

MEETING MINUTES
PUBLIC EMPLOYEES' OCCUPATIONAL SAFETY & HEALTH ADVISORY BOARD
Thursday, October 27, 2022
Virtual TEAMS Meeting

MEMBERS PRESENT

Luis Alamo, Representative for Public
Wayne Blanchard, Representative for Employees of Law Enforcement
Lisa Grant-Faries, Designee for Commissioner of Education
Thomas Lipski, Designee for Commissioner of Labor & Workforce Development
Paul Malarcher, Representative for County Government
Gina Mayer-Costa, Representative for Institutions of Higher Education
Mark McLane, Representative for Rutgers, The State University
Michael McLinden, Designee for Commissioner of Environmental Protection
Richard Mikutsky, Designee for Commissioner of Community Affairs
Loel Muetter, Designee for Commissioner of Health
John Saville, Representative for Public
Michael Smith, Designee for State Treasurer

MEMBERS ABSENT/EXCUSED

Richard Hogan, Representative for Municipal Employees
Robert Weissman, Representative for Public

VACANT BOARD POSITIONS

Correctional Institutions	Employees of Public Health Care Facilities
Employees of Correctional Institutions	Local School Boards
Employees of County Government	Employees of Local School Boards
State Government Employee	Fire Services
Public Health Care Facilities	Municipalities

NJ DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT SUPPORT STAFF

Howard Black	James Revak
Cristina Coelho	Tom Wilson
Krishna Jagannathan	

NJ DEPARTMENT OF HEALTH SUPPORT STAFF

Keith Bobrowski	Glenn Pulliam
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OTHERS PRESENT

Nicole Benowitz, NJDOL	John Garton, NJDOL	Margaret Rawson, OSHA
Georgette Bunch, Treasury	John Hill, NJDOL	Christine Souliman, NJDOL
Wanda Caudle, UHNJ	Ryan Kimble, Monmouth Co.	Jason Spiecker, NJDCA
Ken Child, PMA Insurance	Robert Kishler, NJDOL	Paul Stamm, NJDOL
Stuart Cobb, NJDOL	Cecelia Leto, NJWEC	Janice Thomas, NJDOL
Stanley Depczek, NJDOL	Stephen Matthews, NJDOL	Dave Weightman, PMA Ins.
Salvatore Fama, NJMVC	Lidia Pego, NJDOL	Lisa Weitz, Treasury
Crissandra Garcia, NJDOL	Mike Preisig, OAG	Dorothy Wigmore, NJWEC

Meeting Motions:

- Motion to approve July 28, 2022 meeting minutes. Paul Malarcher motioned; John Saville seconded. Motion approved.
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Chief Tom Lipski called the meeting to order at 10:02 a.m. After the flag salute, Cristina Coelho called roll and Chief Lipski moved to approve the July 28, 2022 meeting minutes. Paul Malarcher motioned; John Saville seconded. Motion approved.

Chief Lipski announced that former Assistant Commissioner Howard Black returned to the Division of Public Safety and Occupational Safety and Health on a part-time basis, serving as a consultant and advisor to Deputy Commissioner Julie Diaz. He will be working on several projects and initiatives and advising policy leadership.

Report of the NJ Department of Health's (NJDOH) PEOSH Enforcement Update – Keith Bobrowski

Keith Bobrowski reported the following:

- NJDOH's PEOSH enforcement activity report was distributed and covered the period of July 1 – September 30, 2022. During that period, 36 IAQ/Sanitation complaints/referrals and 15 five-day complaints were received. Twenty (20) initial on-site and three (3) follow-up inspections were conducted. Twenty-nine (29) cases were closed. Eight (8) programmed inspections were also conducted at Local Fire Protections (4), Transportation (1), Sewer Treatment Plant (1), and the Department of Public Works (2). Nineteen (19) Orders to Comply (OTC) were issued containing 107 citations.

Report of the NJDOH's PEOSH Consultation Program Update – Glenn Pulliam:

Glenn Pulliam reported the following:

- NJDOH's PEOSH consultation activity report was distributed and covered the period of July 1 – September 30, 2022. During that period, five (5) initial consultation requests were received, four (4) initial onsite consultations, and two (2) follow-up visits were conducted. Four (4) consultation reports were issued.
- Two (2) educational seminars were conducted for an estimated 39 participants representing 19 public employers.

