018, workers **must** receive, at a minimum, the following training:

- an OSHA 10-hour class; or
- an OSHA 30-hour class; or
- a 100-hour training program approved by the Department.

Training received before October 16, 2017, will be acceptable in any format. Training received after that date **must** be in-person or actively proctored online training (actively proctored online training confirms the individual's identification before providing secure access to the online training and monitors participation during the course of training).

Visit the United States Department of Labor's [website](#) for a list of providers of actively proctored online training.


You will be required to certify on a soon to be updated PW2 that workers have been properly trained in order to obtain a permit.

2. Logs
Beginning March 1, 2018, permit holders will be required to maintain, and produce upon request, a log at the construction site that identifies each worker and includes proof that the worker completed the required site safety training.

For more information on [Local Law 196 of 2017](#), including more detailed information on the types of construction sites where training will be required and the types of workers that must be trained, visit the Department's [website](#).

POST UNTIL: December 31, 2020

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MARCH 2018

SERVICE UPDATE CHANGE

Local Law 196 of 2017: Construction Safety Training

Local Law 196 of 2017 requires that workers and supervisors at certain construction sites receive safety training. For more information on [Local Law 196 of 2017](#), visit the Department's website at: http://www1.nyc.gov/site/buildings/safetyworker-safety_page

Logs
Beginning April 2018, permit holders will be required to maintain a daily log that identifies each construction or demolition worker and supervisor (including construction superintendents, site safety coordinators, site safety managers, concrete safety managers or competent persons) on the construction site and their proof of training. Permit holders must use the log form created by the Department and available on the Department's website at http://www1.nyc.gov/assets/buildings/excel/ll196_training_log.xlsx. The log may be maintained in physical or digital format and must be provided to the Department upon request.

Site Safety Training (SST) Cards
Permit holders must also maintain a copy of each worker's site safety training (SST) card, SST supervisor card, limited SST card, temporary SST card, or OSHA 10 or 30 card.

Failure to maintain the daily log and/or a copy of each worker's SST or OSHA card, or to produce the log upon request by the Department, may result in a fine of at least \$2,500.

POST UNTIL: December 31, 2020

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SECOND IMPLEMENTATION MILESTONE

BY DECEMBER 1, 2018 OR JUNE 1, 2019

- Beginning on the second implementation milestone, December 1, 2018 or June 1, 2019 if the Department determines there is insufficient capacity to provide training, workers must have at least a Limited Site Safety Training Card, which evidences a minimum 30 hours of safety training.
- Leading up to the second implementation milestone, the Department continues to issue Service Notices to address common inquiries (see slide 8), including the types of workers that must receive the training and the types of sites for which training is required.

SECOND IMPLEMENTATION MILESTONE

DECEMBER 1, 2018 OR JUNE 1, 2019

- Following consultation with the Site Safety Training Task Force, which has met three times so far, the Department issued a curriculum in May 2018 (see background and curriculum beginning on slide 9), which specified: workers must receive 40 hours of training, supervisors must receive 62 hours of training, and outlined the course topics that could satisfy such training hours. The curriculum was first shared with the industry during the Department's annual build safe | live safe Conference.
- In July 2018, the Department issued course guidelines and an amended course provider application, which allowed course providers to apply for approval to offer Site Safety Training courses.
- All told, the Department has performed outreach to well over 1,000 industry professionals to inform them of the training requirement.

SECOND IMPLEMENTATION MILESTONE

DECEMBER 1, 2018 OR JUNE 1, 2019



APRIL 2018

REMINDER

Local Law 196 of 2017: Construction Safety Training

Local Law 196 of 2017 requires workers and supervisors at certain construction sites receive safety training.

Applicability of Training Requirement

Construction or demolition workers and supervisors (Site Safety Managers, Site Safety Coordinators, Concrete Safety Managers, Construction Superintendents and competent persons) at job sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager must be trained.

See the chart below for examples of workers that require and do not require the training. Please note that even if you fall into the column that does not require training, but engage in construction or demolition work at a site or serve as a Site Safety Manager, Site Safety Coordinator, Concrete Safety Manager, Construction Superintendent or competent person, you must receive training. If you are unsure whether the training requirement applies to you, send an email to LocalLaw196@buildings.nyc.gov.

