



BUILDING AND CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK
SAFETY AND TRAINING COMMITTEE

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New York, NY 10001
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January 23, 2025

Mona Sehgal, Associate Commissioner and General Counsel
NYC Department of Buildings
280 Broadway
New York, NY 10007

Re: Course Provider Rules

Dear Associate Commissioner/General Counsel Seghal:

This Committee represents the training components of the following 48 organizations:

Boilermakers Local Union #5, New York City District Council of Carpenters, Carpenters Local Union #20, Carpenters Local Union #45, Carpenters Local Union #157, Millwright and Machinery Erectors Local Union #740, Carpenters Local Union #926, Timbermen and Dockbuilders Local Union #1556, Resilient Floor Coverers Local Union #2287, International Brotherhood of Electrical Workers Local Union #3, Elevator Constructors Local Union #1, Heat and Frost Insulators and Allied Workers Local Union #12, Iron Workers District Council Of New York, Iron Workers Local Union #40, Metallic Lathers Local Union #46, Stone Derrickmen and Riggers Local Union #197, Iron Workers Local Union #361, Ornamental Iron Workers Local Union #580, Concrete Workers District Council #16, Cement and Concrete Workers Local Union #18-A, Cement and Concrete Workers Local Union #20, Mason Tenders District Council, Asbestos, Lead and Hazardous Waste Laborers Local Union #78, Construction and General Building Laborers Local Union #79, Building Concrete, Excavation and Common Laborers Local Union #731, Pavers & Roadbuilders District Council, Laborers Local Union #1010, International Union of Operating Engineers Local Union #14, Operating Engineers Local Union #15, Operating

Engineers Local Union #30, Operating Engineers Local Union #94, International Union of Painters and Allied Trades District Council #9, Metal Polishers Local Union Local #8a, Structural Steel Painters Local Union #806, Glaziers Local Union #1281, Drywall Tapers Local Union #1974, Plasterers Local Union #262, Cement Masons Local Union #780, UA Plumbers Local Union #1, Steamfitters Local Union #638, Roofers and Waterproofers Local Union #8, Sheet Metal Workers Local #28, Sheet Metal Workers Local Union #137, International Brotherhood of Teamsters Local Union #282, Teamsters Local Union #813, Teamsters Local Union #814, Bricklayers & Allied Craftworkers Local Union #1, Tile, Marble and Terrazzo B.A.C. Local Union #7.

The BCTC Safety and Training Committee submits these comments in response to the proposed course provider rules now under consideration. The BCTC Safety and Training Committee respectfully urges the NYC Department of Buildings (DOB) to reconsider its proposed rules as detailed below.

COMMENT #1

This change is currently proposed by the DOB:

105-03(d)(2) Notification of Approved Courses. [(i)]The course provider must have [a]its own website and must publish course schedules on its website, including dates, times, locations, the cost of the training and whether such cost includes the cost of issuing the identification card or site safety training card required by this section, the cost of such card if it is not included in the training cost, and must [otherwise make] submit all course schedules [available in writing] to the Department [upon request]. The course provider must also notify the Department of any changes to a scheduled course at least three (3) business days prior to it being offered. All information on the course provider's website, including the location of courses and the courses taught, must be current.

Explanation for our objection and our alternative recommendation:

Course providers that only serve plan participants should not be required to post course information publicly, as this can create confusion among the general public.

This is our recommendation for modification of the DOB proposed language:

Notification of Approved Courses. All course providers must submit all course schedules to the Department. All course providers must also notify the Department of any changes to a scheduled course at least three (3) business days prior to it being offered. Any course provider who offers Department-approved training to the general public must have its own website and must publish course schedules on its website, including dates, times, locations, the cost of the training and whether it includes the cost of issuing the identification card or site safety training card required by this section, and the cost of such card if it is not included in the training cost. All information on the course provider's website, including location of courses and the courses taught, must be current.

COMMENT #2

This change is currently proposed by the DOB:

105-03(d)(6)(i) [For training courses, the course provider must issue a wallet-size identification card to attendees upon course completion. Such card must contain the following information:

- (A) The name of the person to whom it was issued;
- (B) A photograph of the person to whom it was issued;
- (C) The name and address of the issuing organization;
- (D) The date of issuance;
- (E) An indication of the type of training and the number of credit hours completed; and
- (F) The signature of the course provider.

(ii) For qualification and continuing education courses, the] The course provider must issue a certificate of completion to the attendees upon course completion. The course provider must also upload a photograph of the person and a digital copy of the certificate of completion to the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers. The course provider must upload the certificate within 60 days of course completion. Such certificate must contain the following information:

Explanation for our objection and our alternative recommendation:

The proposed rule change language eliminates the ability for course providers to utilize Training Connect's certificate generation process by requiring all certificates be uploaded and not generated. By allowing the generation option, this encourages course providers to utilize all tools made available by the Department and ensures all of these certificates make their way to the Training Connect platform in a timely manner.

