



**THE PUBLIC ADVOCATE  
FOR THE CITY OF NEW YORK  
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**POLICY & INVESTIGATIVE  
REPORT: Occupational  
Hazards**

**Improving Workplace Safety  
and Trainings in New York  
City's Construction Industry**

New York City Public Advocate  
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## Introduction

Every year in New York City, dozens of construction workers lose their lives while on the job. In 2015 alone, there were 25 construction fatalities. Although the federal Occupational Safety and Health Administration (OSHA) established safety training standards and guidelines, and City and State laws require a minimum number of training hours for construction workers, the system for providing that safety training and certification is highly flawed. Workplace safety trainings lack oversight, fraud is commonly used to bypass training requirements, and employers are often not concerned with ensuring workers have proper safety certifications. As a result, construction workers are subject to far too much risk without appropriate training. The Public Advocate's Office met with various stakeholders including workers and workplace safety trainers to better understand the underlying issues to this serious problem. Based on our investigation and research, this report proposes the following recommendations to make workplace safety trainings more accessible and transparent, increase public awareness, and hold employers more accountable:

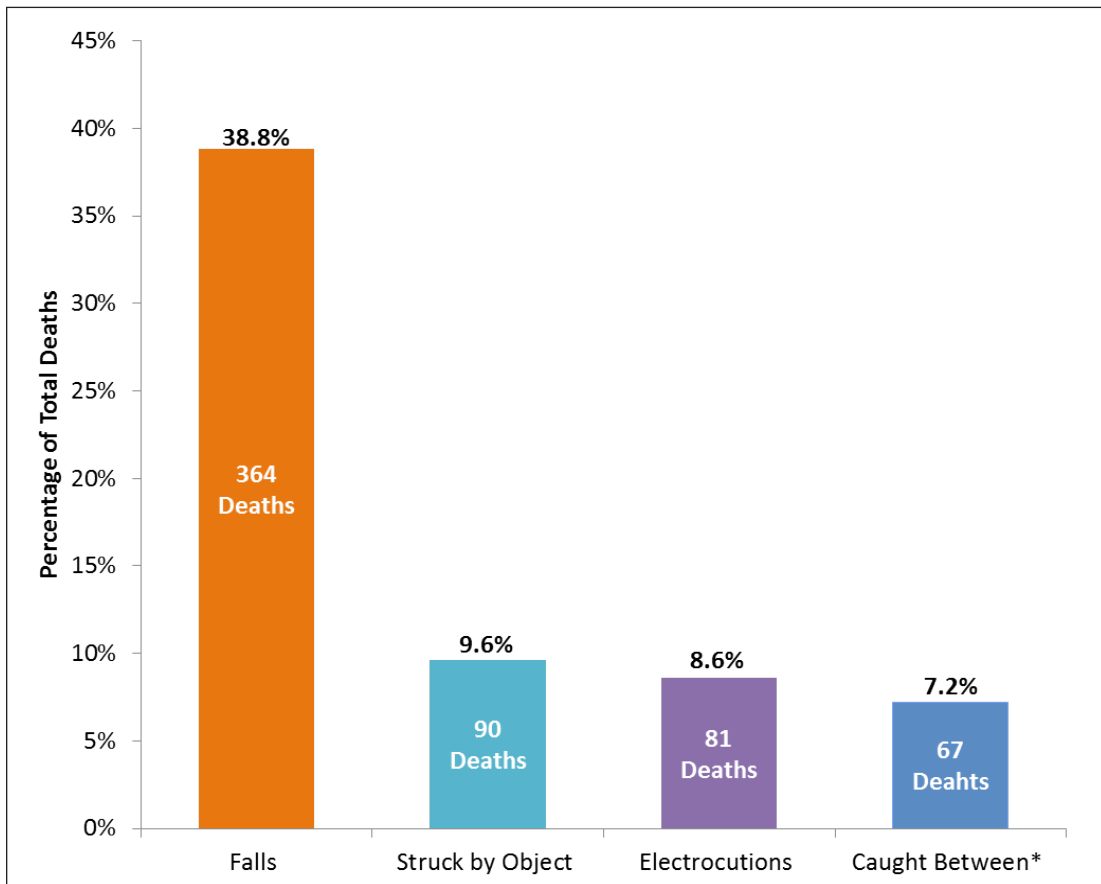
1. Designate a City agency to oversee authorized OSHA trainers.
2. Allow workers to exchange illegitimate completion cards for free workplace safety trainings.
3. Promote a worker cooperative model to train workers.
4. Increase local access to trainer certification programs.
5. Utilize publicly-owned property for workplace safety trainings.
6. Strengthen protections at workplace safety trainings to prevent possible abuse.
7. Increase training requirements for workers.
8. Invest in and expand language access and education for construction workers.
9. Ensure that enforcement is focused on employers and not workers.
10. Cease City business with companies that have been convicted of a felony related to worker safety.
11. Launch a pilot program requiring workplaces to electronically verify the validity of employees' OSHA cards.
12. Require posting of headcounts at work sites.



