



# Senate

General Assembly

**File No. 27**

January Session, 2011

Substitute Senate Bill No. 480

*Senate, March 7, 2011*

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING CONSTRUCTION SAFETY REFRESHER TRAINING COURSES.**

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 Section 31-53b of the general statutes is repealed and the  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 from passage*):

3 (a) Each contract for a public works project entered into on or after  
4 July 1, 2009, by the state or any of its agents, or by any political  
5 subdivision of the state or any of its agents, described in subsection (h)  
6 of section 31-53, shall contain a provision requiring that each  
7 contractor furnish proof with the weekly certified payroll form for the  
8 first week each employee begins work on such project that any person  
9 performing the work of a mechanic, laborer or worker pursuant to the  
10 classifications of labor under section 31-53 on such public works  
11 project, pursuant to such contract, has completed a course of at least  
12 ten hours in duration in construction safety and health approved by  
13 the federal Occupational Safety and Health Administration or, has

14 completed a new miner training program approved by the Federal  
15 Mine Safety and Health Administration in accordance with 30 CFR [48]  
16 46 or, in the case of telecommunications employees, has completed at  
17 least ten hours of training in accordance with 29 CFR 1910.268, and, on  
18 or after July 1, 2012, that any plumber or electrician subject to the  
19 continuing education requirements of section 20-334d, who has  
20 completed a course of at least ten hours in duration in construction  
21 safety and health approved by the federal Occupational Safety and  
22 Health Administration five or more years prior to the date such  
23 electrician or plumber begins work on such public works project, has  
24 completed a supplemental refresher training course of at least four  
25 hours in duration in construction safety and health taught by a federal  
26 Occupational Safety and Health Administration authorized trainer.

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

34 (c) Not later than January 1, [2009] 2012, the Labor Commissioner  
35 shall adopt regulations, in accordance with the provisions of chapter  
36 54, to implement the provisions of subsections (a) and (b) of this  
37 section. Such regulations shall require that the ten-hour construction  
38 safety and health courses required under subsection (a) of this section  
39 be conducted in accordance with federal Occupational Safety and  
40 Health Administration Training Institute standards, or, in the case of a  
41 supplemental refresher training course, shall include, but not be  
42 limited to, an update of revised Occupational Safety and Health  
43 Administration standards and a review of required construction  
44 hazards training, or in accordance with Federal Mine Safety and  
45 Health Administration Standards or in accordance with 29 CFR  
46 1910.268, as appropriate. The Labor Commissioner shall accept as  
47 sufficient proof of compliance with the provisions of subsection (a) or

48 (b) of this section a student course completion card issued by the  
 49 federal Occupational Safety and Health Administration Training  
 50 Institute, or such other proof of compliance said commissioner deems  
 51 appropriate, dated no earlier than five years before the commencement  
 52 date of such public works project or, in the case of supplemental  
 53 refresher training, a student course completion card issued by said  
 54 Occupational Safety and Health Administration authorized trainer  
 55 dated not earlier than five years prior to the date such electrician or  
 56 plumber begins work on such public works project.

57 (d) This section shall not apply to employees of public service  
 58 companies, as defined in section 16-1, or drivers of commercial motor  
 59 vehicles driving the vehicle on the public works project and delivering  
 60 or picking up cargo from public works projects provided they perform  
 61 no labor relating to the project other than the loading and unloading of  
 62 their cargo.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-53b

**LAB**      *Joint Favorable Subst.*

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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill changes the construction safety training requirements for certain workers and results in no fiscal impact to the state or municipalities.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sSB 480*****AN ACT CONCERNING CONSTRUCTION SAFETY REFRESHER TRAINING COURSES.*****SUMMARY:**

This bill changes the construction safety training requirement for certain plumbers and electricians on state and municipal public works projects subject to state prevailing wage laws. Current law requires the mechanics, laborers and workers on such projects to have taken a 10-hour federal Occupational Safety and Health Administration (OSHA)-approved construction safety course no more than five years before the start of the project. In effect, they must re-take the 10-hour course every five years to remain continuously qualified to work on these projects.

The bill allows plumbers and electricians who (1) have taken the 10-hour OSHA course and (2) are subject to continuing education requirements for their licensing, to substitute a four-hour supplemental safety training course when they would otherwise be required to take the 10-hour training.

The bill requires the labor commissioner, by January 1, 2012, to adopt regulations regarding the (1) standards the four-hour supplemental course must meet and (2) process for verifying that training requirements have been met.

**SUPPLEMENTAL TRAINING COURSE**

The bill requires the labor commissioner to adopt regulations that will require the four-hour supplemental course to (1) be taught by a federal OSHA authorized trainer, (2) include an update of revised OSHA standards, and (3) review required construction hazards training. Current law requires regulations on the existing training

course.

**TRAINING VERIFICATION**

The regulations required by the bill must include verification procedures for the four-hour supplemental training requirement. They must allow a student course completion card submitted to the commissioner to prove compliance with the four-hour supplemental training requirement if it is (1) issued by a federal OSHA authorized trainer and (2) dated no more than five years before the electrician or plumber starts work on the project.

Current law requires contractors on prevailing wage projects to verify that their construction workers meet the 10-hour OSHA course requirement by providing the commissioner with a student course completion card issued by the federal OSHA Training Institute, or other proof the commissioner deems compliant, for each construction worker on the project. Contractors with miners and telecommunications workers have a similar verification requirement based on their respective federal regulatory standards.

Any workers not complying with the training requirements can be removed from the project if they cannot prove compliance within 15 days of being found in violation of the requirements.

EFFECTIVE DATE: Upon passage

**BACKGROUND**

State prevailing wage law applies to state and municipal (1) repair and renovation projects costing \$100,000 or more and (2) new construction projects costing \$400,000 or more. It requires contractors to pay a minimum pay rate for certain classes of construction workers employed on these projects.

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 11 Nay 0 (02/24/2011)