Legislation Text

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Calling on the Committee on Licenses and Inspections to hold hearings examining construction code requirements, the enforcement of those requirements, inspector caseload and inspector staffing ratios, construction working conditions, and the City's response to worker misclassification on construction sites.

WHEREAS, More than 50 years ago, the OSH Act went into effect, promising every worker the right to a safe job. Since that time, workplace safety and health conditions have improved, but too many workers remain at serious risk of injury, illness, or death as chemical plant explosions, major fires, construction collapses, infectious disease outbreaks, workplace assaults, and other preventable workplace tragedies continue to occur; and

WHEREAS, Workplace hazards kill and disable more than 100,000 workers each year-5,333 from traumatic injuries and an estimated 95,000 from occupational diseases. The job fatality rate remains stagnant, and job injuries and illnesses continue to be severely underreported; and

WHEREAS, As many as 275 workers die each day from hazardous working conditions. In 2019, 5,333 workers were killed on the job in the United States. Latino and Black worker fatalities continue to increase; these workers are at greater risk of dying on the job than all other workers. Misclassified workers in the building and construction industry are especially at risk. Their injuries are rarely reported and they are ineligible for benefits, like workman's compensation, when they're hurt or killed; and

WHEREAS, The construction industry is one of the industries with the highest rates of reported workplace injury and fatality. Construction worker injuries and illnesses continue to be severely underreported. Further, when construction sites are not safe and work is not being performed to code, the public is at risk of property damage, physical injury, and death; and

WHEREAS, The International Building and Construction Codes, Philadelphia Codes governing construction, excavation and demolition and the requirements established by the Occupational Safety and Health Administration are in place to prevent unnecessary damage to property, injuries to workers and the public, and fatalities; and

WHEREAS, The Department of Licenses & Inspections (L&I) is duty-bound to enforce the City's codes for the safe and lawful construction and use of buildings. Building and Construction Code Inspectors are responsible for conducting building inspections for all permitted activities and for patrolling construction activity to ensure that all projects are permitted and safety precautions are followed; and

WHEREAS, When Building and Construction code officials fail to enforce code requirements, they put construction workers and the public at serious risk. Failure to complete thorough, appropriate building inspections, resulted in the deaths of 98 men, women, and children in Surfside, Florida in 2021. The Surfside tragedy is a painful reminder of the loss of 6 innocent lives at 22nd and Market Street in 2013 when a demolition contractor caused a four-story building to collapse. In Philadelphia, more than a dozen construction worker deaths have occurred in less than three years, including the 2019 death of a roofer who was electrocuted

and fell to his death and the July 27, 2021 death of a construction worker who was crushed to death after an improperly secured wall of dirt collapsed on him. Hundreds of other Philadelphia area construction workers have been seriously injured; and

WHEREAS, The City of Philadelphia is failing to adequately invest in the building and construction code enforcement and to address the critical shortages in inspectors. The City of Philadelphia's failures have resulted in widespread violations of the critical safety-related code by unscrupulous contractors, developers, and property owners, who prioritize profits over people. They routinely misclassify their workforce, ignore critical life safety code requirements, and put the public and construction workers at risk without repercussions from the code officials tasked with keeping Philadelphians safe; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Authorizes the Committee on Licenses and Inspections to hold hearings examining construction code requirements, the enforcement of those requirements, inspector caseload, construction working conditions, and the City's response to worker misclassification on construction sites.

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