SAFETY TRAINING REQUIRED	SAFETY TRAINING NOT REQUIRED
Construction Workers	Building Site Owners
Demolition Workers	Project Managers
Construction Superintendents (CS)	Professional Engineers (PE)
Site Safety Coordinators (SSC)	Registered Architects (RA)
Site Safety Managers (SSM)	Developers
Concrete Safety Managers (CSM)	Delivery Persons
Competent Persons	Construction Managers
Journeypersons	Flag Persons
Forepersons	General Contractors
Employees of DOB Licensees or Registrants	DOB Licensees and Registrants that are not CS, SSC, SSM, and CSM
	Concrete Testing Laboratories/Concrete Inspectors
	Filing Representatives
	Security Officers
	Special Inspectors
	Service Technicians
	Consultants

Actively Proctored Online Training

An actively proctored online training consists of:

- 1) Online training taken in a classroom with a proctor; or
- 2) Online training that at a minimum requires the individual receiving the training to:

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MAY 2018

SERVICE UPDATE

Local Law 196 of 2017: Site Safety Training (SST) Curriculum

Local Law 196 of 2017 requires certain workers and supervisors to receive safety training at construction sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager. Training will be provided by private course providers approved by the Department. The deadlines below indicate an effective date that will be extended to the later date if the Department determines there is insufficient capacity to provide training.

Effective December 1, 2018 or June 1, 2019

WORKERS

Limited SST Card (30 Hours)

Expires April 30, 2019 but no later than August 31, 2020

1. OSHA 10-Hour Class with 20-Hours of Additional Training
 - OSHA 10-Hour Class
 - 8-Hour Fall Prevention
 - 8-Hour Site Safety Manager Refresher
 - 4-Hour Supported Scaffold User and Refresher
2. OSHA 30-Hour Class
3. 100-Hour Training Program Approved by the Department
 - At a minimum meets the coursework identified in item 1 or 2 above.
4. Prior Experience (See Note)
 - 4-Hour Fall Prevention
 - 4-Hour Supported Scaffold User and Refresher

Temporary SST Card (10 Hours)

Expires after six months during which time training must be completed to receive a Limited SST Card or SST Card

1. OSHA 10-Hour Class

SUPERVISORS

Supervisor SST Card (62 Hours)

Expires after five years and renewable upon applicants showing that they have completed 16 training hours specified by the Department (see below) in the one-year period preceding submission of a renewal application

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1 of 4



JULY 2018

SERVICE UPDATE

Local Law 196 of 2017 Course Requirements and Additional Course Provider Requirements

The Department released a list of course topics in May 2018 detailing the required training [curriculum](#) for supervisors and workers, including a list of topics that could satisfy the training requirements. Course requirements for each topic are now available on the Department's [website](#). All courses must comply with the requirements.

The Department will be hosting information sessions on [Local Law 196 of 2017](#), including the course requirements and additional course provider requirements on:

- **July 26, 2018 at 3:30 p.m.**
280 Broadway, 3rd Floor Conference Room
New York, NY 10007
[Register](#) for the July 26th information session.
- **August 15, 2018 at 10:30 a.m.**
280 Broadway, 3rd Floor Conference Room
New York, NY 10007
[Register](#) for the August 15th information session.

NOTE: Local Law 196 of 2017 requires certain workers and supervisors to receive safety training at construction sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager.

Additional Course Provider Requirements

Per [1 RCNY §105-03](#), all Department-approved Course Providers must comply with existing course provider requirements as well as the following requirements, until further notice:

Course Delivery Method

Training may be conducted in-person or in an actively proctored online format. If training is offered in an actively proctored online format, such training must comply with the following requirements:

- If conducted in-person in a classroom setting, the course provider must confirm the identification of the individual taking such training and must ensure that the site of such training is actively observed for the duration of the training.
- If the online training is not performed in person, the course provider must confirm the identification of the individual prior to providing secure access to the online training. The individual must attest that they are the individual who received the online access and that

BACKGROUND: SITE SAFETY TRAINING CURRICULUM

- The curriculum specifies the courses that must be completed to comply with the training requirements.
- A significant portion of the training a worker must receive consists of OSHA 10 or OSHA 30 training, which are existing courses approved by the Federal Occupational Safety and Health Administration (OSHA), and which are readily available today.
- The curriculum also focuses heavily on fall prevention, as the majority of construction-related injuries and fatalities in recent years have involved worker falls.
- Electives were also incorporated in the curriculum to allow workers to take courses that may be relevant to the work they engage in. There are both general and specialized electives that a worker can select.

