



House of Representatives

General Assembly

File No. 494

January Session, 2005

Substitute House Bill No. 6890

House of Representatives, April 21, 2005

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING WORKPLACE SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) Each contract entered
2 into on or after July 1, 2006, for the construction, remodeling,
3 refinishing, refurbishing, rehabilitation, alteration or repair of any
4 public building project by the state or any of its agents, or by any
5 political subdivision of the state or any of its agents, where the total
6 cost of all work to be performed by all contractors and subcontractors
7 in connection with the contract is at least one hundred thousand
8 dollars, shall contain a provision requiring that, not later than thirty
9 days after the date such contract is awarded, each contractor furnish
10 proof to the Labor Commissioner that all employees performing
11 manual labor on or in such public building, pursuant to such contract,
12 have completed a course of at least ten hours in duration in
13 construction safety and health approved by the federal Occupational
14 Safety and Health Administration.

15 (b) Any employee required to complete the construction safety and
 16 health course required under subsection (a) of this section who has not
 17 completed the course shall be subject to removal from the worksite if
 18 the employee does not provide documentation of having completed
 19 such course by the thirtieth day after the date the employee is found to
 20 be in noncompliance. The Labor Commissioner or said commissioner's
 21 designee shall enforce this section.

22 (c) Not later than January 1, 2006, the Labor Commissioner shall
 23 adopt regulations, in accordance with the provisions of chapter 54 of
 24 the general statutes, to implement the provisions of subsections (a) and
 25 (b) of this section. Such regulations shall require that the ten-hour
 26 construction safety and health course be conducted in accordance with
 27 federal Occupational Safety and Health Administration Training
 28 Institute standards. The Labor Commissioner shall accept as sufficient
 29 proof of compliance with the provisions of subsection (a) or (b) of this
 30 section a student course completion card issued by the federal
 31 Occupational Safety and Health Administration Training Institute,
 32 dated no earlier than five years before the commencement date of such
 33 public works project.

34 (d) For the purposes of this section, "public building" means a
 35 structure, paid for, in whole or in part, with state funds, within a roof
 36 and within exterior walls or fire walls, designed for the housing,
 37 shelter, enclosure and support of people, animals or property of any
 38 kind, including, but not limited to, sewage treatment plants and water
 39 treatment plants. "Public building" does not include site work, roads or
 40 bridges, rail lines, parking lots or underground water, sewer or
 41 drainage systems including pump houses or other utility systems.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	New section

LAB

Joint Favorable Subst. C/R

GAE

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Labor Dept.	GF - Cost	None	Less than \$75,000

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill requires that all workers on state and municipal public works construction projects of \$100,000 or more complete a 10-hour construction and training safety course approved by the federal Occupational Safety and Health Administration (OSHA). Employees found on a worksite who have not completed the course will be removed from the worksite if proof is not provided within 30 days after the worker was found to be noncompliant. The Labor Commissioner must accept as proof of complying with this requirement a course completion card, good for five years, issued by the federal OSHA training institute.

The Labor Department would need to configure a computer tracking system and hire a 1/2 time Special Investigator to administer the workload increase with respect to the administration of this new responsibility. Since the provisions of the bill relate to contracts entered into after July 1, 2006, the fiscal impact would begin in FY 07.

OLR Bill Analysis

sHB 6890

AN ACT CONCERNING WORKPLACE SAFETY

SUMMARY:

This bill requires that all state or municipal building construction contracts of \$100,000 or more, entered into on or after July 1, 2006, to include a provision requiring the contractor to prove that all its employees performing manual labor have completed a 10-hour construction safety course. The course must be conducted in accordance with federal Occupational Safety and Health Administration (OSHA) Training Institute standards and proof of course completion must be submitted to the state labor commissioner within 30 days after the contract is awarded.

Under the bill, any manual laborer the Labor Department finds without proof of course completion will be removed from the worksite if proof is not provided within 30 days after he was found in noncompliance. The bill requires the labor commissioner to accept an OSHA Training Institute-issued student course completion card as sufficient proof. Cards are valid for five years after their issue date.

The bill applies to all public building projects and defines "public building" as a structure, funded as least partly by the state, with a roof and exterior or fire walls designed for housing, shelter, enclosure, and support of people, animals, or property of any kind, including sewage-treatment and water-treatment plants. It does not include site work; roads or bridges; rail lines; parking lots; or underground water, sewer, or drainage systems including pump houses or other utility systems.

The bill applies to contracts signed by the state and any of its political subdivisions, which includes quasi-public agencies, and requires the labor commissioner to adopt the necessary regulations by January 1, 2006.

EFFECTIVE DATE: October 1, 2005, but the bill applies to contracts entered into on or after July 1, 2006.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute Change of Reference

Yea 10 Nay 2

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 12 Nay 7