

STATE OSHA ANNUAL REPORT (SOAR) 2009

NEW JERSEY

**New Jersey Department of Labor and Workforce Development
Labor Standards and Safety Enforcement
Division of Public Safety and Occupational Safety and Health
Office of Public Employees Occupational Safety and Health**

In partnership with the

**New Jersey Department of Health and Senior Services
Public Health Services Branch
Division of Epidemiology, Environmental and Occupational Health
Consumer, Environmental and Occupational Health Service
Public Employees Occupational Safety and Health Program**

OCTOBER 2009

INTRODUCTION

The purpose of the New Jersey Public Employees Occupational Safety and Health (PEOSH) Act, N.J.S.A. 34:6A-et seq., is to ensure that all New Jersey public employees are provided with a safe and healthful work environment, free from recognized hazards. In New Jersey, the federal Occupational Safety and Health Administration (OSHA) responds to private sector safety and health concerns and has no jurisdiction over public employees' safety and health matters.

Major provisions of the PEOSH Act include the promotion of occupational safety and health; the adoption of federal OSHA standards, (29 CFR 1910) General Industry Standards, (29 CFR 1926) Construction Standards, and (29 CFR 1928) Agricultural Standards Shipyard standards (29CFR 1915); Marine Terminal standards (29CFR 1917); Long shoring Standards (29CFR 1918); Standards for workshops/rehabilitation facilities (29CFR 1924); and the promulgation of standards in the absence of federal standards or if existing standards are not strict enough; employee rights to request an inspection; and employer responsibilities.

The employer has an obligation to provide employees with a workplace free from recognized hazards which may cause serious injury, physical harm or death to employees; and comply with occupational safety and health standards adopted under the Act.

An employee, group of employees, or employee representative has the right to request an inspection of a public facility by notifying, in writing, the appropriate agency charged with investigating safety or health concerns; remain anonymous to the employer after signing the complaint; be present during the inspection; and be protected from disciplinary action as a result of filing a complaint.

Two state agencies are responsible for implementing the PEOSH Act. The New Jersey Department of Labor and Workforce Development (NJDLWD) is the lead agency responsible for administering and enforcing the law throughout the State. In addition, the NJDLWD responds to complaints, conducts seminars and distributes information regarding safety hazards. The New Jersey Department of Health and Senior Services (NJDHSS) respond to complaints, conduct seminars, and distribute information regarding health hazards.

New Jersey PEOSH Response to Recommendations as per 2008 FAME

Safety Enforcement Recommendation # 1 *OSHA Recommendation #1: PEOSH needs to implement necessary systems in place to ensure timely abatement verification for all serious, willful and repeat violations. We have recommended that PEOSH make a concerted effort to document abatement based on certifications and documentation submitted by employers in the interim until a follow-up is conducted rather than waiting for a follow up inspection after the last abatement date. This change in procedure will result in significant improvements in abatement verification timeliness.*

As per New Jersey PEOSH's procedures all inspections have a 100% follow up inspection. Verifications of abatement are documented in each case file. New Jersey PEOSH also maintains an in house data base system that tracks all abatements and is used for follow up on each case file close out.

Compliance staffs close out their inspections reports on the ORACLE application and dial up into the NCR via a Kermit connection to close out case files on the NCR.

Once all abatements have been verified the case is closed on the NCR and sent to the State's server. IT staff then finalize the reports and send them to the host. Often times these reports remain open even after all of these steps are taken. This has been an ongoing issue and the fact that these cases appear to be open on the NCR has no bearing on the fact that violation abatement has been completed. New Jersey PEOSH welcomes OSHA's input into correcting this problem. It has been an ongoing issue and is strictly a data entry issue.

OSHA Recommendation #2: *PEOSH must continue to focus its consultation resources towards high hazard worksites in order to meet the required 90% reference standard. (NOTE: PEOSH adopted 29 CFR 1908 and the CPPM for PEO workplaces).*

PEOSH must continue to focus its consultation resources towards high hazard worksites in order to meet the required 90% reference standard.

NJLWD PEOSH Safety Consultation Program exceeded the goal of 90% of visits to high hazard worksites.

