

**MEETING MINUTES**  
**PUBLIC EMPLOYEES' OCCUPATIONAL SAFETY & HEALTH ADVISORY BOARD**  
**Thursday, April 22, 2021**  
**Virtual TEAMS Meeting**

**MEMBERS PRESENT**

Howard Black, Designee for Commissioner of Labor & Workforce Development  
Wayne Blanchard, Representative for Employees of Law Enforcement  
Gary Centifonti, Designee for Commissioner of Health  
Richard Hogan, Representative for Municipal Employees  
Jeffrey MacMullen, Substitute Designee for Commissioner of Environmental Protection  
Paul Malarcher, Representative for County Government  
Gina Mayer-Costa, Representative for Institutions of Higher Education  
Lennie Parham, Designee for Commissioner of Education  
Timothy Rudolph, Representative for State Government Employees  
Robert Shannon, Representative for Municipalities  
Mark McLane, Representative for Rutgers, The State University  
Michael Smith, Designee for State Treasurer

**MEMBERS ABSENT/EXCUSED**

Luis Alamo, Representative for Public  
John Saville, Representative for Public  
Robert Weissman, Representative for Public

**VACANT BOARD POSITIONS**

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

**NJ DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT SUPPORT STAFF**

Justin Baker	Theresa Kramarz	Mark Wadiak
Krishna Jagannathan	Tom Lipski	Thomas Wilson
James Revak		

**NJ DEPARTMENT OF HEALTH SUPPORT STAFF**

Keith Bobrowski  
Glenn Pulliam

**OTHERS PRESENT**

Kristen Affrime, CWA	Stanley Depczek, NJDOL	Robert Kishler, NJDOL
Nicole Benowitz, NJDOL	Nick Donofrio, OSHA	Michael McLinden, NJDEP
Georgette Bunch, Treasury	Erin Fagan, CWA 1033	Steve Matthews, NJDOL
Wanda Caudle	Salvatore Fama, NJDMV	Robert Sexton, NJDOL
Kenneth Child	Victoria Fisher	Paul Stamm, NJDOL
Stuart Cobb, NJDOL	Crissandra Garcia, NJDOL	Janice Thomas, NJDOL
Jonathan Czarnecki, JA Mont.	John Garton, NJDOL	Carol Tiedeman, OSHA

---

**Meeting Motions:**

- Motion to approve the January 28, 2021 meeting minutes. Richard Hogan motioned; Timothy Rudolph seconded. Motion approved.
- 

Assistant Commissioner Howard Black called the meeting to order at 10:08 a.m. After the flag salute, Theresa Kramarz called roll and initially determined there was no quorum. Later in the meeting a quorum was met and Assistant Commissioner Black moved to approve the January 28, 2021 minutes. Richard Hogan motioned; Timothy Rudolph seconded. Motion approved.

**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 January 1 through March 31, 2021. During that period, 10 IAQ/Sanitation complaints/referrals and 72 five-day complaints were received. Twenty-nine (29) initial on-site and no follow-up inspections were conducted. Forty-two (42) cases were closed. Seven (7) programmed inspections were also conducted in accordance with the five-year strategic plan at: local fire department (2), DPW (5). Eight (8) Orders to Comply (OTC) were issued containing 16 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 January 1 through March 31, 2021. During that period, one (1) initial consultation request was received; one (1) initial onsite consultation was conducted.
- Due to COVID-19 response efforts, consultation staff has been assisting the PEOSH enforcement unit.
- Education staff have been assisting the COVID support operations in NJDOH's Emergency Call Center.
- Nine (9) educational seminar/conferences were conducted.

**Report of the NJ Department of Labor and Workforce Development (NJDOH) – Assistant Commissioner Howard Black:**

- The FFY 2020 Federal Annual Monitoring and Evaluation (FAME) review for PEOSH State Plan activities from October 1, 2019 through September 30, 2020 was deemed by Federal OSHA a follow-up year in the two-year cycle FAME process. Therefore, an on-site case file review was not performed. Federal OSHA Region 2 has intended this strategy to allow the PEOSH State Plan to focus on correcting deficiencies identified from the FFY 2019 comprehensive FAME that was conducted in January 2020. Analysis and conclusions for the FFY 2020 follow-up FAME will be based on various reports throughout the FFY 2020 rating period as follows, i.e. State Activity Mandated Measures (SAMM) Report, Mandated Activities Report for Consultation (MARC), State OSHA Annual Report (SOAR), State Plan Annual Performance Plan (APP), State Plan 23(g) grant application and Quarterly Reviews. Region 2 has forwarded the final draft FFY 2020 Follow-up FAME to the OSHA national office on March 31, 2021. Once the final Follow-up FAME is received from the national office, there will be a formal comment period for PEOSH to address any disagreeable issues. The final FFY 2020 Follow-up FAME will be posted on the PEOSH and OSHA websites for public view.

