



LOCAL LAW 196 (2017) (“SAFETY BILL”) GOES INTO EFFECT:

By: *Juan C. Restrepo, Esq.*
Principal Attorney

Reacting to a severe increase of fatalities and construction accidents in New York City, on October 16, 2017, the NYC Mayor signed Local Law 196, imposing various requirements on permit holders at construction sites where a construction superintendent, site safety manager or site safety coordinator is required. The Law mandates increased safety training (SST) over a two-year span and places severe penalties for non-compliance. Here is a summary of relevant portions of the law:

- Establishment of a 14-member task force appointed by the Office of the Mayor and City Council Speaker to provide periodic recommendations to the Regulatory Agency and City Council.
- The completion of a minimum 10-hour OSHA safety class by March 1, 2018, 30-hour OSHA safety class, or 100-hour technical training program. Thereafter, the Law requires additional 30 to 45-hour SST at various intervals, no later than December 1, 2018, June 1, 2019, and September 1, 2020.
- Permit holders must maintain daily logs, including each worker’s SST card, supervisor card, limited SST card, and proof of compliance.
- The issuance of DOB violations and civil penalties to the Owner of the Site, permit holder, and worker, as follows:
 - A maximum of \$25,000.00 for immediately hazardous violations, and \$1,000.00 per day.
 - A maximum of \$10,000.00 for major violations, and \$250.00 per day.
 - A maximum of \$500.00 for all other violations.

A violation is not certified as corrected until the offender enters into an agreement to satisfy the SST, and the worker must remain in the payroll while on training. Lastly, the DOB has the authority to conduct unannounced inspections all permitted sites of an offender following the issuance of two (2) consecutive adjudicated violations.

With already skyrocketing insurance costs, Local Law 196 is expected to have a significant financial impact on small to middle market construction companies.¹

¹ This article is attorney advertisement; it is not intended to provide legal advice or to create an attorney client relationship. The full text of the law can be found at <https://www1.nyc.gov/site/buildings/codes/local-laws.page>. To learn more about the many caveats and exceptions contact us at RESTREPO, P.C.

RESTREPO P.C. SPECIALIZES IN:

REAL ESTATE TRANSACTIONS | COMMERCIAL LEASING | BUSINESS ADVISORY SERVICES | CONSTRUCTION AND DEVELOPMENT | CONSTRUCTION LITIGATION AND CONSULTING | REAL PROPERTY LITIGATION | COOP AND CONDO LITIGATION | NON-PROFIT REPRESENTATION | BUSINESS DISPUTES | CONSTRUCTION-RELATED PERSONAL INJURY AND PROPERTY DAMAGE