

MEETING MINUTES
PUBLIC EMPLOYEES' OCCUPATIONAL SAFETY & HEALTH ADVISORY BOARD
Thursday, October 24, 2019
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
Gary Centifonti, Designee for Commissioner of Health
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, Substitute Designee for Commissioner of Environmental Protection
Lennie Parham, Designee for Commissioner of Education
John Saville, Representative for Public
Robert Weissman, Representative for Public

MEMBERS ABSENT/EXCUSED

Luis Alamo, Representative for Public
Richard Hogan, Representative for Municipal Employees
Dominick Marino, Representative for Fire Services
Timothy Rudolph, Representative for State Government Employees
Bahram Salahi, Designee for Commissioner of Environmental Protection
Robert Shannon, Representative for Municipalities
Michael Smith, Designee for State Treasurer

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

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

NJ DEPARTMENT OF HEALTH SUPPORT STAFF

Keith Bobrowski
Glenn Pulliam

OTHERS PRESENT

Kristen Affrime, CWA	Salvatore Fama, NJDMV	Carol Tiedeman, OSHA
Wanda Caudle, HPAE	Joseph Francesconi, NJDLWD	Kathleen West, Monmouth Co.
Stuart Cobb, NJDLWD	Cecilia Leto, NJWEC	
Max Devenney, United Rental	Mike Preisig, OAG	

Meeting Motions:

- None – no quorum.
-

Assistant Commissioner Howard Black called the meeting to order at 10:19 a.m. After the flag salute, Theresa Kramarz called roll and determined there was no quorum. Therefore, the approval of the July 25, 2019 meeting minutes was tabled.

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, 2019. During that period, 52 IAQ/Sanitation complaints/referrals and 17 five-day complaints were received; 26 initial on-site inspections, one follow-up and four monitoring inspections were conducted. Thirty-three cases were closed. Six programmed inspections were also conducted in accordance with the strategic plan at: a transportation facility (1), fire departments (3), public works department (1), and a sewer treatment plant (1). Twenty-five Orders to Comply were issued containing 148 citations.
- Staff from enforcement and consultation attended an OSHA training webinar on Respirable Crystalline Silica.

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 through September 30, 2019. During that period, one consultation request was received and two initial on-site consultation visits were conducted. Three reports containing 24 potential hazards were issued. One extension was granted and three cases were closed.
- Two educational seminars and conferences were conducted for over 25 public employers (approximately 60 participants). The education staff also conducted 17 Legionella outbreak investigations.
- A list of NJDOH's frequently cited standards was also distributed.

Sal Fama asked if there is access to the Respirable Silica webinar.

- Glenn Pulliam responded he does not believe so because it is given through the training agency for OSHA and is available to OSHA staff.

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

- PEOSH staff from the NJDOH and NJDLWD attended the Fall 2019 OSHSPA meeting in Portland, ME on September 24-25, 2019. PEOSH will request approval to attend the Winter 2020 OSHSPA meeting in Baltimore, MD on January 14-15, 2020.
- PEOSH received approval for additional Federal OSHA One-Time Funding which will be used for training of staff and additional equipment. The total additional funding requested from Federal OSHA was \$43,591 and was equally matched by the NJDLWD.
- PEOSH completed and submitted the FFY2020 23(G) grant application on July 29, 2019. The FFY2020 50% Federal OSHA funding base award level will be the same as the amended base

award level of funding received by New Jersey in FFY2019 (\$1,959,300). The NJDLWD will provide 50% matching funds of \$1,959,300 and an estimated 100% overmatch funding of \$1,020,494. The total estimate for Federal and State funds for the FFY2019 23(G) agreement is \$4,939,094. Initial approval was received September 25, 2019 pending final Congressional and executive action on the OSHA appropriations bill.

- The two new hired Occupational Safety Compliance 2 (OSC2) staff that started on April 27, 2019 have successfully completed their training/probationary period. The total number of PEOSH safety compliance officers is now seven (7). PEOSH Safety Enforcement has also received approval to backfill a position to replace an OSC1 with an OSC2 new hire. An additional request has been submitted for the hiring of six (6) more OSC2 staff.

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 July 1 through September 30, 2019. During that period, 26 general inspections with 25 Orders to Comply (OTCs) issued, seven complaint investigations with six OTCs issued, one accident investigation with no OTCs issued and 27 follow-up inspections were conducted.
- There was one public employee fatality reported which was determined non-occupational safety and health related.
- There were four new discrimination cases received and three open penalty cases.
- There was \$10,000 in penalties collected during this time period.
- The most frequently cited standard was 1904.29(a), Recordkeeping – Failure to maintain NJOSH 300 Forms.

Kristen Affrime asked if the inspections at the Turnpike Authority, Community Affairs, and Motor Vehicles Commission were done at the agencies or in Trenton.

- Chief Lipski responded that the inspections were onsite at different locations. The Department of Community Affairs and Motor Vehicles Commission were complaint inspections. He will provide more information after the meeting.

Robert Weissman asked about the penalty cases and if additional information on non-compliance can be shared.

- Chief Lipski responded that if the cases are closed, the information can be shared. However, the frequently cited standards are an indicator. Some may be for non-abatement, repeat or willful violations.

Gina Mayer-Costa questioned the meaning of a technical inspection.

- Chief Lipski noted that a technical inspection is when we dispatch staff due to a sighting (i.e. a trenching site that looks like an imminent danger). If after our investigation we determine that we do not have jurisdiction, we will refer to the appropriate agency.

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, 2019. During that period, 32

safety consultation visits were made. The most frequently cited standard was 1910.22(a)(1) Housekeeping-walking/working surfaces.

- Under PEOSH Safety Training, 37 courses were presented to 412 participants. The most requested training included: Forklift (Classroom); Forklift (Practical); Hand and Portable Power Tool Safety; Machine Guarding; and Control of Hazardous Energy/LOTO.
- Staff attended/presented training which included but is not limited to:
 - July 8-10, 2019: one PEOSH consultant attended/completed the OSHA 502 Construction Outreach Trainer update.
 - August 2, 2019: one PEOSH consultant attended/completed the Managing Silica Hazards course.
 - August 8, 2019: one PEOSH consultant attended/completed the OSHA 501 General Industry Trainer course.
 - August 12-15, 2019: several PEOSH staff attended/completed the OSHA 2264 Permit Required Confined Space course.
 - August 20-22, 2019: one PEOSH Consultant attended/completed the OSHA 3080 Principles of Scaffolding course.
 - August 27-29, 2019: the PEOSH Assistant Chief attended/completed the OSHA 3160 Steel Erection course.
 - September 8-14, 2019: the PEOSH Assistant Chief attended/completed the ASP/CSP Certification Preparation Courses.
 - September 16, 2019: several PEOSH staff attended/completed the OSHA 7100 Machine Guarding class.
 - September 18, 2019: several PEOSH staff attended/completed the OSHA 7500 Introduction to Safety and Health Management class.
 - September 14-27, 2019, several PEOSH staff attended/completed the OSHA 3095 Electrical Safety class.

Presentation:

Max Devenney from United Rental provided a presentation and a hands-on demonstration on Aerial Lifts.

New Business: No new business.

Old Business: No old business.

Open Discussion: No open discussion.

The next PEOSH Advisory Board meeting will be held at 10:00 a.m. on Thursday, January 23, 2020 at NJDLWD, One John Fitch Plaza, 13th Floor Auditorium, Trenton, New Jersey.

Assistant Commissioner Black adjourned the meeting at 11:36 a.m.