## Dangers of Working in the Construction Industry

Construction is a high-risk industry that regularly exposes workers to serious bodily harm. These risks include operating dangerous machinery and equipment, working at unsafe heights, and being exposed to hazardous materials.<sup>1</sup> Of the 4,836 worker fatalities that occurred nationwide in 2015, nearly one-fifth happened in the private construction industry<sup>2</sup> — the highest share of fatalities attributable to private sector construction since 2008.<sup>3</sup> The leading causes of these fatalities were falls, being struck by objects, electrocutions, and being caught between two objects.\*<sup>4</sup> These causes, known as the “Fatal Four,” made up 64 percent of construction deaths in 2015 (see **Chart 1**).<sup>5</sup>

**Chart 1: Leading Causes of Construction Fatalities in the United States (2015)**



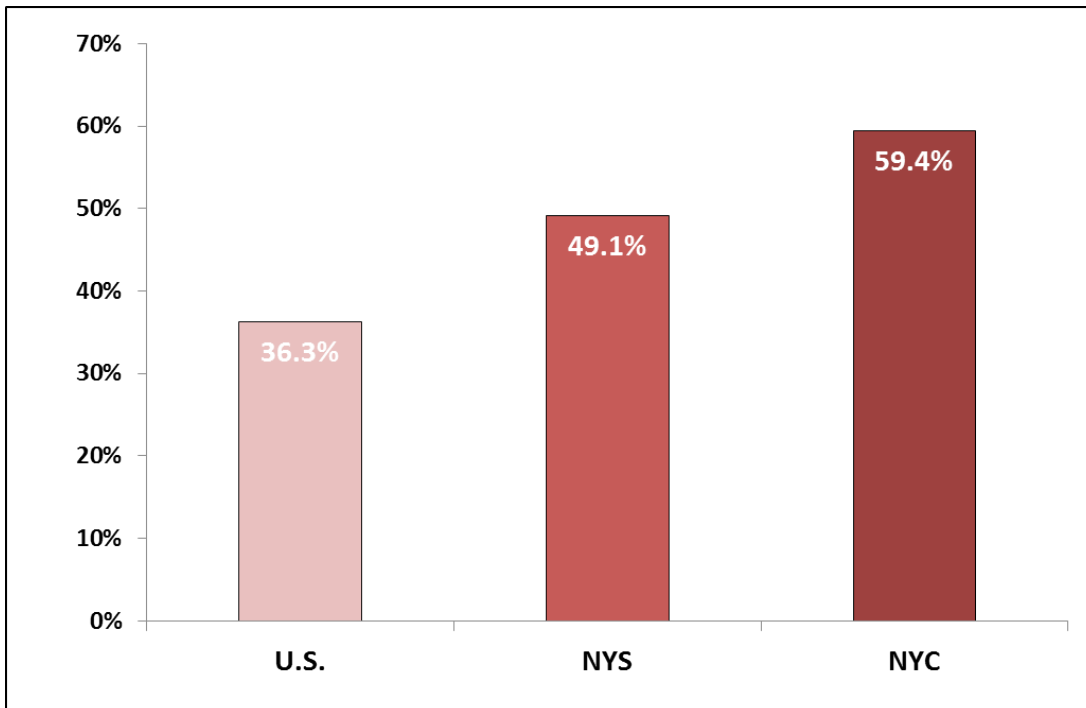
Source: OSHA

\*According to OSHA, “this category includes construction workers killed when caught-in or compressed by equipment or objects, and struck, caught, or crushed in collapsing structure, equipment, or material.”

## Improving Workplace Safety and Trainings in New York City's Construction Industry

In New York City, roughly one-third of all workplace deaths occur in the construction industry.<sup>6</sup> This is the case even though construction jobs represent only three percent of the total workforce in the City.<sup>7</sup> In 2015, 435 workers were injured at construction sites in New York City, including 25 workers who lost their lives.<sup>8</sup> Fatalities from falls make up a higher percentage of construction deaths in New York State and City compared to the national average (see **Chart 2**).<sup>9</sup> These deaths are particularly disturbing because many fatal falls could have been prevented through the use of proper scaffolding and harnesses.<sup>10</sup>

