

# FREQUENTLY ASKED QUESTIONS

## Construction Safety Legislation Overview

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**Q1. Would Local Law 81 (Supers Rule) be repealed or modified where Superintendents work on site with Site Safety Coordinator or Site Safety Manager?**

A1. Intro. 2276 would require Construction Superintendents on major buildings to serve alongside a Site Safety Coordinator or Site Safety Manager and amends Local Law 81 to reduce the number of sites that a Construction Superintendent can be responsible for at one time to one by 2026.

**Q2. Does Intro. 2276 require a Site Safety Manger plus a Superintendent?**

A2. Yes. Intro. 2276 would require Construction Superintendents on major buildings to serve alongside a Site Safety Coordinator or Site Safety Manager.

**Q3. It is our understanding that solar jobs which currently do not require a Construction Superintendent, Site Safety Coordinator or Site Safety Manager will have no additional requirements under Local Law 196. However, any solar jobs which would require a Construction Superintendent, Site Safety Coordinator or Site Safety Manager need to comply with the new SST requirements. Can you confirm how this will impact solar jobs?**

A3. To the extent that a solar job requires either a Construction Superintendent, Site Safety Coordinator, or Site Safety Manager it also requires workers to have Site Safety Training under Local Law 196.

**Q4. What timeline does the Department envision for the approval of the new Building Codes, industry outreach, and activation?**

A4. With few exceptions Intro. 2261 takes effect one year following enactment during which the Department will perform outreach to the industry.

**Q5. Has the cost impact of having a Construction Superintendent on each project to small General Constructions including residential buildings been considered?**

A5. Yes. The cost is de minimus relative to the cost of large scopes of work in the seven to nine story range.

**Q6. In regard to the overage of users obtaining the 62-hour SST cards. I can venture the reasoning that I've seen numerous GCs believe that Local Law 196 requires a Foreperson obtain a 62-hour Supervisor SST card. Are they misinterpreting the Competent Person under OSHA (Sub's foreman) vs. their (GCs) Competent Person?**

A6. The law requires that only the competent person serving in the place of a Construction Superintendent receive the 62-hour Supervisory Site Safety Training Card.

- Q7. The new proposal says for solely 1- 2- and 3-family projects, even if it has vertical/horizontal enlargement, a Super is not required, this means it brings down all safety requirements as most of the safety Code starts with *for sites that require a Construction Super...?***
- A7. Intro. 2278 would require that such a project have a licensed General Contractor, which will improve safety.
- Q8. Will a Construction Super be required on façade jobs that currently have an SSM and a Qualified person for Site Safety?**
- A8. Yes, if Intro. 2276 is enacted and the façade job meets the criteria for a major building a Construction Superintendent will be required.
- Q9. On a 10-story building do you need a Site Safety Manager and a Construction Super?**
- A9. Yes, if Intro. 2276 is enacted and the 10-story building meets the criteria for a major building a Construction Superintendent and Site Safety Coordinator will be required.
- Q10. Is it true that a Construction Manager/GC Permit holder (i.e. president of company) needs to be a Site Safety Trained Supervisor in order to receive building permits?**
- A10. Intro. 2278 if enacted will require the individual holding the General Contractor license to have a 62-hour Supervisor Site Safety Training Card.
- Q11. Are the requirements to become a Construction Superintendent going to become easier? Will there be enough manpower?**
- A11. If enacted, Intro. 2276 will not require a Construction Superintendent to hold a single job at a time until 2026, which allows for additional capacity to be created.
- Q12. Does an existing GC with a DOB registration get grandfathered in?**
- A12. With few exceptions Intro. 2261 takes effect one year following enactment during which the Department will perform outreach to the industry.
- Q13. Do all Competent Persons assigned by the Construction Super need to have a 62-hour SST card?**
- A13. Yes.
- Q14. If approved, when will these five legislation laws go into effect?**
- A14. Intro. 2278: Licensing General Contractors - Three years from enactment  
Intro. 2263 Requiring DOB-Licensed Safety Professionals on Major Construction Work Between 7-9 Stories - Three years from enactment  
Intro. 2276: Requiring DOB-Licensed Construction Superintendents on Major Construction Work 7 Stories and Above - January 1, 2022 with Construction Superintendents being responsible for no more than a single job at a time by January 1, 2026

Intro. 2264: Strengthening Requirements for Cold Formed Steel Construction - Immediately upon enactment

Intro. 2262: Banning Stand-Off Brackets - Immediately upon enactment.

**Q15. Will the site super also have to sign PW2?**

A15. Yes.

**Q16. Are non-licensed individuals conducting inspections onsite on behalf of licensed individuals or firms (special inspections, soil, concrete, SOE) required to have SST training?**

A16. No, although encouraged.

**Q17. Do all trades need to have the 62-hour SST?**

A17. The 62-hour Supervisor Site Safety Training is only required for Construction Superintendents (or competent persons serving in their place), Site Safety Coordinators, Site Safety Managers, and Concrete Safety Managers.

**Q18. Understanding the Supers Rule LL81 would be amended, how do the duties of a CS get affected when serving on a site with an SSM/SSC? The assumption is that those duties are fully executed by SSC/SSM. Please confirm.**

A18. Roles will be detailed in rule making.

**Q19. Does the Department expect to ban the use of C-hooks all together?**

A19. No.