Cal. No. 1480

7.11

1975-1976 Regular Sessions

IN ASSEMBLY

March 25, 1975

Introduced by Mr. MARCHISELLI—Multi-Sponsored by—Messra. CULHANE, ORAZIO, S. POSNER, DelTORO—read once and referred to the Committee on Labor—reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading.

AN ACT

to amend the labor law, in relation to occupational safety and health, and repealing certain provisions of such law relating

Alle Silvin
AUS 9100

Approved

1975

ASSEMBLY

PAGE 15.8

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The Assembly bill *
by Mr. MARCHISELLI
Entitled: "

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Acces	mbly	No	76	9/-	A
	•				<u> </u>
Sen.	Rept.	No	• *************************************		

AN ACT

to amend the labor law, in relation to occupational safety and health, and repealing certain provisions of such law relating thereto

The President put the question whether the Senate would agree to the final passage of said bill, the same having been printed and upon the desks of the members in its final form at least three calendar legislative days, and it was decided in the affirmative, a majority of all the Senators elected voting in favor thereof and three-fifths being present, as follows:

AYE	Dist.		NAY	AYE	Dist.		NA
	47	Mr. Anderson			22	Mr. Lewis	
	49	Mr. Auer			50	Mr. Lombardi	
	45	Mr. Barclay			24	Mr. Marchi	·············
	23	Mr. Beatty			5	Mr. Marino	
	25	Ms. Bellamy		* Acceptance ** Acceptance	48	Mr. Mason	
	33	Mr. Bernstein			28	Mr. McCall	
	19	Mr. Bloom			59	Mr. McFarland	
	12	Mr. Bronston			16	Mr. Meyerson	
	9	Ms. Burstein			14	Mr. Moore	
	7	Mr. Caemmerer			42	Mr. Nolan	
	34	Mr. Calandra	•		27	Mr. Ohrenstein	<u></u>
	21	Mr. Conklin			17	Mr. Owens	
	46	Mr. Donovan			111	Mr. Padavan	
	6	Mr. Dunne			60	Mr. Paterson	
	54	Mr. Eckert			53	Mr. Perry	
	35	Mr. Flynn			36	Mr. Pisani	
	32	Mr. Galiber			57	Mr. Present	
	30	Mr. Garcia			39	Mr. Rolison	····
	1	Mr. Giuffreda			31	Mr. Ruiz	
	13	Mr. Gold			10	Mr. Santucci	
	26	Mr. Goodman			40	Mr. Schermerhorn	
	37	Mr. Gordon			2	Mr. Smith, B. C.	
	56	Mr. Griffin			51	Mr. Smith, W. T.	
	20	Mr. Halperin		*.a., 1988	43	Mr. Stafford	
	41	Mr. Hudson			18	Mr. Straub	
,	44	Mr. Isabella			55	Mr. Tauriello	
	4	Mr. Johnson			3 -	Mr. Trunzo	
	15	Mr. Knorr			58	Mr. Volker	
	29	Mr. Leichter			52	Mr. Warder	
	8	Mr. Levy			38	Ms. Winikow	

AYES____

[&]quot; was read the third time

405/ Happeals A:7681-A (Republicans in Italica) Those Who Voted Those Who Voted In the Allimnative In the Attirmative In the Negative In the Negative Mr. Tomason Mr. Grannis Mr. Montano Miss Amatucci Mr. Murphy (G. A.) -Mr. Greco Mr. Barbaro Mr. Murphy (M. J.) Mr. Griffin Mr. Betros. Mr. Murphy (T. J.) Mr. Griffith Nr. Bianchi Miss Gunning-Mr. Nicolosi Mr. Haley Mr. Nine --- Mr. Brewer Mr. Hamilton Mr. O'Neil -Mr. Brown Mr. Hanna-Mr. Orazio Mr. Harenberg Mr. Burns-Mr. Passannante Mr. Harris-Mr. Burrows Mr. Pesce Mr. Hawley-Mr. Calogero Mr. Posner (H. A.) Mr. Heales Mr. Caputo-Mr. Posner (S.) Mr. Hecht Mr. Rappleyea. Mr. Cincotta Mr. Henderson Mr. Cochrane Mr. Reilly-Mr. Herbsten Mrs. Connelly Mr. Riford-Mr. Heyesi Mr. Connor Mr. Robach Mr. Hinchey Mr. Gook (C. D.) Mr. Roosa Mr. Hochberg Mr. Cook (D. W.) Mr. Ross -Mr. Hochbrueckner Mr. Cooperman Mrs. Runyon Mr. Hoyt Mr. Ryan Mr. Culhane Mr. Hurley-Mr. Daly Mr. Schmidt Mr. Izard Mr. D'Amato-Mr. Schumer Mr. Jonas-Mr. D'Andrea ----Mr. Sears Mr. Kelleher Mr. Dearie Mr. Serrano Mr. Kidder Mr. DelliBovi Mr. Sharoff -Mr. Koppell -Mr. Del Toro Mr. Siegel Mr. Kremer Mr. DeSalvio Mr. Silverman Mr. Landes Mr. DiCarlo-Mr. Solomon-Mr. Lane -Mr. DiFalco Mr. Stavisky Mr. Lasher Mr. Stoin. - Mrs. Diggs Mr. Stephens -Mr. Dokuchitz-Mr. Lee Mr. Lehner Mr. Duryea Mr. Stott Mr. Lentol Mr. Dwyer Mr. Strelzin Mr. Emery ---Mr. Levy Mr. Suchin-Mr. Lewis Mr. Sullivan Mr. Esposito-Mr. Lill Mr. Tallon -Mr. Eve Mr. Lisa Mr. Farrell Mr. Taylor Mr. Ferris Mr. Lopresto-Mr. Thorn Mr. Field. Mr. Mannix Mr. Tills Mr. Fink Mr. Marchiselli Mr. Vann Mr. Flack-Mr. Margiotta-Mr. Velella-Mr. Flanagan --Mr. Marshall Mr. Virgilio -Mr. McCabe Mr. Walsh Mr. Fortune Mr. Mega-Mr. Wemple -Mr. Fremming Mr. Miller (G. W.) Mr. Weprin - Mr. Frey --- Mr. Miller (H. J.) Mr. Wertz-Mr. Gazzara Mr. Miller (H. M.) Mr. Yevoli Mrs. Goodhue-Mr. Miller (M. H.) --- Mr. Gorski Mr. Zagame --Mr. Mirto Mr. Zimmer Mr. Gottfried

YES

- Mr. Graber

NOES 60

Mr. Molinari ... - .

Mr. Sporker

30-DAY BILLS

BUDGET REPORT ON BILLS

Session Year: 1975

SENATE

Introduced by: Mr. Marchiselli et al ASSEMBLY 7681-A

No.

Low: Labor

Sections: Various

JUL 3 0 1975

Division of the Budget recommendation on the above bill:

Approve: X	Veto:	No Object	ion:	N	o Recommend	ation:
Dualso	Budget	Reports	on A.	8823	and A.	8837)
1. Subject (and Purpose:		, – –	,,	· ·		

The purpose of these bills is to authorize the Department of Labor to continue the administration and enforcement of occupational and public safety standards in those areas which were not preempted by the Federal government on July 1, 1975 under the Federal Occupational Safety and Health Act of 1970 (OSHA), and to direct the Industrial Commissioner to develop a plan for the types of coverage and safety and health requirements for public employees.

2. Summary of provisions:

Assembly No. 7681-A amends various sections of the Labor Law to:

- a. Authorize the Industrial Commissioner to promulgate and enforce safety and health standards which would apply only to those places of employment not covered under the Federal Occupational Safety and Health Act (OSHA). Such standards were formerly promulgated by the State Board of Standards and Appeals;
- b. Direct the Industrial Commissioner to conduct a demonstration project in order to develop a plan and proposed legislation to protect the safety and health of State employees by February 15, 1976 and of employees of political subdivisions by February 15, 1977;
- c. Direct the Industrial Commissioner to establish a program for voluntary compliance by employers and employees of all applicable safety and health standards, and to encourage employers and employees to institute new programs and to perfect existing programs for providing safe and healthful working conditions;
- d. Continue existing State safety and health standards;
- e. Transfer from the Board of Standards and Appeals to the Industrial Commissioner the authority to issue variances to safety and health standards; and

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Disposition:	Chapter No.	Veto No.

8837

Session Year 1975

f. Abolish the existing Board of Standards and Appeals and substitute a new Industrial Board of Appeals with the following features:

-2-

- (1) The Board would be composed of three members, at least one of whom would be an attorney;
- (2) The members would be appointed by the Governor, with the advice and consent of the Senate, for six-year terms;
- (3) The Governor would designate one of the members to serve as chairman, who would devote his entire time to the duties of his office;
- (4) The Governor would determine the salaries of the three members within the limits of the appropriation (this would permit the Governor to establish part-time roles for two of the members); and
- (5) The Board's only responsibility in the safety area would be to review appeals from orders to comply (citations). Appeals on new or revised safety standards would be made to the courts rather than to the new Industrial Board of Appeals.

Assembly No. 8823, which amends Assembly No. 7681-A, would provide a State Purposes-Regular appropriation of \$1,673,000 to supplement the \$2,922,000 which was made available in the 1975-76 appropriation for the Department of Labor's Occupational Safety and Health program. In addition, this bill would change the effective date from July 1, 1975 to "immediately."

Assembly No. 8837, which also amends Assembly No. 7681-A, would change the number of members of the new Industrial Board of Appeals from three to five, and would require the Governor to appoint two of the members of the existing Board of Standards and Appeals to the new Industrial Board of Appeals.

3. Legislative history:

Assembly No. 7681-A is virtually identical to the Governor's Program Bill No. 37. The only change is the addition of a sentence to the proposed new section 28 of the Labor Law which would exclude employees of political subdivisions from all safety and health standards until a plan for their coverage is developed and implemented.

The appropriation of \$1,673,000 which is proposed in Assembly No. 8823 would substitute for an item which was originally intended for inclusion in the 1975-76 Supplemental Budget.

Assembly Nos.: 7681-A

8823 8837

-3-

Session Year 1975

4. Arguments in support:

- a. Although the Federal government has preempted occupational safety and health responsibilities in those areas covered under the Federal Occupational Safety and Health Act (OSHA), the State also has successful safety programs in non-preempted areas, such as in places of public assembly, and for ski tows, amusement rides and in mines, quarries and tunnels. In addition, while the operation of boilers and elevators will be included under OSHA, the Federal government does not expect to promulgate safety standards for these areas within the next two or three years. Therefore, in order to insure no diminution in the level of protection to workers and the public, State action is required.
- b. Public employees should receive the same protection from safety and health hazards as do workers in private industry. Public employees are the only large group of workers not covered under current Federal or State safety statutes.
- c. Under the existing statutes, the Board of Standards and Appeals has both standard-setting and related judicial responsibilities with respect to safety and health standards. The proposed transfer of the standard-setting responsibility to the Industrial Commissioner is desirable since it is in line with accepted administrative practices concerning the separation of powers.
- d. The additional appropriation of \$1,673,000 is required to help finance the costs of the 286 positions which have been retained to administer and enforce the Governor's revised occupational safety and health program.

5. <u>Possible objections</u>:

- a. Since the Federal government has preempted those occupational safety and health activities covered under the Federal Occupational Safety and Health Act (OSHA), one could question the need for the State to administer and enforce safety and health standards in certain other areas which the Federal government did not consider important enough to include under OSHA.
- b. Since there appears to have been no adverse criticism or complaints concerning the performance of the Board of Standards and Appeals in promulgating safety standards and issuing variances to these standards, the transfer of these responsibilities to the Industrial Commissioner can be questioned.
- c. There is no need to increase the membership of the proposed Industrial Board of Appeals from three to five members. With the transfer of the safety standard setting and the granting of variances to the Industrial Commissioner, the new Board's workload will be drastically reduced over that of its predecessor.

Assembly Nos.: 7681-A

8823 8837

-4-

. Session Year 1975

6. Other State agencies interested:

The Department of Labor.

7. Other interested groups:

These bills will be of interest to labor unions in the private and public sector and to employer groups.

8. Budget implications:

Although there is a need for an additional State Purposes-Regular appropriation of \$1,673,000, over and above the \$2,922,000 currently available, to help finance the Governor's revised Occupational Safety and Health program, the Federal preemption of the OSHA activities will result in a savings of at least \$1.7 million in 1975-76 over prior costs of the program, excluding fringe benefit savings of about \$500,000. The annual savings thereafter should be about \$3.2 million, including savings in fringe benefits.

9. Recommendation:

We recommend approval of Assembly Nos. 7681-A and 8823 in order to continue to provide adequate safety and health protection to workers and the public in non-preempted areas, to extend safety and health protection to workers in the public sector, and to provide sufficient funding to accomplish these highly desirable goals.

We also recommend that Assembly No. 8837 be vetoed since there is no apparent need to increase the membership of the new Industrial Board of Appeals from three to five members in the face of a drastic reduction in the Board's workload. (The memorandum which accompanied the Governor's Program Bill No. 37 indicated that about 95 percent of the Board of Standards and Appeals' workload was eliminated because of the Federal preemption of the activities included under the Federal Occupational Safety and Health Act.)

Drafting Note: If Assembly No. 7681-A is approved, a note should be made of a drafting error in the proposed changes to section 213 of the Labor Law (page 14 of the bill--line no. 24). The proposed deleted wording, "of a labor law or industrial code", should read, "labor law or industrial code."

Date:	July 21,	1975		Examiner:	James G	G. Czwakiel	95
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Disposition:

Chapter No.

Veto No.

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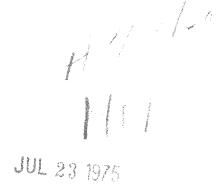


LOUIS L. LEVINE

STATE OF NEW YORK DEPARTMENT OF LABOR

TWO WORLD TRADE CENTER

NEW YORK, N.Y. 10047



July 22, 1975

Judah Gribitz, Esq. Counsel to the Governor The State Capitol Albany, New York 12224

Dear Judah:

You recently sent to me for comment two Governor's Program Bills. The first of these is A. 7681-A, as amended by A. 8823 and A. 8837. The second is S. 6506, as amended by A. 7986-A. The following are my comments on these bills.

Concerning the first, A. 7681-A and amendments, I should point out that this establishes a specific role for the State Labor Department in the occupational safety and health field in the light of Federal preemption of most of its former occupational safety and health activities. You will recall that in March 1975, Governor Carey decided to withdraw the New York State Plan for Occupational Safety and Health and to allow for Federal preemption. In announcing his decision, the Governor explained that the State would continue to function in areas not covered by the Federal Occupational Safety and Health Act and would provide new services as necessary to supplement the Federal role. Two such services, a consultant program whereby employers may receive advice on safety matters and an on-the-job safety and health program for public employees, are mandated through this bill. In addition, funds are appropriated for implementation through a chapter amendment.

The bill is necessary to carry on the public and occupational safety and health role of the State Labor Department announced by the Governor. After Federal preemption, it was necessary to lay-off some 350 persons involved in my Agency's safety and health programs. This left us with a staff of some 280 persons for implementation of the Governor's Program, a total set by the Governor's office itself. Without the above bill, we would be required to lay-off an additional 160 persons, thereby leaving us with a staff of 120. The bill is therefore essential for implementation of safety and health programs announced by the Governor and for retention of current staff.

I therefore recommend approval.

Regarding the second bill, S. 6506 and its amendment A. 7986-A, this too is a part of the package which reflects the occupational safety and health role of the State Labor Department under the Governor's Program. Actually, the bill is an attempt to maintain the status quo in the face of Federal preemption of most of the State's occupational safety and health activities.

Although the Federal government does not require licensing of crane operators, blasters, and users of radiation and lasers under its Occupational Safety and Health Act, it does cover such potentially hazardous activities in other ways. Therefore, it is believed that as long as the State considers such licensing a part of its Occupational Safety and Health Program it might be preempted from implementation.

By putting these licensing requirements in the General Business Law we believe we can avoid any question of preemption and therefore continue to provide such protections for employees and the public.

The radiation and laser aspects of the bill involve a particularly complex division of jurisdiction. On the Federal end, the Nuclear Regulatory Commission as well as the Occupational Safety and Health Administration share responsibility. In this State both the State Health Department and the New York City Health Department as well as the State Labor Department have divided responsibility. Precisely what effect on this already complex division of jurisdiction the chapter amendment, which exempts New York City and provides for licensing by the City, will have is still to be determined but does not at present appear to be a major problem for us.

I therefore recommend approval of the bill.

Sincerely,

Lòuis L. Levine

Industrial Commissioner

eave State in Safety

state vs. federal enforcement of industrial safety codes is coming to a boil, with Gov. Carey apparently leaning toward the AFL-CIO preference for a federalization of all occupational safety programs.

We see little to be gained and much to he lost by abdicating to Washington an inspection, role that, the state is better equipped to continue performing under broadened safety codes awaiting legislative approval.

Under a 1970 federal law, individual states must choose between a federal take-over of industrial safety programs or state enforcement of codes meeting federal standards. Although New York's plan was approved by the U.S. Labor Department two years ago, approval of the enabling legislation was allowed to drift last year, and now Washington will automatically pre-empt this field unless the Albany plan gets a green light by March 31:

The state plan is appropriately comprehensive in specifying standards for virtually every conceivable kind of work situation. Federal provisions, in contrast, do not cover thousands of public employe jobs, Moreover, state inspectors point out that federal regulations provide no assurance of safety protection now af-

The long-simmering controversy over forded by the state for amusement rides. ski tows, elevators, heavy construction equipment, some mercantile establishments, and some places of public assembly.

Since Washington will continue paying one-half the present \$14 million cost for state enforcement, any taxpayer savings from federal pre-emption would be negligible, and might even be more than offset if the state had to maintain a separate inspection force to cover areas neglected by federal inspectors. -

While a case might be made for federal take-over of some specific functions. better handled on a uniform national basis, this certainly doesn't make sense in the vital area of occupational safety enforcement long provided in this heavily industrial state by an established and effective program that is more far-reaching in scope than the protection afforded - under federal guidelines.

The same principle would seem to apply to Gov. Carey's proposed shift of meat inspection to federal control which as a letter in today's Everybody's Column points out, would not be as thorough as the state's present protection of consumers. So in both areas, passing the buck to Washington looks like a poor an-

JUL 18 1975

TO COUNSEL TO THE GOVERNOR

RE: SENATE

ASSEMBLY 7681-A

Inasmuch as this bill does not appear to involve a legal problem nor to relate to the functions of the Department of Law, I am not commenting thereon. However, if there is a particular aspect of the bill upon which you wish comment, please advise me.

Dated: July 17, 1975

LOUIS J. LEFKOWITZ Attorney General

MM STATE OF NEW YORK

DEPARTMENT OF STATE

MARIO M. CUOMO SECUTATO OS SECUT

August 1, 1975

ALBANY, N.Y. 12231

Honorable Judah Cribetz Counsel to the Governor State Capitol Albany, New York

Re: Assembly 7681-A

Dear Judah:

This bill amends the Labor Law to abolish the Board of Standards and Appeals and to create in lieu an Industrial Board of Appeals to take over the functions of the former board except that it transfers to the industrial commissioner the power to adopt rules relating to health and safety standards. The Board, however, is empowered to revoke, amend or modify any rule, regulation or order adopted.

This bill does not relate to any of my functions or responsibilities and I have no comments or recommendations concerning same.

Sincerely,

Secretary of State

MMC/sc

STATE UNIVERSITY OF NEW YORK AGRICULTURAL AND TECHNICAL COLLEGE COBLESKILL, N. Y. 12043

March 4, 1975

The Honorable Hugh Carey Governor State of New York Executive Chamber Albany, New York 12224

Dear Governor Carey:

I would strongly recommend that the proposed bill concerning the New York State Equivalent Law Occupational Safety and Health Act be released in order to get it into committee for legislative action.

It is important that public employees have the same safety and health protection as those in the private sector.

I sincerely hope that New York State adopts the federal equivalent of the Occupational Safety and Health Act so that public employees will be afforded this protection.

Sincerely,

Ronald P. Nielsen Director of Safety

RPN: hdb

1664

Action:

THE CITY OF NEW YORK OFFICE OF THE MAYOR NEW YORK, N.Y. 10007

August 1, 1975

A. 7681-A by Mr. Marchiselli A. 8823 by Committee on Rules

Honorable Hugh L. Carey Governor of the State of New York Albany, New York

Dear Governor Carey:

I have earlier transmitted to you a formal memorandum indicating our disapproval of the above captioned bills, a copy of which is appended hereto.

It would have been inappropriate to air in a communication of that nature certain details that constrained the City to recommend that the bills be vetoed.

As indicated in the attached memorandum, the City was greatly concerned that it participate from the beginning in any studies made, and that they would focus on the costs of implementing OSHA standards.

The City had requested through on going staff contacts, and by letter to you from Budget Director Melvin N. Lechner dated May 22, 1975 a commitment for active city participation in formulating the OSHA plan, funds to defray the costs of participation, and assurances that the planning would focus on the costs of its effectuation. To this date we have received no response despite numerous assurances that a response would be forthcoming. More importantly the City refrained from opposing these bills before the legislature because we had been told that our requests could be resolved on an administrative level.

