



Legislation Text

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Preconsidered Int. No. 720

By Council Members Williams, Menchaca, Kallos, Barron and Ayala

A Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers

Be it enacted by the Council as follows:

Section 1. The definition of “site safety training (SST) provider” in section 3302.1 of the New York city building code, as added by local law number 196 for the year 2017, is amended to read as follows:

SITE SAFETY TRAINING (SST) PROVIDER. A person who satisfies the requirements of Items 1 and 2:

1. Such person satisfies [at least one of] the [following] conditions of Item 1.1, 1.2, 1.3 or 1.4:

1.1. Such person has (i) successfully completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and is authorized to conduct such classes and (ii) if such person is conducting training for SST credits other than training that is part of an OSHA 10-hour class or OSHA 30-hour class, such person demonstrates sufficient knowledge of this chapter in a form and manner established by the department. Such person shall not be required to possess a degree[, certificate, license] or demonstrate any professional standing, approval, licensure, accreditation or certification, including approval, licensure, accreditation or certification pursuant to paragraph (2) of subdivision d of section 105-03 of subchapter E of chapter 100 of title 1 of the rules of the city of New York, as in effect on January 1, 2018, beyond showing that such person has [completed all applicable OSHA or department requirements for conducting OSHA 10-hour classes and OSHA 30-hour classes and that such person is authorized to conduct such classes] satisfied the requirements set forth in the preceding sentence.

1.2. Such person is providing training through a 100-hour training program.

1.3. Such person has been approved by the department to conduct a 40-hour course approved by the department pursuant to Article 402 of Chapter 4 of Title 28 of the *Administrative Code*.

1.4. [Such person satisfies alternative requirements that the department establishes by rule.] The department may establish by rule additional ways for a person to satisfy the requirements of this Item 1. If the department elects to promulgate such rules, a person shall be deemed to satisfy this Item 1 if such person satisfies the requirements set forth in such rules or if such person satisfies the requirements set forth in Item 1.1, 1.2 or 1.3.

2. On and after the SST full compliance date, such person has certified to the department that such person satisfies at least one of the following conditions:

2.1. Such person has a language access plan for training that relates to SST credits such person offers and such plan complies with requirements established by an agency or office designated by the mayor.

2.2. Such person satisfies each of the following conditions:

2.2.1. Such person is able to provide instruction in a language that students understand.

2.2.2. If a student's vocabulary is limited, such person will accommodate that limitation.

2.2.3. Such person is fluent in the training language or will use translators or interpreters and any such translators or interpreters will have a background in occupational safety and health.

§ 2. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of the date that local law number 196 for the year 2017 took effect.

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