



General Assembly

February Session, 2008

Raised Bill No. 5537

LCO No. 1378

01378_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING CONSTRUCTION SAFETY.

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

1 Section 1. Section 31-53b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Each contract for a public works project entered into on or after
4 July 1, [2007, for the construction, remodeling, refinishing,
5 refurbishing, rehabilitation, alteration or repair of any public building
6 project] 2008, by the state or any of its agents, or by any political
7 subdivision of the state or any of its agents, where the total cost of all
8 work to be performed by all contractors and subcontractors in
9 connection with the contract is at least one hundred thousand dollars,
10 shall contain a provision requiring that, not later than [thirty] fifteen
11 days [after the] prior to the date [such contract is awarded] work
12 commences on such project, each contractor furnish proof to the Labor
13 Commissioner that [all employees performing manual labor] any
14 person performing the work of a mechanic, laborer or worker on [or
15 in] such public [building] works project, pursuant to such contract,
16 [have] has completed a course of at least ten hours in duration in
17 construction safety and health approved by the federal Occupational

18 Safety and Health Administration or, has completed a new miner
19 training program approved by the Federal Mine Safety and Health
20 Administration in accordance with 30CFR48 or, in the case of
21 telecommunications employees, [have] has completed at least ten
22 hours of training in accordance with 29 CFR 1910.268.

23 (b) Any [employee] person required to complete a [construction
24 safety and health course required] course or program under subsection
25 (a) of this section who has not completed the course or program shall
26 be subject to removal from the worksite if the [employee] person does
27 not provide documentation of having completed such course or
28 program by the fifteenth day after the date the [employee] person is
29 found to be in noncompliance. The Labor Commissioner or said
30 commissioner's designee shall enforce this section.

31 (c) Not later than January 1, [2007] 2008, the Labor Commissioner
32 shall adopt regulations, in accordance with the provisions of chapter
33 54, to implement the provisions of subsections (a) and (b) of this
34 section. Such regulations shall require that the ten-hour construction
35 safety and health courses required under subsection (a) of this section
36 be conducted in accordance with federal Occupational Safety and
37 Health Administration Training Institute standards, or in accordance
38 with Federal Mine Safety and Health Administration Standards or in
39 accordance with 29 CFR 1910.268, as appropriate. The Labor
40 Commissioner shall accept as sufficient proof of compliance with the
41 provisions of subsection (a) or (b) of this section a student course
42 completion card issued by the federal Occupational Safety and Health
43 Administration Training Institute, or such other proof of compliance
44 said commissioner deems appropriate, dated no earlier than five years
45 before the commencement date of such public works project.

46 [(d) For the purposes of this section, "public building" means a
47 structure, paid for in whole or in part with state funds, within a roof
48 and within exterior walls or fire walls, designed for the housing,
49 shelter, enclosure and support or employment of people, animals or

50 property of any kind, including, but not limited to, sewage treatment
51 plants and water treatment plants. "Public building" does not include
52 site work, roads or bridges, rail lines, parking lots or underground
53 water, sewer or drainage systems including pump houses or other
54 utility systems.]

55 (d) This section shall not apply to employees of public service
56 companies, as defined in section 16-1 of the 2008 supplement to the
57 general statutes, or drivers of vehicles delivering or picking up cargo
58 from public works projects provided they perform no labor relating to
59 the project other than the loading and unloading of their cargo.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	31-53b

Statement of Purpose:

To require that all workers on public works projects take an OSHA safety course or program and not just those performing manual labor.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]