I am disappointed that we have not as yet received an answer to our letter. In these times of fiscal catastrophe we are particularly sensitive to the setting in motion of events that could have enormous cost consequences to the City without an on going opportunity to voice our objections.

We also wish to reiterate our position that no costs

Honorable Hugh L. Carey August 1, 1975 Page 2

should be imposed on the City of New York and other local governments without the State providing the revenue necessary to meet them.

Specifically we would like assurances that the State would not only invite our immediate participation in OSHA planning but also furnish a planning grant in the amount of \$50,000 or loan three state inspectors to the City in order to assist the City in such participation.

Very truly yours,

Abraham D. Beame

Mayor



A 7681-A

C-7564

AUG 5 1975

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

July 31, 1975

A.7681-A by Mr. Marchiselli

AN ACT to amend the labor law, in relation to occupational safety and health, and repealing certain provisions of such law relating thereto

A.8823 by Committee on Rules

AN ACT to amend a chapter of the laws of nineteen hundred seventy-five, entitled "An Act to amend the labor law, in relation to occupational safety and health, and repealing certain provisions of such law relating thereto", in relation to the effective date of certain provisions thereof

DISAPPROVAL RECOMMENDED

Honorable Hugh L. Carey Governor of the State of New York Albany, New York

Dear Governor Carey:

The above bills are before you for executive action.

Since A. 8823 is a chapter amendment to A. 7681-A the two bills are considered together.

A. 7681-A deals, inter alia, with making state health and safety standards applicable to places of employment or parts thereof not covered by a federal occupational health standard promulgated under section six of the United States Occupational & Safety Health Act of 1970.

Honorable Hugh L. Carey July 31, 1975 Page 2

It also mandates that the industrial commissioner implement a program to determine the specific occupational and health requirements for the state's political subdivisions, and to recommend a plan therefore, and any needed legislation for its implementation not later than February 15, 1977.

A.8823 appropriates \$1,673,000 to effectuate the main bill's provisions and other occupational safety and health activities provided in the labor law.

The City of New York objects to this legislation because it fails to address itself to the manner in which the implementation of an OSHA plan would impact the City of New York.

Because coverage of public employees by an OSHA-type system poses many complex legal, fiscal, administrative, and labor problems for the City, it is important that the City of New York be involved in the development of an occupational safety and health plan mandated by bill section 20 of the main bill. As the largest employer in the state with the greatest range of occupations and working conditions, the City should be an active partner with the state in studying our own working conditions and in designing compliance programs and strategies to correct potential problems.

In addition, due to the potential ramifications of OSHA standards and enforcement on our hard-pressed budgetary resources, any plan and recommendations submitted pursuant to bill section 20 include an analysis of costs for local governments to comply with standards and to perform necessary administrative tasks required by the proposed program.

As the state's experience with the OSHA program demonstrates, a staff of expert personnel is needed to perform the necessary planning and analytic activities involved in developing OSHA plans and programs as mandated in bill section 20. Although staff from the Office of Management and Budget, Personnel Department, and other City agencies have been engaged in a preliminary review of the impact of OSHA, the more extensive analytical and technical tasks needed for the City to work effectively with the state on this demonstration project cannot be funded from the City's own shrinking fiscal resources.

Neither the bill nor the appropriation guarantees that the City will participate in OSHA planning or that such planning will be sensitive to the enormous costs it will mandate upon municipalities. A small portion of the money appropriated could assure a balanced view by affording New York City the funds to participate in the arduous planning task. Thus far there has been no indication that this will be done.

Honorable Hugh L. Carey July 31, 1975 Page 3

Accordingly, I urge your disapproval of this bill.

Very truly yours,

ABRAHAM D. BEAME, MAYOR

By Legislative Representative



OFFICE OF THE MAYOR

Bureau of the Budget
MUNICIPAL BUILDING, NEW YORK, N. Y. 10007

MELVIN N. LECHNER. Director of the Budget

May 22, 1975

Original to...... Info Photo to

JUN 27 19/5

Hon. Hugh Carey Governor State Capitol Building Albany, New York

Dear Governor Carey:

As the Mayor's representative for the Occupational Safety and Health program (OSHA), the Office of Management of Budget, along with other City agencies, has been studying the implications of your proposed legislation (A7681) mandating a demonstration program for state and local public employees. As a result of our in-house review, several amendments to this legislation have been drafted by the City which, if accepted, would make it possible for us to support the bill.

Because coverage of public employees by an OSHA-type system poses many complex legal, fiscal, administrative, and labor problems for the City, it is important that the City of New York be involved in the development of an occupational safety and health plan mandated by bill section 20 of the legislation. As the largest employer in the state with the greatest range of occupations and working conditions, the City should be an active partner with the state in studying our own working conditions and in designing compliance programs and strategies to correct potential problems.

In addition, due to the potential impact of OSHA standards and enforcement on our hard-pressed budgetary resources, we would request that any plan and recommendations submitted pursuant to bill section 20 include an analysis of costs for local governments to comply with standards and to perform necessary administrative tasks required by the proposed program.

Thus, although we are in general agreement with the language of bill section 20, we propose the following amendments to respond to the issues raised above:

Page 14, line 35 insert following sioner, the City of New York and other political subdivisions of the state.

Page 15, line 1 insert following therefor together with an analysis of its cost.

As the state's experience with the OSHA program demonstrates, a staff of expert personnel is needed to perform the necessary planning and analytic activities involved in developing OSHA plans and programs, as mandated in bill section 20. Although staff from the Office of Management and Budget, Personnel Department, and other City agencies have been engaged in a preliminary review of the impact of OSHA, the more extensive analytical and technical tasks needed for the City to work effectively with the state on this demonstration project cannot be funded from the City's own shrinking fiscal resources.

If we are to be actively involved in OSHA planning with the state, it is only fair that a portion of any federal funds received by the state to perform this study be made available to the City. As a demonstration of the state's commitment to local participation in OSHA planning, it would be helpful if a modest planning grant could be made available at the outset to assist the City in developing an OSHA planning capability.

Sensitive intergovernmental questions are raised by a State study of City working conditions. Cooperative City-State relations will be essential to the passage of any necessary legislation in this area and to the successful implementation of an effective, viable program of protection for the public sector workforce. It will be difficult for the City to support legislation authorizing this demonstration project without your assurances that we will be given an active role in planning and a share of any funds available for this purpose.

I look forward to your response to our suggestions. My staff will be available to work with your staff on specific funding proposals and other items.

Sincerely,

Melvin N. Lechner

Director of the Budget

The Real Estate Board of New York, Inc.

12 East 41st Street, New York, N. Y. 10017 Telephone 212 - 532-3100 \$

JUL 21 1975



OFFICERS

ROBERT V. TISHMAN

Chairman of the Board D. KENNETH PATTON

REXFORD E. TOMPKINS

Chairman, Executive Committee

RICHARD W. SEELER

Vice-Pres, Brokerage Division FRANCIS G. WALDRON

Vice-Pres. Management Division

SEYMOUR B. DURST

Vicc-Pres. Owners & Builders Division MORRIS A. WIRTH Vice-Pres. Allied & Associate Division

ALTON G. MARSHALL

Secretary

NORMAN C. RAMSEY

* * * **GOVERNORS**

ROBERT H. ARNOW

Swig. Weiler & Arnow

DAVID M. BALDWIN

Charles F. Noyes Company, Inc.

JAMES O. BOISI

Morgan Guaranty Trust Company of New York

J. CLARENCE DAVIES, JR.

J. Clarence Davies, Inc.
SEYMOUR B. DURST

The Durst Organization, Inc. WILLIAM J. DWYER, JR.

William J. Dwyer & Company, Inc.
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Carb, Luria, Glassner, Cook & Kufeid

ALTON G. MARSHALL

Rockefeller Center, Inc. JEROME MINSKOFF

Sam Minskoff & Sons

NORMAN C. RAMSEY

Prudential Savings Bank

JACK RUDIN

Rudin Management Co., Inc.

RALPH R. RUSS

James Felt-Huberth & Huberth, Inc.

RICHARD W. SEELER

Cross & Brown Company

LOUIS SMADBECK

MARTIN B. SWARZMAN

Wm, A. White & Sons

Glenwood Management Corp.
ROBERT V. TISHMAN

Tishman Realty & Construction Co., Inc.

REXFORD E. TOMPKINS

Dry Dock Savings Bank

FRANCIS G. WALDRON MORRIS A. WIRTH

Irving Trust Company

Goldstein, Shames & Hyde

HAROLD J. TREANOR WILLIAM F. TREANOR

Counsel Assistant Counsel

KENNETH R. GERRETY Executive Vice President

WILLIAM J. HUNTER

Exec. Secy, Management Div.

JOHN R. O'DONOGHUE

Exec. Secy. Owners & Builders Div.

July 17, 1975

The Honorable Judah Gribetz Counsel to the Governor Executive Chamber Albany, N.Y. 12224

ASSEMBLY BILL NO. 7681 BY MR. MARCHISELLI RE:

Dear Mr. Gribetz:

This will serve to record the recommendations of our Legislation Committee on the above bill which is now in the hands of the Governor.

Our Legislation Committee considered and approved this bill.

All applications for variances under the Federal Law must be filed and heard in Washington. Under the State plan, as contained in this bill, applications for variances would be heard locally. This would eliminate delays, and the Building industry would receive speedier action, rather than at long range from Washington.

> truly yours, offme

John R. O'Donoghue Executive Secretary

Owners & Builders Division

JRO'D:gh



New York State Chapter Inc

1900 Western Avenue, Albany, New York 12203 phone (518) 456-1134

February 20, 1975

The Honorable Hugh L. Carey Governor of New York State Office of the Governor Capitol Building Albany, New York 12224

Dear Governor Carey:

The New York State Chapter, Inc., Associated General Contractors of America, is the state wide representative of the Highway-Heavy-Utility Construction Industry and, as such, represents approximately 500 member firms.

This association is in favor of the New York State Department of Labor assuming the responsibility of OSHA, via the New York State Plan.

New York State Department of Labor Code Rules have been updated periodically by the Board of Standards and Appeals. Through their variance procedures over 40,000 workable changes have been incorporated into safety rules and regulations for the New York State construction industry. Because of ever increasing technical advancement and changing construction practices, safety rules and regulations must be adjusted. By adopting the New York State Plan, the state's construction industry would be able to work with the Board of Standards and Appeals to alleviate discrepancies reasonably and quickly rather than going to Washington where specific New York State idiosyncrasies would not be known or taken into account.

If the New York State Plan is not adopted, there will still be dual coverage, as the New York State Department of Labor will have the responsibility to protect workers, and the public, in mining facilities, on construction sites in proximity to the public way, and also such areas as amusement parks and ski tows.

Without the New York State Plan, the construction industry will be without a valuable tool - consultative services. Consultative services are available to contractors so that safe working conditions are obtained. This association feels that these services are a necessity in our industry.

As we understand the situation, the building trades support the plan as does the Civil Service Employees' Association. Opposed, among other unions, are the several teachers' unions and public employee unions in New York City. This support and opposition seems to nullify the union's position, thus enabling your office to move in the interests of the people of this state, which we feel is to implement the enabling legislation for the New York State Plan.

Thank you for your consideration and the opportunity to comment on this matter.

Very truly yours,

Joseph P. Budd

Administrative Assistant

JPB/vkd



The Building Industry Employers Association of Niegara County, New York, Inc.

631 MAIN STREET, NIAGARA FALLS, NEW YORK 14301 TELEPHONE: 285-9338

March 14, 1975

Honorable Hugh L. Carey, Governor,
State of New York,
The State Capitol,
Albany, New York. 12224

RE: Occupational Safety

and Health Act

Dear Governor Carey:

The Building Industry Employers Association of Niagara County, New York, Inc., an employers Association consisting of 85 members in Niagara County, wishes to inform you it strongly supports the legislation enabling the State of New York to administer the Occupational Safety and Health Plan approved by the Federal Government.

Members of this Association are very much aware of the need for safety standards to protect workmen from hazards inherent in the building and construction industry. The State of New York is to be commended for their just administration and enforcement of safety standards found in Industrial Codes regulating the conduct of business in our State. The enabling legislation as we understand it, would permit the State to continue administering the Occupational Safety and Health federally approved Plan for the benefit of all residents and continue the protection to workmen in this State without interruption.

One of the most important reasons for advocating a State Plan is that the State has well trained people who are familiar with our industries. The Inspectors, Supervisors and Administrators of employee safety have the respect and confidence of both labor and management people throughout the State. The administrators as well as the field inspectors are attuned to the needs of the people whom they serve and are responsive to those needs.

Another reason for advocating passage of this legislation is that in New York State conditions peculiar to a particular industry or company are treated in an individual way. In the case of a particular type of construction where a valid reason can be shown that a variance from a particular standard is needed

in order to commence or continue construction, and an approved alternate method of providing protection to the workmen at the site can be substituted, it has been shown that the New York State Board of Standards and Appeals can and does provide machinery for immediately handling these instances in an efficient manner.

Still another reason for favoring a State administered Plan and equally as important to employers and employees is that under the State Plan consultative services without fear of penalty, and preconstruction design plan evaluation services will be provided. The federal plan provides neither. Because of an ever increasing change in technology, it is to everybody's advantage to have these services made readily available. This will do much to promote safety in our industry.

It has been argued that a State administered Plan will cost New York State residents more money than the federal program. However, there is no factual support for this position and in fact once the Federal Government has geared up to administer the program with additional inspectors, new offices and other expenses it is doubtful that there will be any savings. In fact, because of New York State's obligation to continue administration of safety in those industries not covered by Federal Law, New York State taxpayers will incur a higher cost in a Federal Plan than under a State Plan, where the Federal Government shares the entire cost.

For the reasons cited above, the members of this Association strongly favor the legislation enabling the State of New York to administer the State Occupational Safety and Health Plan approved by the Federal Government and we urge you as our Governor to support such legislation.

Very truly yours,

THE BUILDING INDUSTRY
EMPLOYERS ASSOCIATION OF
NIAGARA COUNTY, NEW YORK, INC.

Angelo Massaro Executive Secretary

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NEW YORK STATE AFL-CIO

DE WITT CLINTON HOTEL . ALBANY, N. Y. 12201 . PHONE 436-8516

RAYMOND R. CORBETT President



LOUIS HOLLANDER
Secretory-Treesurer

MEMORANDUM

ENDORSE

1975

A. 7681 Marchiselli, Culhane

MAY 12 1975

A Safe and Healthy Workplace for Every Worker in the State

This bill authorizes the State Department of Labor to administer and enforce occupational and public safety standards in those areas not preempted by the Federal government on July 1, 1975 under the Federal Occupational Safety and Health Act.

The New York State AFL-CIO expresses its full and unequivocal support for this bill. It is a logical, adequate and fully warranted implementation of the Federal OSHA as well as of the decision of the Governor of March 13, 1975 to confine the activities of the state to coverage of public employees and those occupational safety and health areas not preempted by the Federal government. The reduction of the 1975-76 first instance appropriation for occupational health and safety by \$9,526,500 and the state purposes appropriation for the same purpose by \$3,366,000 is a reflection of the Governor's decision.

We have previously expressed our opposition to legislative proposals in 1973, 1974 and this year, designed to implement the state developmental plan and retain the state's full jurisdiction in occupational safety and health. Our opposition to these bills was based on the facts that they diluted some most essential safeguards designed to protect workers, denied real coverage to public employees and, while pretending to preserve equality of workers and employers, showed bias in favor of employers in almost every significant provision.

Against this background we consider the Governor's decision on this matter, and this bill, as the only sensible response to the obligation of the state incurred by the federal preemption of the area of occupational safety and health:

(1) The bill is an important step towards uniform federal regulation which has become a necessity in occupational safety for three basic reasons as stated in the Congressional reports on OSHA:

First and most simply, as the House report stated "the life of a worker in one state is as important as a worker's life in another state and uniform standards must be required to protect all workers from dangerous substances."

Second, as the Senate report added, "in a state-by-state approach the efforts of the most vigorous states are inevitably undermined by the shortsightedness of others."

Finally, in the absence of uniform requirements the efforts of "employers [who] have demonstrated an exemplary degree of concern for health and safety in the work place...are too often undercut by those who are not so concerned...[to] the competitive disadvantage of the more conscientious employer."

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(2) The bill places the responsibility and accountability for administration of the total residual state safety program in the Industrial Commissioner, rather than dividing the responsibility by assigning the issuance of standards to the Commissioner and the right to grant variances to the Industrial Board of Appeals, as was provided in the earlier state OSHA bills.

The approach followed by the Governor's bill is in line with the legislative intent of OSHA as expressed in the legislative reports of Congressional committees:

Says the Senate Committee on Labor and Public Welfare in its Report No. 91-1282 of October 6, 1970:

"Rather than dividing responsibility by creating yet another agency, the committee believes that a sounder program will result if responsibility for the formulation of rules is assigned to the same administrator who is also responsible for their enforcement and for seeing that they are workable and effective in their day-to-day application, thus permitting cohesive administration of a total program. In the committee's view, the question of separation of power is not so much one of whether the Secretary should be separated from the power to set standards, but whether he should be separated from the power to administer an integral program, and from the power of the Congress and the public to hold him accountable for the overall implementation of that program."

Says the House Committee on Education and Labor in its Report No. 91-1291 on CSHA of July 19, 1970:

"The committee realizes that boards and commissions have been used in the past as a common technique to avoid making decisions, even where most of the information with which they deal has been readily available for direct Congressional action or administrative regulation.

"A board whose members are appointed to serve for fixed terms could not be held accountable to anyone for reasonable and consistent establishment of standards. Indeed, it would be far better to place the authority in the one appointee whose primary obligation is to protect the legitimate interests of the workers and to enforce public policy in these areas as given to him by Congress and the President."

(3) Development of a state safety program as embodied in this bill will greatly facilitate a smooth transition to a joint Federal-state safety structure in New York. The basic elements of the program encompassing coverage of areas not preempted by the Federal government, the consultative program and the public employee program will not only result in substantial financial savings for the state but also makes re-employment of the present safety enforcement personnel a distinct element. The latter objective should be accomplished through additional appropriations in the Supplemental Budget as well as through additional appropriation in the Federal budget to be provided with the help of the New York State congressional delegation.

For these reasons we urge the Legislature to speedily pass this bill. At the same time we urge the Legislature to adopt a resolution memorializing Congress to provide for additional appropriations necessary for proper administration of OSHA in New York and additional personnel, that would assure full compliance with the law and bring us closer to the goal of a safe and healthy workplace for every worker in this state.

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PAS COVERNOR HUGH CAREY

EXECUTIVE CHAMBER

ALBASY WY 12224

YOU WITH DRAW NEW YORK OSHA DEVELOPMENT PLAN AND ORDER SECTION 7-C DEGOTIATIONS WITH THE FEDERAL GOVERNMENT TO ASSURE THE BEST POSSIBLE JOB SAFETY AND HEALTH PROTECTION FOR ALL WORKERS IN NEW YORK STATE ELLIS VAN RIPER PRESIDENT LOCAL 100 TWU

-1201 (R5-69)

DAVIS WALLBRIDGE, INC.

CONTRACTING

PYLE DRIVE

PHONE 446-2013

EAST SYRACUSE, N. Y. 13057

March 13, 1975

Honorable Hugh L. Carey Governor of New York State Executive Mansion Albany, New York 12224

Dear Governor Carey:

We are very much concerned and interested in the New York State Occupational Safety and Health Plan. New York State has a long established tradition of leadership in the field of industrial safety over the last century. We maintain that the State should continue this leadership and responsibility in this program. The fact is, the State is doing a superb job and we do not need the large bureaucratic federal level to administer regulations which are on the books.

The dedicated State employees in the inspection effort have shown a willingness of cooperation and are responsive to the needs of a sound business economy. Why lose these dedicated employees and their talent? The cost will still be borne by the residents in New York State to administer this program through the federal government. We only work in New York State and need decisions made in cities of New York State, and not Washington D. C..

We urge you to work towards the passage of enabling legislation for a State O.S.H.A. Plan. Keep the control and responsibility under State control.

Very truly yours,

DAVES WALLBRIDGE, INC.

Davis S. Wallbridge

President.

APR:r



MATERIALS RESEARCH CORPORATION

Orangeburg, New York 10962 · 914 359-4200 · "Cable MATRESCO"

April 11, 1975

The Honorable Hugh Carey Governor of New York State Capitol Albany, New York

My dear Governor:

I wish to register my objections to the proposed elimination of the Division of Occupational Safety and Health of the New York State Department of Labor and the proposed assignment of their necessary inspections to the Federal Government. I feel that permission of such an action would be an unprecedented step backwards for the State of New York and it expresses that the State no longer takes a personal interest in the safety of its citizens.

I register this objection based upon my experience with both Federal and State officers who have effected inspections of our facilities in Rockland County. Of greater significance is the fact that the New York State officers approach you with an air of constructive criticism and review your operations with a know-ledge developed by years, even decades of responsibility for the safety of the individual. I welcome their visits because I want somebody to review my efforts in maintaining the well-being of the employees and to make recommendations as to how my deficiencies may be corrected. This approach is totally unlike that of the OSHA Compliance officer who simply cites you for a violation but is not permitted to offer recommendations.

