

The New York State Department of Labor’s Division of Safety and Health (DOSHS) administers programs that assist employers and protect the public and working men and women. The programs focus on hazards, accidents and injuries that can occur in many different environments.

DOSH provides licensing, training and consulting services, and enforces codes that safeguard workers on and off the job.

Safety and health programs cover job-related hazards of all kinds. Division inspectors ensure public safety at amusement park and ski facilities. They protect people who work in buildings, on bridges and inside tunnels. They assure that conditions are safe for people who perform high wire acts, handle explosives and inspect silos. They also train workers in the mining industry, minimize the threat from asbestos and assure the safety of industrial boilers.

Safety and health programs help employers to identify and correct hazards that trigger workplace accidents and injuries. DOSH also funds training programs that educate and inform both labor and management about workplace safety.

Industry Inspection

The Industry Inspection Bureau enforces the public safety and health provisions of New York State Law and some aspects of workplace protection that fall outside the purview of OSHA.

Enforcement activities include:

- New York State’s Right-to-Know Law.
- Safe conditions in places of public assembly (except New York City and certain other communities). This includes catering halls, nightclubs and racetracks.
- Proper assembly of rides and tents at carnivals, fairs and amusement parks outside New York City.
- Elevators in factories and stores outside New York City.
- Protection of window cleaners and aerial performers.
- Safe operations of ski resorts, lifts and other passenger tramways.

License and Certification Unit

The License and Certification Unit issues the following licenses and certificates:

- Laser Operators
- Asbestos Certificate of Competence
- Asbestos-Handling License
- Crane Operator’s Certificate - Blaster’s Certificate of Competence - Explosives Dealer/Manufacturer License - Explosives Purchase/Own/Possess/Transport License
- Workplace Safety and Loss Prevention Consultant Certificate

Licenses and certificates issued by the bureau help guarantee safe workplaces and ensure that workers follow guidelines to protect the public, as well as employees.

Asbestos Control

The Asbestos Control Bureau protects the public from hazards related to asbestos and materials containing this cancer-causing substance.

The bureau reduces public asbestos hazards by licensing contractors and certifying workers who work with asbestos or materials that contain asbestos.

To ensure compliance, the bureau conducts investigations, inspects current or completed projects and prosecutes people who break the law.

Boiler Safety

The Boiler Safety Bureau is responsible for the safe operation of devices that burn fuel to produce steam or heat in apartment houses and businesses throughout the state, except for New York City, Buffalo, and White Plains. The bureau inspects boilers in buildings that house six or more families.

The bureau does not inspect these boilers if they are insured and inspected by insurance companies, but it does certify inspectors and monitors their work.

Mine Safety and Health Training Program

The Mine Safety Training Program provides safety and health training to employees working in the surface mining industry in the state. There are over 600 private and public mine operations in New York State that are monitored by the Federal Mine Safety and Health Administration (MSHA), which sets training requirements for the surface mining industry.

Since the inception of a federally mandated grant in 2000, the Mine Safety Training Program has trained and certified over 100,000 mine and mine-related workers, at no cost to the employers. The program provides several types of training, including: new miner orientation, annual refresher courses, task, hazard and competent person training and other subjects such as hazard communication/right-to-know, confined space entry, supervisory training and accident prevention.

Workplace Safety and Loss Prevention Programs

The Workplace Safety and Loss Prevention Program gives employers workers’ compensation premium credits for implementing a safety incentive program, a drug and alcohol prevention program or a return-to-work program. DOL staff monitors the implementation of each incentive under Code Rule 60. They certify Safety and Loss Management Specialists who help employers with their programs. In addition, the Program monitors compliance with Industrial Code Rule 59. This requires employers whose payroll is over \$800,000 with an experience rating over 1.2 to have a workplace safety and

loss prevention consultation. The program certifies consultants who perform the required consultation and survey under this statute.

Public Employee Safety and Health (PESH)

The Department of Labor’s Public Employee Safety and Health (PESH) Bureau was established to promote the state policy that public employees should work in the same safe environment as their counterparts in the private sector. Protection guidelines follow standards set by the U.S. Occupational Safety and Health Administration (OSHA). Public sector work sites range from subway tunnels and public landfills to hospitals and office buildings. PESH staff survey workplaces to inspect equipment, work practices and procedures. Public employers that violate PESH regulations receive compliance orders and can be fined for non-compliance.

PESH Program staff is also available to provide safety and health consultation to public employers that want assistance to meet current regulations.

Hazard Abatement/Safety and Health Training And Education

Division of Safety and Health employees work with the Occupational Safety and Health Hazard Abatement Board to award grants to local public employers. These grants cover 75 percent of the cost of capital projects necessary to correct workplace hazards cited by the PESH Bureau staff. Hazard Abatement Board grants also cover 75 percent of the cost of the capital projects that result from a PESH consultation requested by a public employer.

In addition to awarding funds, DOSH staff also help the Hazard Abatement Board review grant applications and award occupational safety and health training and education grants. These grants support programs that provide occupational safety and health training for the public. They also give instructions to employers, labor unions, educational institutions, non-profit organizations and trade associations. This training shows managers and employees how to avoid such dangers as asbestos and toxic chemicals, injuries caused by machinery and construction conditions, biological hazards in hospitals and laboratories, pesticide poisoning and fire dangers. In addition, training programs teach people how to locate potential threats in the workplace, methods of collecting and assessing information on exposure, and ways to control or eliminate hazards.

Workplace Consultation

The On-Site Consultation Bureau provides on-site guidance and training to private employers covered by OSHA regulations. This is a free service available to businesses, at their request.

The program helps businesses determine whether they comply with federal safety and health standards and shows them how to eliminate hazards that are found. A company that corrects hazards voluntarily and establishes a safety and health program may be eligible for a three-year exemption from federal OSHA inspections.

Engineering Services

The Engineering Services Unit is a support arm of the division. The unit’s responsibilities include:

- Developing regulations to conduct safety and health activities mandated by law.
- Reviewing variance requests.
- Issuing approvals for materials and devices required under the state labor law and department regulations.
- Reviewing design plans submitted by public employees to the Hazard Abatement Board.
- Reviewing plans for places of public assembly and other installations regulated by the Safety and Health Division.

Division of Safety and Health Overview



PROTECT *all Workers*
ASSIST *the Unemployed*
CONNECT *Employers and Workers*

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.