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TESTIMONY

PRESENTED TO THE

NEW YORK CITY COUNCIL

OVERSIGHT:

HOUSING AND BUILDING COMMITTEE

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Presented by
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Thank you Mr. Chairman and members of the Committee for the opportunity to testify this morning about Tower Crane Construction Safety.

My name is Louis Coletti and I am President of the Building Trades Employers' Association, an organization representing 27 union trade contractor associations and 1,200 construction companies doing business in New York City (introduce panel members).

There is nothing more important to BTEA contractors than knowing that every person who comes to work that day will return home safely to their families that night.

There is nothing more important to BTEA contractors than to ensure that all New Yorkers have the faith, trust and confidence they deserve in knowing they will be safe as they pass near or under the construction projects that are building the future of our great city.

By every statistical measure available, BTEA contractors have established the safest high-rise construction record in the world—building in a City that has its own special and complex nature of construction challenges.

The March 15 crane accident, however, laid bare the weaknesses in construction practices and regulatory framework for the use of tower cranes in New York City. Since that tragedy, contractors, skilled tradesman and industry professionals, as well as government officials, have recognized these shortcomings. There is now a widely expressed desire to carry out changes that would make this complex construction process safer.

These changes, however, will only be effective if:

- 1) Proposed solutions address the specific causes of tower crane accidents;**
- 2) The adoption of any new regulations includes the financial resources necessary to effectively enforce them.**

When New York City inaugurated its crane laws in 1968, it put itself at the vanguard of progressive regulation. In the ensuing forty years, the world has advanced while New York has stayed put. We are stuck in 1968.

To begin this review, we must recognize that the E. 51st St. tragedy was not a “crane” accident. Public reports lead us to believe that what occurred was a “rigging” accident. This distinction is important because it allows us to focus on where the real need for reform exists.

From our standpoint, the major problem areas that need to be addressed include:

- 1) Neither the current or new Building Code has any provisions that require the individuals involved in the actual rigging tasks, especially those performed in connection with the erection, dismantling and jumping of climbing/tower cranes to have a training in this area.**
- 2) The licensing system for riggers is out of step with the actual work and responsibilities.**

The City has two categories of licensees who are permitted to erect, dismantle and jump tower cranes: Tower Riggers and Master Riggers. Tower Riggers, licensed only to work on tower cranes, by and large have training and skill sets suited to the task. Master Riggers are given carte blanche to perform almost any crane or rigging task without supervision or scrutiny, and yet the training and qualification of a Master Rigger has almost no connection to the actual work they are routinely called upon to direct, according to several engineers who have reviewed this.

- 3) The Buildings Department does not have enough crane inspectors. I believe the Department currently has 6 inspectors responsible for inspecting 250 cranes. Since the accident, the Department has, as it should, stopped all crane jumps and adopted a new protocol for the erection, dismantling and jumping of tower cranes. Now, pre-jump meetings are mandatory and an inspector must be present at each meeting including when the jump occurs. We are in complete agreement. However, even with the outside engineers that have been hired, the scheduling of these**

jumps are experiencing significant delays. We appreciate that the Department is doing everything it can with the resources it has. However, these delays are disrupting job schedules which are creating financial penalties for contractors and causing the loss of union jobs as projects get delayed. Let me be absolutely clear. No contractor wants or will jump a crane that has any unsafe condition—and we are working with Department officials with respect to the new protocols—my point is the Department deserves the financial resources it needs to effectively inspect and balance the economic needs of the City. In addition, the inspectors do not have the training they need in the area of rigging or crane operations. This Administration along with the City Council are to be applauded for providing the financial resources necessary to increase the number of inspectors by 54% over the last several years. But it is clear that the Department of Buildings, the public and the industry are appropriately seeking a much higher level of oversight in this area. Unless additional resources are provided to the Buildings Department, they will collapse 5

under the weight of their own reform and bring multimillion dollar projects to a screeching halt.

The Building Trades Employers' Association would recommend the following actions be taken in order to strengthen public and worker safety for the erection, dismantling and jumping of tower cranes:

- 1) Amend the Building Code and require that all workers involved in rigging tasks be required to pass a 30 hour rigging training course and be required to take an 8 hour refresher course at least once every three years.**
- 2) That a Committee of industry professionals be convened with the Buildings Department to review the qualifications for both the Master Rigger and Tower Rigger license. We would also suggest it would make sense to review the requirements for Crane Operator licenses at the same time.**
- 3) Additional financing be provided to the Buildings Department for the training and hiring of crane inspectors as well as support personnel in order to improve the oversight and scheduling of tower crane jumps.**

The Buildings Department needs and deserves these resources in order to effectively carry out their

responsibility to protect public and worker safety; the construction industry deserves an agency that can be responsive to the safety and economic realities of the marketplace; and the public deserves to feel safe and secure as they walk by a construction site where a tower crane operation is underway.

In closing, the BTEA looks forward to continue working with this committee, the City Council and the Buildings Department in taking whatever steps are necessary to ensure public and worker safety in this and every area of construction safety. Thank you.