More specifically, a recent New York State inspection indicated some 8 areas where additional safeguards would be productive. My conversation with the Inspector revealed his thinking as to why there was a potential safety problem and elicited recommendations as to how a greater safeguard could be easily effected. Likewise an inspection by a Federal Compliance Officer would have simply cited a violation and referred to a particular section of the Law which would have referred to "improper safeguards on equipment". By their own statements the Compliance Officers have indicated that if they had pointed specifically to the deficiencies

The Honorable Hugh Carey Governer of New York Page -2-April 11, 1975

they would have also had to indicate corrective action and they are not allowed to make such recommendations.

I feel that the elimination of New York State inspectors will also adversely affect the safety of the citizenry because of the very few numbers of Federal officers available and capable of making inspections. I do not want to see New York State decrease the excellence of its Occupational Safety records by the adoption of a program where safety becomes fear through the levying of fines rather than a constructive cooperative attitude.

I look forward to the Governer of New York State taking whatever action is necessary to express his interest in the safety of his fellow citizens, and in maintaining a high caliber professional safety program.

Very truly yours,

MATERIALS RESEARCH CORPORATION

J. Wallage Cross, Manager Facilities and Insurance

JWC:rh

TARRANT MFG., CO.

Excelsior Ave., Ext.
Saratoga Springs, N. Y.

Zip 12866 Phone: 518-584-4400

March 10, 1975

Honorable Hugh Carey Governor of the State of New York State Capital Albany, New York 12201

Dear Governor:

There are and have been, since the enactment of the OSHA (Occupational Safety and Health Act), strong efforts being made on the part of the Federal Labor Department and National Labor organizations for the enforcement of this Act to be in the hands of the Federal Government.

While there may be some merit in certain phases of this Law, the overriding intent was and will be to penalize and subjugate and ultimately socialize what we have known as our capitalistic enterprise system.

When a man completely unfamiliar with a business or its problems can walk in its front door, unannounced, with authority to wander around through its facility and list real or imaginary conditions that may or may not actually be dangerous or hazardous and levy fines that are almost incontestable by the time he walks out the front door, we have a situation that is vicious and discriminatory.

While it may have been necessary in certain areas of the country to upgrade the working conditions under which people are employed, I believe that New York State has, in most instances, had higher standards than those arbitrarily arrived at under the OSHA Act. But what perhaps is more important, the State Labor Department enforced these regulations only after more thorough investigation and careful consideration of special situations. New York State needs to retain businesses in its boundaries. Our tax structure is driving businessmen out of the State. Let's start figuring out ways to encourage them to stay here.

You and your associates and the State Legislators should do everything in your power to see that the enforcement of the OSHA regulations are controlled within the State Labor Depa rtment and not by Federal agents. Certainly this must be possible, but it will require careful and diligent attention or we will see another instance of Federal encroachment into State government.

Thank you for your consideration of these views.

Yours truly,

TARRANT MANUFACTURING COMPANY

William P. Tarrant

Treasurer

WPT:mc

cc: Lt. Gov. Mary Ann Krupsak Senator Douglas Hudson

Assemblyman Robert D'Andrea



New York Bus Service

THE NEW ENGLAND THRUWAY (ROUTE 95) AT EXIT 5 . THE BRONX, N. Y. 10475

TELEPHONE: 212 994-5500

EDWARD ARRIGONI

January 24, 1975

The Honorable Hugh L. Carey Governor of the State of New York Albany, New York 12224

Dear Governor Carey:

We recently read in the newspaper where the State is weighing increasing unemployment insurance benefits from \$95.00 to \$125.00 per week. In light of the present unemployment situation in our State we believe this increase surely warrants consideration, however, we strongly object to these increased benefits, or for that matter, any benefits whatsoever being paid to workers who voluntarily strike their employer. We know you are aware that this unemployment insurance fund is solely and completely paid for by contributions made to it by the employer - not the employee.

Our company was on strike from July 1 through December 9, 1974. This five month strike was the longest bus strike in the history of the City of New York. The main reason it lasted for so long is that the strikers were being paid unemployment insurance benefits. May we also bring to your attention that only two states in the entire Country pay unemployment benefits to strikers. They are New York and Rhode Island.

We ask that you veto any legislation that includes unemployment benefits to strikers. Such benefits would only prolong strikes, it does not settle them and it is grossly unfair to ask an employer to support a strike against himself, since he is the sole contributor to the unemployment insurance fund.

Very truly yours,

EA:ead

Mary respectively

York State Library from the Library's c

PACIFIC EMPLOYERS GROUP

1600 ARCH STREET P.O. 8OX 7728 PHILADELPHIA PENNSYLVANIA 19101 (215) 241 4100 0

March 7, 1975

The Honorable Governor Hugh Carey State Capitol Albany, New York

Dear Sir:

The purpose of my letter is to recommend that you favorably consider a legislative proposal which was recently submitted to you by the New York Department of Labor. I understand that this proposal would permit the State of New York to carry out the purpose and standards of the Federal Occupational Safety and Health Act.

I have obtained the opinion of knowledgeable members of my company's Staff located in the State of New York as respects the merits of this proposal. In our judgment, if the State of New York accepts the responsibility of monitoring and enforcing the standards of the Occupational Safety and Health Act, it will result in improved protection to the health and well being of the labor force in the State of New York.

Thank you for considering my recommendation. I would appreciate your communicating its content to other persons who, in your judgment would be responsible for acting on the proposal.

Sincerely,

John G. Paine, President

Insurance Company of North America



CONTROL PLASTICS INC. INJECTION AND ROTATIONAL MOLDING

February 24, 1975

Governor Hugh L. Carey Executive Mansion Albany, New York 12224

Dear Governor Carey:

I would like to urge you to do all that is within your power to prevent the withdrawal of New York State's Occupational Safety & Health Plan. I am convinced that we must seize every opportunity to keep control of matters such as this at the state level to minimize the inefficiencies and delays that accompany successive levels of bureaucracy.

Our factory is typical of many older firms who have variances from state industrial building codes. We cannot afford to risk the loss of these by turning both standards and enforcement over to the federal government.

The fact that organized labor has its greatest influence at the federal level makes it easy to see why they are in favor of state withdrawal from occupational safety. It is unfortunate that they do not concern themselves with the problems that various states might be facing in trying to hang on to their industries and jobs. Labor's blanket opposition to state plans ignores the potential for the most effective plans possible. Indeed, New York State has long been a leader in the field of industrial safety and is in the best position to administrate its own occupational safety and health plan.

Before closing, I will mention a related matter with which I am sure organized labor would disagree. I am disappointed that OSHA contains so many provisions for penalties for the employer but fails to provide for penalties to the worker. I am sure there are cases where an employer has gone the extra mile to provide a safe work place only to have carelessness by workers spoil his record. Since it seems unrealistic to have a safety & health law that is incapable of penalizing the worker who refuses to comply with rules that are properly communicated. A system of fines for employee non-compliance would be of immeasurable help to both worker and employer in the task of reducing industrial injuries. Don't you agree?

I wish to thank you for considering these comments.

Sincerely yours,

CHILI PLASTICS , INC.

Paul Killion

Industrial Relations Director

PK :ac

* AMEA CODE STO 797-0000

World Comment & Union

Durkbalk

February 24, 1975

Governor Hugh L. Cary Executive Mansion Albany, New York 12224

Dear Governor Cary:

As a small manufacturer in a clothing industry I would like to urge you to support the New York State Occupational Safety and Health Plan and submit to the State Legislature the recommendation to pass enabling legislation for a New York State O. S. H.A. Plan. New York State has always taken the lead in providing Legislation to protect the worker against injury. Our State Labor Department is knowledgable and has been doing a good job in enforcing the State Labor Regulations.

To turn functions of the Labor Department over to the Federal Government would be a disaster for the manufacturers in this state. It would not only mean abdicating another one of our state rights but would mean creating another Federal Bureaucracy which if it runs true to form, would be expensive wasteful and loaded with red tape. The people hired for this new Federal pork barrel would be inexperienced and to run an on-the-job training program for this group when we have capable personel in the State Labor Department would be completely irresponsible.

I hope you will give your total support toward retaining State's control over Occupational Safety and Health Inspections and Control.

Sincerely yours,

Gilbert H. Jones

President

GHJ: les

BROADCAST ENGINEERS UNION LOCAL 1212

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS AFI—CIO

124

230 WEST 41st STREET, NEW YORK, N.Y. 10036

(212) 354-6770

6

Suite 1102

March 18, 1975

The Honorable Hugh L. Carey Governor of the State of New York Executive Chamber Albany, N.Y. 12224

Dear Governor Carey:

Radio & Television Broadcast Engineers, Local 1212, IBEW, unanimously supports the position of the New York State AFL-CIO to:

- 1. Withdraw the New York OSHA developmental plan, and
- 2. Order Section 7-C negotiations with the Federal government to assure the best possible job safety and health protection for all workers in New York State.

Respectfully yours,

VDB:jr opeiu-153 Vincent D. Bartilucci Business Manager

Sold god

MONROE PROFESSIONAL ENGINEERS SOCIETY A CHAPTER OF THE NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS, INC.



March 24, 1975

The Honorable Hugh L. Carey Governor, State of New York Executive Chambers State Capitol Albany, New York 12224

Dear Governor Carey:

This letter is written on behalf of the Monroe Professional Engineers Society Chapter of the New York State Society of Professional Engineers.

With regard to the question of OSHA legislation, kindly be advised that we are in total support of the concept of State administration and enforcement of laws concerning employee and public safety. We totally support the concept that the breadth and scope of such program should, in no way, diminish the present effectiveness of the combined effort represented by the Board of Standards and Appeals and the Division of Occupational Safety and Health, an effort apparently utilizing some 480 field inspectors with a back-up staff of 272 engineers, chemists and other technicians.

It is inconceivable that the delegation of any arbitrary number of Federal enforcement officers represents a well thought out program for the administration or enforcement of technically oriented material. Any such program mandates participation by technically qualified persons based on experience, education and the requirements of the laws of this State and such participation must encompass the total staff of such program.

New York State presently has laws mandating design of buildings and structures by New York State licensed Professional Engineers and Registered Architects. There is little doubt that relinquishing the present field and office enforcement areas of the New York State Labor Department to the Federal Government would severely diminish the effectiveness of these laws and would therefore compromise the public safety on the most basic levels, a situation we feel sure you would not condone.

It is also our position that any new legislation must be of such nature as to truly serve the occupants and visitors of this State. To properly serve all parties demands legislation which will be fair and equitable in its application, administration and enforcement. It is our understanding that there are presently before the Senate and Assembly bills sponsored by Senator Marchi and Assemblyman Emery. Apparently, these bills represent the basic concepts consistent with our position, we lend our complete support to these bills.

It is our observation that relinquishing OSHA enforcement to the Federal Government undermines an effective safety and health program in this State. It is further our observation that the Federal program does not demonstrate either the knowledge or maturity of the present State program and will not be capable of doing so for an extended period of years, if ever.

In closing, we wish to present you with the thought that true economies are effected by the channeling of monies into those areas which will provide a continually improving long term program functioning in the spirit of public interest and service with increased efficiency accomplished through the elimination of "red tape".

We urge you to reconsider your announced decision regarding withdrawal of State participation in the OSHA program and to work toward the above goals.

Respectfully yours,

Allan W. Gardner, P.E.

President

AWG:klm

cc: Hon. Mary Anne Krupsak, Lt. Gov.

Hon. Warren Anderson, Senate Majority Leader

Hon. Manfred Ohrenstein, Senate Minority Leader

Hon. Stanley Steingut, Speaker of the Assembly

Hon. Albert Blumenthal, Assembly Majority Leader

Hon. Perry Duryea, Jr., Assembly Minority Leader

Hon. Norman Levy, Chairman, Senate Labor Committee

Hon. Seymour Posner, Chairman, Assembly Labor Committee

Hon. John J. Marchi, Member of Senate

Hon. James L. Emery, Member of Assembly

February 7, 1975



Honorable Hugh F. Carey Governor State of New York State Capitol Albany, New York 12224

Dear Governor Carey:

As safety spokesman for a company with considerable investment in both capital and labor in this state, I would respectfully like to make our views known to you regarding the possible pre-emption of occupational safety and health jurisdiction in New York State by the Federal Government on April 1, 1975.

We have over the years maintained our various establishments in safe condition with the excellent cooperation of the office of the State Labor Commissioner and his inspection staff. We have watched, with some trepidation, the incursion of the Federal Government into these state jurisdictions. We were relieved when the New York State OSHA plan was approved. Since that approval, however, we have become increasingly alarmed by the failure of the State Legislature to bring New York into operational status through the passage of required enabling legislation.

We need not further burden you with recitations of the advantages of New York State businesses doing business with New York State, rather than with a distant Federal bureaucracy not closely cognizant of local conditions. Suffice it to say, we urgently request your good offices in pressing the Legislative leaders to report out and pass the enabling act which will assure the continued total viability of your own State Labor Department under your own guidance.

Sincerely,

D. A. Duncan, CSP

Director, Corporate Safety

cc: Mr. R. A. Weller, President - Otis Elevator Company

Mr. E. D. Hull, Sr. Vice President, N.A.E.O. - Otis Elevator Company

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CSHA

FUDEMAN AND RENALDO

120 DELAWARE AVENUE
BUFFALO, NEW YORK 14202

IRVING FUDEMAN
ANTHONY J. RENALDO
JAMES I. MYERS
ROBERT J. SALOMON
EMANUEL TABACHNICK
WILLIAM J. REGAN
W. JAMES SCHWAN II

March 21, 1975

WILLIAMSVILLE OFFICE: 5820 MAIN STREET WILLIAMSVILLE, N. Y. 14221 631-5157

Hon. Hugh Carey
Governor of New York
Executive Mansion
The Capitol
Albany, New York 12224

Re: OSHA Program

Dear Governor Carey:

Please be advised that the undersigned represents the United Gasoline Retailers of Western New York. The said Association is composed of service station dealers in the three western-most counties of the State of New York.

Enclosed please find a copy of an editorial which appeared in the Buffalo Evening News on March 8, 1975. We would like to go on record as unequivocally opposing any federalization of any New York State Occupational Safety Programs. We incorporate the reasons set forth in the enclosed editorial as our reasons for such opposition. We join with many other persons and organizations in urging you to retain the State Plan.

Very truly yours,

FUDEMAN AND RENALDO

W. James Schwan

WJS:dmp

СC

United Gasoline Retailers of Western New York, Department of Labor, Albany, New York, Assembly of New York Legislature, Senate of New York Legislature



THE ROCKLAND COUNTY ASSOCIATION, INC.

135 SOUTH MIDDLETOWN ROAD, NANUET, NEW YORK 10954 Telephone: (814) NA 3-5369

Executive Secretary
MARGARET E. MORAN

OJT Coordinator KEN HARNIMAN

March 18, 1975

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H. KENT VANDERHOEF Kay-Fries Chemicals

JOSEPH FELD Rockland County Apartment Association

BERT J. CROSS Lederle Laboratories

JOSEPH ROMANO, Esq.

MARSHALL S. ELDRIDGE Legislative Representative

> CHARLES R. LEO, JR. Ward Pavements, Inc.

JOHN A. LINGUANTI Anthony Linguanti & Company, Inc.

EDWARD EHLERS Spring Valley Water Co.

JUSTUS A. PRENTICE Superintendent of Schools, B.O.C.E.S.

SIDNEY SCHWARTZ Savings Bank of Rockiand County

SISTER NATALIE CASEY
Dominican College

DEAN B. SEIFRIED Orange & Bockland Utilities

CARL OLSON St. Regis Paper Company

ANTHONY G. APUZZO Majol Portable Tools

JOSEPH NUCERA Glenshaw Glass Company Hon. Hugh Carey Governor, State of New York Executive Chambers Albany, New York 12225

Dear Governor Carey:

For a period of three years the new Federal Occupational Safety and Health Act of 1970 has posed an extremely serious problem for business and industry in New York State.

In this three year period of time, the States have had an opportunity to develop or continue its own industrial safety program or permit complete federal operation under the new OSHA Act.

On January 26, 1972 the Associated Industries of New York State, Inc., had a seminar, which was attended by well over 100 of the more prominent industries in New York State. At this conference the following reasons were established why NYS should develop its own OSHA Plan that would meet Federal regulations:

- 1. NYS knows their own industry better than Federal government.
- 2. NYS realizes the problems industry has in the State.
- 3. Several variations in the OSHA law have been granted through the state plan which will become null and void.
- 4. Over 3,000 approvals of equipment have been made which will become null and void.
- 5. OSHA itself is committed to State programs and the role of enforcement really belongs within the State Administration under Federal guidance. OSHA intent is to encourage the states to remain in the safety business.
- 6. The NYS AFL-CIO, although objecting to certain technical features of the OSHA legislation introduced these past couple of years, still supports the concept of the State Plan.
- 7. If the OSHA legislations is to be effective, it

would seem enforcement by 375 state inspectors who are currently in the field would be much more efficient than the 35 federal OSHA compliance officers now in NYS with a maximum number of 45 provided in the federal budget.

Industry is moving out of state, -17.9% from 1948 through 1973. Let's start finding desirable ways to entice industry into the state.

There are two different legislative proposals introduced this year, both of them include the coverage of Public Employees. One delays coverage of the Public Employees until July 1, 1976. That legislation is A-6534 and S-4586. The other covers public employees immediately. This is A-6533 and S-4585. Both proposal keep OSHA enforcement within the State.

We urge you to support one of these two proposals, and not let the Federal OSHA take over as of March 31, 1975.

Sincerely

. Herbert Dahm

. Precident

JHD/1d

cc: Hon. John Marchi

Hon. Linda Winikow

Hon. James Emery

Hon. Eugene Levy

Hon. Robert Connor

OSHA

NIAGARA MOHAWK POWER CORPORATION



JOHN G. HAEHL, JR. PRESIDENT

300 ERIE BOULEVARD WEST SYRACUSE, N.Y. 13202

February 25, 1975

The Honorable Hugh L. Carey Governor of New York The Capitol Albany, New York 12224

Dear Governor Carey:

It is our desire to respectfully recommend that the New York State Plan for implementation of the Occupational Safety and Health Act of 1970 be forwarded by your office to the Legislature for enactment. The Plan was approved, in accord with Federal law, by the United States Secretary of Labor on May 14, 1973.

We believe that the State possesses the experience and expertise to administer a sophisticated industrial safety and health program. Moreover, State regulation and oversight is in the best interests of the citizens and administration should be retained by the State.

The State Plan must be implemented by March 31, 1975. Therefore, your attention to this matter is solicited so that the necessary legislation may come to you for approval before that date.

Your cooperation is greatly appreciated.

Sincerely,

2.37 Lehl

PRESIDENT HENRY N. ESS, III

VICE PRESIDENTS
WILBUR H. FRIEDMAN
LAWRENCE X. CUSACK
ANDREW Y. ROGERS

SECRETARY THOMAS KEOGH

TREASURER SOLOMON E. STAR EXECUTIVE DIRECTOR
JULIUS ROLNITZKY
ASSISTANT TREASURER
MICHAEL D. JAKIEME
LIBRARIAN
FREDERIC S. BAUM



14 VESEY STREET - FACING ST. PAUL'S NEW YORK, N.Y. 10007

CORTLANDT 7-6646

For further information please communicate with: Daniel C. Draper, Esq. Cadwalader, Wickersham & Taft One Wall Street
New York, N. Y. 10005
785-1000

February 26, 1975

Hon. Hugh L. Carey Executive Chamber Albany, N. Y. 12224

My dear Sir:

The Committee on Banking of the New York County Lawyers' Association has disapproved the following bill and believes that it should not become law:

S. 309

A copy of a report recommending disapproval is enclosed.

Very truly yours,

BENJAMIN LEVINE

Chairman, Committee on State Legislation

INTRODUCED BY SENATOR PADAVAN

February 20, 1975

Report No. 63

S. 309

NEW YORK COUNTY LAWYERS' ASSOCIATION 14 Vesey Street - New York 10007

Report of Committee on Banking on Senate Bill 309, which seeks to amend the Banking Law, Sections 108(4)(c) and 5 (e), in relation to fees or penalties charged by banks and trust companies on late payments by providing that if the payment has been made by mail and postmarked before the expiration of the grace period, the payment shall be deemed timely made.

RECOMMENDATION: DISAPPROVAL

The committee was of the opinion that the grace period provided for was sufficient.

