



THE CITY OF NEW YORK
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NEW YORK, NY 10007

FOR IMMEDIATE RELEASE: February 12, 2016
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AMID RECORD CONSTRUCTION BOOM, MAYOR DE BLASIO INCREASING PENALTIES FOR SAFETY HAZARDS, LAUNCHING NEW ENFORCEMENT SWEEPS

Penalties for safety lapses to be quadrupled, now up to \$10,000

Massive proactive enforcement sweep will target 1,500 sites over the next 90 days

City hiring 100 more inspectors, mandating construction superintendents at projects under 10 stories

NEW YORK—Mayor Bill de Blasio and Department of Buildings Commissioner Rick Chandler today announced that they will quadruple the penalties for serious construction-safety lapses, conduct a wave of more than 1,500 enforcement sweeps, and require new supervision at construction sites citywide to protect workers and the public amid the record building boom.

To make sure builders cannot profit by skirting safety rules, the City is raising the penalties for serious safety lapses from \$2,400 to \$10,000, and the penalty for lacking a construction superintendent will increase from \$5,000 to a maximum of \$25,000. Construction has surged more than 300 percent since 2009, contributing more jobs and more housing to New York City, but leading to an increase in preventable construction-related injuries and fatalities.

“No building is worth a person’s life. We have a responsibility to keep the men and women who are building New York City safe. We are ramping up inspections and oversight to make sure that our workers have added protections. We do not accept any loss of life in this business as inevitable or acceptable,” said **Mayor Bill de Blasio**.

“We won’t tolerate contractors who cut corners and recklessly increase the risks of construction work. We’re quadrupling the penalties for the most frequent safety lapses, sweeping contractors with poor safety records at projects of less than 10 stories – where nearly three quarters of accidents occurred last year – and increasing oversight at these sites,” said **Department of Buildings Commissioner Rick Chandler**. “Our investigations routinely reveal that accidents could have been prevented if contractors simply followed existing safety rules. We’re determined to change the mindset that safety violations are simply the cost of doing business.”

The actions announced today are part of a \$120 million modernization underway at the DOB that will increase oversight of higher-risk sites, conduct proactive enforcement sweeps at sites that have a history of serious violations or stop-work orders, and require a construction superintendent on all new construction and major renovations of buildings under 10 stories – which historically have had less oversight. These actions build upon sweeps the DOB conducted last fall that shut down more than 500 construction sites citywide.

Smaller job sites, historically subject to less oversight, were responsible for the majority of workplace accidents last year. 70 percent of construction-related accidents in 2015 took place at sites smaller than 10 stories.

Under the new policies:

Fines quadrupled for safety lapses: The DOB will increase from \$2,400 to \$10,000 the penalties for serious failures to safeguard construction sites. DOB inspectors routinely issue multiple such violations following a construction accident. In addition to higher penalties and stopping work, the DOB will aggressively seek to suspend or revoke licenses/registrations of Site Safety Managers, Site Safety Coordinators, Construction Superintendents and other licensees involved in unsafe construction practices.

Sweeps of high-risk construction sites: This week, the DOB began sweeping contractors with poor safety records who are working on buildings under 10 stories. Last year, a disproportionate number of accidents occurred at these sites. The DOB will also sweep all construction sites over 15 stories. All told, 1,500 job sites will be swept in the next 90 days. During the sweep, inspectors will be looking for failures to use proper safety equipment, install guardrails or remedy trip hazards, among other infractions.

Increase supervision at smaller projects: By July, the DOB will require construction superintendents for all major construction projects at buildings under 10 stories – not simply new construction, as currently required. Superintendents will now have to review sites daily and log all safety information. Contractors who fail to comply will be issued stop-work orders and penalties from \$5,000 to \$25,000 for repeat infractions or other proactive enforcement measures, as necessary.

Increased investments in safety: By this summer, the DOB will hire 100 new enforcement inspectors as part of the \$120 million modernization outlined in its Building One City plan. In addition, the DOB is significantly enhancing its information technology and data analytics capabilities to identify and punish bad actors, target buildings that pose a threat to public safety, and penalize unsafe and corrupt behavior in the construction industry.

“New York City’s building boom is a sign of its growing vitality, but it also presents hazards. My district, which spans from the Hudson Yards to the Lower East Side, is home to much of this construction and, unfortunately, some of its related accidents – just two weeks ago a 55-year old worker was critically injured after falling from a building in my district. I’m grateful to Mayor de Blasio and Commissioner Chandler for proposing robust new safety standards to help ensure the well-being of construction workers and neighboring residents alike,” said **State Senator Brad Holyman**.

“Ensuring that enforcement efforts are up to the challenge of preventing dangerous conditions and activities at construction sites has been a major concern in our city for a long time,” said **Assembly Member Brian Kavanagh**. “I want to thank Mayor de Blasio, Commissioner Chandler, and all who have advocated for increased safety standards for taking serious steps today to protect New Yorkers in our communities and on the job. We should never willingly accept deaths or serious injuries as a cost of doing business.”

“These enforcement changes are a great step towards helping ensure that the constant development in New York is not at the expense of the safety of our residents. I thank the Mayor for implementing these changes,” said **Assembly Member Deborah Glick**.

“Increased oversight and harsher penalties are absolutely necessary to create safer construction sites,” said **Council Member and Chair of the Committee on Housing and Buildings Jumaane D. Williams**. “Safety can’t be ignored because of a construction boom or for developers who want to take short-cuts. I’m proud of the Council’s Housing and Buildings Committee’s work with the administration to address this, and today we are taking a good step forward.”

