



Promulgation Details for 1 RCNY 3301-03

This rule became effective on October, 15, 2019.

Since such date, one or more amendments have been made to this rule. Each rule amendment has its own effective date and Statement of Basis and Purpose.

Below you will find one or more rule amendments (the most recent appearing at the top), followed by the original rule.

The effective date of each amendment and the original rule can be found at the top of each "NOTICE OF ADOPTION OF RULE."

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendments to sections 105-03, 3301-03 and 3321-01 of Title 1 of the Rules of the City of New York regarding the full compliance date for site safety training.

This rule was published in the City Record on September 28, 2020. No public hearing was held as it was determined that a hearing would serve no public purpose.

Dated: November 2, 2020
New York, New York



Melanie E. La Rocca
Commissioner

Statement of Basis and Purpose of Rule

Local law 96 of 2020 was passed by the City Council on August 27, 2020, lapsed into law on September 28, 2020, and is deemed to have been in force and effect on and after September 1, 2020.

It amended the full compliance date for site safety training from September 1, 2020 to March 1, 2021. These rules are amended to reflect that change for language access plans, worker safety information signs at construction sites and training card requirements.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Paragraph (2) of subdivision (h) of section 105-03 of Subchapter E of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(2) Not later than [September 1, 2020] March 1, 2021, an SST provider must certify to the Department that it has a language access plan that complies with requirements established by another City agency or office designated by the Mayor.

§2. Paragraph (1) of subdivision (b) of section 3301-03 of Chapter 3300 of Title 1 of the Rules of the City of New York is amended to read as follows:

As of [September 1, 2020] March 1, 2021, workers will not be permitted to work on this site unless they have 40 hours of safety training, demonstrated by a Site Safety Training Card.

§3 Paragraph (3) of subdivision (b) of section 3321-01 of Chapter 3300 of Title 1 of the Rules of the City of New York is amended to read as follows:

(3) By [September 1, 2020] March 1, 2021, workers must have either (i), (ii), or (iii) of this paragraph (3):

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts a new rule section 3301-03 in Chapter 3300 of Title 1 of the Rules of the City of New York, regarding placing worker safety information on construction fences.

This rule was published in the City Record on July 23, 2019 and a public hearing was held on August 22, 2019.

Dated: 09/17/19
New York, New York



Melanie E. La Rocca
Commissioner

Statement of Substantial Need for Earlier Implementation

I hereby find, pursuant to §1043(f)(1)(c) of the New York City Charter, and hereby represent to the Mayor, that there is substantial need for the implementation of the new rule section 3301-03 in Chapter 3300 of Title 1 of the Rules of the City of New York, regarding placing worker safety information on construction fences

Construction safety is a critical concern for the Department. Local Law 196 of 2017, which went into effect on October 16, 2017, requires certain workers and supervisors at certain construction sites to have site safety training. To date, the training is required at nearly 8,600 construction sites throughout New York City. Given that this training requirement will apply to many thousands of workers throughout New York City, it is imperative that they know when the training is required and the number of hours of training they will need to be safe and to continue working on construction sites where the training is mandated.


Melanie E. La Rocca
Commissioner
Department of Buildings

APPROVED: 
Bill de Blasio
Mayor

DATE: 9/20/19

Statement of Basis and Purpose of Rule

Local Law 196 of 2017, which went into effect on October 16, 2017, requires certain workers and supervisors at certain construction sites to have site safety training. Such training is being implemented in three parts, with 10 hours of training for workers being required by March 1, 2018, 30 hours of training for workers and 62 hours of training for supervisors being required by December 1, 2019, and 40 hours of training for workers being required by September 1, 2020. The rule requires that information pertaining to the site safety training requirements and applicable deadlines be available to workers and supervisors within construction sites.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and section 3301.9.5 of the New York City Building Code.

New material is underlined.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Chapter 3300 of Title 1 of the Rules of the City of New York is amended by adding a new Section 3301-03, to read as follows:

§ 3301-03 Worker Safety Information at Construction Sites.

(a) Required signs. Worker safety information signs are required at all construction sites where site safety training is required as set forth in BC Section 3321. Such signs must be posted by the general contractor.

(b) Content of signs. Worker safety information signs at construction sites must state as follows in all the languages used by the workers to communicate at the construction site:

(1) “As of December 1, 2019, workers will not be permitted to work on this site unless they have 30 hours of safety training, demonstrated by an OSHA 30 card, a Limited Site Safety Training Card, or a Site Safety Training Card.

As of December 1, 2019, workers serving as a site safety manager, site safety coordinator, concrete safety manager, construction superintendent or a competent person, as required by Section 3301.13.12 of the Building Code, will not be permitted to work on this site unless they have 62 hours of safety training, demonstrated by a Supervisor Site Safety Training Card.

As of September 1, 2020, workers will not be permitted to work on this site unless they have 40 hours of safety training, demonstrated by a Site Safety Training Card.

Visit www.nyc.gov/nycsafety or call 311 for more information.”

(2) The statement “TO ANONYMOUSLY REPORT UNSAFE CONDITIONS AT THIS WORK SITE, CALL 311”

(3) Any additional information related to safe work practices provided by the department.

(c) Specifications for signs. Worker safety information signs must comply with the following requirements:

(1) Such signs must be 44 inches wide and 30 inches high, with the content required by subdivision (b) of this section written in the Calibri font or similar sans serif font style, with letters a minimum of 1 inch (25 mm) high, as measured by the upper case character. Such letters must be white, on a blue background, with such blue color of a shade matching Pantone 296, or RGB 15, 43, 84, or CMYK 100, 88, 38, 35.

(2) Such signs must be constructed out of a durable and weatherproof material such as vinyl, plastic, or aluminum, and such material must be flame retardant in accordance with NFPA 701 or listed under UL 214.

(d) Placement of signs.

(1) **Visibility.** Worker safety information signs must be posted within the site in a location that is readily visible to workers.

(2) **Site areas with construction fencing.** In site areas bound by construction fencing, at least one sign must be placed at each egress point on the inside of the fencing, including vehicle delivery fence gates and existing loading docks.

(3) **Site areas without construction fencing.** In site areas not bound by construction fencing, at least one sign must be placed at each egress point within the controlled access zone where construction is taking place and at each existing loading dock or location being used for construction delivery or access.

(e) Violations. Failure to comply with any of the requirements of subdivisions (a) through (d) of this section may result in the issuance of a violation.