



**Request for City Council Committee Action
From the Department of Regulatory Services**

Date: April 4, 2007

To: Council Member Don Samuels, Chair
Public Safety & Regulatory Services Committee

Subject : Worker safety at construction sites in Minneapolis.

Recommendation: Receive and file.

Previous Directives: NA

Prepared by/Presenters in Committee: Burt Osborne, Director, Operations, Licenses & Environmental Management

Approved by: Burt Osborne, Director, Operations, Licenses & Environmental Management

Permanent Review Committee (PRC) Approval _____ Not Applicable
Policy Review Group (PRG) Approval Date of Approval Not Applicable

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- Action provides increased revenue for appropriation increase (in 2007 Budget request).
- Action requires use of contingency or reserves.
- Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply)

- Neighborhood Notification
City Goals
Comprehensive Plan
Zoning Code
Other

Background/Supporting Information Attached

Worker Safety at Construction Sites

Concerns were brought to the attention of Regulatory Services about the safety of workers at some job sites in Minneapolis. The concern was that improper safety practices were being employed, including inadequate protection against asbestos and other potentially harmful air particulates. Below is a summary of the steps Regulatory Services has taken to address these concerns.

▪ State of Minnesota Activities

The Federal government grants regulatory authority on worker safety to the State. Pat Higgins, Building Official, met with the Minnesota Department of Labor & Industry (OSHA) in December 2006 to inquire about mechanisms that the city could use when come upon unsafe job sites. The City was given contact information for the state investigator who would come out to investigate complaints.

Pat Higgins met with James Collins, Director of Workplace Safety at the Department of Labor and Industry in January 2007 to discuss specific complaints as well as safety issues involving lead and asbestos. Mr. Collins said that without a 'victim' coming forward or catching unsafe work practices in the act that such cases are difficult to prove or do anything about.

The state (MDH and MPCA) requires asbestos surveys for demolitions and/or renovations. Asbestos is regulated under the Federal government which then delegates that authority to the State. At this time, the State is not interested in re-delegating this authority to municipalities.

▪ City of Minneapolis/Regulatory Services Activities

Labor Management Committees. The issue was discussed at both the department's LMC as well as the trades LMC to identify projects that are of concern and agreed that if any complaints come in about worker safety that we will respond as quickly as possible.

Staff Training. The un-permitted work staff in Construction Code Services will be trained on work place safety issues to better identify safety issues at un-permitted job sites. Construction Code Services inspectors will be more vigilant of repeat offenders and pervious violators and will shut down job sites if violations seem to be occurring.

Ordinance review. Environmental Management will be reviewing and amending Chapter 47 – Air Quality Management Authority, including sandblasting, in 2007. Construction Code Services will review Title V – Building Code and parts of Title XIII – Licenses and Business Regulation with an eye on worker safety. As part of the ordinance review process, best practice research will be conducted of peer cities to solicit ideas for the amendments.