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RULE ADOPTIONS

**LABOR AND WORKFORCE DEVELOPMENT
PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH**

47 N.J.R. 2298(a)

Readoption: *N.J.A.C. 12:110*

Notice of Readoption

Occupational Safety and Health Procedural Standards for Public Employees

Authority: *N.J.S.A. 34:6A-25* et seq., specifically *34:6A-32*.

Authorized By: Harold J. Wirths, Commissioner, Department of Labor and Workforce Development.

Effective Date: August 6, 2015.

New Expiration Date: August 6, 2022.

Take notice that pursuant to the provisions of Executive Order No. 66 (1978) and *N.J.S.A. 52:14B-5.1*, the rules at *N.J.A.C. 12:110* will expire on September 12, 2015.

A summary of the subchapters of *N.J.A.C. 12:110* follows:

N.J.A.C. 12:110-1 sets forth the general provisions of the chapter, including the purpose, scope, documents referred to by reference, and a section pertaining to the chapter's construction.

N.J.A.C. 12:110-2 contains definitions of words and terms used throughout the chapter.

N.J.A.C. 12:110-3 sets forth the responsibilities and rights for the procedures developed for the safety and health program under the Act.

N.J.A.C. 12:110-4 contains procedural rules regarding inspection, orders to comply, and penalties.

N.J.A.C. 12:110-5 contains procedural rules pertaining to recording and reporting occupational injuries and illnesses of public employees.

N.J.A.C. 12:110-6 establishes rules of practice for administrative proceedings to grant variances under N.J.S.A. 34:6A-39.

N.J.A.C. 12:110-7 establishes procedural rules governing a public employee's allegations of discrimination by a public employer; that is, discrimination for having filed a complaint under the Act; requested an inspection; instituted or caused to be instituted any proceeding under or related to the Act; testified or are about to testify in any proceeding under or related to the Act; made or provided any statement related to safety or health conditions at the workplace; participated as a party in enforcement proceedings under the Act; requested information or advice from the Department of Labor and Workforce Development or the Department of Health and Senior Services; or exercised on his or her own behalf or on the behalf of others any right afforded by the Act.

N.J.A.C. 12:110-8 sets forth the requirements for the establishment of a consultation program for public employers.

N.J.A.C. 12:110-9 lists the standards and publications referred to in the chapter.

The Department of Labor and Workforce Development has reviewed these rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to *N.J.S.A. 52:14B-5.1.c(1)*, these rules are readopted and shall continue in effect for a seven-year period.