Respectfully submitted,

COMMITTEE ON BANKING

Daniel C. Draper, Chairman

Report prepared for the Committee by MR. JOSEPH E. KAHT PRESIDENT HENRY N. ESS. III

VICE PRESIDENTS
WILBUR H. FRIEDMAN
LAWRENCE X. CUSACK
ANDREW Y. ROGERS

SECRETARY THOMAS KEOGH

TREASURER SOLOMON E. STAR EXECUTIVE DIRECTOR
JULIUS ROLNITZKY
ASSISTANT TREASURER
MICHAEL D. JAKIEME
LIBRARIAN
FREDERIC S. BAUM



14 VESEY STREET - FACING ST. PAUL'S NEW YORK, N.Y. 10007

CORTLANDT 7-6646

For further information please communicate with: Daniel C. Draper, Esq. Cadwalader, Wickersham & Taft One Wall Street
New York, N. Y. 10005
785-1000

February 26, 1975

Hon. Hugh L. Carey Executive Chamber Albany, N. Y. 12224

My dear Sir:

The Committee on Banking of the New York County Lawyers' Association has disapproved the following bill and believes that it should not become law:

A. 338 A. 339

A copy of a report recommending disapproval is enclosed.

Very truly yours,

BENJAMIN LEVINE

Chairman, Committee on State Legislation

INTRODUCED BY ASSEMBLYMAN SUCHIN INTRODUCED BY SENATOR WINIKOW INTRODUCED BY SENATOR FLYNN

February 24, 1975

Report No. 74

A. 338 Same as S. 2407 A. 339 Same as S. 1464

NEW YORK COUNTY LAWYERS' ASSOCIATION 14 Vesey Street - New York 10007

Report of Committee on Banking on Assembly Bill 338, same as Senate Bill 2407; Assembly Bill 339, same as Senate Bill 1464, which seek to amend the Real Property Law, by adding a new section, to be Section 279, in relation to interest paid on tax escrow deposits.

RECOMMENDATION: DISAPPROVAL

It is unclear whether the provisions of last year's McGowan Act have been unsuccessful relative to the Banking Boards function of prescribing the rate of interest to be paid on tax escrow accounts. It would seem appropriate to give last year's act more than seven months testing period, and then to suggest modifications of it so as to accomplish the aim of Nos. 338 and 339, rather than to abolish it. Particularly significant in a comparison of Nos. 338 and 339 with the McGowan Act is the latter's limitation of its provisions to one to six family owner occupied residences.

Number 339 is clearly to be preferred over Number 338 in that Number 339 takes cognizance of the lender's expense incurred in paying real property taxes. Without such compensation, some lenders may take the step of leaving tax payments up to borrowers in order to curtail overhead expenses, and a very likely result would be greater tax delinquencies as well as increased expenses incurred by taxing authorities in collecting taxes.

The service charge provision should perhaps be worded so as to make it clear that lenders may deduct the service charge from the interest paid borrowers.

It is suggested that the language of the bills be adjusted to make it clear that the rate of interest or dividend to be paid be the regular passbook rate at the institution involved, so as to forestall the possibility that certain escrow deposits remaining for periods of greater than minimum certificate terms might trigger an obligation to pay a certificate rate. Such a situation would involve variable yields on the same deposit and probably result in a great deal of confusion.

Permitting insurance companies to pay a straight five percent is certainly fair in 1975, but in view of the distinct possibility that hyperinflation in years to come may force savings rates up considerably, it might be proper to permit some regulatory agency (Banking Board or Insurance Commission) to set the rate of interest payable by insurance companies with instructions to keep it at parity with the regular savings account rates of banks and thrift institutions.

Report prepared for the Committee by MR. GARY POGELER Respectfully submitted,

COMMITTEE ON BANKING

Daniel C. Draper, Chairman

PRESIDENT HENRY N. ESS, III

VICE PRESIDENTS WILBUR H. FRIEDMAN LAWRENCE X. CUSACK ANDREW Y. ROGERS

> SECRETARY THOMAS KEOGH

TREASURER SOLOMON E. STAR EXECUTIVE DIRECTOR
JULIUS ROLNITZKY
ASSISTANT TREASURER
MICHAEL D. JAKIEME
LIBRARIAN
FREDERIC S. BAUM



14 VESEY STREET - FACING ST. PAUL'S NEW YORK, N.Y. 10007

CORTLANDY 7-6646

For further information please communicate with: Daniel C. Draper, Esq. Cadwalader, Wickersham & Taft One Wall Street
New York, N. Y. 10005
785-1000

February 26, 1975

Hon. Hugh L. Carey Executive Chamber Albany, N. Y. 12224

My dear Sir:

The Committee on Banking of the New York County Lawyers' Association has disapproved the following bill and believes that it should not become law:

S. 102

A copy of a report recommending disapproval is enclosed.

Very truly yours,

BENJAMIN LEVINE

Chairman, Committee on State Legislation

INTRODUCED BY SENATOR GOLD INTRODUCED BY ASSEMBLYMAN HEVESI

February 20, 1975

Report No. 62

S. 102 Same as A. 180

NEW YORK COUNTY LAWYERS' ASSOCIATION 14 Vesey Street - New York 10007

Report of Committee on Banking on Senate Bill 102, same as Assembly Bill 180, which seeks to amend the Banking Law, General Obligations Law and Personal Property Law, in relation to payment of financial obligations. Bill will amend the Banking Law (Section 235-8(4)(d)) to eliminate the \$10 minimum interest that need not be refunded whether earned or unearned. Similar amendments are contained in the Bill relating to banks and trust companies as well as savings and loan associations and licensed lenders. Bill would also require upon the prepayment of any financial obligation that the lender refund to the debtor the unearned portion of the interest previously deducted.

RECOMMENDATION: DISAPPROVAL

It was the opinion of the committee that the \$10 minimum interest which need not be refunded under present law was needed to cover the costs of the bank.

Respectfully submitted,
COMMITTEE ON BANKING

Daniel C. Draper, Chairman

Report prepared for the Committee by MR. JOSEPH E. KAHT

OSHA

NEW YORK STATE OCCIETY OF PROFESSIONAL ENGINEERS

150 STATE STREET ALBANY, NEW YORK 12207

EDWIN L. ANTHONY, P.E., L.S.

March 19, 1975

CHESTER KELSEY, P.E., L.S.

President-Elect

CORNELIUS F. DENNIS, P.E, Vice President, Area 1

GEORGE P. GOLOVCHENKO, P.E. Vice President, Area 2

THOMAS H. QUINLAN, P.E.

Vice President, Area 3

IRVING GROSSMAN, P.E. Vice President, Area 4

B. ROY ERTELL, P.E. Vice President, Area 5

JOSEPH C. KLOPE, P.E. Treasurer

ROBERT D. CHARLEBOIS, P.E. Financial Secretary

JOSEPH S. KAMING, ESQ., P.E. Past President The Honorable Hugh L. Carey Governor, State of New York Executive Chambers State Capitol

Albany, New York 12224

Dear Governor Carey:

This letter is written on behalf of the New York State Society of Professional Engineers.

With regard to the question of OSHA legislation, kindly be advised that we are in total support of the concept of State administration and enforcement of laws concerning employee and public safety. We totally support the concept that the breadth and scope of such program should, in no way, diminish the present effectiveness of the combined effort represented by the Board of Standards and Appeals and the Division of Occupational Safety and Health, an effort apparently utilizing some 480 field inspectors with a back-up staff of 272 engineers, chemists and other technicians.

It is inconceivable that the delegation of any arbitrary number of Federal enforcement officers represents a well thought out program for the administration or enforcement of technically oriented material. Any such program mandates participation by technically qualified persons based on experience, education and the requirements of the laws of this State and such participation must encompass the total staff of such program.

New York State presently has laws mandating design of buildings and structures by New York State licensed Professional Engineers and Registered Architects. There is little doubt that relinquishing the present field and office enforcement areas of the New York State Labor Department to the Federal Government would severely diminish the effectiveness of these laws and would therefore compromise the public safety on the most basic levels, a situation we feel sure you would not condone.

It is also our position that any new legislation must be of such nature as to truly serve the occupants and visitors of this State. To properly serve all parties demands legislation which will be fair and equitable in its application, administration and enforcement. It is our understanding that there are presently before the Senate and Assembly bills sponsored by Senator Marchi and Assemblyman Emery. Apparently, these bills represent the basic concepts consistent with our position, we lend our complete support to these bills.

It is our observation that relinquishing OSHA enforcement to the Federal Government undermines an effective safety and health program in this State. It is further our observation that the Federal program does not demonstrate either the knowledge or maturity of the present State program and will not be capable of doing so for an extended number of years, if ever.

In closing, we wish to present you with the thought that true economies are effected by the channeling of monies into those areas which will provide a continually improving long-term program functioning in the spirit of public interest and service with increased efficiency accomplished through the elimination of "red tape".

We urge you to reconsider your announced decision regarding withdrawal of State participation in the OSHA program and to work toward the above goals.

Respectfully yours,

Edwin L. Anthony, P.E., L.S.

President

ELA/mb

cc: Hon. Mary Anne Krupsak, Lieutenant Governor

Hon. Warren Anderson, Senate Majority Leader

Hon. Manfred Ohrenstein, Senate Minority Leader

Hon. Stanley Steingut, Speaker of the Assembly

Hon. Albert Blumenthal, Assembly Majority Leader

Hon. Perry Duryea, Jr., Assembly Minority Leader

Hon. Norman Levy, Chairman, Senate Labor Committee

Hon. Seymour Posner, Chairman, Assembly Labor Committee

Hon. John J. Marchi

Hon. James Emery

OSHA

enaissance egular epublican Club of the 46th A.D. Inc.



365 Avenue U

Brooklyn, N. Y. 11223

946-7327 • 372-9089

Mario J. Marino, Leader & Member of Executive Committee
Anne Manzi, Co-Leader & Member of Executive Committee
Joseph Neglia, President
Michael C. Diffilippo, Treasurer

Hon, Elugh Carey Hove not of New York Albany New York.

Dear Son,

Renausance Regular Republican Club of The H.D., I Cannot understand the position you have laken by not supporting the Slatio plan for accupitional Safety and health Standards. There is no doubt in my mind that The N.Y. State can do The better job.

That New York's long history, relating to occupations Sufety worked summarily be terminated. Reither The workers or their elected representatives in new York State government, would thereafter have much to say with respect to identifying,

Digitized by the New York State Library from the Library's collections.

Studying, and mandating controls for production against job safety and health hazaids.

Thou passed experience it is a well noted fact, that Federal take over well be nothing more Than a major disaster. It livued de inconcierable that OShA macted just a few short years ago, could have the necessary backround and Stoff. to enforce and adequate Safety program in New york, which has been enforcing to our Dafety and health Standards for the passed 80 years, had effective and well staffed programs. Its industrial coll rules and State later laws are in a good many instances for more stringent and there by more effective, Than their Federal Counterputts to Austrict Leader of 46 H.D. I unge you to sign to picture which would enable the state to return its own program. Sincerely yours, Joseph neglia

District Leader.

OHA

TEXTILE WORKERS UNION OF AMERICA

UTICA JOINT BOARD
Affiliate of the AFL-CIO-CLC

253 BLEECKER STREET, UTICA, NEW YORK 13501

Telephone (Area Code 315) 724-2187

March 3, 1975

Gov. Hugh L. Carey Executive Chamber Albany. N. Y. 12224

Dear Gov. Carey:

Our Union Membership Local 150 Textile Workers Union, urges you strongly to support the AFL-CIO position in this important matter:

- 1. Withdraw the New York OSHA developmental plan and
- 2. Order Section 7-C negotiations with the Federal Government to assure the best possible job safety and health protection for all workers in N.Y. State.

Your attention will be greatly appreciated.

Very truly yours,

angela Kileyas

Angela Kiley,

President

Local 150 TWUA AFL-CIO

AK/as

cc: Sen. Warren M. Anderson Speaker Stanley Steingut



Office

898 Washington St.

Peekskill, N.Y. 10566

914 - 739 - 0200

914 - 739 - 0201

Sheet Metal Workers' International Association

LOCAL UNION No. 38

Westchester, Rockland, Putnam, Dutchess, Orange, Ulster and Sullivan Counties, New York
Executive Board meets First Wednesday at 898 Washington St., Peekskill, N.Y. 10566
Meets 3rd Wednesday at 898 Washington St., Peekskill, N.Y. 10566

President, JAMES R. NIXON

Treasurer, Thomas Whalen

Recording Secretary, JAMES J. CONNOR, JR.

Financial Secretary, Richard F. Pagano



March 3, 1975

Governor Carey
Executive Chamber
Albany, N.Y. 12224

Dear Governor Carey:

The officials and membership of Sheet Metal Workers' International Association AFL-CIO Local Union 38 of 898 Washington Street, Peekskill, New York, strongly urge that you withdraw the New York OSHA temporary developmental plan and to order negotiations with the United States Department of Labor, under Section 7-C of OSHA.

We believe that strong health and safety rules can best be obtained under effective Federal enforcement, and to assure the best possible job safety and health protection for all workers in New York State.

Thank you for your consideration of our proposal.

With Best Wishes, I remain

Very truly yours,

Charles V. Hertel

Charles V. Hertel
President & Business Manager

CVH: jm

ROCKLAND COUNTY BUILDING AND CENTRAL TRADES COUNCIL

≪ 1

CIO

Affiliated with Building and Construction Trades Department - American Federation of Labor 60 PHILLIPS HILL ROAD, NEW CITY, N. Y. 10956

NEw City 4-4601

President

PAT E. DAMIANI

Vice President

FRANK HANLEY

March 6, 1975

Vice President JAMES DeROSA

Secretary Treasurer WM. WANAMAKER

Recording Secretary ARNOLD GELLER Governor Hugh Carey State Capitol Albany, New York

Dear Governor Carey:

We are writing with regard to N.Y.O.S.H.A. We feel that the New York State men are doing an excellent job.

We feel that the Federal Government should not take over the agency.

We feel that the O.S.H.A. Agency should remain in the hands of New York State.

Yours truly,

Pat E. Damiani

President

PED/c



LOCAL UNION 147 COMPRESSED AIR and FREE AIR SHAFT • TUNNEL • FOUNDATION CAISSON • SUBWAY • COFFERDAM SEWER CONSTRUCTION WORKERS



Laborers Int. Union of N. A.

of New York and New Jersey States and Vicinity

175 Fifth Ave.

NEW YORK STATE A.F.L.-C.I.O.

New York, N. Y. 10010

EDWARD McGUINNESS
President

RICHARD FITZSIMMONS

Business Representative

March 7, 1975

EDWARD CROSS
Secretary-Treasurer

Honorable Hugh Carey, Governor State of New York Executive Chamber Albany, NY 12224

Dear Governor Carey:

On behalf of the members of Local 147 Tunnel Workers Union and based on past vears of unfortunate experience, we respectfully urge you withdraw the NY State O.S.H.A. development plan and instead enter into negotiations with the Federal government to work out a plan and policy that would provide New York State workers with the type of safety and health protection they are entitled to and that has been sorely lacking.

We, as Tunnel Workers, have over the years, been critical of the State's actions and activities in the field of job safety. This request made here is based on that experience and the very poor record of the State people in this field.

Very truly yours,

LOCAL 147

EC/as

EDWARD CROSS, Secretary-Treasurer

c.c. New York State AFL-CIO

Asbestos Workers Bricklayers, Plasterers, Tile. Marble Masons

Ice, Oil, Construction Supply Drivers and Helpers

Carpenters District Council

Elevator Constructors

Hoisting Engineers

Electrical Workers

Boiler Makers

ALLIED BUILDING TRADES OF ROCHESTER, N.Y. AFL - CIO

President 1645 St. Paul St.

338-2360

Vice-President 30 B Genesee St. 328-7890

Recording Secretary 190 Dodge St. 647-2121

CHRIS FARRELL GORDON RUSCHER FOBERT STROHMEYER NORMAN SWANSON

Sheet Metal Workers Tile, Marble Terrazzo Helpers

Painters and Decorators

Plumbers and Steam Fitters

Roofers and Water Proofers

Ornamental, Reinforcing and

Iron Workers, Structural,

March 5, 1975

Glaziera

Lathers

Laborers

Riggers

ROCHESTER, N. Y.

The Honorable Hugh Carey Governor of New York Executive Chamber Albany, New York 12224

My Dear Governor:

The Rochester AFL-CIO Allied Building Trades Council is strongly urging you to see to it that the enabling legislation is enacted to allow the State of New York to take over the enforcement of O.S.H.A. from the Federal government.

We in the Building Trades are exposed to more hazardous and unsafe working conditions than any other industry or work force in the state and due to this fact feel that the construction workers should be afforded the maximum in safety enforcement.

We are confident that you are well aware of the excellent reputation of the New York State, Division of Safety and the respect that they have earned across the state from both labor and the employers in the Construction Industry. Over the years we have found the State Safety Inspectors to be dedicated, fair and especially available to inspect any given jobsite or equipment, without any undue delay, when a complaint of an unsafe condition has been lodged.

Under these circumstances and the fact that by comparison the Federal government will have a token force of compliance officers we trust that you will sign the enabling legislation already on your desk into law.

Sincerly yours,

Robert T. Strohmeyer Recording Secretary

Robert T. Sturmeyen

RTS/cjs



Nassau Suffolk County Utilities, Contractors, Assoc.

55 Herricks Road • New Hyde Park, N. Y. 11040 • 741-1117



February 28, 1975

The Honorable Hugh L. Carey Governor of New York Executive Chamber Albany, New York 12224

Dear Governor Carey:

Our Association represents utility contractors within the Long Island area and is recognized by the National Utility Contractors Association of Washington, D. C. Nuca is the national voice of utility contractors across the nation.

We understand that proposals are under consideration wherein safety inspections now performed by the New York State Department of Labor will be taken over and performed by the Federal Government.

We wish to place ourselves on record that we are vigorously opposed to such a plan. Our industry is vitally affected by safety inspections and to date we have found the State Labor Department is performing this responsibility with professionalism, common sense and understanding of inherent problems. Under Federal Supervision, we envision only chaos, additional but unnecessary and impractical restrictions, higher costs, and loss of the rapport we have now with local representatives of the Labor Department.

If such a proposal is being considered, we urgently request that your action be negative in recommending that the proposal is not accepted.

Your serious consideration in this matter will be greatly appreciated.

Very truly yours,

James C. de Pasquale

President, N.S.U.C.A.



March 6, 1975

Governor Hugh Carey State Capitol Albany, New York

Dear Governor Carey:

We are writing with regard to N.Y.O.S.H.A. We feel that the New York State men are doing an excellent job.

We feel that the Federal Government should not take over the agency.

We feel that the O.S.H.A. Agency should remain in the hands of New York State.

Yours truly,

Alphonse Thiaville

President

AT/c

MARTIN ROSE — PRESIDENT
FRED HORR — VICE-PRESIDENT
BERNARD SHADDAK — TREASURER
LEO SMITH — SARGEANT AT ARMS

OSWEGO COUNTY LABOR COUNCIL (AFLCIO)

V:NCENT A. CORSALL. SECRETARY

15 BRONSON STREET

OSWEGO, N. Y.

TRUSTEES:
EDWARD MURPHY
FRANCIS DEHM
ROBERT PARKER

February 6, 1975

Hon. Hugh L. Carey Governor, State of New York Executive Chambers Albany, New York

Dear Governor Carey:

I wish to respectfully request that you use your leadership to protect the occupational and safety of the workers of our state by utilizing your good office to obtain legislation that will provide the enforcement of the Federal Occupational, Safety and Health Act.

Thank you for your consideration, and I know that you will do everything in your power to see that this legislation is adopted.

Very truly yours,

Martin Rose
MARTIN ROSE
President

MR/jm

cc: Senator Warren Anderson
Speaker Stanley Steingut
Raymond R. Corbett
Senator H. Douglas Barclay
Assemblyman John Zagame

RERS' INTERNATIONAL UNION OF NORTH AMERICA, AF

LOCAL 210

\$0**∢**(_______

481 FRANKLIN STREET

BUFFALO. N. Y. 14202 884-9545

February 28, 1975

Governor Hugh A. Carey Executive Mansion Albany, NY 12204

Dear Governor Carey:

We, the Laborers' International Union of North America, AFL-CIO, Local 210, are very much interested in the state bill regarding the OSHA program. We would like to go on record saying that the state plan would benefit our union and laborers much more than the federal plan.

As you well know, Sir, being an officer of a Laborer Union consisting of approximately 3000 men, safety is first and foremost in our mind. The cooperation that we have received by the gentlemen employed by the New York State Department of Labor, in the Construction Safety Field, with whom I have been in contact with, have performed their duties to the highest caliber. They are available, most courteous, efficient and above all, most concientious.

We respectfully request that you give this most important matter your prompt and immediate attention, so that we hopefully will continue to enjoy a state-administered safety program.

Very truly yours,

LABORERS' UNION, LOCAL 210 Vaniel Dansances.

Daniel J. Sansanese Ir. Secretary - Treasurer

/lad

Farrel Company Division USM Corporation

565 Blossom Road • Rochester, N.Y. • (716) 288-4600 Mailing address: P. O. Box 193 • Rochester, N.Y. 14601



February 28, 1975

Governor Hugh L. Carey Executive Mansion Albany, New York 12224

Dear Governor Carey:

Several publications crossing my desk recently have indicated with increased certainty that New York will have its State plan for Occupational Safety and Health withdrawn if enabling legislation is not enacted by March 31, 1975. It is this concern which causes me to write you at this time.