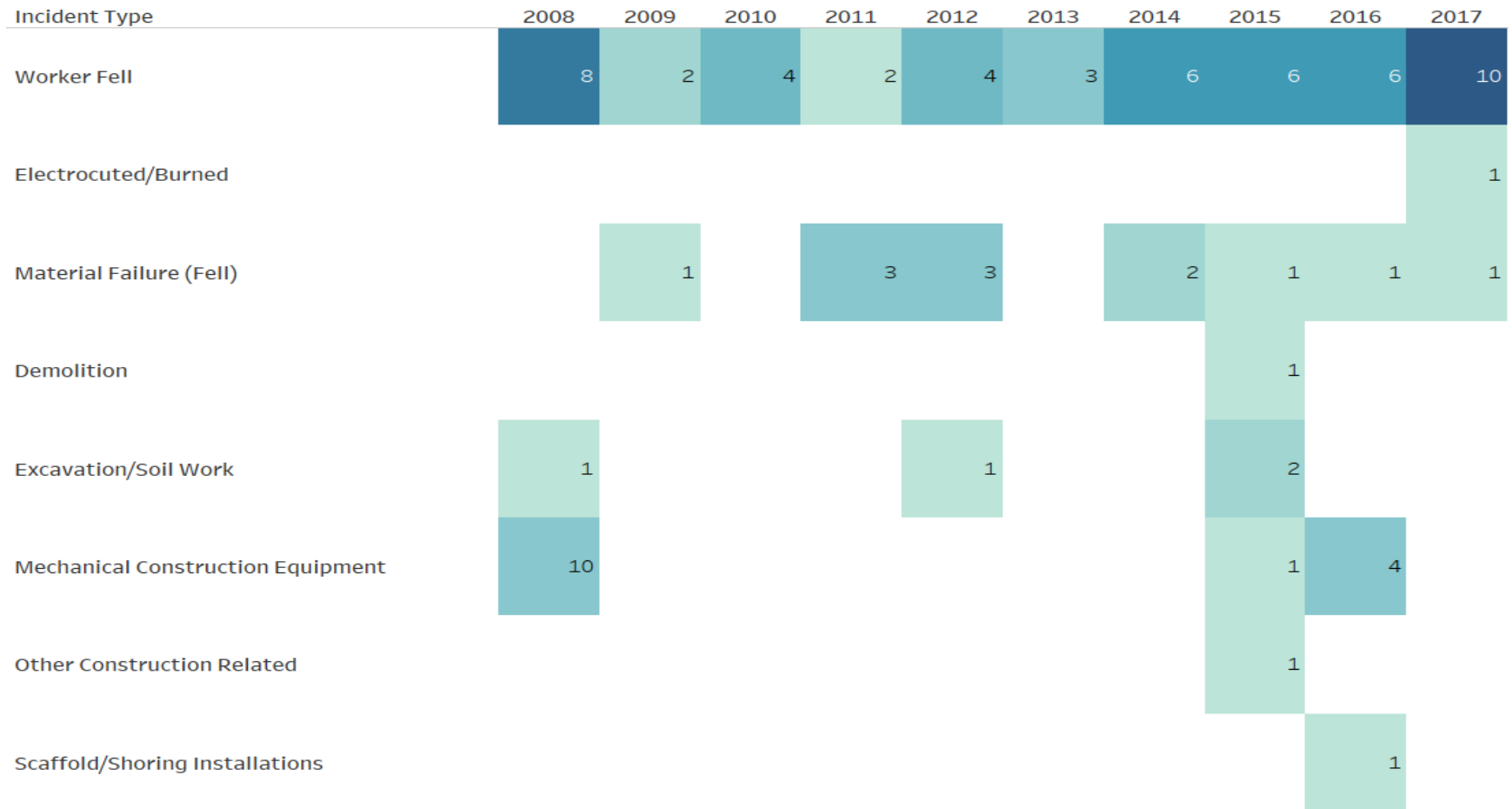
CONSTRUCTION-RELATED INJURIES BY INCIDENT TYPE

2008 – 2017

Incident Type	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Worker Fell	53.8%	47.0%	41.8%	40.5%	41.5%	32.4%	38.1%	30.8%	29.5%	30.1%
Material Failure (Fell)	29.4%	22.8%	17.6%	23.8%	21.1%	26.9%	25.1%	16.5%	14.6%	15.3%
Worker Cut		4.7%	6.5%	3.2%	4.7%	9.3%	5.8%	12.0%	17.5%	14.5%
Worker Misc Body		2.8%	6.5%	7.9%	7.6%	6.6%	5.4%	12.7%	10.3%	12.6%
Mechanical Construction Equipment	7.7%	5.6%	6.5%	4.0%	2.9%	4.4%	4.5%	4.9%	5.3%	6.8%
Object Struck Head/Face/Body	0.7%	2.8%	1.3%	4.0%	5.8%	2.7%	6.3%	4.7%	5.7%	5.0%
Other Construction Related	3.5%	3.3%	5.9%	3.2%	3.5%	2.2%	4.0%	2.8%	2.9%	4.4%
Worker/Person Tripped		0.5%	2.0%	1.6%	0.6%	0.5%	1.8%	4.0%	3.9%	2.4%
Back and Pulled Muscle		0.9%	1.3%	0.8%		3.3%	1.3%	1.2%	3.1%	2.4%
Scaffold/Shoring Installations	4.2%	5.6%	5.9%	5.6%	5.3%	5.5%	3.6%	4.2%	2.9%	1.7%
Electrocuted/Burned		2.8%	2.0%	1.6%	2.3%	2.2%	1.3%	1.2%	1.5%	1.3%
Worker in Motion		0.5%		0.8%	0.6%		1.8%	0.5%	1.0%	1.3%
Demolition		0.5%	0.7%	0.8%	2.3%	0.5%	0.4%	0.5%	0.5%	0.9%
Excavation/Soil Work	0.7%	0.5%	2.0%	2.4%	0.6%	2.2%		2.4%	0.9%	0.8%
Concrete Incident					1.2%	1.1%	0.4%	1.6%	0.5%	0.5%

CONSTRUCTION-RELATED FATALITIES BY TYPE

2008 – 2017



REQUIRED TRAINING