Report of the NJ Department of Labor and Workforce Development (NJDOL) – Chief Thomas Lipski:

Chief Lipski reported the following:

- PEOSH completed and submitted the FFY2023 23(g) grant application and received the signed approval of initial funding from OSHA on September 29, 2022. The FFY2023 grant base award is \$2,166,200 with equal funding provided by NJDOL/NJDOH. The total grant estimate is \$6,423,932.
- The Winter OSHSPA meeting will be held on February 7-8, 2023, in Vancouver, WA. Currently, there is no provision for virtual attendance offered to state plans.
- This meeting's presentation will follow up on the results/statistics of the lifeguard fatality focused sweep inspections conducted during July/August 2022. A Press Release was also issued as a result of these sweep inspections.

Dorothy Wigmore asked about the grant funding and whether that will mean more staff and, if so, how many additional staff.

- Chief Lipski responded that the base award is what is granted to New Jersey by Federal OSHA. That amount is equally matched by the NJDOL and NJDOH. The amount does include for additional staffing which includes six additional field staff for NJDOL PEOSH enforcement.
- Glenn Pulliam noted that NJDOH conducted interviews to fill two positions in enforcement. Paperwork has been submitted for an additional position in consultation and an additional one/two in enforcement.
- James Revak noted NJDOL PEOSH consultation recently lost one staff person leaving them with three consultants. The program area is in the process of filling the vacancy with existing staff who are already trained.

Report of the NJDOL's PEOSH Enforcement – Assistant Chief Thomas Wilson:

Assistant Chief Wilson reported the following:

- NJDOL's PEOSH enforcement activity report was distributed and covered the period of July 1 – September 30, 2022. During that period, 83 general inspections, 4 complaint investigations, and 2 accident investigations were conducted during that period.
- There was two (2) non-OSH-related fatality reported. One (1) fatality investigation completed and three (3) are in progress.
- There were three (3) new discrimination cases received and one (1) open penalty case.
- There were six (6) open penalties during this time period. Three (3) open penalty judgments were docketed, and one (1) penalty was collected for this quarter. The total penalties collected during that period were \$4,000.
- The most frequently cited standard was 29 CFR 1904 – Recording and Reporting Occupational Injuries and Illness.

Dorothy Wigmore asked how many violations involved schools.

- Assistant Chief Wilson indicated that schools are not on the five-year strategic enforcement plan. Therefore, they are not scheduled for general inspections. If referrals or complaints are received, they will investigate.

Report of the NJDOL's Public Employees Occupational Safety Consultation and Training – Chief James Revak:

Chief James Revak reported the following:

- NJDOL's Public Employees Occupational Safety Consultation and Training activity report was distributed and covered the period of July 1 – September 30, 2022. During that period, 88 safety consultation visits (41 initial; 21 follow-ups) were conducted. The most frequently cited standard was 1910.303, electrical general requirements. Summary for FFY2022: 195 safety consultation visits, 110 initials, 49 training and education visits, and 37 follow-ups.
- PEOSH conducted 26 training and education sessions during this period covering topics including Forklift Training and Occupational Injury/Illness Reporting Requirements (NJ OSH Forms 300 and 300A).
- Under PEOSH Outreach, the Fire Service Update was postponed due to insufficient enrollment.
- Staff training received for this quarter included: OSHA 2540 - Machine Guarding and Hazardous Energy Control; OSHA 1080 - Health Hazard Awareness for Safety Officers; and OSHA 3190 - Electrical Power Generation, Transmission, and Distribution.

- PEOSH Consultation exceeded its projected on-site visit goals for FY2022. Complete details will be provided in the 2022 State OSHA Annual Report (SOAR).
- One Safety Consultant left the program for a new career opportunity leaving the PEOSH Consultation program with three (3) Consultants. PEOSH is actively pursuing a replacement for this vacancy.

Presentation: Tom Wilson and John Garton provided a presentation regarding the PEOSH Enforcement Sweep Program / Beach Patrol Surfboat Operations and Lightning Hazards.

New Business:

Dorothy Wigmore asked about heat stress as it pertains to transportation, why the focus is on transportation, and how it will be investigated.

- Glenn Pulliam responded that because it is a National Emphasis Program and there are no official standards yet, investigations will be by observation or by complaint. The focus on transportation was identified by Federal OSHA.

Old Business: No new business.

Open Discussion: No discussions.

Chief Lipski adjourned the meeting at 10:57 a.m.

The next PEOSH Advisory Board meeting is scheduled at 10:00 a.m. on Thursday, January 26, 2022, via Teams.