**Chart 2: Construction Fatalities Caused by Falls (2011-2015)**

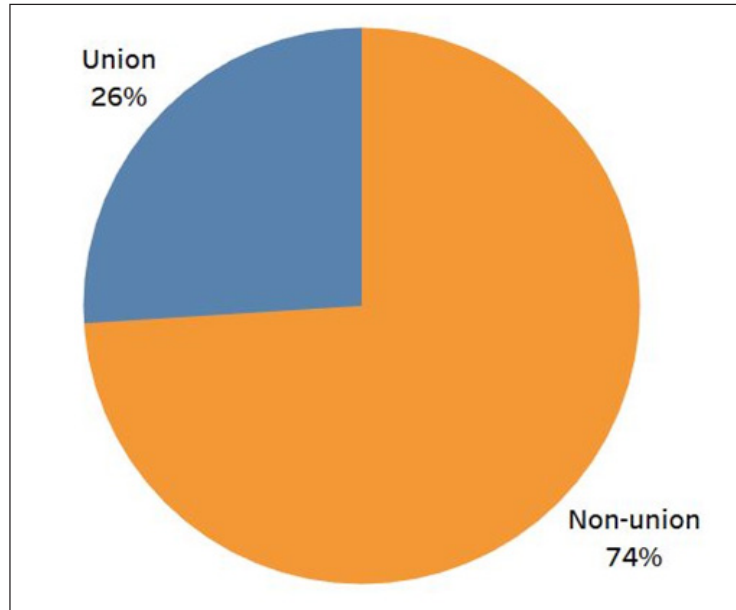


Source: NYCOSH

A disproportionate number of construction workers killed on the job are non-union workers. In 2015, 74 percent of workers killed at construction sites in New York State were non-union workers (see **Chart 3**).<sup>11</sup> Communities of color are more likely to be employed in non-union construction jobs, meaning that the high death rates in non-union jobs impact these communities in higher numbers. For example, in New York City, Hispanic workers comprise 50 percent of the non-union construction workforce and only 29 percent of the unionized construction workforce (see **Chart 4**).<sup>12</sup> Not surprisingly, a disproportionate number of Hispanic workers lose their lives at construction sites each year: 57 percent of construction fatalities due to falls were Hispanic workers in 2015 even though they made up just 30 percent of the total construction workforce in New York State.<sup>13</sup>

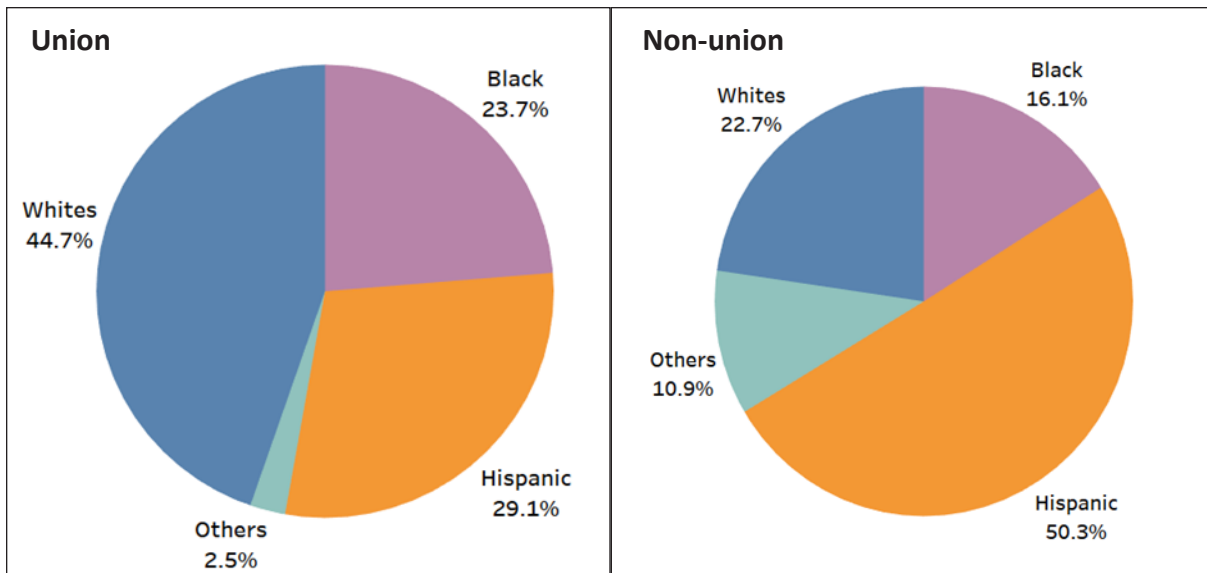


**Chart 3: Non-union vs. Union Fatalities at OSHA Inspected Construction Sites (NYS, 2015)**



Source: NYCOSH

**Chart 4: Demographics of Construction Industry in NYC**



Source: Economic Policy Institute

Construction worker safety education is vitally important to reduce the number of deaths and serious injuries that occur at construction sites. Unfortunately, not all training programs comply with the legal requirements. An investigation conducted by the Public Advocate’s Office demonstrates that programs to educate construction workers are rife with fraud and abuse, resulting in an ineffective training system.

## Existing Laws and Regulations

The Occupational Safety and Health Administration (OSHA) is the federal entity charged with ensuring workplace health and safety. OSHA regulates workplace safety standards, conducts outreach and education for employers and employees, and provides training for workplace safety instructors, especially in higher-risk industries. OSHA's purview is divided among four industry categories: general industry, construction, maritime, and disaster site worker.

In addition to OSHA's standards, state and local laws govern some aspects of worker safety. Existing New York State and City laws mandate training requirements of 10-hour and 30-hour classes (known as OSHA 10 and OSHA 30) depending on a worker's management level and the types of construction projects they are engaged in.<sup>14</sup>

**New York State Labor Law § 220-h** requires all on-site laborers, workers, and mechanics on any public work projects of at least \$250,000 to successfully complete the OSHA 10-hour construction safety and health course.

**New York City Building Code § 3310.10.2** requires all workers employed at a major building site to complete a training of at least 10 hours that is approved by OSHA or the New York City Department of Buildings commissioner.<sup>15</sup> Unlike the State's labor law standard, which does not require renewal, New York City requires that the training must be done every five years. Additional hours of training apply depending on the type of work or responsibilities.

**New York City Building Code § 3310.10.2** also sets forth acceptable proof of OSHA training:

1. A bona fide course completion card; or
2. A copy of such card with either:
  - a. A training roster, attendance record, or other documentation from the authorized trainer pending the issuance of such card; or
  - b. Other valid proof which may be approved by the commissioner.

