

The background of the image is a close-up, slightly blurred view of the American flag, showing the stars and stripes. The OSHA logo is centered in the upper half. The letter 'O' is a large, stylized circle with a blue outer ring and a grey inner ring. The letters 'S', 'H', and 'A' are in a white, serif font with a slight 3D effect and a drop shadow.

OSHA

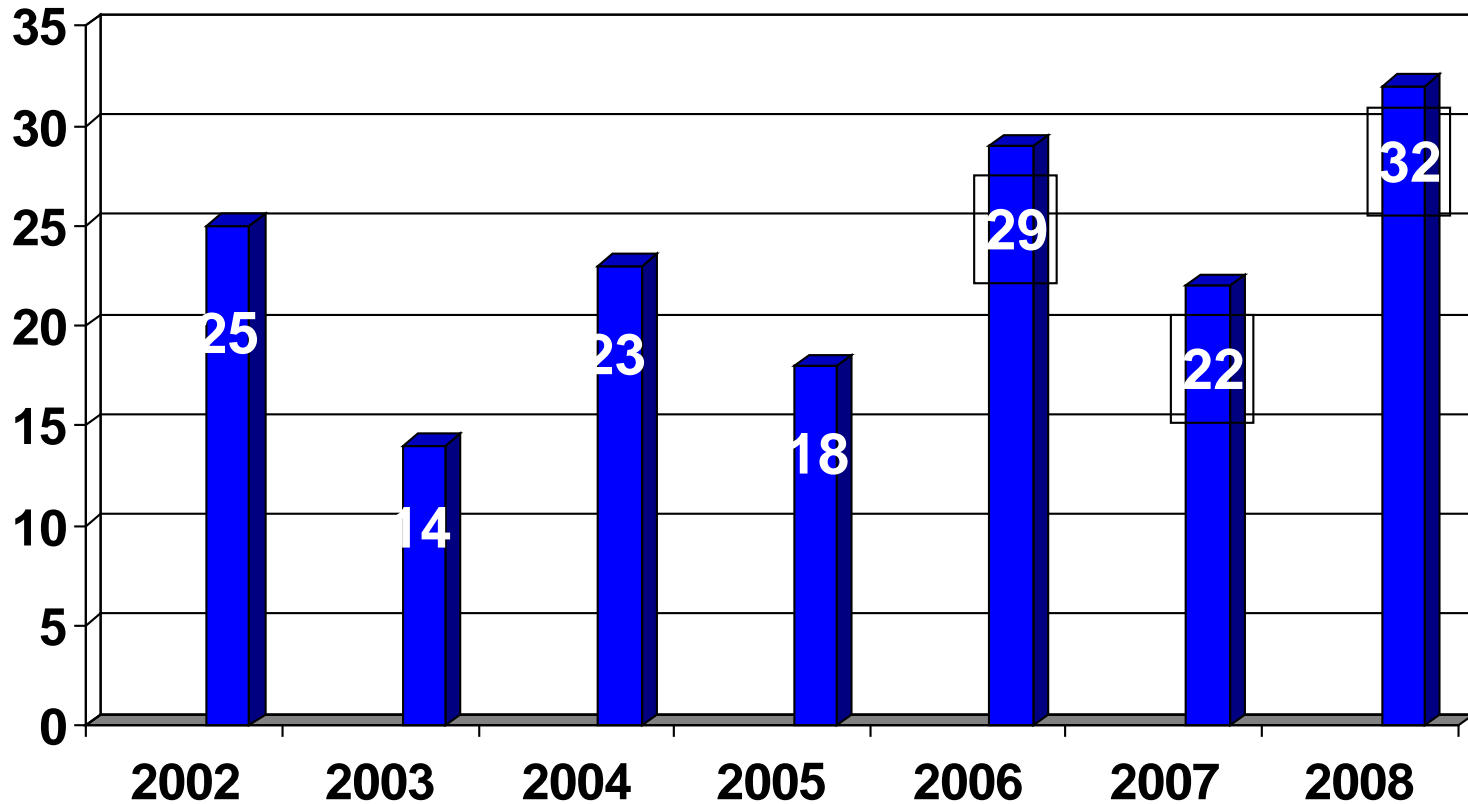
adds value to business,
work and life.

The State of OSHA (in NYC)

Safety Executives of New York
PDC April 1, 2009

Richard Mendelson
Area Director
Manhattan Area Office
US Dept of Labor - OSHA

Construction workers killed



Source: OSHA IMIS data for NYC (5 boros) by Federal fiscal year (10/01 – 9/30)

Why don't OSHA and DOB numbers match exactly?