This is our recommendation for modification of the DOB proposed language:

Prior to course completion, the course provider must determine whether each attendee has an existing student profile in the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers. Where no such profile exists, the course provider must create a student profile for the attendee prior to course completion. The student profile must include a photograph upload of the attendee and all required student information. Upon course completion, the course provider must:

- (a) Immediately issue a certificate of completion to each attendee. Additionally, a*

- digital copy of the certificate of completion must be uploaded to NYC DOB Training Connect within 60 days of course completion; or*
- (b) Generate a digital certificate of completion in NYC DOB Training Connect and deliver the certificate to each attendee within three (3) business days of course completion.*

Such certificate must contain the following information:

COMMENT #3

This change is currently proposed by the DOB:

105-03(d)6.(ii) For training courses, the course provider must issue an identification card to attendees upon course completion. Such card must be issued using the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers and can found at <https://dob-trainingconnect.cityofnewyork.us/>.

Explanation for our objection and our alternative recommendation:

By ensuring each attendee has been issued a worker wallet card prior to training course completion, this allows for the course provider to add new training to an existing worker wallet card without requiring the course provider to replace a current valid card at the completion of each course.

This is our recommendation for modification of the DOB proposed language:

For training courses, the course provider, prior to the course completion, must confirm each attendee has been issued a current worker wallet identification card using the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers and can found at <https://dob-trainingconnect.cityofnewyork.us/>.

COMMENT #4

This change is currently proposed by the DOB:

105-03(f)(8) Course providers must notify the Department within thirty (30) days if the course provider makes changes to its business name, its website, or the owner/director of the business by submitting a new application for provider approval with supporting documentation. The provider may continue to offer courses under its current name pending approval of the new application.

Explanation for our objection and our alternative recommendation:

The proposed rule change language is too broad and could be construed to include modifications to website content.

This is our recommendation for modification of the DOB proposed language:

Course providers must notify the Department within thirty (30) days if the course provider makes changes to its business name, its website domain, or the owner/director of the business by submitting a new application for provider approval with supporting documentation. The provider may continue to offer courses under its current name pending approval of the new application.

COMMENT #5

This change is currently proposed by the DOB:

105-03(j) SST cards to be issued upon course completion. [The Department may require SST course completion cards to be issued by a third party. Until such time as a third party process is instituted, an] An SST provider must, upon completion of the SST course, issue a temporary SST card, [limited SST card,] SST card, or SST supervisor card, in accordance with subdivision [(h)](i), this subdivision and section [3302.1]202 of the Building Code. Such card must be issued using the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers.

Explanation for our objection and our alternative recommendation:

SST Courses are only a component to SST Card issuance, therefore an attendee to an SST course does not necessarily meet the requirements of SST Card issuance upon course completion, and the course provider cannot comply with the proposed rule change language. The SST Card definitions within Local Law 196 of 2017 repeatedly mention each card is "...issued by an SST provider to a person who submits an application to such provider demonstrating, in a form and manner established by the department, that such applicant satisfies the requirements..." The recommended language above addresses the issue and incorporates SST card application language in line with LL 196.

This is our recommendation for modification of the DOB proposed language:

SST cards to be issued upon verification of course completion. *Upon receiving an SST Card application, an SST provider must verify the applicant's completion of all required training. Once verified, the SST provider must issue a temporary SST card, SST card, or SST supervisor card, in accordance with subdivision (i), this subdivision and section 202 of the Building Code. Such card must be issued using the Department of Buildings' platform NYC DOB Training Connect, which is only accessible to registered course providers.*

COMMENT #6

Considering the past noted abuses of the SST card issuance system which DOB uncovered, it is recommended that a rule be added to these proposals by the Department. It is recommended that in all classes conducted by a registered course provider, the sign-in sheet should carry an attestation to be filled out by the instructor for the class. The instructor would simply be required to attest that they had taught these students in this class, and be required to print his or her name, sign with their signature, and date the signature on all sign-in sheets.

Explanation for our recommendation:

This simple action would create an additional layer of documented accountability for DOB during audits and inquiries and would impose no undue burden upon registered course providers to accomplish.

These are our comments and recommendations to the Department.

We respectfully urge the Department to reconsider its proposed course provider rules as we have detailed above.

Please feel free to contact me if you have any questions.

Very Truly Yours,
Arthur O. Klock Jr. - Chairman
BCTC Safety and Training Committee