Starting in 2016, in order to reduce fraud and ensure card durability, OSHA introduced new training completion cards made out of plastic (similar to a credit card) that include a unique code that is verifiable online.<sup>16</sup> However, because the completion cards do not expire for five years, the old paper completion cards will remain valid until 2020.

OSHA also makes it clear that trainers are obligated to provide trainings in a language that students understand.<sup>17</sup> If a trainer cannot provide trainings in a language accessible to all students, the trainer should employ a translator or refer students to another training center that can accommodate the students' language needs.





## Problems: Training Fraud, Employer Violations, and Lack of Oversight and Inspections

### I. Inadequate and Fraudulent Training

A key problem with the current system for ensuring worker safety is inadequate training and improper conduct of certain entities that purport to certify worker trainings. The Public Advocate’s Office met with advocates and workers and reviewed records of complaints filed by victims of fraudulent practices, including the sale of cards to workers who have not actually completed trainings. Several local for-profit workplace safety training centers provide inadequate trainings and engage in a variety of fraudulent practices related to completion cards, all of which severely compromise worker safety. Additionally, the Public Advocate’s Office discovered several unauthorized online training courses.

Workplace safety instructors and locations engaged in the following practices:

- 1. Incomplete Trainings** - Some training centers issued completion cards to workers who did not fulfill the required hours of training or had been trained in a language they did not speak. In some cases, workers were not aware that they were not receiving adequate training hours or that they had a right to language accommodations. This is all the more troubling because many of these workers paid for the trainings themselves and were not seeking to skirt the requirements (see **Testimony 1** below).

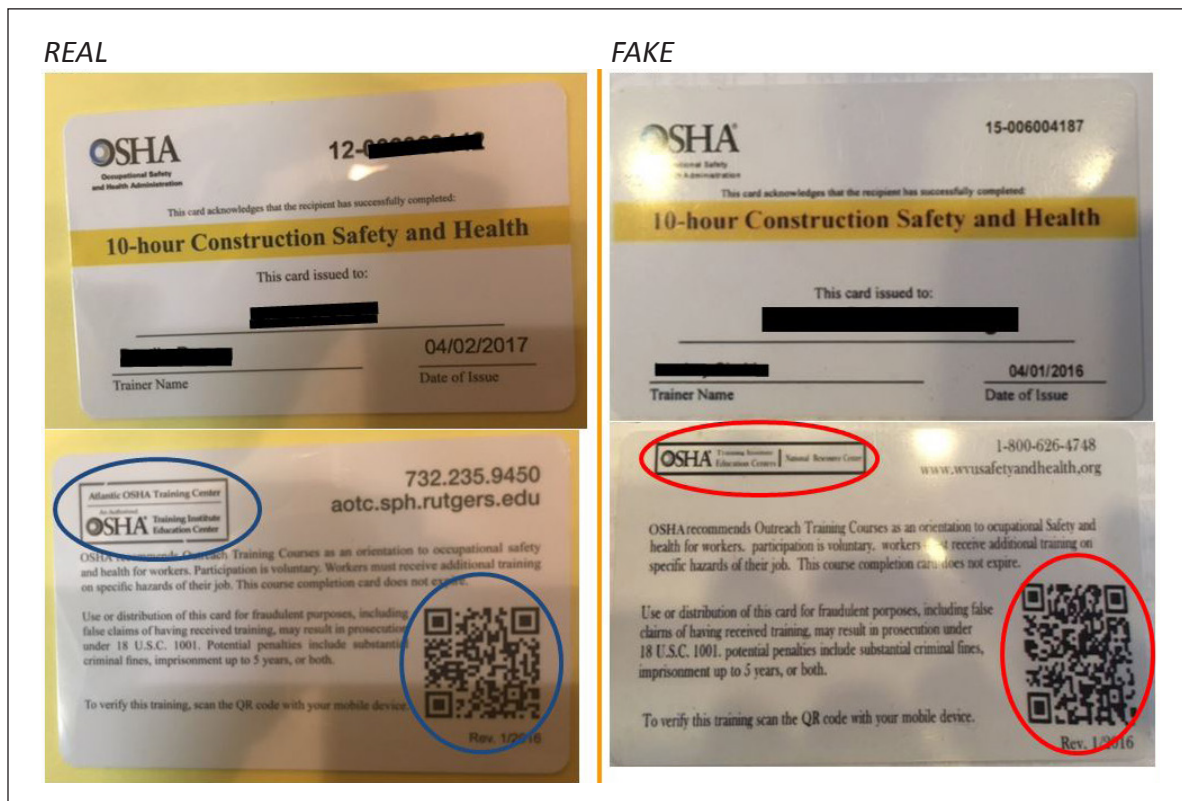
#### Testimony 1

*James paid \$400 to take the OSHA 10 and 30 courses with Choyle OSHA Training, LLC. James finished the OSHA 30 training in three days and was the only person in his class. OSHA requirements state that 10-hour classes must be given over the course of at least two days and 30-hour classes over the course of at least four days.<sup>18</sup> They also require class size to be a minimum of three and maximum of 40 students.<sup>19</sup> James received a proof of attendance (see below image), but never received an OSHA completion card.*



**2. Sale of Illegitimate Completion Cards** - Fake or doctored completion cards are sold illegally to targeted communities that have a large number of immigrant workers, many of whom have limited English proficiency. Advertisements for these cards often seem legitimate and some workers are not aware that this practice is illegal. The sale of illegitimate completion cards is possible, in part, because OSHA continues to accept paper cards, which are easy to replicate. Although the recent adoption of plastic cards helps diminish the likelihood of fraud, it is not a perfect solution as fraudulent plastic cards are already being produced illegally (see **Testimonies 2 - 4** below).

