

REGULATORY AGENDA

Department of Labor

Pursuant to subdivision 1 of Section 202-d of the State Administrative Procedure Act, as amended by Chapter 635 of the Laws of 1995, notice is hereby provided of the following rules that the Department of Labor is considering proposing, but for which a rulemaking proceeding has not been commenced.

1. Amend Title 12 NYCRR Part 800 to incorporate by reference into New York Occupational Safety and Health standards those safety and health standards adopted by the United States Department of Labor Occupational Safety and Health Administration.

2. Add language to Title 12 NYCRR, Chapter II, Subchapter E, regarding hours and conditions of work and other provisions of the Child Performer Education & Trust Act.

3. Add language to Title 12 NYCRR pursuant to Chapter 721 of the Laws of 2004 which requires that rules and regulations be promulgated to detail what information must be included in written statements provided by licensed employment agencies to certain applicants for employment and their employers.

4. Amend Title 12 NYCRR Part 45 to implement regulations required by Chapter 368 of the Laws of 2006 requiring the Commissioner, in consultation with the Amusement Safety Advisory Board, to establish rules and regulations providing standards for the design, manufacture, testing, inspection, quality assurance and terminology of amusement devices. The rules and regulations will be consistent with the national standards for amusement devices, as established by the American Society of Testing and Materials.

5. Add language to Title 12 NYCRR Part 60 pursuant to Section 33 of Chapter 6 of the Laws of 2007, directing the Commissioner of Labor to develop a safety and loss prevention program that allows employers to voluntarily implement a safety incentive program, a drug and alcohol prevention program, or a return to work program in order to be eligible for a credit in their workers' compensation premiums. The Commissioner will also establish rules for the certification of safety and loss management specialists who will monitor all such incentive programs.

6. Amend Title 12 NYCRR Section 480.1 to make the rule consistent with the provisions in current minimum wage orders with regard to calculating the reasonable value of meals provided to an employee in establishing an employee's rate of pay.

7. Amend Title 12 NYCRR Section 481.1 to extend the deadline by which applications for dissolution of joint accounts for unemployment insurance tax purposes may be filed.

8. Repeal Section 470.2 of 12 NYCRR, regarding the date on which wages are deemed paid, to eliminate the inconsistency between this section and amendments to Section 516 of the Labor Law enacted in 1999.

9. Add a new Part to Title 12 NYCRR to implement regulations required by Chapter 433 of the laws of 2007, requiring employers to provide safety ropes and system components to firefighters.

To obtain information or submit written comments regarding this regulatory agenda, contact Maria L. Colavito, Esq., Counsel, Department of Labor, Bldg. 12, State Office Campus, Counsel's Office, Rm. 508, Albany, NY 12240, Maria.Colavito@labor.state.ny.us, (518) 457-4380.

