

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1627

Short Title: Non-English Worker Safety Pilot/Funds. (Public)

Sponsors: Representatives Goodwin; B. Allen, Bordsen, Coates, Gibson, Jones, Lucas, Luebke, McLawhorn, Parmon, Rapp, Saunders, Wainwright, and Weiss.

Referred to: Appropriations.

May 24, 2004

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE DEPARTMENT OF LABOR TO PROVIDE
2 NON-ENGLISH LANGUAGE SAFETY TRAINING TO CONSTRUCTION
3 WORKERS; ALLOWING THE REDUCTION OR WAIVER OF CERTAIN CIVIL
4 PENALTIES FOR EMPLOYERS PARTICIPATING IN THE TRAINING; AND,
5 APPROPRIATING FUNDS FOR THAT PURPOSE.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** There is appropriated from the General Fund to the
9 Department of Labor the sum of one hundred thousand dollars (\$100,000) for the
10 2004-2005 fiscal year to establish a pilot program to provide non-English language
11 safety training and materials to workers in the State's construction industry. The
12 Department of Labor shall provide the non-English language safety training in Spanish
13 at least once per month at community colleges in the five counties with the highest per
14 capita number of Spanish speaking construction worker deaths during the year 2003.
15 The Department of Labor shall develop the content of the course and the course shall
16 last no longer than three hours. The Community College System Office shall cooperate
17 with the Department of Labor in the coordination of the pilot program on community
18 college campuses.

19 **SECTION 2.** Participating construction companies who have at least
20 seventy-five percent (75%) of their Spanish-speaking employees attend the safety
21 course shall receive a certificate of completion valid for a period of three years.
22 Notwithstanding any other provision of law, if there is a worker injury on a certified
23 employer's construction site during the certification period, any civil penalty considered
24 by the Department of Labor in connection with the injury shall be reduced by at least
25 half the amount or may be waived in the Commissioner's discretion unless the injury
26 was due to reckless or intentional misconduct.

1 **SECTION 3.** This act becomes effective July 1, 2004, and Section 1 expires
2 June 30, 2005. Section 2 of this act shall remain in effect as to employers certified in the
3 pilot program.