



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 386
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ROBERT ASARO-ANGELO
Commissioner

January 3, 2019

Attention: Public Employees' Occupational Safety and Health Advisory Board Members

Attached are the Public Employees' Occupational Safety and Health Advisory Board meeting minutes from October 25, 2018.

Our next meeting will begin at 10:00 a.m. on Thursday, January 24, 2019 at:

NJ Department of Labor & Workforce Development
One John Fitch Plaza
13th Floor Auditorium
Trenton, New Jersey

If you have any questions or require additional information, feel free to contact Theresa Kramarz at (609) 984-4738 or via e-mail at theresa.kramarz@dol.nj.gov.

Sincerely,

Howard Black, Assistant Commissioner
Public Safety & Occupational Safety & Health

Enclosures
c: Support Staff

MEETING MINUTES
PUBLIC EMPLOYEES' OCCUPATIONAL SAFETY & HEALTH ADVISORY BOARD
Thursday, October 25, 2018
New Jersey Department of Labor and Workforce Development
1 John Fitch Plaza
Trenton, New Jersey

MEMBERS PRESENT

Howard Black, Designee for Commissioner of Labor & Workforce Development
Paul Malarcher, Representative for County Government
Dominick Marino, Representative for Fire Services
Mark McLane, Representative for Rutgers, The State University
Timothy Rudolph, Representative for State Government Employees
Bahram Salahi, Designee for Commissioner of Environmental Protection
John Saville, Representative for Public
Michael Smith, Designee for State Treasurer

MEMBERS ABSENT/EXCUSED

Richard Hogan, Representative for Municipal Employees
Colleen Lebak, Substitute Designee for Commissioner of Education
Gina Mayer-Costa, Representative for Institutions of Higher Education
Robert Shannon, Representative for Municipalities
Robert Weissman, Representative for Public

VACANT BOARD POSITIONS

Designee for Commissioner of Health	Employees of Public Health Care Facilities
Designee for Commissioner of Community Affairs	Local School Boards
Correctional Institutions	Employees of Local School Boards
Employees of Correctional Institutions	Public
Employees of County Government	Employees of Law Enforcement
Public Health Care Facilities	

NJ DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT SUPPORT STAFF

Justin Baker	Theresa Kramarz	Mark Wadiak
Krishna Jagannathan	Tom Lipski	

NJ DEPARTMENT OF HEALTH SUPPORT STAFF

Keith Bobrowski
Glenn Pulliam, NJDOH

OTHERS PRESENT

Georgette Bunch, Treasury	Karen Kessler, NJDLWD	Pam Susi, NJWEC
Wanda Caudle, HPAE	Mike McLinden, NJDEP	Alex Szemere, NJDLWD
Kim Clarke, NJSP	Mike Preisig, OAG	Carol Tiedeman, OSHA
Salvatore Fama, NJDMV	James Rhoads, PMA Group	Kathy West, Monmouth Co.
Kevin Hunter, NJSP	Joseph Roth, NJ Sharing	Mark Worthington, T&M Assoc.

Meeting Motions:

- None – no quorum.
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Assistant Commissioner Howard Black called the meeting to order at 10:11 a.m. After the flag salute, Theresa Kramarz called roll and determined there was no quorum. Therefore, the approval of the October 26, 2017, January 25, 2018, April 20, 2018, and July 26, 2018 meeting minutes will be tabled until the next meeting.

Assistant Commissioner Black noted that we continue to wait for the vacant Board positions to be filled. Theresa Kramarz reviewed the vacancies:

- Commissioner of Health
- Commissioner of Community Affairs
- Correctional Institutions
- Employees of Correctional Institutions
- Employees of Law Enforcement
- Employees of County Government
- Public Health Care Facilities
- Employees of Public Health Care Facilities
- Local School Boards
- Employees of Local School Boards
- Public

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 through September 30, 2018. During that period, 60 IAQ/Sanitation complaints/referrals and 16 five-day complaints were received; 28 initial on-site inspections, six follow-up and two monitoring inspections were conducted. Ten cases were closed. Nine programmed inspections were also conducted in accordance with the strategic plan at: water treatment plants (9). Five reports with 24 citations were issued.

Report of the NJDOH's PEOSH Consultation Program Update – Keith Bobrowski:

Keith Bobrowski reported the following:

- NJDOH's PEOSH consultation activity report was distributed and covered the period of July 1 through September 30, 2018. During that period, three consultation requests were received and five initial on-site consultation visits were conducted. Four reports with 34 potential hazards were issued.
- Sixteen educational seminars and conferences were conducted for over 200 employers (600 participants). The education staff also conducted four Legionella outbreak investigations.
- A list of NJDOH's frequently cited standards was also distributed.