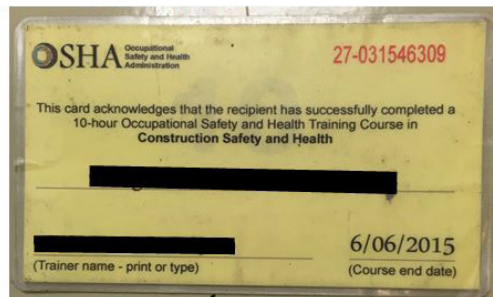
**New Completion Card (Plastic Version)**





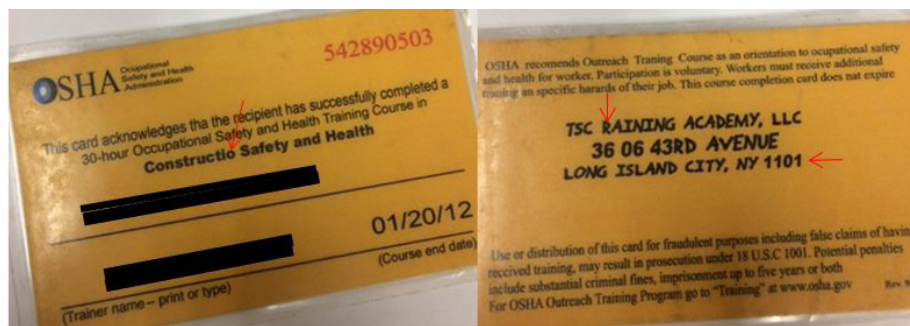
**Testimony 2**

Michael is an OSHA-authorized trainer who belongs to a worker cooperative, OSHA Solutions, that provides workplace safety trainings. Last year, Michael found a fraudulent card with his name on it as a signed trainer. Michael never signed this completion card and does not know how this fraudulent card was produced. Michael’s colleagues at OSHA Solutions have also encountered similar cases of fraudulent cards bearing their names.



**Testimony 3**

TSC Training Academy is an established training center with OSHA-authorized trainers. This for-profit center has a good reputation. The card shown below, which was found at a park, uses the actual address of TSC Training Academy, but misstates the ZIP code and misspells the school’s name. This minor difference makes it very difficult to distinguish between real and fraudulent cards.



**Testimony 4**

Alexandra is an OSHA-authorized trainer who works with community-based organizations such as New Immigration Community Empowerment and Centro de Derechos Laborales. Alexandra has been providing trainings at least once per month for over two years. Alexandra has noticed a group of the same individuals repeatedly attending free OSHA classes. Those individuals take the classes using a different name each time and have received multiple OSHA completion cards. Alexandra assumes that those cards end up being sold illegally for \$300 to \$500 each. Alexandra says there is currently no mechanism for trainers to prevent such fraudulent actors.

- 3. Employment Agency Fraud** - Input from victims and complaints reported through the Federal Trade Commission's Consumer Sentinel Network indicate that several businesses that purport to be employment agencies falsely advertise desirable jobs in local newspapers or online that require completion of a workplace safety course. These supposed employment agencies encourage applicants to sign up for a particular training program with the promise of a job after completion, which they claim will reimburse the cost of the course. The training, which is usually not OSHA-authorized, is not attached to an actual job and the individuals are left to pay for the training themselves (see **Testimony 5** below). This practice is not limited to the construction industry.

#### Testimony 5

*Guillermo posted his resume on Indeed.com. He was contacted by an employment agency called A.C.M. Services, LLC, which offered to refer him to a job under the condition that he bring \$100 in cash to cover the agency's application fee. Once Guillermo arrived, he was asked on the spot to pay an additional \$340 to take an OSHA 10 training for general industry. Guillermo made the payment and came back to the agency the following day to take the training. Guillermo only received two hours of video training and received a proof of attendance (see image below) but never received his OSHA completion card. The OSHA training policy states that videos cannot comprise more than 25 percent of the instructional time.<sup>20</sup> He was never refunded the \$440 he paid to A.C.M. Services, LLC.*



- 4. Fraudulent Online Classes** - There are only nine online training providers that are currently authorized by OSHA. However, a web search demonstrates an abundance of unauthorized online class providers. It is hard for workers to distinguish programs that are authorized by OSHA from those that are not. OSHA-authorized online training providers can be found on the agency's website ([https://www.osha.gov/dte/outreach/training\\_providers.html](https://www.osha.gov/dte/outreach/training_providers.html)). Workers are lured into taking online classes because of cheaper training costs and flexible schedules. However, numerous OSHA trainers told our office that the non-authorized online classes rarely send completion cards back to the clients.



