

MEETING MINUTES
PUBLIC EMPLOYEES' OCCUPATIONAL SAFETY & HEALTH ADVISORY BOARD
Thursday, January 23, 2020
New Jersey Department of Labor and Workforce Development
1 John Fitch Plaza, 13th Floor Auditorium
Trenton, New Jersey

MEMBERS PRESENT

Luis Alamo, Representative for Public
Howard Black, Designee for Commissioner of Labor & Workforce Development
Gary Centifonti, Designee for Commissioner of Health
Richard Hogan, Representative for Municipal Employees
Paul Malarcher, Representative for County Government
Dominick Marino, Representative for Fire Services
Gina Mayer-Costa, Representative for Institutions of Higher Education
Mark McLane, Representative for Rutgers, The State University
Michael McLinden, Substitute Designee for Commissioner of Environmental Protection
Lennie Parham, Designee for Commissioner of Education
Timothy Rudolph, Representative for State Government Employees
John Saville, Representative for Public

MEMBERS ABSENT/EXCUSED

Michael Smith, Designee for State Treasurer
Robert Shannon, Representative for Municipalities
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	Employees of Law Enforcement
Public Health Care Facilities	

NJ DEPARTMENT OF LABOR & WORKFORCE DEVELOPMENT SUPPORT STAFF

Theresa Kramarz	Mark Wadiak
Tom Lipski	Thomas Wilson
James Revak	

NJ DEPARTMENT OF HEALTH SUPPORT STAFF

Keith Bobrowski
Glenn Pulliam

OTHERS PRESENT

Kristen Affrime, CWA	Helga Fontus, NJDOH	Pam Susi, NJWEC
Ellie Barbarash, HPAE	Dan Lefkowitz, NJDOH	Carol Tiedeman, OSHA
Georgette Bunch, Treasury	Cecilia Leto, NJWEC	
Salvatore Fama, NJDMV	Mike Preisig, OAG	

Meeting Motions:

- Motion to approve the July 25 and October 24, 2019 meeting minutes. Timothy Rudolph motioned; Paul Malarcher seconded. Motion approved.
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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 initially no quorum. *Note: Further into the meeting a Board member arrived and satisfied a quorum.* Assistant Commissioner Black moved to approve the July 25 and October 24, 2019 meeting minutes. Timothy Rudolph motioned; Paul Malarcher seconded.

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 October 1 through December 31, 2019. During that period, 61 IAQ/Sanitation complaints/referrals and 14 five-day complaints were received. Twenty-nine initial onsite, two follow-up and five monitoring inspections were conducted. Thirty-six cases were closed. Four programmed inspections were also conducted in accordance with the strategic plan at: a transportation facility (1), fire departments (2), public works department (1).

Dominic Marino asked how the open cases are progressing.

- Keith Bobrowski indicated they are in various stages of compliance depending on how much is involved.

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 October 1 through December 31, 2019. During that period, five consultation requests were received and two initial on-site consultation visits were conducted. One report containing one potential hazard was issued. One extension was granted and three cases were closed.
- Five educational seminars/conferences were conducted for over 80 public employers (approximately 185 participants).
- A list of NJDOH's frequently cited standards was also distributed.

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

- The total number of PEOSH Safety Compliance Officers is now at seven. PEOSH Safety Enforcement received approval to backfill a position with a new hire. The Civil Service Commission Open Competitive list has been received and interviews will be scheduled.
- The NJDOH partnered with the NJDOLE PEOSH in response to concerns regarding firefighters' potential exposures from contaminated skin or PPE. The alert entitled, "Reducing Firefighters' Potential Chemical Exposures from Contaminated Skin or Personal Protective Equipment (PPE) – Your Health Depends on It", aims to raise awareness of these exposures and provides prevention methods to the target audience.

- A second alert entitled, “Potential Crystalline Silica Exposure in Countertop Fabricators”, is geared towards private manufacturing fabricators, but the content still conveys valuable information pertaining to silica hazards that may be useful for distributing.

