

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
123RD LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to H.P. 458, L.D. 591, Bill, "An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects"

Amend the bill in section 1 in §1309-A in subsection 1 in the 4th and 5th lines (page 1, lines 8 and 9 in L.D.) by striking out the following: "each employee to be employed" and inserting the following: 'one employee from each company'

Amend the bill in section 1 in §1309-A in subsection 1 in the 7th line (page 1, line 11 in L.D.) by inserting after "duration." the following: 'A temporary employee or an employee provided by an employee leasing company as defined in Title 32, section 14051, subsection 3 who is under the direct supervision and control of a successful bidder or subcontractor is considered an employee of that successful bidder or subcontractor for the purposes of this section.'

Amend the bill in section 1 in §1309-A in subsection 1 in the 8th line (page 1, line 12) by inserting after "documentation" the following: 'within 30 days of when each contractor and subcontractor begins work on the project'

Amend the bill in section 1 in §1309-A by striking out all of subsection 2 and inserting the following:

2. Penalties and enforcement. In addition to the penalties provided in section 1312, any contractor or subcontractor who willfully and knowingly violates this section is subject to the removal from the work site by the Director of the Bureau of Labor Standards of any employee for whom documentation required by this section is not provided.'

SUMMARY

This amendment requires that one employee from each company at a work site must have successfully completed a course in construction safety no shorter than 10 hours that meets the guidelines approved by the federal Occupational Safety and Health Administration. The amendment also clarifies that a temporary employee or an employee provided by an employee leasing company is considered an employee for purposes of the required training course. The amendment adds a provision that allows contractors and

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1 subcontractors 30 days to submit evidence that training has been completed. The
2 amendment also removes cancellation of the contract as a penalty if the contractor
3 knowingly violates the section.

4 SPONSORED BY: 

5 (Senator DAMON)

6 COUNTY: Hancock