



Monday, June 22, 2009

Summary - A09000

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A09000 Summary:

BILL NO A09000

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SPONSOR Alessi (MS)

COSPNSR Fields

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Rpld S27-a sub 1 e, amd S27-a, Lab L

Relates to providing firefighters with appropriate equipment and procedures.

A09000 Actions:

BILL NO A09000

06/18/2009 referred to labor

A09000 Votes:

A09000 Memo:

BILL NUMBER:A9000

TITLE OF BILL: An act to amend the labor law, in relation to requiring employers to provide safety ropes and system components to firefighters; and to repeal paragraph e of subdivision 1 of section 27-a of the labor law relating to the definition of system components

Purpose: This Bill would require employers who employ firefighters to develop a written risk assessment to determine the equipment and procedures necessary for firefighters when engaged in fire suppression activ-

ities at above grade floors during structure fires.

Summary of Provisions: Section 1 of the Bill repeals the definition of "system components" found in paragraph e of subdivision 1 of section 27-a of the Labor Law.

Section 2 of the Bill amends subdivision 4 of section 27-a of the Labor Law to require employers, who employ firefighters to develop a written risk assessment to determine the equipment and procedures necessary for firefighters to use when engaged in fire suppression activities at above grade floors during structure fires.

Section 3 of the bill is the effective date.

Justification: On January 23, 2005, six (6) New York City Firefighters were caught on the fourth floor of a burning building in the Bronx. The firefighters, however, were not equipped with safety ropes and accompanying equipment. All six (6) men were forced to jump from the building, resulting in serious injury to four (4) and the death of two (2). This incident has become commonly referred to as "Black Sunday" in the fire-fighting community.

In response to the Black Sunday incident, the Legislature eventually enacted Chapter 433 of the Laws of 2008 ("Chapter 433"), which required, among other things, that the Commissioner of the Department of Labor (the "Commissioner") to promulgate regulations to adopt the codes, standards, and recommended practices promulgated by the "most recent" edition (i.e., the 2006 edition) of National Fire Protection Association ("NFPA") 1983 Standard on Fire Service Life Safety Rope And System Components.

NFPA standards, however, are continually changing in order to maintain pace with advancements in technology. By restricting the Commissioner to the 2006 edition of the NFPA 1983 Standard, Chapter 433 has, in effect, hampered the Commissioner's ability to effectively respond to changes in technology, which could have the unintended effect of putting firefighters' lives at risk.

In addition, firefighters carry certain standard equipment, which may be used during a self rescue / escape, that may not be covered by the NFPA 1983 Standard. For example, it is an accepted practice for a firefighter to carry a Halligan bar (also called a Halligan tool) into a building.

To be sure, in most fire companies, firefighters do not enter a building without one. One of the many accepted uses for the Halligan Bar is for a firefighter to use it during a self rescue / escape - i.e., the exact situation covered by Chapter 433. It is an accepted practice (and one that is taught during training) for a firefighter who faces a self rescue / escape situation to jam or wedge his Halligan bar into a wall or a corner as an anchor point, tie off his rope to it and proceed to extract himself out a window.

The problem, however, is that a Halligan bar is currently not covered by the NFPA 1983. In effect what Chapter 433 has inadvertently done is to prevent the firefighting community to use equipment generally recognized as acceptable because it is not covered by the NFPA 1983 Standard On Fire Service Life Safety Rope And System Components.

This Bill will provide the firefighting community with the latitude to

effectively respond to the needs of their locality, to consider appropriate alternatives and to provide communities with the flexibility to equip their firefighters with equipment that best suits their unique needs.

Legislative History: This is a new Bill.

Fiscal Implications: Minimal.

Effective Date: Immediately.

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