### Training for OSHA Safety Instructors

One contributing factor to the problems associated with workplace safety trainings is the lack of viable ways to train and certify instructors. OSHA Training Institute (OTI) Education Centers are a national network of non-profit organizations authorized by OSHA to deliver the OSHA Outreach Training Program. However, OTI centers are limited in number and not conveniently located for individuals in the New York City metropolitan area: there are only three centers serving the New York/New Jersey region, two that are in Buffalo and Rochester, and one that is in New Jersey.<sup>21</sup>

## II. Employers Committing Violations

Employers play an important role in ensuring construction worker safety and there are serious consequences when employers do not take that role seriously. According to the New York Committee for Occupational Safety and Health's (NYCOSH) annual report on construction fatalities in New York State, there is a high correlation between employer violations of health and safety laws and worker fatalities.<sup>22</sup> The report found that 87 percent of sites where worker fatalities occurred in 2014 had OSHA safety violations; and more than 90 percent of sites where fatalities occurred in 2015 had OSHA violations.<sup>23</sup> The issue is even more pronounced where workers died from falls: every single construction site with fall-related deaths in 2014 and 2015 had OSHA safety violations.<sup>24</sup> Looking further back, over 80 percent of the sites where fatal falls occurred between 2004 and 2011 had OSHA violations.<sup>25</sup>

Employers have also played a role in schemes to get around mandatory worker training. The Public Advocate's Office identified several common types of employer fraud related to OSHA trainings including the following (see also **Testimonies 6 - 8** below):

1. Handing out fake completion cards to construction workers without providing the proper trainings;
2. Forcing construction workers to obtain fake completion cards; and
3. Breaking promises to pay for workplace safety classes and instead forcing workers to pay or deduct the cost from worker paychecks.

### Testimony 6

*Trainees at OSHA Solutions discovered employers who create fake OSHA completion cards in the event that an OSHA inspector visits the site. If an inspector arrives, employers provide workers with these fake OSHA cards and IDs.*

**Testimony 7**

*Rodrigo really needed a job. At an interview, Rodrigo's prospective employer pressured him to get a fake completion card saying, "If you don't show up tomorrow with an OSHA card, I will not be able to give you the job." Since OSHA 10 classes take at least two days to complete, Rodrigo was forced to choose between finding a fake card and not being hired. He found a way to obtain an illegitimate card, and was hired without the proper training.*

**Testimony 8**

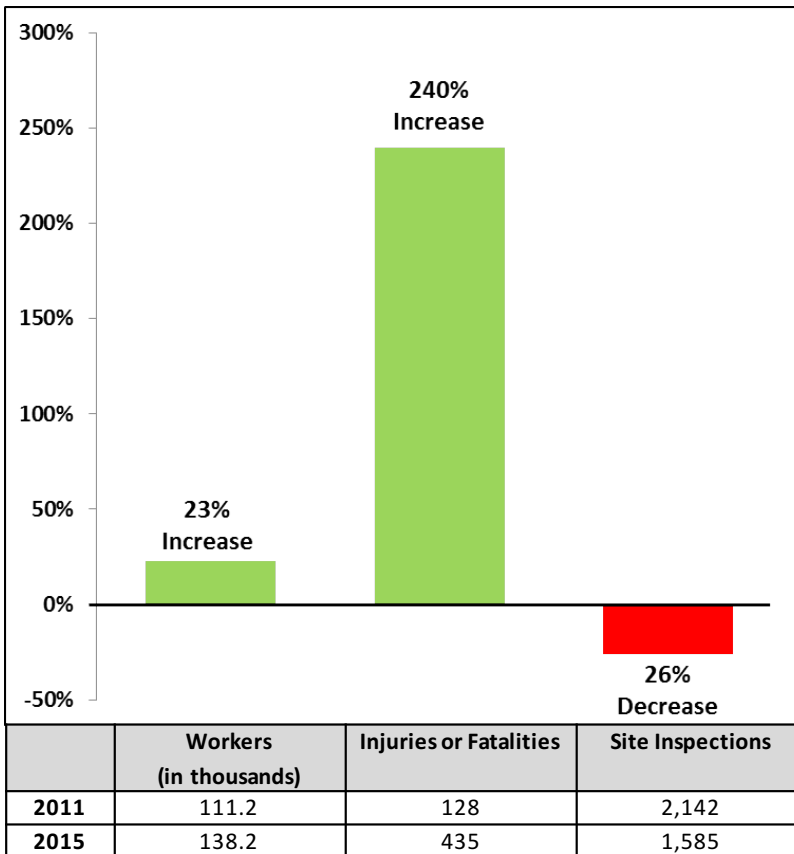
*Kevin and Julio were asked by their employer to take workplace safety training classes, for which the employer promised to pay. The OSHA 10 and 30 and advanced scaffolding trainings were supposed to cost around \$3,000 per worker. After only attending two full trainings, Kevin and Julio received completion cards for all four trainings. Contrary to the employer's promise, the classes were not paid for, but instead \$3,000 was deducted from Kevin's and Julio's paychecks.*



### III. Lack of Oversight and Inspections

While the number of construction workers in New York City increased by 23 percent between 2011 and 2015, construction-related injuries and fatalities have skyrocketed during that time, jumping 240 percent, from 128 incidences in 2011 to 435 in 2015.<sup>26, 27</sup> During that time, however, OSHA construction site inspections have declined: between 2011 and 2015, the number of OSHA construction site inspections decreased by 26 percent from 2,142 to 1,585 (see **Chart 5**).<sup>28</sup> OSHA has just 80 inspectors in New York State to investigate worksite safety across all industries (not just construction).<sup>29</sup> Despite these distressing numbers, the Trump administration recently announced significant cuts to the federal Department of Labor’s budget, which will likely result in even less federal workplace safety oversight.<sup>30</sup>

**Chart 5: Statistics from 2011-2015**



Source: NYCOSH

## Recommendations

***Making Workplace Safety Trainings More Accessible and Transparent*** - While construction-worker safety-training is essential, the limited number of trainers and training facilities may create conditions conducive to an illegal market for training completion cards. To combat that possibility, the City must create a sustainable model to train more trainers and provide more affordable classes. The City must also address fraud issues.

