



PLUMBERS AND GASFITTERS LOCAL UNION NO. 1

OF THE

UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING
AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA
NEW YORK CITY

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MEMORANDUM IN SUPPORT

LEGISLATIVE REFERENCE:

S5422 – Senator Ramos, Senate Labor Committee

A2512 – AM Dilan, Assembly Labor Committee

TITLE:

AN ACT to amend the labor law, in relation to modular construction work

SUMMARY OF PROVISION:

This legislation provides that modular construction in New York City shall comply with any existing municipal licensing requirements for all electrical, plumbing, and fire suppression work.

REASONS FOR SUPPORT:

This legislation is necessary to ensure that occupants of any modular buildings located in NYC are given the same level of protection as occupants of buildings that are constructed conventional.

In conventional building onsite construction--***all NYC licensed trades are responsible*** for proper installation per the building specifications and the NYC Building Code. However, in modular construction, the NYC Department of Buildings (DOB) allows an inspector who does not live in NY state or hold a NYC license to certify a modular unit in compliance with the NYC Building Code and safe for installation in a NYC building (2014 Buildings Bulletin 2014-003). ***Two different types of construction with two very different levels of protection.***

As NY State fights to combat the affordable housing crisis, the use of modular construction discussions are becoming more prevalent. However, the only remedy being offered is modular units that will be built in other states. In fact, the City Department of

Housing Preservation & Development is promoting modular construction as “a tool that can facilitate the delivery of affordable homes faster and, in some cases, cheaper” (*Modular in NYC, Challenges in the NYC Market & Recommendations for Addressing Them*). ***But as the City emphasizes modular construction’s cost cutting, it is jeopardizing safety by allowing modular construction to bypass potentially life-saving licensure requirements for electrical, plumbing, and fire suppression work.***

According to the bill sponsors, there have been various instances of the third-party certification process failing, resulting in required repairs to such modular units by NYC licensees. In addition, the NYS Comptroller has called for NYC DOB to increase its oversight of construction sites and improve its enforcement activity to ensure that owners, contractors, and other responsible parties comply with the required codes, rules, and regulations (NYS Comptroller September 2022 audit and January 2024 update). ***As the State Comptroller calls for increased onsite oversight, DOB continues to rely on “third parties” to code-certify modular units constructed and later installed on site.***

Given NYC is the center of the state’s housing crisis, it is intrinsic that we ensure the safety of all New Yorkers as we work to develop affordable housing. ***New Yorkers in modular constructed buildings deserve the same level of protection as New Yorkers in buildings constructed on-site.***

There should be ONE Building code for NYC construction not 2 different levels determined by the amount of money in someone’s bank account. New Yorkers deserve the same level of protection regardless of their economic status.

Accordingly, we urge your support of this legislation to protect all New Yorkers.

Respectfully submitted,



Paul O'Connor
Business Manager