NJDHSS PEOSH Program receives consultation requests from employers that would not be considered high hazard worksites (for example schools/indoor air quality). The NJDHSS PEOSH Program feels it is important to respond to such requests because the largest number of complaints received by the NJDHSS PEOSH Program is indoor air quality complaints. By providing consultation services for indoor air quality it is hoped that over time, public employers will be able to recognize, evaluate and remedy indoor air quality problems at the work site. PEOSH has also undertaken education and outreach to educate employers and employees on IAQ issues.

The NJDHSS PEOSH Program will continue to reach out to public employers that have high hazard work sites and encourage them to take advantage of NJDHSS PEOSH

consultation services. Currently consultation staff are meeting with representatives from the New Jersey Department of Human Services (NJDHS). The goal is to have NJDHS facilities request NJDHSS PEOSH consultation services for safe patient handling and workplace violence. Evaluation of NJOSH 300 data shows that NJDHS facilities have high injury and illness rates and that workplace violence appears to be a major cause. The NJDHSS PEOSH Program will meet with representatives from the New Jersey Department of Military and Veterans Affairs (NJDMVA). NJDMVA operates long term care facilities which have high injury and illness rates.

The PEOSH Program is also working with the Local Information Network and Communication System (LINCS) agencies (22 local health departments). Through the LINCS agencies it is hoped that the NJDHSS PEOSH Program can attract local police, EMS, and health departments to request training and consultations.

OSHA Recommendation #3: PEOSH must ensure timely hazard correction by evaluating the abatement certification received from the employer and entering the data into IMIS. PEOSH should not wait for follow up inspections to take place in order to observe abatement. This recommendation should be followed in order for all serious hazards to meet the reference standard

Employers are required to submit abatement documentation prior to abatement date. In addition hazard abatement is encouraged during inspections and noted as such on orders to comply. Compliance staffs are directed to close out hazards on NCR as they are abated. Multiple abatement dates are discouraged and all inspections require a follow up inspection to verify that abatement has been completed.

NJLWD PEOSH Safety Consultation Program did not meet the goal of 100% of serious hazards verified corrected in a timely manner (≤ 14 days of latest correction due date). To ensure timely abatement of hazards NJLWD PEOSH Safety Consultation Program will emphasize timely correction of hazards at the opening and closing conference, in the written report to the employer and by conducting follow up visits. The weekly uncorrected hazard report will be reviewed by the Assistant Chief Safety to identify any past due abatements.

OSHA Recommendation #4: *PEOSH must conduct a thorough study of all OSHA standards that have been adopted since the inception of the State Plan and ensure all OSHA standards (or more restrictive standards) applicable to public sector employers in the State of New Jersey have been adopted.*

During FFY 2009 New Jersey PEOSH adopted 29CFR 1915 (Shipyard employment) 29CFR 1917 (Marine Terminals) 29CFR1918 Long shoring 29 CFR 1919 Gear Certification) and 29CFR 1924 (Rehabilitation facilities assisted by grants).

PEOSH continues to adopt all Federal standards when they have become final rules and are published in the Federal Register.

MANDATED ACTIVITIES

	Activity		ACTUAL	
	GOAL SAFETY	HEALTH	SAFETY	HEALTH
ENFORCEMENT INSPECTION CONSULTATION VISIT	1100	280	1548	276
TRAINING PROGRAM	40	70	42	147
TRAINING PARTICIPANTS		90	249	101
			3237	3598

ENFORCEMENT INSPECTIONS

	PROGRAMED	COMPLAINT	REFERRAL	FATALITY	FOLLOW-UP	Total
SAFETY	723	96		4	725	1548
HEALTH	48	134	4	0	90	276
TOTAL						

CONSULTATIONS

	INITIAL	FOLLOW-UP	TRAINING & ASSISTANCE	total
SAFETY	34	8	0	42
HEALTH	72	49	26	147
TOTAL	106	57	26	189

Below are highlights from the most recently available injury/illness data for the public sector in New Jersey. Each Public Sector has Shown a Progressive Decrease in Illness/Injury Rates Except for Correctional Institutions

Incidence rates ¹ of nonfatal occupational injuries and illnesses by selected industries, 2005 - 2008

