R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY

CONNECTICUT DEPARTMENT OF LABOR

Concerning

SUBJECT MATTER OF REGULATION

SUPPLEMENTAL REFRESHER TRAINING COURSE

Section One. Section 31-53b-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 31-53b-1. Definitions

As used in sections 31-53b-1 through 31-53b-5, inclusive, of the Regulations of Connecticut State Agencies:

(1) "Certified payroll" means a certified payroll required to be submitted to the contracting agency pursuant to section 31-53(f) of the Connecticut General Statutes;

(2) "Completion document" means a card, document, certificate or other written record issued by the federal Occupational Safety and Health Administration, or by a federal occupational safety and health administration authorized trainer, or by the Federal Mine Safety and Health Administration in accordance with 30 CFR 48, or in the case of telecommunications employees, in accordance with 29 CFR 1910.268, evidencing that a person subject to these regulations has completed a construction safety and health course, program or training, or a supplemental refresher training course;

(3) "Construction safety and health course, program or training" means a course, program or training in construction safety or health of at least ten hours duration approved by the federal Occupational Safety and Health Administration, or a new miner training program approved by the Federal Mine Safety and Health Administration in accordance with 30 CFR 48 or, in the case of telecommunications employees, at least ten hours of training in accordance with 29 CFR 1910.268;

(4) A "Supplemental refresher training course" means a course, program or training in construction safety or health, which course includes, but is not limited to, an update of revised occupational safety and health administration standards and a review of required construction hazards training, of at least four hours in duration taught by a federal occupational safety and health administration authorized trainer to electricians or plumbers subject to the continuing education requirements of section 20-334d of the general statutes, who have completed a course of at least ten hours in duration in construction safety and health approved by the federal occupational safety and health administration five or more years prior to the date such electrician or plumber begins work on such public works project;

[(4)] (5) "Employee" means "employee" as defined in section 31-71a(2) of the Connecticut General Statutes;

[(5)] (6) "Labor Commissioner" means the Commissioner of the Connecticut Department of Labor;

[(6)] (7) "Mechanic," "laborer," or "worker" means any individual engaged in the duties of a mechanic, laborer or worker, pursuant to the classifications of labor under Section 31-53 of the Connecticut General Statutes, but does not mean an employee of a public service company, as defined in section 16-1 of the Connecticut General Statutes, or drivers of commercial motor vehicles driving such vehicles on public works projects and delivering or picking up cargo from such projects, provided that such drivers perform no labor relating to the projects other than the loading and the unloading of their cargo;

(8) "Plumber" means any person licensed in accordance with Chapter 393 of the Connecticut General Statutes who is subject to the continuing education requirements of section 20-334d of the Connecticut General Statutes and who performs "plumbing and piping work" as defined in section 20-330(3) of the Connecticut General Statutes;

(9) "Electrician" means any person licensed in accordance with Chapter 393 of the Connecticut General Statutes who is subject to the continuing education requirements of section 20-334d of the Connecticut General Statutes and who performs "electrical work" as defined in section 20-330(2) of the Connecticut General Statutes; and

[(7)] (10) "Public works project" means a public works project to which subsection (g) of section 31-53 of the Connecticut General Statutes applies.

Section 2. Section 31-53b-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 31-53b-2. Construction safety course, program or training; SUPPLEMENTAL REFRESHER TRAINING COURSE

(a) Any person performing the duties of a mechanic, laborer or worker on a public works project shall be required, as a condition of performing such work, to demonstrate compliance with section 31-53b of the Connecticut General Statutes by having completed a construction safety and health course, program or training, as appropriate.

(b) In addition to the requirements set forth in subsection (a) of this section, any electrician or plumber subject to section 31-53b of the Connecticut General Statutes who has completed a course of at least ten hours in duration in construction safety and health approved by the federal occupational safety and health administration five or more years prior to the date such electrician or plumber begins work on such public works project, shall be in compliance with these regulations provided such electrician or plumber has successfully completed a supplemental refresher training course of at least four hours in duration in construction safety and health taught by a federal occupational safety and health administration authorized trainer.

[(b)] (c) Proof of course, program or training or supplemental refresher training course completion shall be demonstrated through the presentation of a course, program or training or supplemental refresher training course completion document. For purposes of the supplemental refresher training course, proof of training shall be a student course completion card issued by the occupational safety and health administration authorized trainer who conducted the training. Each student course completion card shall reference the trainer's identification number;

[(c)] (d) For purposes of these regulations, any completion document with an issuance date more than five years prior to the commencement date of such public works project shall not constitute compliance with section 31-53b of the Connecticut General Statutes and this section, except electricians and plumbers may be found to be in compliance provided that they have successfully completed a supplemental refresher training course of at least four hours in duration in construction safety and health taught by a federal occupational safety and health administration authorized trainer.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

These regulations implement the provisions of P.A. 11-63 (modifying section 31-53b of the general statutes) to allow plumbers and electricians, who are required to pursue certificates of continuing education in order to maintain licensure, to take a four-hour OSHA refresher training course every five years rather than a ten-hour training course every five years.