

**NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
NJ OSHA/PEOSH ON-SITE CONSULTATION
EMPLOYER OBLIGATIONS AND RIGHTS**

- A. Mission The NJ On-site Consultation Program provided by the New Jersey Department of Labor and Workforce Development is dedicated to assisting small, high hazard employers in reducing occupational injuries and illnesses through the identification and correction of hazards and assisting with safety and health program development.
- B. Independence The NJ On-site Consultation Program is a free service that is independent of Federal OSHA/State PEOSH enforcement.
- C. No Citations or Penalties Consultants do not issue citations or propose penalties.
- D. Confidentiality The employer's name, findings and any pictures of the onsite visit will remain confidential from Federal/State enforcement, except in situations where imminent danger or serious hazards are not corrected.
- E. Employees Participation Employee participation is required in all site visits, as explained in the following table:

If	Then
The site has a recognized employee representative	An employee representative of affected employees must be afforded an opportunity to participate in the opening and closing conferences and to accompany the consultant and the employer's representative during the physical inspection of the workplace. If there is an objection to a joint conference, the consultant must conduct separate conferences with the employer and the employee representative. The consultant may increase the number of employee participants during the hazard survey if he/she determines that additional representatives will improve the quality of the visit. The consultant may confer privately with the employee representative.
The site has no recognized employee representative	The consultant must confer with a reasonable number of employees during the course of the visit in order to identify and judge the extent of particular hazards within the scope of the employer's request and to evaluate the employer's safety and health management system.

- F. Hazards **The employer must correct all serious hazards in accordance with mutually agreed upon correction due dates and provide documentation to the project of the action taken to eliminate or control the hazard.** To protect your employees, begin taking action to correct hazards when they are identified and do not wait for the written report. Failure to correct serious hazards will result in referral to enforcement. Employers are expected to correct other-than-serious hazards in a timely manner.
- G. Posting the List of Hazards **The employer must agree to post the List of Hazards, in a prominent place, as it was received from the Consultation Project, for either three working days, or until the hazards are corrected, whichever is later.**
- H. Employer's Rights
1. You may modify the scope of the visit or terminating the visit at any time.
 2. You have the right to disagree with the correction schedules, appeal to the Consultation Project. Manager for amendment of the correction date(s) or any other substantive findings of the Report.
 3. You do not have to inform the OSHA/PEOSH Compliance Officer of the onsite visit or furnish a copy of the results, except to the extent that disclosure of information is required by Federal/State standards.
 4. You have the right to request a private meeting with the consultant.