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Thursday, September 8th, 2022

Roberta Reardon
Commissioner of Labor
Building 12
W.A. Harriman Campus
Albany, NY 12226

Dear Commissioner Reardon,

I write on behalf of a constituent, Mr. Anthony Dell'Isola, to urge you to update the list of acceptable certifications for a workplace safety and loss prevention consultant, as detailed in 12 CRR-NY 59-1.12, to include the Certified Safety and Health Manager (CSHM) credential from the Institute of Hazardous Materials Management (IHMM). Mr. Dell'Isola is more than capable of performing a workplace safety and loss prevention consultation but is unable to do so due to the exclusion of CSHM from this list.

Workplace safety and loss prevention consultants are highly specialized professionals who identify and work to reduce hazards at high-injury worksites by conducting inspections for businesses to recommend improvements to safety and health. Under Workers Compensation Law §134(1), all businesses with an annual payroll of more than \$800,000 and with an experience rating exceeding 1.2 are required to complete workplace safety and loss prevention programs. The current list of acceptable qualifications for these consultants includes the Certified Safety Professional credential as granted by the Board of Certified Safety Professionals, Certified Industrial Hygienist as granted by the American Board of Industrial Hygiene, Certified Safety Executive, Certified Safety Manager, or Certified Safety Specialist as granted by the World Safety Organization, or a combination of various other professional and educational experiences.

The Certified Safety and Health Manager credential offered by IHMM tests expertise across a range of topics including hazard analysis, accident investigation, safety audits, workers comp, product safety, environmental laws, labor relations, and more. It requires similar educational and experiential background of its applicants as other credentialing programs for workplace safety and loss prevention consultants and would thus be an appropriate addition to 12 CRR-NY 59-1.12. As

the Department of Labor is already granted broad authority to update the qualifications for these consultants in Workers Compensation Law §134(10), all that is required for specialists such as Mr. Dell'Isola to make workplaces across our state safer for their employees is for you to administratively update your regulations to allow for this additional qualification.

Thank you very much for your consideration and I look forward to your reply.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew S. Gounardes", with a long horizontal flourish extending to the right.

Andrew S. Gounardes
Member of Senate