Whether under its present name, or that of its predecessor, Consolidated Machine Tool Company, or its founder, the Ingle Iron Works, the Farrel Company has enjoyed a positive relationship with the now highly sophisticated New York State industrial safety program since its inception some 70 years ago. While annual inspections always cause some people to worry, it is still a comforting feeling to know that an inspector who is truly interested in this State, its safety program and the industries involved is making recommendations to insure the well-being of the individuals of New York.

In addition, industry has developed a strong working relationship with the Board of Standards and Appeals. Its members can be counted upon for expertise in all areas and solid advice on items of concern. The elimination of this organization would also take with it the consultative services now offered but not presently available under Federal legislation. It is my strong feeling that New York State industry recognizes its responsibility in safety and health and, consequently, looks for this type of guidance to further strengthen safety programs, not evade legislation.

I also read where organized labor opposes such a plan. In today's economy it might be well for one to remember that companies such as Farrel provide employment to these people. It might also be well to remember the number of employers who have left New York State to relocate elsewhere, taking many jobs with them. Rochester is certainly



-2-

a good example of this type of movement but not alone in the State.

These relocations have been caused for many reasons, and I doubt too many to date have considered this issue cause for departure. However, I hasten to point out that New York has established a safety program for other States to look up to and copy. It should not now become another issue to spread the State and industry further apart, resulting in more companies moving and higher unemployment.

As you read these paragraphs, I hope you will find the need to actively support enabling legislation on a timely and visible basis, by encouraging your colleagues to do the same and casting an affirmative vote before the March 31 deadline. Industry in general and Farrel in particular is counting on you to heed our request on this vital matter.

I appreciate your attention to the above subject, and welcome your replies and/or an opportunity to discuss this matter on a personal basis.

Sincerely,

Roderick L. Fox Senior Employee

Relations Representative

RLF:ns

Greater New York Joint Board

TEXTILE WORKERS UNION OF AMERICA A.F.L.-C.I.O., C.L.C.

99 UNIVERSITY PLACE

NEW YORK, N. Y. 10003

Telephone 254-9843

John B. Cadden
General Manager

Albert E. Biscardi
Ass't. General Manager

February 28, 1975

Hon. Hugh L. Carey, Governor Executive Chamber Albany, N.Y. 12224

Sir:

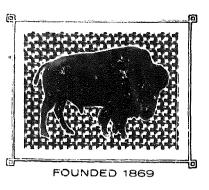
This is to advise you that our Joint Board has gone on record requesting

- 1. The withdrawal of the New York OSHA developmental plan and -
- 2. Requesting you to order Section 7-C negotiations with the Federal government to assure the best possible job safety and health protection for all workers in New York State.

Very truly yours

John B. Cadden General Manager.

Copy to: Hon. Warren M. Anderson Hon. Stanley Steingut Raymond R. Corbett



BURRATO WIRE WORKS COMPANY

BOX 129, BUFFALO, NEW YORK 14240

Phone: (716) 826-4666

. Governor Hugh L. Carey Executive Mansion . Albany, New York 12224 February 26, 1975

Dear Sir:

I strongly urge that New York State does not withdraw its Occupational Safety and Health plan, so that it can continue to enforce occupational safety and health. There is no necessity for the Federal Government to enforce these standards. I realize that it may have been necessary nationwide for the Federal Government to have instituted OSHA. However, New York State has always been well equipped with the necessary laws and the diligence to enforce them.

The work of the State Labor Department is to be highly commended. They have the experience and the know-how which is reflected in the fine industrial safety program which has been operating so well for seventy years. There is no need for federal intrusion into this service. I earnestly request you to retain the state control over this industrial program.

Very truly yours,

BUFFALO WIRE WORKS COMPANY

President

Charles F. Scheeler, Jr.

СС

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THU DISION TO A POST OFFICE IF

HON HUGH L CAREY GOVERNOR STATE OF NEW YORK EXECUTIVE CHAMBER ALBANY NY 12224

IT HAS BEEN BROUGHT TO MY ATTENTION THAT YOU ARE CONSIDERING THE WITHDRAWAL OF THE NEW YORK O.S.H.A. TEMPORARY DEVELOPMENTAL PLAN. INSTEAD. IT IS PROPOSED THAT NEW YORK STATE WOULD ENTER INTO A SECTION NUMBER 7 C ARRANGEMENT WITH THE US DEPT OF LABOR TO ENFORCE FEDERAL SAFETY STANDARDS IN NEW YORK STATE UNDER THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT THE NEW YORK STATE INDUSTRIAL CODE RULE 23 IN SECTION 23-8.5 PROVIDES FOR THE CERTIFICATION OF CRANE OPERATORS AND CODE RULE 50 IN SECTION 50.9 PROVIDES FOR THE CERTIFICATION OF LASER OPERATORS. I AM ADVISED THAT IF THE FEDERAL GOVERNMENT TAKES OVER THE ENFORCEMENT OF OCCUPATIONAL SAFETY AND HEALTH IN NEW YORK STATE THE FEDERAL STANDARDS THAT WOULD BE ENFORCED DO NOT CONTAIN PROVISION FOR CERTIFICATION OF CRANE OPERATORS OR LASER BEAM OPERATORS. I URGENTLY REQUEST THAT YOU INSIST THAT THE PROVISIONS FOR CERTFICATION OF CRANE

THOMAS A MAGUIRE INTERNATIONAL VICE PRESIDENT INTERNATIONAL UNION OF OPERATIING ENGINEERS

INDUSTRIAL CODE RULES 23 AND 50 CONTINUE TO BE ENFORCED IN NEW YORK

OPERATORS AND LASER BEAM OPERATORS CONTAINED IN NEW YORK STATE

1058 EST

STATE

MGMALBA ALB

DEAR GOV CAREY

The Real Estate Board of New York, Inc.

12 East 41st Street, New York, N. Y. 10017 Telephone 212 - 532-3100



February 27, 1975

Honorable Hugh L. Carey Governor, State of New York State Capitol Albany, New York 12224

Re: New York State OSHA Plan

Dear Governor Carey:

In approving OSHA, the Federal Occupational Safety and Health Act of 1970 (Public Law 91-596), Congress specifically authorized the states to continue to administer their own safety programs where acceptable plans are filed with the U.S. Secretary of Labor.

A New York State OSHA plan has already been approved by the Department of Labor ... but unless enabling legislation is enacted by March 31, 1975, all state safety and health jurisdiction will be relinquished by New York and will be vested with the federal government.

In our view, enactment of legislation establishing a New York State OSHA plan will be highly beneficial to the building industry here.

In many instances, our State Safety Code is more stringent than OSHA. Moreover, state inspectors have greater familiarity with local construction practices and have immediate on-site communication with contractors and employers. This will enable them to deal promptly with and eliminate any potentially hazardous job conditions before an accident occurs.

Under Federal OSHA procedures, applications and hearings for Variances must be filed in Washington. This requirement has proved cumbersome, inconvenient and time-consuming, resulting in inordinate delays to the industry. Where the situs of the hearing is New York State, such applications would move more efficiently and expeditously under a state plan.

On all counts, we believe the industry will achieve speedler and more effective safety compliance ... when all inspections, interpretations, enforcement and decision-making standards are administered uniformly at the state level ... rather than at long-range in Washington.

Respectfully,

D.K. Patton
President

Managing Director

Lewis Whiteman

Digitized by the New York State Library from the Library's collections.



Paul Jennings, President

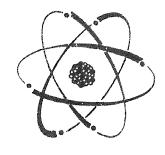
IUE, AFL-CIO-CLC

1126 Sixteenth Street, N. W.

Washington, D. C. 20036



INDUSTRIAL SAFETY AND PUBLIC HEALTH



Jack R. Suarez, Director Plaza 7 1202 Troy-Schenectady Rd. Latham, N. Y. 12110 Telephone: 518 785-3321/2

February 28, 1975

The Honorable Hugh L. Carey Governor State of New York Capital Building Albany, N.Y.

Dear Governor Carey:

The Federal O.S.H.A.of 1970 was the most important legislation ever enacted for the protection of the safety and health of the workers in this country. The failure of the States to protect the workers, was firmly documented at the congressional hearings. The weaknesses and varieties of safety and health coverage of the workers also encouraged the run-away of industry to states that had inadequate or no protection for the workers. We cannot again have 50 different plans across this country.

The States and Federal OSHA should be a cooperative partnership where the role of the States would be patterned after the Federal OSHA-Ohio Agreement.

The Inspection, Enforcement and Standard Setting must remain as the primary function of the Federal OSHA. The State can carry on the Educational Function of both Industry and the worker, the research of health hazards and preparation of proposed Standards. A partnership is what is needed.

We therefore urge you to withdraw the New York OSHA Development plan and have the N.Y.S. Labor Commissioner commence negotiations with Federal Labor Department to assure the best possible safety and health protection for all workers in New York State.

Jack R. Suarez

Director

Sincer@ly

dc





February 19, 1975

Honorable Hugh L. Carey Governor of New York State Executive Mansion Albany, New York 12224

Re: State Control of Occupational Safety and Health.

Dear Governor:

I hope you will support New York State not withdrawing its Occupational Safety and Health plan, and that you will encourage passage of legislation for a State OSHA plan. State government can do the job better than the Federal government.

Very truly yours,

C. G. O'Brien Plant Manager

MB

INSURANCE COMPANY OF NORTH AMERICA PACIFIC EMPLOYERS GROUP

1510 CENTRAL AVENUE ALBANY, NEW YORK 12205 (518) 869-0931

February 11, 1975



The Honorable Hugh Carey Governor of the State of New York State Capital Albany, New York

Dear Sir:

New York Occupational Safety and Health Act

This letter is sent urging your best efforts to enact legislation which will enable New York State to operate and enforce its proposed Occupational Safety and Health program.

As a professional in the field of industrial safety and health, I feel that the benefits to the State Labor force will be significantly greater with the Safety and Health Act administered by a large well informed state Labor Department, than by the undermanned Federal OSHA force.

It is my understanding that this legislation must be brought out of committee and enacted by March 31, 1975 or Federal approval of NYOSH will be withdrawn.

After reviewing the pros and cons of the Occupational Safety and Health Act administered and enforced by the New York State Department of Labor versus Federal OSHA, I strongly urge that you expedite legislative action on NYOSH and that your best efforts be used to pass this legislation.

Thank you.

Very truly yours,

0. Wesley Larsen

Environmental Health Specialist

Rt. #1 Box 343

East Greenbush, New York

/mml

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA



	LOCAL	UNION	No.	91
--	-------	-------	-----	----

CITY Niagara Falls, New York 14305 DATE February 20, 1975

BUSINESS MANAGER Michael A. Quarcini
ADDRESS 2556 Seneca Avenue

TELEPHONE 297-6441

Governor Hugh L. Carey State Capital Albany, New York 12224

4

Dear Sirs:

Let it be known that Laborers' International Union of North America, Local 91, in Niagara County is in favor of a State Occupational Safety and Health Program in the State of New York. We do not want a Federal OSHA Program. We the people in the Construction Industry know what is best and the State Occupational Safety and Health Dept. has proven that they can get the job done right. We urge you to take this position on voting yes for the New York State OSHA.

Yours truly A

Michael A. Quarcini

Business Manager

MGMALBB ALB
<1-033192A051 02/20/75
TLX MUTUAL INS UCA
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21P 12224



LINTO A POST OFFICE

THE HONORABLE HUGH L CAREY GOVERNOR OF NEW YORK STATE GOVERNOR'S CHAMBERS THE CAPITOL ALBANY NEW YORK 12224

RESPECTFULLY URGE YOU RECOMMEND TO LEGISLATURE THE PASSAGE OF ENABLING LEGISLATION TO IMPLEMENT THE STATE PLAN FILED BY NEW YORK STATE WITH THE UNITED STATES SECRETARY OF LABOR UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970.

IF THE STATE PLAN WERE TO BE WITHDRAWN THE CITIZENS OF OUR STATE - BOTH EMPLOYERS AND EMPLOYEES - WOULD BE DEPRIVED OF THE EXPERIENCE, EXPERTISE AND SOPHISTICATION OF THOSE ADMINISTERING THE NEW YORK STATE INDUSTRIAL SAFETY AND HEALTH PROGRAMS. ADDITIONALLY FEWER OF OUR CITIZENS WOULD BENEFIT FROM SAFETY LEGISLATION SINCE FEWER EMPLOYERS WOULD BE COVERED BY THE FEDERAL LAW AND FEWER INSPECTIONS WOULD BE MADE YEARLY BECAUSE OF THE SMALLER NUMBER OF INSPECTORS AVAILABLE UNDER THE FEDERAL PROGRAM.

ANOTHER FACTOR WHICH BEARS ON THE MATTER UNDER DISCUSSION IS THAT THE VARIANCES GRANTED BY THE NEW YORK BOARD OF STANDARDS AND APPEALS WOULD BECOME NULL AND VOID UNDER THE FEDERAL SYSTEM THEREBY DIMINISHING IF NOT ENDING THE ABILITY OF A NUMBER OF NEW YORK STATE EMPLOYERS TO CONTINUE TO DO BUSINESS.

JACK B RIFFLE, PRESIDENT UTICA MUTUAL INSURANCE COMPANY P O BOX 530 UTICA N Y 13503

1652 EST

MGMALBB ALB







885.7000

AUGUST FEINE & SONS COMPANY

ORNAMENTAL - STEEL - STRUCTURAL WAREHOUSE

570 DELAWARE AVE. BUFFALO, N.Y. 14202

February 19, 1975

Honorable Governor Hugh L. Carey Executive Mansion Albany, New York 12224

Dear Governor Carey:

For three quarters of a century August Feine & Sons Company has provided gainful employment for between 50 and 100 persons annually in Western New York. During this period we have experienced what we believe an excellent safety record, achieved through constant cooperation between ourselves and the State of New York's highly sophisticated industrial safety program.

We strongly recommend that this program be continued in its present form at the State level. This will give small business firms continued guidance and the constant supervision that New York State has provided for more than 70 years.

We believe that complete Federal OSHA enforcement would not be beneficial to either New York's industry or its employees. We urge that New York State not withdraw Occupational Safety and Health Plan and both the Governor and the State Legislature work towards the passage of enabling legislation for a State OSHA plan.

Respectfully,

AUGUST FEINE & SONS COMPANY

Samuel T. Bodine, Jr.

S.V. Badwief.

Assistant Secretary

STB:rbm

WU INFOMASTER 1-0294490051 02/20/75

TWK KNOWLTONWTWN

ZCZC 01 WATERTOWN NY FEB 20°

TLX 14-5316 EXCH ALB

ATTN GOVERNOR HUGH L. CAREY, EXEC MANSION

Bî

AS A MEMBER OF YOUR ECONOMIC DEVELOPMENT TASK FULL I AM VITALLY CONCERNED IN ATTEMPTING TO IMPROVE THE RELATIVELY FOOR BUSINESS CLIMATE IN NEW YORK STATE. YOUR PROPOSED WITHOUT TO SERVE AND THE PROPOSED WITHOUT TASK FULL.

OF THE FEDERALLY APPROVED NEW YORK STATE OSMA PLANE IN MY OPINION.

WOULD BE COUNTER-PRODUCTIVE TO THIS GOAL. NEW YORK STATE HAS

LONG BEEN A LEADER IN THE FIELD OF INDUSTRIAL STATE AND IT IS

HIGHLY DESIRABLE TO CONTINUE SUCH LEADERSHIP. TO ONE IN THE

WASHINGTON BUREAUCRACY IS SO WELL INFORMED ON DEVICOR STATE

PROBLEMS AS OUR OWN STATE GOVERNMENT. FINALLY. TEAKING AS A

PAPER MANUFACTURER IN CONTINUOUS OPERATION IN WAIRSTON SINCE

1808. I BELIEVE OUR OPINION AS A STABLE EMPLOYER SMOULD MERIT

SOME CONSIDERATION.

DAVID C KNOWLTON, CHAIRMAN OF THE BOARD, KNOWLTO BROTHERS, WATERTOWN NY TWX 5102574442

WWW.

/ REPLACES CHAR(S) ON SENDERS KEYBD UNAVAIL ON A

1611 EST

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ASSOCIATED INDUSTRIES OF NEW YORK STATE, INC. 150 STATE STREET ALBANY, N.Y. 12807

OFFICE OF THE PRESIDENT

February 18, 1975

Honorable Hugh L. Carey Governor of the State of New York The Capitol Albany, N. Y. 12224

Dear Governor Carey:

We respectfully request that as part of your administration program you recommend to the Legislature the passage of enabling legislation to implement the state plan filed by New York State with the United States Secretary of Labor under the Occupational Safety and Health Act of 1970. This plan was approved by the Secretary of Labor on May 14, 1973.

We firmly believe that such a course of action would be in the public interest and enable New York State to continue to use its expertise and leadership in the field of occupational safety and health. Our state's program had its beginnings in the 1880's and over the years has been developed to the point where our program is the most sophisticated in the nation. Under our program, almost 600 experienced state safety inspectors are making approximately 300,000 inspections a year and complete the cycle of statewide inspections in three years.

If New York were to drop out of the industrial safety business and let the federal government take over, it could prove disastrous for all those having a stake in the continuance of our state's program. If the federal government preempted the field, the present approximately 50 federal inspectors assigned to New York would be making only 4,500 inspections a year at the current rate and thus it would take 15 years for the statewide cycle to be completed compared to the present three years.

In contrast to the experience, expertise and sophistication of those administering New York State's industrial safety and health program, the federal government is new in the field and therefore simply lacks the experience and expertise acquired by New York during almost a century.

Honorable Hugh L. Carey February 18, 1975 Page 2

If the federal government took over, the 40,000 existing variances granted by the New York State Board of Standards and Appeals would become null and void and the effect could be catastrophic. These variances have been granted over the years to employers who established that they were unable to comply with the strict letter of a particular standard. Each variance carries strict conditions to provide an equally safe alternative. Many plants and establishments depend for their continued operation on variances granted to them and would be subject to possible citations and civil penalties of up to \$1,000 for violation of a federal standard. The impact could cause many older plants to close their doors to the detriment of the state's economy.

There is much more at stake --- the occupational health and safety of a vast number of employees. Under the existing provisions of the New York State Labor Law, 250,000 employers and 3.5 million employees are covered. If the enabling legislation is passed in New York State, the coverage will jump to 400,000 employers and 6 million employees.

Furthermore, if a policy decision is made to withdraw the already approved New York State plan and let the federal government take over, then 1.2 million public employees in New York would not be covered. There is no provision in the federal OSHA law to cover them other than through a state plan.

Enactment of the Occupational Safety and Health Act of 1970 was easily the most vital and far-reaching federal legislation in the field of employee health and safety. The law was intended to encourage states to enter the field of industrial safety or to remain in it. It was truly intended by Congress as a cooperative federal-state system. Because of its importance among the states, New York is a key to the success of this important program. We feel, therefore, that New York's decision could have an impact far beyond its borders. New York's continuance in this field could be the keystone to the success of the federal OSHA program.

Sincerely,

osyph R. Shaw

uph R. Alex

Prohident

jrs:ar

OMA

CRANESVILLE BLOCK COMPANY, INC.

Lightweight and Concrete Masonary Units Ready Mixed Concrete-Mason Supplies

P, O. BOX 514
ERIE STREET
AMSTERDAM, N. Y. 12010
PHONE (518) 942-7270

February 14, 1975

FO: The Honorable Governor Mr. Hugh Carey State Capital Albany, N.Y.12224

Dear Sir:

in regard to the New York State Occupational Safety and Health Plan, we feel that legislation which incorporates certain features of the Federal Law should be introduced and passed, so New York won't have to relinquish it's enforcement activities to the U. S. Department of Labor.

We would appreciate your giving this matter your special attention for us.

Very truly yours,

CRANESVILLE BLOCK CO.

John A. Tesiero, dr.

President

JAIJ mm



B. R. DEWITT INC.

-Hauling Contractors-

PHONE 584-3132

READY MIXED CONCRETE

PAVILION, NEW YORK 14525

February 18, 1975

Governor Hugh Carey State Capitol Albany, N. Y. 12224

Dear Sir:

On behalf of B. R. DeWitt, Inc. and Associated Companies, I wish to express my desire that New York State continue to administer the Occupational Safety and Health Program.

The passage of enabling legislation for complete implementation of the State Plan would be the most effective and efficient means to assure that OSHA Regulations are adhered to.

Thank you for your consideration of this legislation.

Very truly yours,

B. R. DEWITT, INC.

Lyman Fortner,

Director of Safety

LF:bbd

February 18, 1975

Governor Hugh L. Carey Executive Mansion Albany, New York 12224

Sir:

In the interest of safety for employees and a workable and timely system of inspections and variances, I urge you not to withdraw the New York State Occupational Safety and Health plan. Occupational Safety and Health is best administered on a grass roots level in each state with the Federal government setting uniform overall standards for the state organization to administer.

Please work with the State Legislature toward passage of enabling legislation for a State OSHA plan.

Respectfully,

Richard W. Schmutzler

Ruhard IN Sehmyles

President

RWS/mb



GENERAL BUILDING CONTRACTORS

OF NEW YORK STATE INC.