1. **Designate a City agency to oversee authorized OSHA trainers.** The City should designate an agency that will require registration of all OSHA-authorized trainers offering classes in New York City and provide oversight of those trainers. That agency should also make available guidelines for training centers and online classes. In addition, the City agency can help workers to identify responsible trainers by providing a list of registered trainers on its website and periodically auditing trainings to ensure their quality.
2. **Promote a worker cooperative model to train workers.** Building trust within communities of construction workers who share a common language and culture can help to prevent workers from falling victim to fraudulent actors or schemes and give them more motivation to comply with safety requirements. A worker cooperative is a form of shared entrepreneurship where workers own and control a business together.<sup>31</sup> The City should promote such worker cooperative models to encourage more workers to become authorized trainers and to give workers a greater interest in meeting the training requirements.
3. **Increase local access to trainer certification programs.** The City should work with a certified OTI such as the Rutgers University School of Public Health or the Atlantic OSHA Training Center at the University of Buffalo to create trainer certification programs locally in New York City. This remote training approach has been used by some non-profit organizations, including the Labor Institute in conjunction with United Steelworkers. One way to offer these types of trainer certification programs locally would be to partner with the Joseph S. Murphy Institute for Worker Education and Labor Studies at the CUNY School of Professional Studies. In addition to offering trainer certifications, this type of program could also help facilitate trainings done by non-profit organizations and worker cooperatives.
4. **Utilize publicly-owned property for workplace safety trainings.** One of the biggest challenges trainers face is finding reasonably-priced space where they can offer trainings. By providing low- or no-cost space for trainings in locations such as public libraries or schools, the City can make it easier for individuals and organizations to offer trainings and may, in turn, reduce the cost for students to attend those trainings. For example, the Queens Public Library provides free workplace safety classes thanks to grant funding.<sup>32</sup>





5. **Allow workers to exchange fake or doctored completion cards for free workplace safety trainings.** The City should allocate funding to support programs that offer free OSHA classes to workers who bring in fraudulent completion cards. Community and non-profit organizations, consulates, and the Manhattan District Attorney’s office have partnered together to offer these types of free trainings.<sup>33</sup> By supporting these programs, the City can help to remove illegitimate cards from the streets and ensure that workers who otherwise would not obtain the training, or be required to pay for it twice, receive proper training free of charge.
6. **Strengthen protections at workplace safety trainings to prevent possible abuse.** As shown in Testimony 4, individuals take safety training classes under different names in order to receive multiple OSHA completion cards and sell them illegally. To prevent such cases, the designated oversight agency should authorize and require trainers to ensure that individuals attending trainings are who they say they are. This should include requiring a valid form of photo identification, including IDNYC.
7. **Increase training requirements for workers.** The type of construction that occurs in New York is unlike that of any other city in the U.S. This is reflected in the City’s skyline as much as it is in its construction fatality statistics. In order to ensure that workers are prepared for the specific challenges associated with New York City construction, there should be City-specific training required for construction workers, especially those who conduct their work at unsafe heights. In order to ensure that this training is widely available, the City should work with organized labor, the library systems (Queens Public Library already has a fine program worth emulating), CUNY, worker cooperatives and other organizations to provide instruction and certification for the individuals and institutions that would offer these trainings.

***Increasing Public Awareness and Holding Employers More Accountable*** - In addition to increasing the accessibility and transparency of trainings and addressing fraud, there are several measures that the City and employers can take to strengthen worker protections and increase the likelihood that workplace safety rules are followed.

1. **Invest in and expand language access and education for construction workers.** Effective communication during workplace safety trainings and at construction sites is important to create a safe work environment. The City should hire in-house bilingual employees at the agency designated to oversee workplace safety trainers. The City should also launch and support a language learning program for limited English-speaking workers. California currently has a “Language Learning Project” that provides tuition, books, and paid study time for employees interested in learning a second language after work hours at its state and city community colleges.<sup>34</sup>