Report of the NJDLWD’s PEOSH Enforcement – Chief Thomas Lipski:

Chief Lipski reported the following:

- NJDLWD’s PEOSH enforcement activity report was distributed and covered the period of October 1 through December 31, 2019. During that period, 30 general inspections with 27 Orders to Comply (OTCs) issued, seven complaint investigations with five OTCs issued, eight accident investigation with four OTCs issued and 36 follow-up inspections were conducted.
- There were two public employee fatalities reported which were determined non-occupational safety and health related.
- There were three new discrimination cases received and seven open penalty cases.
- There were no penalties collected during this time period.
- The most frequently cited standard was 1904.29(a), Recordkeeping – Failure to maintain NJOSH 300 Forms.

Report of the NJDLWD’s Public Employees Occupational Safety Consultation and Training – Assistant Director Mark Wadiak:

Assistant Director Wadiak reported the following:

- NJDLWD’s Public Employees Occupational Safety Consultation and Training activity report was distributed and covered the period of October 1 through December 31, 2019. During that period, five safety consultation visits were made. The most frequently cited standard was N.J.S.A. 34:6A-33(a) General Duty Clause.
- Under PEOSH Safety Training, 16 courses were presented to 174 participants. The most requested training included: Forklift (Classroom); Forklift (Practical); Intro to PEOSH; and Excavation and Trenching.
- Staff attended/presented training which included but is not limited to:
 - October 10, 2019 – Two staff attended/completed the Hazardous Waste Operations & Emergency Response refresher training at the Rutgers School of Public Health/Atlantic OSHA Training Center.
 - November 7 and November 14, 2019 – Staff presented a PEOSH Fire Service Update at two county fire academies.
 - November 19-21, 2019 – Staff attended the NJ League of Municipalities Annual Conference at the Atlantic City Convention Center. Promotional materials were distributed to attendees to advertise the PEOSH Consultation Program.
 - December 6, 2019 – Staff completed the Multiple Employer Responsibilities of Managing Silica Hazards workshop at the Atlantic OSHA Training Center.

Presentation:

Daniel Lefkowitz from the NJ Department of Health provided a presentation of two new NJDOH Alerts:

- Stone Countertop Fabrication Workers at Risk for an Incurable Lung Disease
- Reducing Firefighters’ Potential Chemical Exposures from Contaminated Skin or Personal Protective Equipment (PPE) – Your Health Depends on It

New Business: No new business.

Old Business: No old business.

Open Discussion:

- Dominick Marino mentioned firefighting foam that is used during training procedures and for fighting fires and how it contains cancer causing agents. Initiatives are being worked on to try to remove all older foam that is cancer causing.
- Pam Susi asked about AHERA and training for the designated person.
 - Gary Centifonti noted that NJDOH has a cooperative agreement with the EPA to do compliance in schools. There is limited staffing and funding and since it is a federal program, NJDOH relies on EPA for assistance. NJ does have its own training regulations for workers and supervisors for the abatement side. Anyone doing that work must attend the 5-day training program. Although there is no specific training under AHERA for designated persons, there is a designated person in NJ that provides a training program were a school can send whoever manages the AHERA program for training. The NJDOH does certify trainers to provide the asbestos worker and supervisor training.
- Ellie Barbarash asked if any alerts would be produced that would help healthcare facilities manage their workplace violence programs in support of the regulations that were passed in 2011.
 - Gary Centifonti noted that this is an area that NJDOH is well aware of and they do work with NJDOL for these types of investigations.
 - Assistant Commissioner Black noted that the standard would need to address something that goes beyond meeting general duty clause elements.
 - Luis Alamo noted that he would want to add schools.
 - AC Black noted that there was a PEOSH Advisory Board subcommittee for workplace violence in schools many years ago. There was a written report with recommendations that was submitted to the NJ Department of Education who said they would take under consideration.

The next PEOSH Advisory Board meeting will be held at 10:00 a.m. on Thursday, April 16, 2020 at NJDLWD, One John Fitch Plaza, 13th Floor Auditorium, Trenton, New Jersey.

Assistant Commissioner Black adjourned the meeting at 10:56 a.m.