

FREQUENTLY ASKED QUESTIONS

Construction Safety Legislation Overview

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 Would Local Law 81 (Supers Rule) be repealed or modified where Superintendents work on site with Site Safety Coordinator or Site Safety Manager?**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