2. **Ensure that enforcement is focused on employers and worker safety.** The goal of these proposals is worker safety protection; with that focus in mind, vigilant enforcement should not become a way to generate revenue on the backs of the City's construction workers. To avoid doing so, the enforcement provisions associated with these new requirements should be aimed at employers. In addition to being consistent with a policy to protect workers, this will also ensure that employers have incentive to verify employee training.
3. **Cease City business with companies that have been convicted of a felony related to worker safety.** Changing business behavior through the leverage of the procurement process is one way the City can exercise more control over practices within the construction industry. The City should make it an official policy not to contract, or allow for subcontracts, on City projects with companies that have been convicted of a felony related to worker safety. Such a change to the City's procurement law would likely require legislation in Albany.
4. **Launch a pilot program requiring workplaces to electronically verify the validity of employees' OSHA cards.** Technology has advanced enough that it is reasonable to ask employers to electronically verify the validity of workers' completion cards. The City should create a pilot program that allows for this type of verification and, if successful, implement it Citywide.
5. **Require posting of headcounts at work sites.** One of the biggest causes of workplace accidents is "overmanning." Construction sites are often flooded with workers who are responsible for different aspects of the job while working in tight quarters. These conditions tend to magnify risks already present at construction sites — congestion and overmanning increase the risk of falls, being struck, and other types of accidents. A bill to require a daily posting of the number of workers at a particular site will help project managers better plan and organize personnel, allow workers to be aware of overcrowding and the need for precautions, and ensure that enforcement officials or, if the need arises, emergency medical providers, are aware of the number of workers at a site at any given time.



## Conclusion

Based on the research, investigation, and interviews conducted by the Public Advocate's Office, the preceding recommendations will reduce the number of serious injuries and fatalities at construction sites in New York City. Moreover, implementing these recommendations will ensure that workers know their rights and the appropriate protocols, which will empower employees and hold employers accountable for the health and safety of their workers.

## Acknowledgements

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The Public Advocate would also like to thank all individuals who provided testimonies to this report. All interviews conducted by the Public Advocate's Office are kept confidential and any testimonies shared in this report have been listed under a pseudonym.



## End Notes

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- <sup>1</sup> Occupational Safety and Health Administration (OSHA), “Construction Industry” <<https://www.osha.gov/doc/index.html>>.
- <sup>2</sup> U.S. Bureau of Labor Statistics, “National Census Fatal Occupational Injuries in 2015,” December 2016 <<https://www.bls.gov/news.release/cfoi.nr0.htm>>.
- <sup>3</sup> U.S. Bureau of Labor Statistics, *Ibid.*
- <sup>4</sup> OSHA, “Commonly Used Statistics” <<https://www.osha.gov/oshstats/commonstats.html>>.
- <sup>5</sup> OSHA, “Commonly Used Statistics” <<https://www.osha.gov/oshstats/commonstats.html>>.
- <sup>6</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” New York Committee for Occupational Safety and Health (NYCOSH), January 2017 <[http://nycosh.org/wp-content/uploads/2017/01/DeadlySkyline2017\\_NYS-ConstructionFatalitiesReport\\_final\\_NYCOSH\\_May.pdf](http://nycosh.org/wp-content/uploads/2017/01/DeadlySkyline2017_NYS-ConstructionFatalitiesReport_final_NYCOSH_May.pdf)>. (p 12)
- <sup>7</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>8</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>9</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>10</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>11</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>12</sup> Lawrence Mishel, “Diversity in the New York City Union and Nonunion Construction Sectors,” Economic Policy Institute, March 2017 <<http://www.epi.org/files/pdf/119517.pdf>>.
- <sup>13</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” *Ibid.*
- <sup>14</sup> New York State Labor Law § 220-h; New York City Building Code § 3310.9.1 - 3310.10.2.
- <sup>15</sup> NYC 2014 Building Code, Chapter 33 Section BC 3302 Definition of Major Building: An existing or proposed building 10 or more stories or 125 feet (38 100 mm) or more in height, or an existing or proposed building with a building footprint of 100,000 square feet (30 480 m<sup>2</sup>) or more regardless of height, or an existing or proposed building so designated by the commissioner due to unique hazards associated with the construction or demolition of the structure.
- <sup>16</sup> “Outreach Training Program New Trainer and Student Cards,” OSHA Training Institute Education Centers, March 2016 <[http://www.nsec.niu.edu/nsec/outreach\\_trainers/OTIEC-Flyer-Card-Printing.pdf](http://www.nsec.niu.edu/nsec/outreach_trainers/OTIEC-Flyer-Card-Printing.pdf)>.
- <sup>17</sup> David Michaels, Assistant Secretary for Occupational Safety and Health, “OSHA Training Standards Policy Statement,” April 2010 <<https://www.osha.gov/dep/OSHA-training-standards-policy-statement.pdf>>.
- <sup>18</sup> “Outreach Training Program Requirements,” OSHA, January 2017 <[https://www.osha.gov/dte/outreach/program\\_requirements.pdf](https://www.osha.gov/dte/outreach/program_requirements.pdf)>.
- <sup>19</sup> “Outreach Training Program Requirements,” *Ibid.*
- <sup>20</sup> “Outreach Training Program Requirements,” *Ibid.*
- <sup>21</sup> “OSHA Authorizing Training Organizations,” United States Department of Labor, OSHA <<https://www.osha.gov/dte/outreach/ato.html>>.

- <sup>22</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” Ibid.
- <sup>23</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” Ibid.
- <sup>24</sup> “Deadly Skyline: An Annual Report on Construction Fatalities in New York State,” Ibid.
- <sup>25</sup> Gary Labarbera, “There Are Good Reasons for NYC’s Scaffolding Law,” Commercial Observer, January 2017 <<https://commercialobserver.com/2017/01/there-are-good-reasons-for-nycs-scaffolding-law/>>.
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- <sup>27</sup> OSHA inspections in New York State for North American Industry Classification System code 23 (Construction) <<https://www.osha.gov/pls/imis/industry.html>>.
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