- PEOSH received the draft instructions for the FFY 2022 23(g) grant application. The final submittal is due August 2, 2021. The FFY 2022 50% Federal OSHA funding base award level in the draft instructions is the same as the amended base award level of funding received by New Jersey in FFY 2020 (\$2,090,400). The NJDOL will provide 50% matching funds of \$2,090,400. Any additional amount over the 50-50 OSHA/State matching funding shall be provided by DOL/DOH at 100% overmatch for the balance of the FFY 2022 23(g) grant total.
- The Winter 2021 OSHSPA/OSHA meeting was held on February 9-10, 2021 as a virtual meeting with NJ PEOSH in attendance from NJDOH and NJDOL. The Spring 2021 OSHSPA meeting will also be a virtual meeting scheduled for May 18-19, 2021.
- PEOSH Safety Enforcement has implemented a manual electronic filing system to eliminate paper file assembly, handling and storage for a paperless filing system. The electronic filing system will enable more ability to work remotely as part of contingency planning for current and future circumstances when typical facility access is not available to meet operational needs.
- The Office of Public Employees Occupational Safety and Health (OPEOSH) has played an integral part in the development of Executive Order 192 (EO 192) leading up to its effective date of November 5, 2020 and the investigation of EO 192 complaints. Funding for the implementation of EO 192 was provided through the Federal Cares Act. NJDOL had brought on temporary staff to assist with the high influx of complaints received. To date NJDOL has received over 3200 complaints. It is not certain if there will be a USDOL OSHA Emergency Temporary Standard (ETS) issued to protect workers against COVID-19. Although the funding for EO 192 through the Federal Cares Act ceased as of March 31, 2021, NJDOL continues to process complaints received. Should an ETS be issued by USDOL OSHA, the remaining cases would then be transferred to Federal jurisdiction.

### **Report of the NJDOL's PEOSH Enforcement – Chief Thomas Lipski:**

Chief Lipski reported the following:

- NJDOL's PEOSH enforcement activity report was distributed and covered the period of January 1 through March 31, 2021. During that period the following inspections were conducted: nine (9) general inspections, five (5) complaint investigations, and three (3) accident investigations.
- There was one (1) public employee fatality reported which was determined non-occupational safety and health related. Three (3) fatality investigations are in progress.
- There were two (2) new discrimination cases received and eight (8) open penalty cases.
- There were no penalties collected during this time period.

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

Assistant Chief Jagannathan reported the following:

- NJDOL's Public Employees Occupational Safety Consultation and Training activity report was distributed and covered the period of January 1 through March 31, 2021. During that period, six (6) safety consultation visits were made. The most frequently cited standard was 1910.303 Space/storage around electrical equipment.
- Under PEOSH Safety Training, five (5) courses were presented to 110 participants. The most requested training included: Forklift (Classroom); Control of Hazardous Energy (Lock-Out/Tag-Out; Confined Space Entry).
- Staff attended the following training:
  - February 2021 – The Assistant Chief attended a webinar offered by the OSHA National Office on Virtual Consultation Best Practices.

- PEOSH Consultation and Training continues to offer virtual services and limited on-site activities only as necessary.
- PEOSH Consultants were involved in investigating and processing complaints related to EO192 from late November through the end of February 2021.
- Consultants are reaching out to clients to provide information and responding to inquiries from clients about COVID precautions.

**Presentation:**

Nick Donofrio from federal OSHA provided a PowerPoint presentation on OSHA's Amputation Stand Down.

**New Business:** No new business.

**Old Business:** No old business.

**Open Discussion:** No open discussion.

---

Assistant Commissioner Black moved to adjourn the meeting at 11:05 a.m. Rick Hogan motioned, Michael Smith seconded. Motion approved.

***The next PEOSH Advisory Board meeting is scheduled at 10:00 a.m. on Thursday, July 22, 2021 via Teams.***