- OSHA & DOB share incident and trend data
- Worker safety (OSHA) vs. public safety (DOB)
- OSHA covers incidents outside DOB jurisdiction
 - Heavy / highway / infrastructure (bridges, roads, etc.)
 - Sites outside NYC's jurisdiction (eg., airports)
 - Non-building issues (eg., health hazards)

Accidents by type

- 18 of 32 (56%) fatalities were due to falls from elevation
 - 4 from scaffolds (3 suspended, 1 supported), 1 from aerial lift, 2 from ladders
- 3 incidents (9 fatalities) involved tower cranes
- 7 incidents involved poured-in-place concrete, 1 involved steel erection
 - 9 were on new building sites

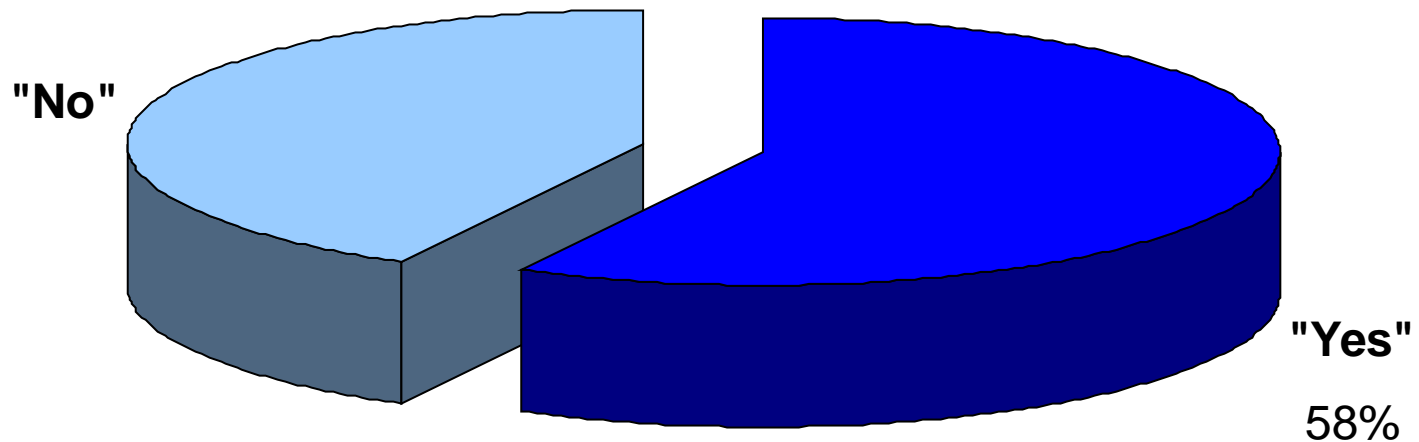
Accidents by borough



N=26

Accidents coded for “Imm-Lang”

Immigration or Language factors



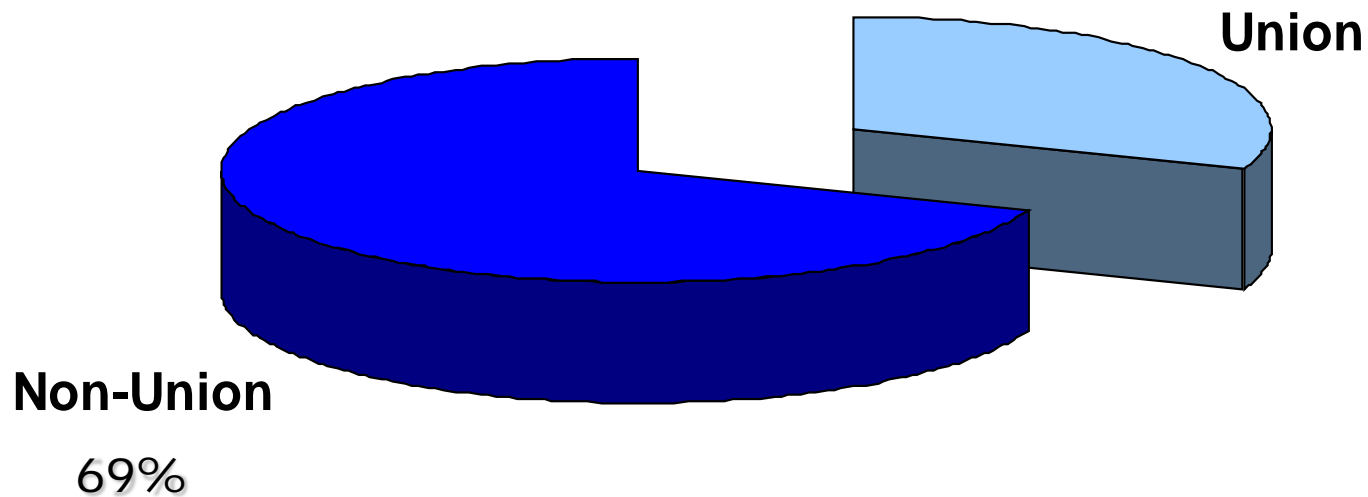
N=26

Contributing factors

The more factors that apply, the greater the correlation to a fatal accident

- Worker is foreign-born
- Worker is Hispanic
- Worker speaks a language other than English
- Worker speaks a language different than that spoken at the jobsite

Accidents by union status



N=26

OSHA enforcement

- 818 construction inspections
 - 81% comprehensive inspections
- 2417 violations issued
 - 4198 instances cited
 - 92% classified as serious / willful / repeat
- \$3,307,324 penalties