THE NEW YORK STATE BUILDING CHAPTER A.G.C. February 17, 1975



Honorable Hugh L. Carey Governor State of New York Executive Chamber State Capitol Albany, N.Y. 12224

Re: State Administration

of OSHA

Dear Governor Carey:

The General Building Contractors of New York State representing 200 general building contractors regularly engaged in the majority of the public and private industrial, commercial and institutional building construction in New York State STRONGLY SUPPORT the continued state administration of occupational safety and health as opposed to the federal preemption of this important task. Our reasons are many:

- 1. The safety and health program mandated by the Labor Law and carried out by the Department of Labor and the Board of Standards and Appeals has served all industry in New York, particularly the construction industry, very well over the years. New York has been a leader in this area. Its program is comprehensive and proven. To allow it to be supplanted in favor of a program with minimal inspection forces, with ambiguous and confusing standards and which has not stood the test of time, as has New York's program, is to do a disservice to the employers and employees living and working in New York.
- 2. It is inconceivable for the construction industry to believe federal administration with a small work force of perhaps 50 inspectors within New York can duplicate or exceed the exemplary job New York has done in this field with almost 500 inspectors.
- 3. There has been some speculation that federal takeover would save the taxpayers of New York a considerable amount of money. This is just not the fact. Given federal preemption the state will still have to enforce those provisions of the Labor Law which were written to protect those frequenting places of public assembly. Further, there are many other areas were the state now has jurisdiction which the federal government will not assume. In essence, any reduction in New York's work force will be slight at best. Also, the state would be forfeiting a great deal of federal aide in this area which is now being used to upgrade the already excellent state program and provide all employers and employees with even better protection.
- 4. Thousands of variances obtained by New York employers since the turn of the century would be lost placing a great hardship on many employers.

From the construction industry's point of view the present state safety program upgraded to meet federal requirements would be much more effective and practical. Federal administration to us would only reflect a political decision not in the best interest of those who work and live in New York. We strongly urge your support for continued state administration and further urge positive action on this matter prior to April 1, 1975.

Sincerely,

Ast. Managing Director

cc: Officers Counsel

Senator Warren Anderson

Assembly Speaker Stanley Steingut

SWARTOUT & ROWLEY. INC.

GENERAL CONTRACTORS

548 MT, HOPE AVENUE ROCHESTER, N. Y. 14620

February 6, 1975

Governor Hugh L. Carey Capital Building Albany, New York 12202

Dear Governor Carey:

We are members of the Rochester Builders Exchange, Chemung Valley Builders Association, Inc., New York State Building Employer's Association and the Associated General Contractors of America. We hereby strongly recommend the support of the Safety Enabling Legislation now before our state legislature. It is our opinion that our state personnel can far better administrate the safety requirements of OSHA than the federal government.

Very truly yours,

SWARTOUT & ROWLEY, INC.

WJR/mh



February 6, 1975

Governor H. Carey State Capital Albany, New York

Dear Sir:

As a member of the American Society of Safety Engineers and concerned with the safety of my employees, I urge you to release the bill whereby New York State will administer and enforce job safety laws under the provision of the Occupational Safety and Health Act of 1970.

Thank You,

Carl P. Nicsevic Manager Safety

CP Bearing

sbh

WHI

F. James Bullock 200 Glawson Drive Camillus, New York 13031

February 13, 1975

Governor Hugh L. Carey Legislative Office Building Albany, New York 12224

Dear Governor Carey,

The New York State Occupational Safety and Health Act of 1970, approved by the Secretary, U. S. Department of Labor for a three year developmental program expires on August 1, 1976.

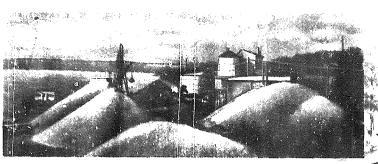
I strongly urge that the New York State Legislature introduce and enact such measures as are required to completely implement the State Plan. This will require the incorporation of certain features of the Federal Law in the N.Y.S. Act for Federal approval which will prevent relinquishment of enforcement activities to the Federal Government.

I believe this to be in the best interest of all affected parties.

Sincerely yours,

A James Bullock

DIHA



ROAD CONTRACTORS - BUILDING MATERIALS - SAND STONE BRICK - CEMENT - READY MIXED CONCRETE ASPHALT AND TAR ROAD MATERIALS

SPOOR-LASHER COMPANY, INC.

PROSPECT STREET
POUGHKEEPSIE, N. Y. 12602
AREA CODE 914 454-1400

February 14, 1975

ALL QUOTATIONS ARE BASED ON ACCEPTANCE WITHIN 30 DAYS AND ARE CONTINGENT UPON STRIKES, ACCIDENTS AND OTHER CAUSES BEYOND OUR CONTROL.

The Honorable Governor Carey State Capitol Albany, NY 12227

RE: New York State Occupational Safety & Health Plan

Dear Sir:

The Occupational Safety & Health Act of 1970 became law on December 29, 1970. This law provides for a state to file with the Secretary, a State Plan to administer the Occupational Safety and Health Program as long as the plan was "at least as effective" as the Federal Plan.

In 1973, the New York State Plan was approved by the Secretary and has been implemented through the Department of Labor during a 3-year developmental program. This 3-year program's expiration date is August 1, 1976.

Now, with the approved State Plan in effect and in its second year of its development, we need passage of enabling legislation for complete implementation of the State Plan.

Enabling legislation must be introduced and passed which incorporated certain features of the Federal Law or New York must relinquish its enforcement activities to the U.S. Department of Labor. We, as contractors have been a proponent of the New York State Plan as we have experienced excellent cooperation between the Board of Standards & Appeals, and the N.Y.S. Department of Labor.

Whatever you could do to continue the New York State Plan would be greatly appreciated.

David E. Petrovits

DEP: cad

AMERICAN LUNG ASSOCIATION of New York State, Inc.

February 18, 1975

Honorable Hugh L. Carey, Governor New York State Capitol Eagle State and Washington Avenue Albany, NY 12224

Dear Governor Carey:

New York State can ill afford to advocate its responsibility for the health of its industrial population by turning over to the Federal Government by default occupational safety and health authority.

As we indicated in our testimony before the Legislative Committee considering New York State implementation legislation, we feel that our citizens working in New York State industries are better protected if their safety and health is under a State administered program.

Being especially concerned about occupationally induced lung disease, we are even more concerned that persons having and suspected of having this kind of disease are better served by New York State interests and direction than they would be by the Federal Government.

I urge you to move with haste on the consideration, hearings, passage and implementation of an occupational safety and health program for the Empire State. It is not like New York State to "let the feds do it." It is more appropriate that we take the responsibility unto ourselves and act accordingly.

Thank you for your prompt attention and action on what could be a crisissituation for the workers of New York State.

Executive Director



UAW E

221 DEWEY AVENUE

ROCHESTER, NEW YORK 14608

PHONE (716) 458-1908

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

WILLIAM REDDY, PRESIDENT



January 29, 1975

Governor Carey
The State Capitol
Albany, New York 12224

Dear Governor Carey:

We, the officers and members of Local 1097, U.A.W. are very much interested in the legislation of the New York State Health & Safety Departments. We understand there are 550 State Inspectors in this division at the present time. It has been brought to our attention this department will be discontinued as of March 1, 1975, unless legislation is passed to continue the great work these inspectors are doing; as they work real close and in conjuction with the Federal OSHA Inspectors. We were informed there is legislation enacted but at the present time it has not been introduced to the Senate or Assembly.

We feel this bill should be given high priority by your good office. If these inspectors are not allowed to continue the good work they are doing after the 1st of March 1975, the entire working population of the State of New York shall be at the mercy of management in regards to working conditions and Health & Safety. There are 40 Federal Inspectors in New York State and they can no where do the job your State Inspectors are doing. We understand the new bills, if passed, would make the State rules on Health & Safety as rigid or more so then the Federal rules and regulations. We shall be contacting our State Senators and Assembly people to gain final passage of this bill for the Health & Safety Program and peace of mind for all employees in the factories as well as the construction trades.

We hope you can act favorably upon this legislation in regards to the working conditions, and the Health & Safety of your constituents in the State of New York.

Wishing you a very successful tenure of office.

Fraternally,

William P. Reddy, President

Local 1097, U.A.W. 221 Dewey Avenue

Rochester, New York 14608

WPR/dlf

We have forwarded this letter to the following:

Governor Carey, Lt. Governor Krupsak, State Senators, and Assembleymen.

G-M LOCAL 1097, UAW

221 DEWEY AVENUE ROCHESTER, NEW YORK 14608 PHONE (716) 458-1908

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

WILLIAM REDDY, PRESIDENT



February 20, 1975

Governor Leonard E. Carey Executive Mansion The State Capitol Albany, New York

Dear Governor Carey:

According to an item in last Sunday's, New York Times, you are about to make your decision on implementing the State OSHA Plan by sending the necessary legislative bill to the State Legislature.

Based on our past excellent relationship with the local staff of the Department of Labors Occupational Safety Division. It is our sincere hope that you will see your way clear to approve the State OSHA Plan as being in the best interests of the people of this state. Particularly those of us who have first hand knowledge of the past record of performance of your Occupational Safety Personnel in the Department of Labor.

With cordial best wishes for your future success,

Fraternally,

Robert Freeman

Local 1097, U.A.W.

221 Dewey Avenue

Rochester, New York 14608

RF/df

Bakery, Laundry Drivers' and Salesmen's Union, Local No. 791

AFFILIATED WITH

THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS OF AMERICA

266 Lyell Avenue 458-9287



Rochester, N.Y. 14608

January 23, 1975

The Honorable Hugh Carey Governor, State Of New York Executive Office Building State Capitol Albany, New York 12224

Dear Governor:

In the past, attempts have been made to implement the state OSHA Plan. We have been behind these efforts to pass state legislation however, as of this date we have no knowledge of the progress in regard to this matter.

Will you please advise this office of the present status?

Fro Jay / Well

Secretary-Treasurer

Allied Printing Trades Council

of New York State

Instituted June 17, 1897

OFFICE OF THE SECRETARY-TREASURER TELEPHONE 607 - 724-5657

March 1, 197

Hon. Rugh L. Carey, Governor State of New York Executive Chambers Albany, N.Y.

Lear Covernor Carey:

This Council respectfully requests that you take the necessary steps to withdraw the temporary developmental plan of New York OSHA and further that you cause resumption of negotiations with the United States Department of Labor under Section 7-8 of the sot.

We believe that the workers of this state are entotled to the benefits of the expanded health and safety rules provided for in the Federal legislation. In addition, job safety protection can be extended to public employees who certainly deserve the squal treatment called for in the OSHA legislation.

We hope that you shall give this matter your inmediate and serious consideration.

Maurice Secretary

OFFICERS

JOSEPH HELLMAN President 27 Union Square New York, N.Y. 10003

MAURICE J. QUAIN Secretary-Treasurer 13 Rossmore Place Binghamton, N.Y. 13904

GEORGE McDONALD Legislative Director
1 Beekman Street
New York, N. Y. 10038

Vice-Presidents Typographical Unions JOHN F. DEEP 1218 West Street Utica, N. Y.

Bookbinder Unions MICHL. CUNNINGHAM First Vice-President 3 Park Row New York, N. Y.

Printing Pressmen Unions FLOYD A. LISINSKI 1322 Prudential Building Buffalo, N.Y.

> CHARLES MOORE 125 Second Avenue Renssalaer, N. Y.

Mailer Unions GERARD COLLINS
1 Beekman Street
New York, N. Y.

Stereotyper Unions JOHN KENNEDY 25 Ann Street New York, N. Y.

Electrotyper Unions LAWRENCE FITZGERALD 25 Ann Street New York, N. Y.

Paper Handler Unions GEORGE O'LEARY 150 Nassau Street New York, N. Y.

Lithographer-Photoengraver Unions

THOMAS J. O'BRIEN 220 Park Avenue South New York, N. Y.

Electrical Worker Unions MICHL. MONTEMAGNO 158-11 Jewel Avenue Flushing, N. Y.

United Paper Workers JOSEPH TONELLI 163-03 Horace Harding Expressway Flushing, N.Y. 11365

Newspaper Guild of New York JACK DEEGAN 133 West 44th Street New York, N. Y.

International Association of Machinists JOSEPH ARMAO 7 East 15th Street New York, N. Y.

Morton Eahr, Vice President
District 1



Workers of America

85 WORTH STREET NEW YORK, N. Y. 10013 Telephone: (212) 431-5937

March 3, 1975

The Honorable Hugh L. Carey Governor of New York Executive Chamber Albany, New York 12224

Dear Governor Carey:

In behalf of the more than 50,000 members of the Communications Workers of America employed in the State of New York, I urge you to withdraw the New York OSHA temporary development plan and commence negotiations with the United States Department of Labor, under Section 7-C of the Act, to incorporate those matters that will give the workers of our State maximum protection under Law.

We strongly support the position outlined by the AFL-CIO as being in the best interest of the State of New York.

Sincerely,

Morton Bahr Vice President

motor Ban

MB/pd



► GOVERNOR HUGH L CAREY STATE CAPITOL ALBANY NY 12207

STRONGLY URGE THAT YOU DO NOT WITHDRAW NEW YORK STATE OSHA PLAN.
THOUSANDS OF SMALL BUSINESSES ARE OPERATING UNDER EXISTING VARIANCES
GRANTED BY NEW YORK. FEDERAL PROGRAM WOULD REMOVE CONTROL OF INDUSTRY
FROM THE STATE AND COULD BE CRIPPLING TO OUR ECONOMY
F W HAMPER PRESIDENT GENERAL TELEPHONE CO UPSTATE NY

1525 EST

MGMALBA ALB



Lay Faculty Association

Diocese of Brooklyn

175-20 WEXFORD TERRACE
JAMAICA ESTATES, NEW YORK 11423

(212) 658-2977

ROBERT M. GORDON
President

March 3, 1975

Gov. Hugh L. Carey Executive Chamber Albany, New York 12224

Dear Governor Carey:

Your assistance is needed in support of labor's position on standards and enforcement of occupational safety and health (OSHA) in New York State.

Employer associations have launched a campaign to retain state OSHA programs which permit them to escape effective enforcement of health and safety rules and to continue some 40,000 variances from government standards.

The Lay Faculty Association urges you to assist in withdrawing the New York OSHA temporary developmental plan and in ordering negotiations with the U.S. Department of Labor, under Section 7-C of OSHA, which will assure:

- ---- Strengthened job health and safety rules under effective Federal enforcement.
- ---- Expansion and improvement of the present inspection force with no loss of jobs.
- ---- Retention of any high-quality state standards and rules.
- ---- A program of public employee job safety protection.

Hoping to hear from you shortly concerning this matter, I remain

Very truly yours,

Robert M. Gordon

President

RMG:we

NEW YORK STATE FEDERATION OF

Utility Contractors ASSOCIATIONS, INC.

OFFICERS
A J SAN FILLIPO PRES
SHERMAN OLIN V P
WILLIAM J KELLER JR
TREAS
ROBERT E CRUPI SEC

CHAPTERS
UTILITY CONTRACTORS
ASSINS OF
CENTRAL NEW YORK
EASTERN NEW YORK
LONG ISLAND
NEW YORK CITY
POCHESTER
SOUTHERN TIER

March 4, 1975

Hon. Hugh Carey Governor of New York State Executive Chamber State Capitol Albany, New York 12224

Dear Governor Carey:

This association supports the enforcement of the Federal Occupational Safety and Health Administration through the New York State Board of Standards and Appeals. Our industry has worked under stringent regulations of this board, and is confident that it is the best vehicle for OSHA enforcement. If Federal enforcement were to be selected by your office, we fear that the fine machinery already established would be duplicative in part and would atrophy from neglect. Since substantial federal funding is available, we believe that the most economical long-term approach is to utilize state enforcement machinery. Realizing that a decision is imminent on this matter, we urgently request that you consider our viewpoint. We are a new federation of contractors engaged in the installment of underground water and sewer facilities. We speak from experience, and have been regulated in the past under State Board requirements which in many ways served as a "model" for OSHA requirements.

Sincerely,

Robert A. Wieboldt Executive Director

RAW: rjf



ATLANTIC CEMENT COMPANY, INC.

A subsidiary of Newmont Mining Corporation
P.O. Box 3 • Ravena, New York 12143 • (518) 756-6141

Charles S. Burriss
VICE PRESIDENT-OPERATIONS

February 21, 1975

Hon. Hugh L. Carey, Governor State of New York Executive Mansion Albany, New York 12224

Dear Governor Carey:

New York State has long held a position of leadership in the field of industrial safety and its safety program has been successfully operating for over 70 years. Since 1973 an approved state OSHA plan has been in effect. We cannot afford to lose the valuable services this group has been rendering to New York State Industry and the working people involved. We, like most N.Y. State Companies, have variances granted by the Board of Standards and Appeals and if the state development plan is withdrawn these will all be null and void. Don't withdraw New York's Occupational Safety and Health Plan.

I urge you to use your good offices to get the enabling legislation for a state OSHA plan before the Legislature and passed.

Very truly yours,

Chilly Wallet.

CSB/PEN:nap

C. S. Burriss

Vice President - Operations

J. H. WELCH CO.

P.O. Box 248, Buffalo, N.Y. 14225 . Telephone (716) 892-7100

Construction & Industrial Equipment / Supplies

SALES . RENTALS . SERVICE



February 20, 1975

Governor Hugh L. Carey Executive Mansion Albany, New York 12224

Dear Governor Carey:

It is imperative to New York State and its people to have you and our legislature work towards passage of enabling legislation for a State OSHA Plan.

As an employer we have worked for many years with our State Construction Safety Division on jobs and the Board of Standards and Appeals to have safe conditions and equipment for the Construction Industry. New York State has been the leader in Construction and Industrial Safety for over 30 years! Don't let our State become an "Also Ran."

Very truly yours,

J.H. WELCH COMPANY

Div. of Patent Scaffolding Co.

Harscon Corporation

Brian G. Welch General Manager

BGW/mf

Honorable Hugh L. Carey
Governor of the State of New York
The Capitol
Albany, New York 12224

Dear Governor Carey:

We at Crowley Foods strongly believe that as part of your administrative program you recommend to the Legislature the passage of enabling legislation to implement the State Plan filed by New York State with the United States Secretary of Labor under the Occupational Safety and Health Act of 1970 and approved by the Secretary of Labor in May 1973.

Crowley Foods, Inc. actively supports the Occupational Safety and Health Act. This OSHA Act has given everyone a greater awareness of the absolute need for safety.

Therefore, we are recommending you give your fullest support to retain the State Paln of the Occupational Safety and Health Act.

Sincerely,

Vincent C. Crowley

Vice President - Personnel

VCC: em



EXECUTIVE OFFICES: 145 CONKLIN AVENUE

BINGHAMTON, NEW YORK 13902

PHONE: 607-722-644

e Milk

• Buttermil

CottageCheese

CulturedSourCream

"Kwik Ch Fresh Packaged Foods

Cape Code
Mexicano
French
Onion
Dips

DairyPuddings

•lce Creaπ Mix

Condensed Milk

"Mil-Pro" Milk Protein

"Pro-Whe Dried Whey Solids

VogueYoguris





PETER COOPER CORPORATIONS

Telephone 716-532-3344

Telex . . . 91-6456

Manufacturers of animal glues and industrial adhesives

ANDA, NEW YORK

February 20, 1975

Governor Hugh L. Carey Executive Mansion Albany, New York 12224

> Enabling Legislation for Subject:

> > New York State OSHA Plan

Dear Governor Carey:

The management of Peter Cooper Corporations wishes to express its interest in the enaction of the subject enabling legislation.

It is our strong belief that the economy of New York State would suffer another serious blow if OSHA jurisdiction were to pass from State to Federal control. Much of the manufacturing capacity of this state is performed in factories of older type construction which operate under variances granted by the Board of Standards and Appeals. Such variances would be voided upon Federal jurisdiction and without doubt many of these facilities would then elect to close their operation in our state.

We strongly urge you to work for passage of the enabling legislation by the March 31, 1975 deadline.

Very truly yours,

Richard K Gunnell

OSHA Director

RKG/ds

CTORIES:

GOWANDA, N. Y.

BRONX, N. Y.

OAK CREEK, WIS.

los angeles, calif.

WAREHOUSES: CHICAGO MEMPHIS, TENN. OAKLAND, CALIF. OFFICES IN ALL PRINCIPAL CITIES THE SALE OF THE PRODUCT RESERVICITED BY THE NEW YORK STATE LINER OF THE LINER OF SON BEGINDED ON THE REVERSE WITH OF

Watertown Fire Fighters' Association

LOCAL NO. 191

AFFILIATED WITH

International Association of Fire Fighters' and New York State Fire Fighters' Association
Watertown Federation of Labor

Watertown, New York 13601



March 3, 1975 1018 Academy Street Watertown, New York 13601

Gov. Hugh L. Carey Executive Chamber Albany, New York 12224

Dear Sir:

Please withdraw the New York State O.S.H.A. development plan and order Section 7C negotiations with the Federal Government to assure the best possible job safety and health protection for all workers in New York State.