FIRST IMPLEMENTATION MILESTONE: MARCH 1, 2018

As of March 1, 2018, at a minimum, the following training was required:

- an OSHA 10-hour class; or
- an OSHA 30-hour class; or
- a 100-hour training program approved by the Department.

REQUIRED TRAINING

SECOND MILESTONE: DECEMBER 1, 2018 OR JUNE 1, 2019

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

OSHA 10 Version

- OSHA 10-Hour
- 8-Hour Fall Prevention
- 8-Hour Chapter 33
- 4-Hour Supported Scaffold User

OSHA 30 Version

- OSHA 30-Hour

100-Hour Training Program Version

- 100-hour training program that at a minimum meets the coursework identified in the curriculum for the Limited SST Card (OSHA 10 Version) or Limited SST Card (OSHA 30 Version).

REQUIRED TRAINING

SECOND MILESTONE: DECEMBER 1, 2018 OR JUNE 1, 2019

On December 1, 2018 (or June 1, 2019 if the Department determines there is insufficient capacity to provide the training), supervisors will be required to have a **Site Safety Training Supervisor Card**:

- OSHA 30-Hour
- 8-Hour Fall Prevention
- 8-Hour Chapter 33
- 4-Hour Supported Scaffold User
- 2-Hour Site Safety Plan
- 2-Hour Tool Box Talks
- 2-Hour Pre-Task Safety Meetings
- 2-Hour Drug and Alcohol Awareness
- 2-Hour General Electives
- 2-Hour Specialized Electives

