



STANDARD CONSTRUCTION OPERATING PROCEDURE

City of New York Department of Design and Construction
Division of Infrastructure Bureau of Construction

SUBJECT: SAFETY/COALITION INCIDENTS POLICY

APPROVED: 
Assistant Commissioner - William F. Lipski, P.E.

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CATEGORY.... : SAFETY
Subcategory : SITE SECURITY

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DDC' s Site Safety/Coalition Policy requires all jobsite personnel (Contractors, Consultants, and DDC staff) to follow the Mayor's Office of the Director of Construction (ODC) procedures (attached) for dealing with Safety/Coalition incidents on sites. This previously issued ODC memorandum is still in effect except that the ODC's phone number has changed to **(646) 252-2129**. Please ensure that all DDC field staff, Consultants and Contractors are provided with the attached policy and that it is reviewed at all preconstruction meetings.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
OFFICE OF CONSTRUCTION

52 Chambers Street - Room 2015
New York, New York 10007
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312-8100

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DEPUTY CHIEF, SEWERS

RUDOLPH J. RINALDI, Director

DANIEL J. KRISTON, First Deputy Director

MEMORANDUM

TO: Distribution

FROM: Donald E. Marshall *D. E. M.*
Deputy Director

DATE: July 10, 1992

RE: SITE SECURITY AND ACCESS - PROCEDURES

The recent increase in picketing and the activities of various groups (Coalitions) at City construction sites has threatened the safety of personnel and property. While we are cognizant of the rights of individuals and groups to petition government and present their grievances, activities which disrupt or stop construction activities or threaten life or property will not be allowed. You must be tolerant of peaceful picketing and deem each complaint made as worthy of review and appropriate response. Of particular concern is the need to respond to demands by individuals for jobs on City construction projects.

To respond to these activities, the following guidelines shall be implemented immediately:

1. Where possible, a separate entrance shall be designated and appropriately marked as the construction entrance to be used for construction site access only. Establish a separate entrance designated for access by operating personnel, visitors and other.
2. All gates controlled by security guards under a requirement contract, separate construction contracts or City personnel shall be kept closed and opened only for access by employees or others on legitimate business as set forth above.

3. In case of picketing by either a labor organization or other group, the plant/site supervisors and the security guards shall notify the local police precinct and request police presence at the site. Field engineers or personnel in charge of the construction site shall contact the local police precinct commander to establish a contact person who will be notified in the event of picketing or other occurrences. At the same time, notify agency personnel responsible for implementation of these procedures.
4. Notify the Mayor's Office of the Director of Construction (ODC) and the Mayor's Community Assistance Unit (CAU) of incidents at construction sites.
5. In case of trespass on City property or construction sites by unauthorized persons, call the Police emergency number 911 and emphasize that you are calling from a construction site and that the activities you complain of involve a "coalition group" and assistance is requested to maintain the peace, prevent physical confrontation and to take appropriate action against the trespassers.

The unlawful acts which normally would require recourse to 911 would include threats of violence, property destruction or actual physical assaults. In the event of threats, you should not wait until they materialize into action. Act immediately when any member of the group threatens property damage or physical injury. Similarly, where the coalition members engage in any acts of violence, however minimal, involving damage to property or assaults on a person, call 911 immediately.

When you call 911, identify yourself, give your title and report succinctly the substance of your complaint. Then ask for immediate assistance. For example, if 20 coalition members visit your job site, knock down a section of "protection" in order to get onto the site and begin to threaten construction workers on the site, call 911 and state:

My name is John Smith. I am the Resident Engineer, etc. for the City of New York at a construction site at 42nd Street and Broadway. We have a coalition demonstration in process, and these people are destroying property and threatening construction workers. Please send several radio cars as quickly as possible. The exact address is 1500 Broadway; it is in the north/ west corner of the intersection.

You should then send a person to the nearest intersection to wait for the police and guide them to the site. In addition, you should monitor the activities of the coalition members and take notes.

- 6. Upon arrival of Police, a verbal request to arrest the trespassers shall be made to the police officer in charge by the agency through its previously designated person present at the site. No formal signed complaint is necessary at this time.
- 7. Identify as promptly as possible eye witnesses to any violence perpetrated by coalition members on your job site.

In order to make a lawful arrest for illegal conduct which the police themselves do not witness and in order for the district attorney to successfully prosecute a lawful arrest in court, eyewitnesses to the illegal activities must be prepared to sign complaints, execute affidavits and appear as witnesses in judicial proceedings. The Resident Engineer should make an immediate effort to identify potential eyewitnesses by name, the actual victims of the attack and persons who saw the illegal acts take place. These eyewitnesses may be asked to identify perpetrators at the job site, or subsequently in a line-up or eventually in court. Request the appropriate city employees and contractors' staff to assist you in finding eyewitnesses. The Resident Engineer must assist the police in identifying these eyewitnesses, in persuading them to step forward to assist the police, and in ensuring that the police act appropriately based on the information given to them by these eyewitnesses.

- 8. The site supervisor or person in charge must be notified of the incident. Notification procedures and telephone numbers shall be established for each site. A copy of this directive and applicable agency memorandums shall be made available to the police officer in charge for his information.
- 9. In the event of assault by the intruders/trespassers on contractor or City personnel, the individuals should file personal complaints against the perpetrators.
- 10. In the event of the destruction of contractor's or personal property by intruders/trespassers the affected individuals should file the appropriate complaints with the police and seek damages in a civil proceeding.

11. In the event of damage or destruction of City property, the Commissioner or designee shall file the appropriate complaints with the police and seek to recover damages. Notice shall be given to ODC regarding these actions.
12. The Resident Engineer or other person in charge shall write a brief summary report of the events that occurred, including the statements from witnesses and responses of the police officials involved. Try to include names and physical descriptions in this summary. Send a copy of the report to ODC.
13. Each agency's site representation shall establish liaison with the local police precinct commander.

If you are visited by a coalition group and there is no immediate threat involved, but there is a prospect of eventual problems contact your precinct liaison and report the situation.

14. Each agency shall distribute this directive to all staff responsible for administration at construction sites or incorporate it into an agency standard operating procedure, as appropriate.

Questions regarding this directive shall be directed to Donald Marshall at ODC (212) 788-2502.

DEM/lms

Addendum
Office of Construction
Memorandum
July 10, 1992

SITE SECURITY

PERIMETER SIGNAGE

To convey proper notice to persons seeking to enter upon a city construction site, conspicuously affix a sign at the entrances (gates) in the following format:

**NO TRESPASSING
AUTHORIZED
PERSONNEL
ONLY**

If fences are not used (street work), notice shall be conveyed by incorporating the above language into the safety materials (barrier, tape).

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