“Increased oversight of high-risk worksites and tougher penalties will go a long way to ensure the safety of both residents and workers who are on the front lines of an unprecedented construction boom,” said **Council Member Margaret Chin**. “As the recent fatal crane collapse in my district demonstrated, the need for

increased fines, safety sweeps and oversight is more important than ever to keep New Yorkers safe. I thank Mayor de Blasio and Commissioner Chandler for rising to the challenge presented by a record number of construction projects across our city.”

“As the representative of a community that has recently experienced a building collapse, I constantly hear from homeowners who are afraid that nearby construction is jeopardizing the structural integrity of their properties and their families’ safety. These resources are sorely needed to protect all New Yorkers and, in particular, workers on these sites,” said **Council Member Robert E. Cornegy, Jr.**

“Only by stopping noncompliant construction jobs, pulling licenses and making referrals for criminal prosecutions can we address serious site safety hazards,” said **Council Member James Vacca**. “I’m glad the Department of Buildings is taking steps to address the various safety concerns that have recently come to light. Increasing the penalties that property owners pay for serious violations will hopefully force them to take safety more seriously. Conducting a comprehensive sweep of active construction sites is also a common sense action that should save lives. I look forward to seeing these changes implemented and hope that they lead to fewer construction disasters.”

“I want to thank Mayor Bill de Blasio and Department of Buildings Commissioner Rick Chandler for taking immediate steps to ensure that any construction work in this city is taking place with the appropriate safety measures. Construction work is never easy, but more so in a City that is heavily populated and is already comprised of numerous tall buildings. The actions taken by the Mayor, including the frequent required inspections, will make New York City safer for our construction workers and our residents,” said **Council Member Rosie Mendez**.

“The extraordinary building boom underway in New York City has taken an unacceptably high toll on the men and women laboring day in and day out in the construction trades. No one should ever have to fear for their life when they step onto a job site. I applaud the Mayor for dramatically stepping up fines, inspections and enforcement in the construction industry, so that unsafe conditions are corrected and problem work sites are shut down – without exception,” said **Council Member Mark Levine**.

“Community Board 3 applauds the Department of Buildings and the City for the strong new initiatives to protect construction workers. We have seen a substantial increase in construction, and many of our construction sites fall into the less-than 10-stories category. The increase in fines and increase of 100 new enforcement inspectors will be a significant step to protect construction workers, which is the first and primary concern for these sites. The holistic new approach in enforcement of going beyond violations to stop jobs to prevent accidents will make safety the highest priority on these sites, as it should be,” said **Gigi Li, Chair of Community Board 3**.

“The Building Trades Employers Association stands ready to work in partnership with the Mayor to ensure that all construction sites remain safe for all New Yorkers,” said **Louis Coletti, President and CEO of Buildings Trades Employers Association**.

“With a record amount of construction in New York City, it is important that the Department and the construction industry work together to make certain that all projects are built using the best practices the industry has to offer,” said **Denise Richardson, Executive Director of the General Contractors Association**. “We support the City’s efforts to make certain that all regulations are appropriate to the work being performed and are known, understood and followed by all involved in the project.”

“As President of an association whose safety managers ensure safety at major construction sites I applaud the administration’s efforts to ensure the safety of work sites for the workers and the general public,” said **Michael Arvanites, President of the Safety Professional Association**.

DOB's Expanded Safety Campaign:

- Increased penalties for “failure to safeguard all persons and property affected by construction operations.”
 - Class 1 fines to increase from \$2,400 to \$10,000.
 - Class 2 fines to increase from \$1,200 to \$5,000.
 - New fines to go into effect in 90 days.
 - DOB to seek license suspensions/revocations for those who engage in unsafe practices.
- 90-day, 1,500-site sweep of problem contractors and high-risk projects.
 - Contractors with multiple stop-work orders or serious violations at buildings under 10 stories.
 - More than 1,000 job sites to be swept in this category
 - All buildings over 15 stories.
 - More than 500 sites to be swept in this category.
 - Personnel agency-wide will participate to enhance reach.
- Requiring construction superintendents at high-risk jobs under 10 stories.
 - In 2015, 70 percent of accidents occurred at these sites.
 - New DOB rule to be enacted in July.
 - Contractors will be given a window in which to comply; afterward, failure to comply will result in a stop-work order and penalties from \$5,000 up to \$25,000 for repeated infractions.
 - Superintendents will be required not only for new construction or full demolitions, but also major alterations, partial demolitions and other high-risk jobs.
- DOB hiring 100 new enforcement inspectors by this summer.

Construction Activity and Safety, by the Numbers:

- New York City construction volume up sharply.
 - 329 percent increase since 2009.
 - 2009: 21 million square feet of new construction.
 - 2015: 88 million square feet of new construction.
 - 517 percent increase in new housing units since 2009.
 - 2009: 10,054 new units.
 - 2015: 62,040 new units.
- Construction volume has driven accident increases.
 - Accidents up 98 percent since 2009.
 - 2009: 218 accidents.
 - 2015: 433 accidents.
 - However, accident increase lags construction increase.
- Fatal injuries are up nationwide since the peak of the last construction boom in 2008 (BLS data).
 - But they remain down in New York City (DOB data).
 - 2008: 19 fatalities.
 - 2015: 11 fatalities.

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