

EFFECTIVE DATE November 2006

CONSTRUCTION SAFETY ADVISORY

NEW SCAFFOLD LAW WILL HAVE SIGNIFICANT IMPACT ON CONSTRUCTION

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2005**

No. 52

Introduced by Council Members Provenzano, Brewer, Comrie, Stewart, Jackson, Gennaro, DeBlasio, Fidler, Liu, Koppell, Gallagher, Oddo and the Public Advocate (Ms. Gotbaum).

A LOCAL LAW
has been enacted

To amend the administrative code of the city of New York, in relation to issuance of **a certificate of completion for individuals working on supported scaffolds.**

OVERVIEW OF LOCAL LAW 52 OF 2005

A new local law, which was passed in May of 2005, will go into effect 18 months after its enactment in **November of 2006**. This new local law creates mandatory training requirements for individuals erecting, dismantling, modifying and using supported scaffolds.

What is considered a supported scaffold?

SUPPORTED SCAFFOLD.

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“supported scaffold” shall be defined as one or more platforms supported by outrigger beams, brackets, poles, legs, uprights, posts, frames, or similar rigid support **forty feet in height** or more and including, but not limited to, sidewalk bridge scaffolds, single pole scaffolds, tube and coupler scaffolds, fabricated frame scaffolds, tubular welded frame scaffolds, outrigger scaffolds, needle beam scaffolds, mobile scaffolds, repair bracket scaffolds, mast climber scaffolds that are mechanized or motorized, back structures for personnel hoists and/or material hoists and system scaffolds. Any sidewalk shed that provides a base for a supported scaffold will subject the entire structure, including the sidewalk shed, to the requirements of this article.

Who must be trained?

Any person who **erects, dismantles, repairs, maintains or modifies** any supported scaffold over 40 feet must complete a training program of at least **thirty two - hours** and be issued a supported scaffold user certificate verifying completion of the program. An eight-hour scaffold safety and training refresher program or course must be completed every two years.

Any person who **uses** a supported scaffold over 40 feet in height in the erection, dismantling, repair, maintenance or modification of any building or structure must complete a training program of at least **four - hours** and be issued a supported scaffold user certificate verifying completion of the program. This certificate shall be valid for two years.

Who can provide the training?

ONLY NYC DOB AUTHORIZED PROGRAMS, which are registered New York State Department of Labor Apprenticeship training program or Educational Institution or School chartered, licensed or registered by the New York state Department of Education may provide the training. The trainer must be an authorized OSHA Construction outreach trainer. **TSC, TOTAL SAFETY CONSULTING, LLC is presently one of the only providers authorized by the NYC Department of Buildings**

What proof of training is required?

A training program provider that meets the above qualifications must provide a “Supported Scaffold Certificate of Completion” card which has the training program completed, date completed, the individual who completed the course, the OSHA authorized instructor and the expiration date of the certificate.

When will it go into effect?

The Local Law becomes effective 18 months after its enactment November of 2006.

Who is subject to penalty for non-compliance?

Any individual who erects, dismantles repairs maintains modifies or uses any supported scaffold over 40 feet without completing the required training, and having available for inspection a current and valid certificate of completion from a registered New York State Department of Labor Apprenticeship training program or Educational Institution or School chartered, licensed or registered by the New York state Department of Education.

Any person, employer or contractor who knowingly permits or causes an individual who has not been issued a supported scaffold user certificate to erect or work from a supported scaffold.

Who is exempt?

The provisions of this article shall not apply to the erection, dismantling, repair, maintenance, modification or use of any supported scaffold performed by an employee of a public utility provided the public utility has a similar training program to the one described in the Local Law.

The erection, dismantling, repair, maintenance or modification of stand alone, one story sidewalk sheds.

Total Safety Consulting is now registering participants for the 4-hour User course Tuesdays and Thursdays at their convenient Long Island City Training Center 5 Court Square, and scheduling specific classes for the 32-hour Erector Dismantler programs. Call for registration information. Classes are filling quickly so reserve early to guarantee seating. Call 718 389 2103 to reserve a seat or for more information. As a

For more information and a full pdf version of Local Law 52 of 2005 go to www.totalsafety.org

About the Author of this Advisory

This overview was provided for informational purposes only to the construction industry, and is not intended to represent any official position by any Government agency or authority. The writer of this Advisory is Mr. James C. Bifulco, CSP. Mr. Bifulco sits on the IBC NYCBC code conversion technical advisory board for Demolition and Construction Safety and is on the technical panels for scaffolding, he sat on various advisory committees and presented information to the City Council on the subject matter of this Local Law, he was on the BOMA Supported Scaffold Committee investigating this issue, and has Chaired the Governmental Affairs Committee for the Metropolitan Chapter of the American Society of Safety Engineers. Mr. Bifulco is the senior technical consultant for totalsafety.org