Legislation Details (With Text)

File #:	Int 0927-2024	**Version:**	*	**Name:**	Disclosure requirements for OSHA-authorized health and safety course offerings and an education and outreach campaign to raise awareness about fraudulent health and safety courses.
Type:	Introduction			**Status:**	Filed (End of Session)
				In control:	Committee on Consumer and Worker Protection
On agenda:	5/23/2024				
Enactment date:				**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to disclosure requirements for OSHA-authorized health and safety course offerings and an education and outreach campaign to raise awareness about fraudulent health and safety courses				
Sponsors:					
Indexes:	Agency Rule-making Required				
Attachments:	1. Summary of Int. No. 927, 2. Int. No. 927, 3. May 23, 2024 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 5-23-24, 5. Minutes of the Stated Meeting - May 23, 2024				

Date	Ver.	Action By	Action	Result
5/23/2024	*	City Council	Introduced by Council	
5/23/2024	*	City Council	Referred to Comm by Council	
12/31/2025	*	City Council	Filed (End of Session)	

Int. No. 927

By Council Members Moya and Brannan

A Local Law to amend the administrative code of the city of New York, in relation to disclosure requirements for OSHA-authorized health and safety course offerings and an education and outreach campaign to raise awareness about fraudulent health and safety courses

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 27 to read as follows:

SUBCHAPTER 27

OSHA OUTREACH TRAINING PROGRAMS

§ 20-890 Definitions. As used in this subchapter, the following terms have the following meanings:

Course completion card. The term "course completion card" means a card issued by an authorized

OSHA Outreach Training Institute (OTI) or OTI Education Center that demonstrates that the recipient has successfully completed a 10-hour or 30-hour OSHA-authorized safety and health course.

OSHA. The term "OSHA" means the United States Occupational Safety and Health Administration.

OSHA-authorized course. The term "OSHA-authorized course" means a 10-hour or 30-hour safety and health course conducted by an OSHA-authorized trainer and in accordance with OSHA's outreach training program requirements.

Trainer ID number. The term "trainer ID number" means the identification number issued by an authorizing training organization to trainers who are authorized to provide a 10-hour or 30-hour safety and health course conducted in accordance with OSHA's outreach training program requirements.

§ 20-891 Display of trainer information. a. Any person offering or advertising an OSHA-authorized course shall display a sign with the course trainer's name, the expiration date of the trainer's training authorization, the training organization which authorized the trainer to deliver OSHA safety courses, and the trainer ID number for each trainer who is authorized to provide such course. If a person offering an OSHA-authorized course has not yet received a trainer ID number, the sign shall indicate that the ID number is pending. The commissioner, in consultation with the department of buildings, shall specify the form of such signs and the locations where they must be posted.

b. Any person offering or advertising an OSHA-authorized course on a website shall conspicuously post the information required by subdivision a of this section on such website.

§ 20-892 Penalties. a. A person who violates a provision of this subchapter, or of any rule or regulation promulgated pursuant to this subchapter, shall be liable to pay a civil penalty of $150 for the first violation and $750 for each succeeding violation.

b. Notwithstanding subdivision a of this section, a person shall not be subject to a civil penalty for a first-time violation of section 20-891 or any rule or regulation promulgated thereunder, if such person proves to the satisfaction of the department, within 30 days of the issuance of the notice of violation and prior to the

commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure, if accepted by the department as proof that the violation has been cured, shall be deemed an admission of liability for all purposes. The department shall offer the option of presenting proof that the violation has been cured as part of any settlement offer made to a person who has received, for the first time, a notice of violation of section 20-891 or any rule or regulation promulgated thereunder. The department shall permit such proof to be submitted electronically or in person. If the department determines that a person has not submitted proof of a cure, the person may seek review of such determination in the department's administrative tribunal within 15 days of receiving written notice of such determination.

§ 20-893 Outreach and education. The commissioner, in conjunction with the department of buildings and any other agencies identified by the mayor, shall conduct an outreach and education campaign to raise awareness about common fraudulent schemes related to OSHA-authorized courses, methods to verify a trainer's credentials, methods to verify the authenticity of course completion cards, methods to report instances of fraud, and other related topics. The commissioner shall make outreach and education materials available in the designated citywide languages as defined in section 23-1101. Such materials shall also be made available on the department's website and on the website of the department of buildings.

§ 2. This local law takes effect 120 days after it becomes law.

MLL
LS #4008
5/3/2024 4:28 PM