Very truly yours,

JOSEPH H. GRAVELLE

President

JHG:g

cc: Senator Warren M. Anderson
Speaker Stanley Steingut
Senator H. Douglas Barclay
Assemblyman Donald L. Taylor
Raymond R. Corbett, President, AFofL-CIO



TEXTILE WORKERS UNION OF AMERICA

Affiliate of the AFL-CIO and CLC

HUDSON VALLEY AREA JOINT BOARD
444 WARREN STREET
HUDSON, NEW YORK

Telephone TA 8-7691

March 5, 1975

Honorable Hugh L. Carey Governor of New York State Executive Chamber Albany, NY 12224

Dear Sir:

The Hudson Valley Area Joint Board has gone on record in full support of the AFL-CIO position on standards and enforcement of OSHA in New York State.

We would like to: (1) Withdraw the New York OSHA developmental plan and (2) Order Section 7-C negotiations with the Federal government to assure the best possible job safety and health protection for all workers in New York State.

Respect Fully

Sy cohen

SC:pak

6810 6th Avenue Brooklyn, New York 11220 May 5, 1975

Governor Hugh Carey Governor's Mansion Albany, New York

Dear Honorable Carey:

I am requesting that Assembly Bill #5743, introduced by Assemblyman Christopher J. Mega, be passed as quickly as possible. Its passage will assure quality education for all children in New York City.

Respectfully,

Robert B. Gulbin

• MGMALBA ALB 1-019215A052 02/21/75 TLX ACME EL CUBA 01 CUBA NY FEB 21, 75 ZIP 12224



2 A A

HONORABLE HUGH CAREY GOVERNOR12224

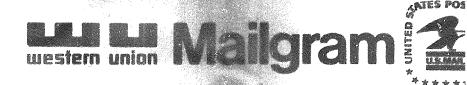
WE URGENTLY REQUEST THAT THE FEDERALLY APPROVED NEW YORK STATE OSHA PLAN BE ADOPTED, ADMINISTERED AND ENFORCED BY THE STATE OF NEW YORK A SOLELY FEDERALLY CONTROLLED PROGRAM WOULD BE A SEVERE DISSERVICE TO EMPLOYERS AND EMPLOYEES OF THIS STATE WE BELIEVE THAT NEW YORK STATE'S EXISTING AND PROPOSED HEALTH AND SAFETY PROGRAMS ARE AMONG THE BEST IN THE NATION NEW YORK STATE INDUSTRY NEEDS STATE SUPPORT OF THESE PROGRAMS AND WE URGE YOU TO RECOMMEND SUPPORT OF THE NEW YORK STATE OSHA PROGRAM TO THE LEGISLATURE

K E HAMPTON CHAIRMAN ACME ELECTRIC CORPORATION, CUBA, N Y 14727 ACME EL CUBA

1353 EST

MGMALBA ALB

MARIBE ALB 11-013343 C052011 02/21/75 TLX EK HOTRS ROC D 31 ROCHESTER NY ZIP 12224



THE HONORABLE HUGH CAREY
SOVERHOR OF NEW YORK STATE
EXECUTIVE CHAMBER
ALBANY NEW YORK 12224

ENFORCEMENT OF OCCUPATIONAL HEALTH AND SAFETY AND IMMEDIATE ENACTMENT OF REQUIRED ENABLING LEGISLATION. NEW YORK STATE PLAN HAS BEEN CAREFULLY WORKED OUT TO CONTINUE TO DITION OF LEADERSHIP IN INDUSTRIAL SAFETY. WITHDRAWAL OF STATE PLAN WOULD REMOVE OSHA ENFORCEMENT TO FEDERAL SEOVERNMENT, JEOPARDIZE EXISITING APPROVED VARIANCES, AND DESTROY A COOPERATIVE WORKING RELATIONSHIP THAT HAS BROUGHT HIGH STANDARDS OF SAFETY WHILE BEING RESPONSIVE TO THE NEEDS OF A SOUND BUSINESS ECONOMY.

C E FITZGIBBON EASTMAN KODAK CO ROCHESTER NY 14650 DIRECOTOR, STATE AND LOCAL AFFAIRS

1211 EST

MALBE ALB

6810 6th Avenue Brooklyn, New York 11220 May 5, 1975

Governor Hugh Carey Governor's Mansion Albany, New York

Dear Honorable Carey:

I am requesting that Assembly Bill #5743, introduced by Assemblyman Christopher J. Mega, be passed as quickly as possible. Its passage will assure quality education for all children in New York City.

Respectfully,

Norma Gulbin Rorma Gulbin

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

AFFILIATED WITH A.F.L. C.I.O.
WATERVLIET ARSENAL LOCAL 2352
WATERVLIET, N.Y. 12189



6 March 1975

Gov. Hugh L. Carey Executive Chamber Albany, N.Y. 12224

Dear Gov. Carey:

As President of Local 2352 American Federation of Government Employees at Watervliet Arsenal and working under Federal OSHA requiations I request that you support the State AFL-CIO position of withdrawing the New York OSHA developmental plan and order negotiations with the Federal government. The Federal standards are stricter than most State regulations. Surely stricter rules are worth having for the working man if they stop one serious illness or a death.

cf: New York State AFL-CIO

Stephen V. Carknard Jr. President, L2352 AFGE AFL-CIO
Watervliet Arsenal
Watervliet, N.Y. 12189

WAA

LOCAL NIOS

AL RUGGIERO, President BOB POLE, Vice President BOB CAPOZELLO, Secretary TOM CARROLL, Treesurer



17 NEPTUNE AVENUE, BROOKLYN, NEW YORK 11235 (212) 934-1500

March 4, 1975

The Honorable Hugh L. Carey Governor of New York Executive Chamber Albany, New York 12224

Dear Governor Carey:

We are in support of the AFL-CIO in their urging withdrawal of the New York State OSHA temporary developmental plan and to order negotiations with the U.S. Department of Labor, under Section 7-C of OSHA.

We sincerely hope, that you will consider this proposal, as that we feel is in the best interest of all workers in our State.

Very sincerely yours,

Al Ruggiefo President

AR:ic opeiu 153, af1-cio

AFL-CIO UPPER HUDSON AREA CENTRAL LABOR UNION COUNCIL



444 Warren Street, Hudson, New York 12534

518-828-7691



March 5, 1975

Honorable Hugh L. Carey Governor of New York State Executive Chamber Albany, NY 12224

Dear Governor Carey:

Our Council went on record in support of the AFL-CIO position for the enforcement of safety standards through the Federal government.

We would like to:

- 1. Withdraw the New York OSHA developmental plan and
- 2. Order Section 7-C negotiations with the Federal government to assure the best possible job safety and health protection for all workers in New York State.

Respectfully,

George Lombardi

President



THE BUILDERS EXCHANGE OF ROCHESTER, N. Y., INC.

65 COLLEGE AVENUE, ROCHESTER, NEW YORK 14607 TELEPHONE 271-6633

March 5, 1975

Governor Hugh L. Carey Legislative Building Albany, New York 12207

Dear Governor Carey:

The Builders Exchange of Rochester, Inc., a trade association of more than 200 business firms identified with the building industry, strongly supports state administration of occupational safety and health.

Our individual member companies and this office have worked closely with both the state and federal agencies charged with enforcement of safety laws and standards. In terms of training, job site inspection, and providing assistance in solving safety and health related problems the state has been consistently superior to the federal program.

We urge you to continue the long tradition of the Empire State as being our nation's leader in protecting the health and welfare of our working men and women by supporting the state plan.

Sincerely yours,

A Zahni

Bernard A. Zahn Safety Director

BAZ:dz

AFL-CIO UPPER HUDSON AREA CENTRAL LABOR UNION COUNCIL



444 Warren Street, Hudson, New York 12534 518-828-7691



March 20, 1975

Honorable Hugh L. Carey Governor, State of New York 1350 Avenue of the Americas New York, NY 10019

Dear Governor Carey:

Thank you on behalf of all labor and AFL-CIO bodies, especially the Upper Hudson Area Central Labor Union Council, for your recent action in regard to occupational safety and health activities in New York State.

We are gratified for this action and pleased with the details of your announcement to clarify and remove doubts, confusion and misinformation spread about the issue. The plan to work closely with Federal authorities is most welcome.

Again, our thanks and wishes for success in this endeavor.

Respectfully

Ccretary-Treasurer

SC:pak



Retail Clerks Union

LOCAL NO. 212

RETAIL CLERKS INTERNATIONAL ASSOCIATION

522 ELLICOTT SQUARE BUILDING
295 MAIN STREET

PHONE: 853-3851 - 3852 BUFFALO, NEW YORK 14203

March 12, 1975

Governor Hugh L. Carey Executive Chamber Albany, New York 12224

Dear Governor Carey,

We, the Retail Clerks Union, Local # 212 strongly support the position of the AFL-CIO on standards and enforcement of occupational safety and health in New York State.

We feel that the withdrawal of the New York OSHA developmental plan and the ordering of Section 7-C negotiations is necessary to assure the best possible job safety and health protection for all workers in New York State.

Respectfully,

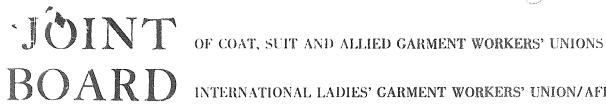
Paul E. McSweeney

President, Executive Officer

Retail Clerks Union

Local 212

PEM/ef





INTERNATIONAL LADIES' GARMENT WORKERS' UNION/AFL-CIO

Office of the General Manager

March 12, 1975

Hon. Hugh L. Carey Governor of New York Albany, NY 12224

Dear Governor Carey:

I think it is necessary for me to express, on behalf of the thousands of garment workers in the metropolitan area of New York, our opposition to the New York OSHA temporary development plan and to order negotiations with theU.S. Department of Labor, under Section 7-C of OSHA, thus assuring the following:

- 1 Strengthened job health and safety rules under effective Federal enforcement
- 2 Expansion and improvement of the present inspection force with no loss of jobs
- 3 Retention of any high-quality state standards and
- 4 A program of public employee job safety protection.

Respectfully yours.

E. Howard Molisani General Manager

EHM/nf

EDWIN L. ANTHONY, P.E., L.S. President

April 9, 1975

CHESTER KEESEY, P.E., L.S. President-Elect

CORNELIUS F, DENNIS, P.E, Vice President, Area 1

GEORGE P. GOLOVCHENKO, P.E. Vice President, Area 2

THOMAS R. QUINLAN, P.E. Vice President, Area 3

IRVING GROSSMAN, P.E.

The Honorable Hugh L. Carey Governor of New York Albany, N.Y.

RE: OSHA

B. ROY ERTELL, P.E. Vice President, Area 5

Dear Governor Carey:

JOSEPH C. KLOPE, P.E. Treasurer

ROBERT D. CHARLEBOIS, P.E. Financial Secretary

JOSEPH S. KAMING, ESQ., P.E. Past President

We support the concept of State Administration of laws pertaining to employee and public safety. We feel this should be in the domain of New York State to enforce and support legislation to this end.

We totally support the concept that the breadth and scope of such program should, in no way, diminish the present effectiveness of the combined effort represented by the Board of Standards and Appeals and the Division of Occupational Safety and Health, an effort apparently utilizing some 480 field inspectors with a back-up staff of 272 engineers, chemists and other technicians.

It is inconceivable that the delegation of any arbitrary number of Federal enforcement officers represents a well thought out program for the administration or enforcement of technically oriented material. Any such program mandates participation by technically qualified persons based on experience, education and the requirements of the laws of this State and such participation must encompass the total staff of such program.

New York State presently has laws mandating design of buildings and structures by New York State licensed Professional Engineers and Registered Architects. There is little doubt that relinquishing the present field and office enforcement areas of the New York State Labor Department to the Federal Government would severely diminish the effectiveness of these laws and would therefore compromise the public safety on the most basic levels, a situation we feel sure you would not condone.

It is also our position that any new legislation must be of such nature as to truly serve the occupants and visitors of this State. To properly serve all parties demands legislation which will be fair and equitable in its application, administration and enforcement. It is our understanding that there are presently before the Senate

and Assembly bills sponsored by Senator Marchi and Assemblyman Emery. Apparently, these bills represent the basic concepts consistent with our position, we lend our complete support to these bills.

It is our observation that relinquishing OSHA enforcement to the Federal Government undermines an effective safety and health program in this State. It is further our observation that the Federal program does not demonstrate either the knowledge or maturity of the present State program and will not be capable of doing so for an extended period of years, if ever.

In closing, we wish to present you with the thought that true economies are affected by the channeling of monies into those areas which will provide a continually improving long term program functioning in the spirit of public interest and service with increased efficiency accomplished through the elimination of "red tape."

We urge you to reconsider your announced decision regarding withdrawal of State participation in the CSHA program and to work toward the above goals.

Respectfully,

CHESTER C. XELSEY, P.E., L.S

PRESIDENT-BIROT

CCK: sp



RTO RICAN FAMILY INSTIT 142h STREET/NEW YORK, N.Y. 10011/(212)

Program to Preserve the Integration of the Puerto Rican Migrant Family

AGUSTIN GONZALEZ Executive Director

March 11. 1975

Governor Hugh L. Carey State Office Building Albany. New York

Honorable Governor:

On behalf of the working class of the State of New York we are addressing this letter to reach your desk before next March 31, the deadline of the signing of the bill for full implementation of the approved New York State Occupational. Safety and Health Plan which is in your office.

No other state on the nation has done so much in the field of occupational, safety andhealth for their workers than New York State. Our state has the toughest safety and health standards in the country ... much tougher than the Federal Standards. Exits, fire safety, boiler safety, train operation and the industrial use of high intensity lasers are a few examples of New York State rules and regulations, pertaining to a variety of health and safety matters which are not covered by any existing standards presently enforced by OSHA.

The bill now resting in your desk provides coverage under the State Plan for the above mentioned matters, now exempted under the Federal Plan. The State of New York has the legal right and the economic resources to continue to control the quality of our labor safety and health standards, which are above and beyond the levels which Federal preemption will allow for the foreseeable future.

By signing this bill before the deadline, you will show your your dedication to continue the State's almost 100 years old commitment to protect the safety and health of all our workers.

Sincerely yours,

Gonzalez Executave Director

TEXTILE WORKERS UNION OF AMERICA

Affiliate of the AFL-CIO and CLC

99 UNIVERSITY PLACE

NEW YORK, N. Y. 10003

(212) 673-1400

OFFICE OF THE GENERAL PRESIDENT

March 12, 1975

485 485

The Honorable Hugh L. Carey Executive Chamber Albany, New York 12224

Re: Occupational Safety & Health Act

Dear Governor Carey:

With each new discovery of toxic chemicals in the workplace, we are again reminded of the need for a uniform set of standards on workplace conditions, and a national program of Federal enforcement of these standards.

Accordingly, the Textile Workers Union of America, AFL-CIO urges you to:

- 1. Withdraw the New York OSHA developmental plan.
- 2. Commence negotiations with the U.S. Department of Labor under Section 7-C of the Act, in order to assure the highest quality protection for the workers of New York State, both private and public.

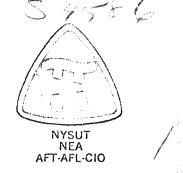
The historic experience of the failure of state regulation to adequately protect the health and safety of workers on the job must be reversed. It is time for the state to recognize the superior capability of the Federal Government in this field.

Sincerely yours

Sol Stetin

General President





770 ELMWOOD AVE. BUFFALO, N. Y. 14222 (716) 881-5400

BUFFALO TEACHERS FEDERATION, INC.

President THOMAS J. PISA

February 25, 1975

Hugh F. Carey, Governor Executive Chambers State Capitol Building Albany, New York 12224

Dear Governor Carey:

The teachers of Buffalo encourage you to recommend passage of the Occupational Safety and Health Act bill. Present New York legislation exempts public school systems from maintaining school buildings at normal safety code levels, especially in a city like Buffalo where many buildings date back to the late 1800's and early 1900's. We believe that, in many instances, these buildings are health and safety hazards to the tens of thousands of students and teachers who occupy them.

We realize that there is similar federal legislation but that such legislation does not include public facilities such as schools.

Sincerely,

Thomas J. Pisa

President

TJP: ls

NEW YORK CHAPTER



THE NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS, INC.

President HOWARD N. BLITMAN, P.E. 250 Park Avenue New York, N.Y. 10017 212 - 986-7770

April 4, 1975

First Vice-President BARRY D. GREENE, P.E. 21-17 37th Avenue Long Island City, N.Y. 11101 212 - EX 2-2172

Second Vice-President PAUL WOOD, P.E. Port Authority Of N.Y. & N.J. One World Trade Center New York, N.Y. 10048 212 - 466-7102

Secretary JOSEPH T. HEILBRON, P.E. 415 West 24th Street New York, N.Y. 10011 212 - 460-3952

Treasurer WILLIAM A. LUNA, P.E. 660 Nereid Avenue Bronx, N.Y. 10470 212 - OX 5-6220

345 West 54th Street New York, N.Y. 10019 212 - CO 5-1548

Gibbs & Hill, Inc. 393 Seventh Avenue New York, N.Y. 10001 212 - 565-4300

The Honorable Hugh L. Carey Governor, State of New York Executive Chambers State Capitol Albany, New York 12224

Dear Governor Carey:

This letter is written on behalf of the New York Chapter of the New YOrk State Society of Professional Engineers.

With regard to the question of OSHA legislation, kindly be advised that we are in total support of the concept of State administration and enforcement of laws concerning employee and public safety. Financial Secretary
THEODORE C. KATSIGRIS, P.E. We totally support the concept that the breadth and scope of such program should, in no way, diminish the present effectiveness of the combined effort represented by the Board of Standards and Appeals and Wembership Chairman SHELDON N. GOLDMAN, P.E. the Division of Occupational Safety and Health, an effort apparently utilizing some 480 field inspectors with a back-up staff of 272 engineers, chemists and other technicians.

> It is inconceivable that the delegation of any arbitrary number of Federal enforcement officers represents a well thought out program for the administration or enforcement of technically oriented material. Any such program mandates participation by technically qualified persons based on experience, education and the requirements of the laws of this State and such participation must encompass the total staff of such program.

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It is also our position that any new legislation must be of such nature as to truly serve the occupants and visitors of this State. To properly serve all parties demands legislation which will be fair and equitable in its application, administration and enforcement. It is our understanding that there are presently before the Senate and Assembly bills sponsored by Senator Marchi and Assemblyman Emery. Apparently these bills represent the basic concepts consistent with our position, we lend our complete support to these bills.

It is our observation that relinquishing OSHA reinforcement to the Federal Government undermines an effective safety and health program in this State. It is further our observation that the Federal program does not demonstrate either the knowledge or maturity of the present State program and will not be capable of doing so for an extended period of years, if ever.

In closing, we wish to present you with the thought that true economies are effected by the channeling of monies into those areas which will provide a continually improving long term program functioning in the spirit of public interest and service with increased efficiency accomplished through the elimination of "red tape".

We urge you to reconsider your announced decision regarding withdrawal of State participation in the OSHA program and to work toward the above goals.

Respectfully yours.

of NYSSPE

Howard N. Blitman, P.E.

President of New York Chapter

HNB:vv

CC: Hon. Mary Anne Krupsak

Hon. Warren Anderson

Hon. Manfred Ohrenstein

Hon. Stanley Steingut

Hon. Albert Blumenthal

Hon. Perry Duryea, Jr.

Hon. Norman Levy

Hon. Seymour Posner

Hon. John J. Marchi

Hon. James L. Emery

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Tri - County Chapter of the

OSTAT

NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS

March 25, 1975

The Honorable Hugh L. Carey Governor, State of New York Executive Chambers State Capitol Albany, New York 12224

Dear Governor Carey:

This letter is written on behalf of the Tri-County Chapter of the New York State Society of Professional Engineers.

With regard to the question of OSHA legislation, kindly be advised that we are in total support of the concept of State administration and enforcement of laws concerning employee and public safety. We totally support the concept that the breadth and scope of such program should, in no way, diminish the present effectiveness of the combined effort represented by the Board of Standards and Appeals and the Division of Occupational Safety and Health, an effort apparently utilizing some 480 field inspectors with a back-up staff of 272 engineers, chemists and other technicians.

It is inconceivable that the delegation of any arbitrary number of Federal enforcement officers represents a well thought out program for the administration or enforcement of technically oriented material. Any such program mandates participation by technically qualified persons based on experience, education and the requirements of the laws of this State and such participation must encompass the total staff of such program.

New York State presently has laws mandating design of buildings and structures by New York State licensed Professional Engineers and Registered Architects. There is little doubt that relinquishing the present field and office enforcement areas of the New York State Labor Department to the Federal Government would severely diminish the effectiveness of these

laws and would therefore compromise the public safety on the most basic levels, a situation we feel sure you would not condone.

It is also our position that any new legislation must be of such nature as to truly serve the occupants and visitors of this State. To properly serve all parties demands legislation which will be fair and equitable in its application, administratrion and enforcement. It is our understanding that there are presently before the Senate and Assembly bills sponsored by Senator Marchi and Assemblyman Emery. Apparently, these bills represent the basic concepts consistent with our position. We lend our complete support to these bills.