REQUIRED TRAINING

SECOND MILESTONE: DECEMBER 1, 2018 OR JUNE 1, 2019

On December 1, 2018 (or June 1, 2019 if the Department determines there is insufficient capacity to provide the training), new entrants to the construction or demolition work force may begin working with a **Temporary Site Safety Training Card**, a non-renewable card that expires after six months:

- OSHA 10-Hour

REQUIRED TRAINING

THIRD MILESTONE: MAY 1, 2019 OR SEPTEMBER 1, 2020

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

OSHA 10 Version

- OSHA 10-Hour
- 8-Hour Fall Prevention
- 8-Hour Chapter 33
- 4-Hour Supported Scaffold User
- 4-Hour General Electives
- 4-Hour Specialized Electives
- 2-Hour Drug and Alcohol Awareness

OSHA 30 Version

- OSHA 30-Hour
- 8-Hour Fall Prevention
- 2-Hour Drug and Alcohol Awareness

100-Hour Training Program Version

- 100-hour training program that at a minimum meets the coursework identified in the curriculum for the SST Card (OSHA 10 Version) or SST Card (OSHA 30 Version).

MONITORING TRAINING CAPACITY

- To date, the Department has received 21 course provider applications to offer nearly 200 courses, including, but not limited to the 8-Hour Fall Prevention and 2-Hour Drug and Alcohol Awareness courses.
- The Department is reviewing the applications it has received and has been in communication with those course providers who have submitted such applications to ensure that such applications are complete and can be vetted in a timely manner.
- To date, the Department has not approved any Site Safety Training Course Providers. Therefore, Site Safety Training Cards have not been issued to workers or supervisors.

ENFORCEMENT

- The Department has been focused on performing education and outreach to the public, including owners, contractors and workers, concerning the training requirements and the associated milestones.
- New staff to enforce the law started in September, and the Department's enforcement focus has been on major buildings (greater than ten stories) and accident sites, where compliance with the requirement for a minimum of 10 hours of training has been largely satisfactory.

ENFORCEMENT

- The Department has issued 9 violations since March 1, 2018, when a minimum of 10 hours of training became required. Such violations were issued at the following construction sites:
 - **5/16/18:** 416 Kent Avenue, Brooklyn
 - *Subsequent inspection resulting in issuance of a violation conducted on 6/4/18*
 - **6/14/18:** 529 Park Place, Brooklyn
 - **6/18/18:** 3118 Clarendon Road, Brooklyn
 - **6/22/18:** 181 Front Street, Brooklyn
 - **6/27/18:** 31 Debevoise Street, Brooklyn
 - **8/1/18:** 277 South 5th Street, Brooklyn
 - **8/28/18:** 108 West 28th Street, Manhattan
 - **9/13/18:** 1533 39th Street, Brooklyn

CONSTRUCTION SAFETY COMPLIANCE UNIT

- The Department recently created a new unit, the **Construction Safety Compliance (CSC) Unit**, which is dedicated to performing safety compliance inspections.
- Since September 5, 2018, when the CSC Unit launched, the CSC Unit has conducted 968 inspections. Out of those inspections, 75% or 727 sites passed inspection and 25% or 241 sites failed inspection. Additionally, the CSC Unit has issued 356 OATH summonses, 1 DOB summons, and 140 stop work orders since its launch.
- The Department is in the process of training additional inspectors to staff the CSC Unit and expects to ramp up inspections to meet its goal of performing inspections at over 8,500 Department-permitted sites per month. These inspections will include checking for compliance with Local Law 196 of 2017.

AUDITING COURSE PROVIDERS

- Once course providers are approved to offer Site Safety Training courses, the Department will perform both course audits and training provider administrative audits.
- Course audits will include: investigators auditing courses as they are being held, ensuring courses are the proper length, checking sign-in logs for accuracy, and recording the names of trainers and attendees to compare against training providers' records.
- Training provider administrative audits will include ensuring that the providers are maintaining appropriate records, keeping the credentials of instructors on hand, utilizing an electronic database to track and readily validate training records upon the request of the Department, and that providers are issuing Site Safety Training cards acceptable to the Department.



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