OSHA IMIS data, FY08 (10/1/07-9/30/08), 5 boros NYC

Local Emphasis Programs

- Falls
- Gut-rehab
- Local Construction Targeting

Cooperative programs

- Partnerships
- Alliances
 - NYC DOB, OCME, NYC DEP, others

OSHA is committed

- Multi-pronged approach
 - Enforcement, outreach, training & education, cooperative programs
- OSHA NYC Construction Task Force
 - 1st Task Force 6/25/08 – 7/3/08
 - 96 inspections at 46 sites
 - 129 violations with \$247,400 penalties
 - Falls (39), Electric (29), Scaffold (17), Crane & rigging (13), other (31)
 - 2nd Task Force 11/12/08 – 12/19/08

Construction safety

- A shared responsibility
 - Employers are legally responsible
- Pre-plan work, anticipate hazards
 - Use caution with changes and modifications
- Provide training
 - Work in accordance with that training
- Use all necessary protective equipment
 - PPE is not a substitute for other controls

Safety doesn't happen by accident

- An effective safety and health management system should be in place at every workplace, company, and site
 - OSHA standards are *minimum* requirements
- Multi-employer responsibilities

News Release



U.S. Department of Labor
Office of Public Affairs
Washington, Mass.
202-693-1294-NEW/BOS 2008-254

For Immediate Release
Mon., Sept. 15, 2008
Contact: Ted Fitzgerald
Phone: 617-565-2074

OSHA citations issued in connection with fatal NYC crane collapse

NEW YORK – The U.S. Occupational Safety and Health Administration (OSHA) issued citations to three contractors with proposed penalties totaling \$313,500 for alleged violations of safety standards after investigating the catastrophic March 15 collapse of a tower crane in New York City that killed seven people. The accident took place at 303 E. 51st St. in midtown Manhattan.

Cited were Rapetti Rigging Services Inc., the crane's erector; Reliance Construction Group, the project's general contractor; and Joy Contractors Inc., the project's concrete and superstructure contractor. Rapetti was cited for alleged problems associated with rigging the crane and lack of fall protection, while Reliance and Joy were cited for lack of fall protection, fire protection and other hazards unrelated to the crane collapse.

Assistant Secretary of Labor for Occupational Safety and Health Edwin G. Foulke Jr. said, "This case illustrates in stark terms that failure to follow required procedures can have wide-ranging and catastrophic consequences."

Rapetti Rigging has been issued three willful citations with penalties totaling \$210,000 for allegedly failing, among other things, to comply with the crane manufacturer's specifications and limitations when erecting and raising the tower crane, to protect synthetic rigging slings from damage, to inspect the slings for damage or defects before use, and to remove a defective sling from service.

Ultimately, the crane collapse was a failure to follow basic, but essential, construction safety processes," said Richard Mendelson, OSHA's area director in Manhattan.

Rapetti also has been issued five serious citations, with \$10,000 in proposed fines for fall hazards. Employees working on the crane's mast and at the edge of the 18th floor level and other areas lacked proper fall protection. Penalties proposed against Rapetti total \$220,000.

Joy Contractors has been issued one repeat and 14 serious citations with proposed penalties totaling \$74,000. The repeat citation alleges the lack of fall protection for employees working 180 feet above the ground. OSHA cited Joy in March 2007 for a similar hazard at a Mt. Pleasant, N.Y., worksite. The serious citations allege failure to train employees on fall hazards, unsafe work area debris, fire hazards, fall hazards, unsafe material storage, and hazards created by the eccentric

Construction accidents

Trends & causes

- Fall protection issues / PFAS
- Poured-in-place concrete
- Steel erection
- Crane and rigging
- Competent persons (inspections / JHAs)
- Project management (plans)
- OSHA – DOB Alliance

Cranes & Rigging

Crane accident causes

- Struck-by (load, counterweight)
- Electrical contact
- Assembly / Disassembly
- Boom / cable failure
 - overload, two-blocking
- Tipover
 - overload, outriggers, ground condition

Rigging hazards

- Failure to inspect
- Failure to remove damaged slings from service
- Improper device / material selection
- Improper rigging practice (hitch, CG)
- Failure to control load
- Load or line strike / snag obstruction











Issues

- Rigger qualifications
 - Trade: Steel, concrete, utility, other
- Signal-person
- Operator qualification
- Communications (hand signals, radios)
- Blind picks

Issues

- Tight worksites
 - Picks / travel overhead
 - Outriggers not fully extended (short-jack, uneven extensions)
 - Pick over / behind fence

Issues

- Operator over-reliance on LMI
 - Intended as operator aid
 - Supposed to follow load chart (set-up, weight of pick, radius)
- Failure to follow manufacturer's instructions (set-up and operation)

The image features the OSHA logo and tagline overlaid on a close-up, slightly blurred background of the American flag. The stars and stripes are visible, with the red and white stripes curving across the frame. The OSHA logo is prominently displayed in the upper center, with the 'O' being a stylized blue and white circle. The letters 'S', 'H', and 'A' are white with a 3D effect and a drop shadow. Below the logo, the tagline is written in a smaller, grey, serif font with a drop shadow.

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