It is our observation that relinquishing OSHA enforcement to the Federal Government undermines an effective safety and health program in this State. It is further our observation that the Federal program does not demonstrate either the knowledge or maturity of the present State program and will not be capable of doing so for an extended period of years, if ever.

In closing, we wish to present you with the thoughts that true economies are effected by the channeling of monies into those areas which will provide a continually improving long term program functioning in the spirit of public interest and service with increased efficiency accomplished through the elimination of "red tape".

We urge you to consider your announced decision regarding withdrawal of State participation in the OSHA program and to work toward the above goals.

Very truly yours,

William J. Levandowski, P.E.

President

WJL/cam

cc: Hon. Mary Anne Krupsak, Lt. Gov.

Hon. Warren Anderson, Senate Majority Leader

Hon. Manfred Ohrenstein, Senate Minority Leader

Hon. Stanley Steingut, Speaker of the Assembly Hon. Albert Blumenthal, Assembly Majority Leader

Hon. Perry Duryea, Jr., Assembly Minority Leader

Hon. Norman Levy, Chairman, Senate Labor Committee

Hon. Seymour Posner, Chairman, Assembly Labor Committee

Hon. John J. Marchi, Member of Senate Hon. James L. Emery, Member of Assembly

Construction Industry Employers Association, Inc. of South Central New York

Route 352, Big Flats, New York 14814

Area Code 607 — 562-8459

March 11, 1975

The Honorable Hugh L. Carey, Governor State of New York Capital Building Albany, New York 12224

Reference: OSHA Enabling Legislation

Dear Governor Carey:

We are all aware of the various problems that face this nation with respect to inflation, high unemployment, the tax burden, and the ever-increasing cost resulting from the growth of government.

As a former representative, you participated in and became actively engaged in the passage of the OSHA Safety Act to increase the protection of the Lives, Welfare and Safety of the citizens of this country.

In the deliberation which preceded and followed the enactment of the legislation you became aware of the high impact cost that this legislation had and would continue to have on the short, as well as the long term basis, on government and private industry and the individual taxpayer.

As is the case in defraying the cost of legislation, the money must come from the taxpayer, whether it be from the private individual or the private industry. To this regard, Governor Carey, it is my opinion that a cost vs. benefit analysis, as it applies to the OSHA Safety Program implementation and servicing, was not adequately performed. If it had been performed there is no doubt in my mind that federal administration of the program could not or would not have been considered. Particularly when the process of federalism and federally administered programs were being proven too costly with respect to the benefits derived.

New York State has had a program to protect the Lives and Safety of its citizens for many years. Long before the idea of safety became a Nation Cause.

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The Honorable Hugh L. Carey, Governor State of New York

A comparison of the state program and the federal program shows that the state program required little change to meet the standards of the federal act. Beyond this, we can all agree that tax dollars appropriated, for any reason, have greater value when they do not go from the state to the federal and back to the state.

Governor, we all know, as you do, that money coming from Washington is the most expensive. It is a proven fact the proportionately less tax dollars are returned to New York State than any other state in consideration of total tax dollars paid to the federal from the citizenry of the state. Let's have New York State be one state that will stand against federalism, whether it be for a federally administered safety program or any further programs which further compound the problems of escalating costs and inflation brought about by federalism.

With these self-evident facts, how and why have we failed to pass enabling legislation which would permit New York State to retain the administration and service of the OSHA Program. It doesn't make good economic sense or cents.

The fact that labor (AFL-CIO) has taken a stand in opposition to the Enabling Legislation (because inequities as it relates to certain segments of the organized labor force) should not preclude the enactment of the legislation. Labor's position does not speak for all labor, even within the AFL-CIO. It is a special interest of labor to have the program cover some segments of their ranks that are not specifically or initially covered in the state program. Why should the interest of one segment of the labor force be considered and the interest of the other segments of organized labor as well as the interest of the remainder of the labor force, private industry and the general public be overlooked.

It has been voiced in and around the capital and elsewhere that you have taken a position to favor the federal government rather than the state administering the Safety Program. The cost and the position of the AFL-CIO have been given as the reasoning behind your decision. I would hope, Governor, that this is not the case. It it is, at this juncture, I can only believe that your decision was arrived after or as a result of misinformation or poor information.

Certainly, I can understand the problem that is related to labor's AFL-CIO desire to have all segments of the labor force covered, as is the goal. However, there is no basis for a position that the State Program would be more costly. It surely wouldn't take the taxpayers of this state too long to determine that any program

The Honorable Hugh L. Carey, Governor State of New York

paid for by their tax dollars and discounted at the federal level (for handling) is going to cost more than it their tax dollars did not pass through federal bureaucracy. The are all aware that the cost of administering the federal product is going to increase the cost from what it had previously been unfor the State Program. But the difference in cost is the issue. The entire cost.

Governor Carey, I have been aware of the problems that exist on the part of labor and the administration. I have spoken to the previous administration and I am convinced that the previous to compromise, to assure the Enabling Legislation, at the expense of the cost of the federal program will be a sectorus.

One of the most frightening problems we record to that in the quest to redress the inequittes that exist in proposed legislation or in development of social programs legislations fail to recognize that the source of all monies, federal as state, have but one source - THE TAXPAYER.

What has been occurring, for the past to to years, is that the burden of taxes has depleted the tax overs ability to purchase durable goods. When the demand for the tax overs services to produce these goods decline, the need for the tax overs services to produce these goods declines and we become locked to a regressive process - increased unemployment. Let's not continue to perpetuate the hoax on the taxpayer that he is getting something for nothing. The philosophy of the FREE LUNCH or that the past which comes from the federal government is free is the top that has the taxpayers about broke and the government as well to that it about time that in the deliberation of all proposed tegislation, whether it be state or federal, the ability of the taxpayer to pay for the proposed benefit be considered. I hope you think that it is.

Governor, I am sure that if you are profess with the proper information and the facts, as they are, you will not permit the federal government to become responsible for the administration and the service of the State Safety Program.

Your consideration and support to bring about the Enabling Legislation to keep New York State responsible for the Safety Program will be a progressive step toward curtailing the ever escalating cost of the federal government. It will be positive proof to the millions who elected you their governor that you could respond to their needs without encumbering them with additional state or federal taxes.

The Honorable Hugh L. Carey, Governor State of New York

Sincerely,

CONSTRUCTION INDUSTRY EMPLOYERS ASSOC.

George David Weaver

Executive Vice President

GDW/vbb

Governor Carey, I am not writing you as a representative of the Construction Industry only, but as a concerned citizen of this state and nation. It may be considered corny or square in this day and age but I LOVE AMERICA. I am proud of its strength and look with concern to find ways to improve its weaknesses. I am convinced that the continued progress and social change required to keep this nation number one cannot be achieved by the continuance in the growth of the federal government and its excessive expenditure of tax dollars.

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1510 CENTRAL AVENUE ALBANY, NEW YORK 12205 (518) 869-0931

February 7, 1975



The Honorable Governor Hugh Carey State Capital Albany, New York

Dear Sir:

As a Safety & Fire Protection Engineer for a major commercial insurance carrier in New York State, I would like to comment on the possible withdrawal of Federal approval of the New York Occupational Safety & Health Plan.

It has been my contention for the 2 1/2 years that I have been performing industrial safety inspection and consultation work, that the Federal OSHA Compliance Force has been inadequate to properly survey and regulate hazardous conditions to which the New York State Labor Force is exposed. Inspections have been too few on the Federal level and in many instances, ineffective. Many times I have surveyed workplaces after an OSHA Compliance Officer and found serious violations of safety or health standards that were overlooked.

I ask your support in assuring the New York worker the best possible safety and health protection. In this age, when serious industrial health hazards seem to increase daily, it is essential that the larger enforcement capabilities of the State Labor Department be fully utilized.

The continuing support of Federal funding and the enactment of a New York OSHA bill will substantially increase the effectiveness of current enforcement activity, since employers will be subject to closer scrutiny and greater local control.

I hope you will not allow the March 31, 1975 deadline to pass without your recommendation for enactment of the New York OSH bill. The resultant demise of the New York Labor Department's Industrial Safety Inspection and Regulation efforts, should Federal OSHA supersede the state plan, will mean a step backward for New York in providing safe and healthful places of employment for a large number of citizens.

Regardless of your stand on this issue, you have my continuing support in your efforts to bring better government to the State of New York in a time of serious economic difficulty in the State and the Nation.

Sincerely,

Harry D. Bucciferro

Technical Representative
Customer Protection Services

/mm1

NEW YORK STATE OCIETY OF PROFESSIONAL ENGINEERS

150 STATE STREET ALBANY, NEW YORK 12207

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B. ROY ERTELL, P.E. Vice President, Area 5

JOSEPH C. KLOPE, P.E.

ROBERT D. CHARLEBOIS, P.E. Financial Secretary

JOSEPH S. KAMING, ESQ., P.E. Past President 5th March 1975

The Hon. Hugh L. Carey
Governor of the State of New York
The Capital
Albany, N.Y. 12201

Dear Governor Carey:

It has been brought to our attention, by way of the news media, that you intend to turn over our State Industrial Safety and Health program to the Federal Government.

We, as professional engineers, feel that this would be a poor decision in as much as our State enjoys an accident frequency rate that is the envy of the Nation. The New York State Department of Labor, in conjunction with the New York State Board of Standards and Appeals, has been very effective in accomplishing this very low accident frequency rate.

We feel that the New York State Occupational Safety and Health Plan, with very minor modifications, constitutes a well thought out plan to ensure that the workers of this State will continue to be protected by adequate standards, and the enforcement of such standards, to ensure the continued safety that they have enjoyed in the past.

As professional engineers, who are dedicated to the protection of the public, which also includes the worker, we cannot stand by and allow the standards and enforcement of this State to be lowered to the national average that would result with the Federal Government acting as the sole enforcing agency.

We firmly believe that the New York State Occupational Safety and Health Plan should be retained.

Very truly yours,

DWIN L. ANTHONY P.E., L.S.

PRESIDENT

ELA/MBL

BUILDING CONTRACTORS ASSOCIATION, INC.

600 THIRD AVENUE NEW YORK, N. Y. 10016 212 687-5300 131 JERICHO TURNPIKE JERICHO, N. Y. 11753 516 334-4656

March 4, 1975

Honorable Hugh L. Carey Governor, State of New York Executive Chamber Albany, New York 12224

Re: Occupational Safety in New York

Dear Governor Carey:

The Building Contractors Association represents more than 200 member firms engaged in building construction work in metropolitan New York and Long Island doing an annual volume of business in excess of millions.

I am writing to you at the direction of the membership in order to encourage you to lend your support to the continued state administration of occupational safety and health. Our Association opposes a Federal preemption in this field.

As I am sure you are aware, New York State has been a national leader in assuring its workers a safe place in which to perform. The passage of the Federal Occupational Safety and Health Act of 1970 was aimed at sub-standard states, but not at New York. Those states that will benefit by a Federal preemption should welcome it. Economically and administratively the people of the State of New York will not benefit by this.

It is our conviction that if state administration of occupational safety and health is not continued an additional level of government and a costly duplication of effort will be involved. Loss of Federal Aid in areas not covered by the preemption will cause an unwarranted strain on New York State's budget. It would be tragic if the forfeiture of local control, where it has been so successful, was ever the cause of even one unnecessary accident.

Our Association members request that you consider this plea. We also wish you well in governing this great state.

Very truly yours,

Joseph J. Fater Managing Director

JJF/b



NEW YORK STATE

PUBLIC UTILITIES SAFETY DIRECTORS February 21, 1975

REPLY TO: W.S. Hayward, Sys. Dir.-Safety Niagara Mohawk Power Corporation 300 Erie Blvd. West Syracuse, New York 13202

The Honorable Hugh L. Carey Governor of the State of New York The Capitol Albany, New York 12224

Dear Governor Carey:

We respectfully request that as part of your administration program you recommend to the Legislature the passage of enabling legislation to implement the State Plan filed by New York State with the United States Secretary of Labor under the Occupational Safety and Health Act of 1970. This plan was approved by the Secretary of Labor on May 14, 1973.

If New York were to drop out of the industrial safety business and let the Federal Government take over, it could prove disastrous for all those having a stake in the continuance of our State's program.

We, in New York State, have the experience and expertise to administer a sophisticated industrial safety and health program.

Again we stress your recommendation to the New York State Legislature the passage of this legislation.

Sincerely,

W.S. Hayward

Chairman

WSH:gb



EMPIRE STATE CONCRETE AND AGGREGATE PRODUCERS ASSOCIATION. INC.

Douglas A. Fuess Managing Director February 11, 1975

The Honorable Hugh L. Carey Governor of New York State State Capitol Albany, New York 12224

Re: New York State Occupational Safety and Health Plan

Dear Sir:

The members of the Empire State Concrete and Aggregate Producers Association, Inc. strongly urge the introduction of the necessary enabling legislation for the continuation and implementation of the New York State Occupational Safety and Health Plan.

We regard the New York State Labor Department and its Board of Standards and Appeals to be the premier organization of its type in the country having had as its primary goal the safety and welfare of the employee and the public, even prior to the enactment of the Federal Law in 1970. It is our opinion that the best interest of New York State can be served by continuing the State Plan. When this is accomplished, many additional people will be covered by the Plan. Even though the added coverage will necessitate additional inspectors, etc., it is understood, the total cost to the State because of 50% Federal Funding, will be at or just slightly higher than the cost prior to OSHA.

Cost, however, should not be the sole criteria for implementing the State Plan as it is the safety of the public and employees which should be our primary concern.

We respectfully request introduction into the legislature and subsequent passage of the necessary implementing legislation.

Sincerely yours,

EMPIRE STATE CONCRETE & AGGREGATE PRODUCERS ASSOCIATION, INC.

Douglas A. Fuess Managing Director

NEW YORK STATE RIGGERS & ERECTORS ASSOCIATION 220 East 42nd Street, Suite 3104, New York, New York 10017

February 14, 1975

The Honorable Hugh L. Carey, Governor State of New York State Capitol Albany, New York 12224

Re: New York State Plan - OSHA

Dear Governor Carey:

The members of the New York State Riggers & Erectors Association are concerned about the passage of enabling legislation which is necessary to place the New York State OSHA Plan into effect.

As you are quite aware, New York State has formulated an OSHA Plan which is permitted under the Occupational Safety and Health Act of 1970. The Plan, although approved by the Department of Labor, still requires state enabling legislation to be effective and, if this legislation is not adopted by March 31, 1975, then control of the Occupational Safety and Health Regulations for the State of New York and all of its industries will be placed under the control of the Federal Legislation Public Law 91-596.

We cannot urge too strongly that you as Governor endorse the state enabling legislation so that New York State can administer to the problems of New Yorkers under its own OSHA Plan.

Very truly yours,

William W. Lanigan, Executive Secretary

WWL:sjb

B A

INSULATION CONTRACTORS ASSOCIATION OF NEW YORK CITY, INC.

220 East 42nd Street, Suite 3104 New York, New York 10017

(212) 233-7330

February 14, 1975

The Honorable Hugh L. Carey, Governor State of New York State Capitol Albany, New York 12224

Re: New York State Plan - OSHA

Dear Governor Carey:

The members of the Insulation Contractors Association of New York City, Inc. are concerned about the passage of enabling legislation which is necessary to place the New York State OSHA Plan into effect.

As you are quite aware, New York State has formulated an OSHA Plan which is permitted under the Occupational Safety and Health Act of 1970. The Plan, although approved by the Department of Labor, still requires state enabling legislation to be effective and, if this legislation is not adopted by March 31, 1975, then control of the Occupational Safety and Health Regulations for the State of New York and all of its industries will be placed under the control of the Federal Legislation Public Law 91-596.

We cannot urge too strongly that you as Governor endorse the State enabling legislation so that New York State can administer to the problems of New Yorkers under its own OSHA Plan.

Wery truly yours,
William Whanigh

William W. Lanigan, Executive Secretary

WWL:sjb

FOR PUBLIC TRANSPORTATION

211 E 43rd Street, New York, N.Y. 10017. (212) 661-4370/Robert N. Rickles, P.E., Ph.D., Executive Director

February 18, 1975

BHA

Hon. Hugh L. Carey Governor of New York Executive Chambers Albany, New York 12224

Dear Governor Carey:

I am disturbed by reports that you might support and send to the legislature legislation permitting New York State to continue to enforce job safety regulations rather than to transfer this responsibility to the Federal government.

As I am sure you are aware, the enforcement of industrial hygiene and safety laws by the New York State Department of Labor has been a public disgrace. This lack of regulations in the area of airborne pollutants, the lack of regular inspections, and the absence of severe penalties, is well known to labor leaders and to environmentalists, like myself, concerned with the workplace environment.

I personally came into contact with these deficiencies while serving as Commissioner of Air Resources with regard to the spraying of asbestos at "high rise" construction sites. I would therefore urge you to kill this bill and to allow the Federal government to take over the program. Further, I would urge that you permit toverage of all employees of this State and of local governments, as well as State-run authorities, by Federal job safety standards.

ery fruly yours

ROBERT N. RICKLES
Executive Director

RNR/pdu



GREATER NEW YORK SAFETY COUNCIL, INC.

February 20, 1975

302 FIFTH AVENUE, NEW YORK, NEW YORK 10001

Area Code 212, 594-6020

OSH A

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Insurance Company

Vice Presidents Traffic and Transportation

MICHAEL J. MURPHY
President
National Auto Theft Bureau

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ALAN L. KEING Loss Prevention Consultant The Society of the Plastics Industry, Inc.

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JOHN FRANCIS SCHWIETERS Counsellor-at-Law

Executive Director
ROBERT J. O'DONNELL

THE
METROPOLITAN REGION'S
VOLUNTARY ORGANIZATION
FOR
ACCIDENT PREVENTION

Honorable Hugh L. Carey, Governor State of New York State Capitol Albany, New York 12228

Dear Governor Carey:

The officers and directors of the Greater New York Safety Council respectfully urge your endorsement and approval for introducing into the 1975 session of the State Legislature enabling legislation that allows the state's plan, through our Department of Labor, to administer mandatory job safety, as provided by the federal Occupational Safety and Health Act, among work establishments in the state economy. We address this letter to you because of the importance of your impending action to the future development of accident prevention within the Empire State, the outcome of which will certainly hang upon your imminent decision that recent newspaper reports indicate you will be making very shortly.

Our Council strongly endorses adoption of the proposed enabling legislation by the State Legislature authorizing implementation of the practical and effective state's plan drafted in compliance with the requisite regulations outlined in the Williams-Steiger Occupational Safety and Health Act for the state's resumption of authority in this field on a more extensive level than ever before in order to further greater accident prevention in our work places. The basic reasons why the Greater New York Safety Council urges your prompt approval and action in behalf of these proposals, already underway for the last two years are because of:

- 1) The nationally recognized performance and program record job safety achieved through our state Labor Department new and in the past;
- 2) The practical and effective nature of the work plan that has been developed for implementation of OSHA by New York, meeting requirements in inspection, enforcement and standards for occupational safety as set forth in the federal OSHA legislation:
- 3) The existence of an effective inspection force of safety personnel, virtually unequalled by the other states or, surely, by the staff of the federal OSHA administration assigned to New York, now or for the foreseeable future, that should and would assure more competent, extensive and in-depth implementation of occupational safety objectives;

4) The organized and operative consultative services, already existent in the state Labor Department, that meet the service needs demanded by small and medium sized work establishments for complying voluntarily with the objectives of the OSHA act in a manner and way that the federal government cannot duplicate in the immediate future despite recent federal Labor departmental regulations setting up consultative assistance five years after the act's passage;

- 5) The need, we feel, for assuring parity of protection for the public as well as the private employee for safety in the work places; and
- 6) The high level of managerial and professional skills available in the New York State Department of Labor, linked to outstanding experience and performance for administering this responsibility objectively and well.

As the non-governmental, non-profit community organization, exclusively devoted to the furtherance of accident prevention at work, on the highway as well as in other aspects of human relations, the Council believes withdrawal of support by the governor's office at this time would not in the state of New York serve the laudible purposes of the federal legistration but would only drastically hinder their realization in view of limited professional personnel and budgetary funds possessed by the federal OSHA administration now, We also maintain in view of the unlikelihood the extensive implementation, training and consultation which OSHA requires both for management and labor could be as economically or efficiently undertaken on the federal level as it could be upon the state level particularly, when we consider the amount of professional resources and expertise possessed by our state agency for these ends.

In behalf of New York citizens interested in the furtherance of safety in our work establishments as a right of every employee; in extending and providing through a working system of consultation and training evermore opportunities for wide spread voluntary compliance by management and employers through a state program operating at the grass roots level; in the proper use of current professional resources at hand and available for an in-depth inspection and enforcement system; we urge your unequivocal endorsement of the proposed state plan your encouragement for the prompt introduction of its accompanying state legistation prepared by Commissioner Levine and the state Labor Department. This action, we are convinced, would assure the better of the two alternative methods for attaining greater accident reduction and a greater industrial health ambience on the job for all our productive fellow New Yorkers,

Robert J. O'Donnel Executive Director