



## **The safety forecast for 2008 in New York City calls for accountability**

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If I had to pick a theme for the new changes to the New York City Building Code, I would pick "accountability." Many of the current modifications to the Code are designed to ensure that individuals with safety knowledge are on New York City's construction sites. The responsible person is also "accountable" to the Building Department as a partner in keeping the city safe.

The model created by Local Law 45 of 1983 showed the Department that having a responsible person supervising safety on the construction of major buildings was an excellent idea. There was a licensed site safety manager who was accountable to the Building Department when they did their inspections. On a site safety project, the job could be stopped if the site safety manager was not present during construction operations. A designated site safety manager was inspecting major buildings of 15 stories or more. In fact, they were also being inspected by the BEST Squad (Building Enforcement Safety Team).

Through the years, when it became apparent that there were a lot of buildings below 15 stories that needed some accountability, changes were made to the building code. Statistics were gathered that proved that inspections were warranted on low-rise buildings. When I was a construction inspector in the early 90s, construction managers were always pointing to the smaller buildings across the street and asking, "Why aren't you bothering them?" At the time, we (BEST) had no jurisdiction on the smaller sites. That is changing.

Using the site safety rules as a template for enforcing safety on low-rise buildings, one of the changes to the new building code will be a requirement to have a site safety coordinator on projects 10 stories or more in height. The definition of "major buildings" will also change. Right now "major building" means 15 stories, 200 feet or 100,000 s/f lot coverage. This definition will be reduced to 10 stories, 125 feet or 100,000 s/f lot coverage.

In July 2008, on projects between 10 and 14 stories, a person will be designated and accountable for safety, and when the Building Department inspects the site that person will be their liaison or partner in safety. This "coordinator" does not have to be a licensed "manager" but does have to have a 40-hour site safety class certificate to be considered for the position.

Looking at all the rest of the buildings in New York, as part of Rule 48, a "construction superintendent" will need to be registered by a contractor who is going to apply for building permits. That "construction superintendent" needs a 10-hour OSHA class and a 7-hour site safety class to qualify. They also need 5 years of construction or construction supervision experience in the past 10 years. This person will be the responsible party when safety issues come up at a site. More accountability.

If we look at the proposed new fire code, we also see that a new position has been created for projects that require a site safety coordinator or site safety manager. The Fire Department will

require a fire safety manager on those construction sites. This individual is responsible for compliance with the requirements of the fire code. In addition, the Fire Department is asking that the fire safety manager ensure that personnel are trained in the use of fire extinguishers and that hot work is monitored by hot work permits.

Changes by the scaffold safety team will make licensed riggers more accountable for their employees. Training requirements are going to be increased for persons acting as "rigging foremen" on occupied buildings. Persons using suspended scaffolds will still need to be trained as per Rigging Rule 9, but the requirements for who needs that training will be increased.

Creating responsibility and providing training is the way to get employees out on the jobs working safely. No agency, whether it is the building department or OSHA, can be everywhere at every time to monitor construction sites. There is too much work out there to even try to consider that. Time management is the key. That is where having a responsible person on the sites that can communicate effectively concerning safety issues is so important. That person can be the department's eyes and ears on the site, and if hazards need to be corrected that person can be the first line of defense.

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