Report of the NJ Department of Labor and Workforce Development (NJDLWD) – Director Howard Black:

Assistant Commissioner Black reported the following:

- The FFY2017 Federal Annual Monitoring and Evaluation (FAME) process for PEOSH State Plan activities from October 1, 2016 through September 30, 2017 was conducted in January 2018 by Federal OSHA Region 2 and has been approved by the Federal OSHA National Office. It is now posted on the PEOSH website along with the PEOSH's formal comments.
- PEOSH submitted the FFY2019 23(G) grant application which was due August 1, 2018. The FFY2019 50% Federal OSHA funding base award level will be the same level of funding received by New Jersey in FFY2018 (\$1,921,400). The NJ Department of Labor and Workforce Development will provide matching funds of \$1,921,400 and an estimated 100% overmatch funding of \$1,096,866. The total Federal and State funds for the FFY2019 23(G) agreement will be \$4,939,666.
- PEOSH concluded the fifth year of its Five-Year Strategic Plan (2014-2018) and submitted the new Five-Year Strategic Plan (2019-2023) for approval with the application for the FFY2019 23(G) grant. Targeted facilities in the new strategic plan include public works departments, water and sewer authorities, fire departments and transportation authorities. Nursing homes inspections will be conducted as a Local Emphasis Program (LEP) due to the decreasing number of facilities available to support an annual incremental progress as a targeted site plan goal for the public sector. NJ Department of Transportation maintenance yard inspections have been added to the LEPs for PEOSH. Other PEOSH LEPs include Noise and Asbestos. PEOSH has also adopted Federal OSHA National Emphasis Programs (NEP) for Trenching, Highway Work Zone Safety, Temporary Workers, Heat Stress, and Amputations which are incorporated into PEOSH inspections when applicable. The 2019-2023 Five-Year Strategic Plan is posted on the PEOSH website.
- PEOSH staff from the NJ Department of Health and the Department of Labor and Workforce Development attended the Fall 2018 OSHSPA meeting in Las Vegas, Nevada on October 16-17, 2018. PEOSH will request approval to attend the Winter 2019 OSHSPA meeting in Salt Lake City, Utah on February 26-27, 2019.
- The total number of safety enforcement compliance officers is presently at six and will soon decrease to five due to retirement. PEOSH requested approval for the hiring of replacements of the vacant safety enforcement compliance officer positions.

Dominick Marino asked whether there is a freeze on hiring or does it just take time.

- Assistant Commissioner Black noted that it takes time.

Report of the NJDLWD's PEOSH Enforcement – Chief Tom Lipski:

Chief Lipski reported the following:

- NJDLWD's PEOSH enforcement activity report was distributed and covered the period of July 1 through September 30, 2018. During that period, 35 general inspections with 27 Orders to Comply (OTCs) issued, eight complaint investigations with six OTCs issued, five accident investigations with three OTCs issued and 46 follow-up inspections were conducted. There were three public employee fatalities reported. One was determined non-occupational safety and health related. The other fatality investigations are still in progress. There were three new discrimination cases received and seven open penalty cases. There was \$50,000 in penalties collected during this time period. The most frequently cited standard was 1904.29(a) Recordkeeping.

Dominick Marino asked about the non-OSH related fatality.

- Tom Lipski indicated the fatality was a result of a suicide.

Report of the NJDLWD's Public Employees Occupational Safety Consultation and Training – Assistant Chief Krishna Jagannathan:

Assistant Chief Jagannathan reported the following:

- NJDLWD's Public Employees Occupational Safety Consultation and Training activity report was distributed and covered the period of July 1 through September 30, 2018. During that period, 23 safety consultation visits were made. The most frequently cited standard was 1910.157(c)(1) Portable fire extinguishers mounted and accessible.
- Under PEOSH Safety Training, 35 courses were presented to 427 participants. The most requested training included: Forklift (Classroom); Forklift (Practical); Permit-Required Confined Space; Personal Protective Equipment; and Recordkeeping.
- Staff attended/presented training which included:
 - Presented on PEOSH and commonly found hazards to the NJ Water Environment Association. A total of 20 attendees participated.
 - Attended OSHA 521 OSHA Guide to Industrial Hygiene – four staff attended and completed the training.
 - Attended OSHA 3080 Principles of Scaffolding course – one staff attended and completed the training.
 - Attended HAZWOPER 8-Hour Refresher course – one staff attended and completed the training.
 - Attended OSHA 2225 Respiratory Protection course – six staff attended and completed the training.
 - Attended Hazards of Tree Trimming – six staff attended and completed the training.

Presentation:

Joseph Roth from NJ Sharing Network provided a presentation on organ donation.

New Business: None

Old Business: None

Open Discussion: None.

The next PEOSH Advisory Board meeting will be held at 10:00 a.m. on Thursday, January 24, 2019 at NJDLWD, One John Fitch Plaza, 13th Floor Auditorium, Trenton, New Jersey.

Assistant Commissioner Black adjourned the meeting at 10:50 a.m.