New Jersey

Industry	NAICS code	2008 total recordable cases	2007 total recordable cases	2006 total recordable cases	2005 total recordable cases
All industries including state and local government		3.7	4.0	4.1	4.4
Private industry		3.2	3.5	3.6	3.8
State and local government		7.3	7.7	7.6	8.1
State government		6.5	6.6	6.9	7.5
Support activities for transportation	488	11.5	17.4	20.9	19.5
Correctional institutions	92214	10.0	9.8	10.6	13.3
Local government		7.7	8.2	7.8	8.4
Public administration	92	9.6	10.3	10.2	10.6
Police protection	92212	11.4	12.5	11.8	12.3
Correctional institutions	92214	14.6	13.5	13.9	12.0
Fire protection	92216	11.7	14.0	11.8	13.8
Nursing Homes/Residential Care	623	15.5	16.7	17.6	15.1

Incidence rates represent the number of injuries and illnesses per 100 full-time workers and were calculated as: (N/EH) x 200,000 where:

N = number of injuries and illnesses
 EH = total hours worked by all employees during

Below are some highlights from the most current available data for the public sector in New Jersey.

- New Jersey's public sector workers experienced 1,200 less work-related injuries and illnesses in 2008 (29,200) than in the prior year. The incidence rate of 7.3 cases per 100 workers for New Jersey's public sector decreased from 7.7 in 2007 and has been generally declining from 8.9 in 2003.
- The overall state government incidence rate (6.5) decreased again in 2008 from 6.6 in 2007. This is the lowest incidence rate recorded for New Jersey's State Government sector since 1993, when public sector data was first collected as part of the BLS cooperative program. Health care and social assistance had the highest (13.0) incidence rate of injuries and illnesses, but that rate has been generally declining since 2005 when the rate was 14.3. The total cases rate has also been declining in state correctional institutions, from 13.3 in 2005 to 10.0 in 2008. Transportation and warehousing cases dropped to 8.7 per 100 workers in 2008 after reaching a high of 13.1 in 2006.
- Four of the seven industry sectors within state government showed a decrease in total cases incidence rates from 2007 to 2008. The sectors with the most notable drops were transportation and warehousing, and construction. The transportation and warehousing incidence rate decreased from 10.7 in 2007 to 8.7 in 2008. The construction sector within state government decreased from 12.3 in 2007 to 6.6 in 2008.
- The total number of injury and illness cases in local government was 1,300 lower in 2008 compared with 2007, leading to lower incidence rate of 7.7. New Jersey's local government sector includes county and municipal workers as well as volunteer and paid firefighters.
- The local government industry sector with the most notable drop in the total cases incidence rate was health care and social assistance, where the rate decreased from 10.4 in 2007 to 8.2 in 2008. Other local government industry sectors with decreasing rates from 2007 to 2008 were public administration (down from 10.3 to 9.6), educational services (down from 6.3 to 5.9), and utilities (down from 12.9 to 12.8).
- Within local government, the incidence rate for cases involving days away from work declined from 3.5 cases per 100 workers in 2007 to 3.2 in 2008.
- The total cases incidence rate for the public administration industry sector within local government decreased slightly from 10.3 in 2007 to 9.6 in 2008. This industry sector includes police protection, fire protection (paid and volunteer), county correctional institutions, and other municipal and county government operations. These services involve higher risk for work-related injuries and illnesses. Incidence rates for total cases were as follows: 11.7 (down from 14.0 in 2007) for fire protection, 14.6 for county correctional institutions (up from 13.5 in 2007), and 11.4 (down from 12.5 in 2007) for police protection in 2008.

Progress Toward Meeting Developmental Steps As a State Plan

NJPEOSH has completed all developmental steps. NJPEOSH revised the written State Plan to reflect all updated changes that have been made. The updated written plan was submitted to region II as part of the final approval process.

PROGRESS TOWARD STRATEGIC PLAN GOALS

The New Jersey Public Employees Occupational Safety and Health State OSHA Annual Report (SOAR) for FFY 2009 provides a summary of the PEOSH activities and results as they relate to the PEOSH Strategic Plan for FY2009 – FY2013. The strategic goals, objectives, and activities provide the focus for PEOSH enforcement, education and training, outreach, and administrative programs. Our strategic goals help us to accomplish our mission by focusing on prevention and protection. Working in partnership with our customers, we focus on saving workers' lives and prevent workplace injuries and illnesses.

PEOSH established three (3) strategic goals. PEOSH success in meeting the goals and objectives outlined in the Strategic Plan will be measured by combining results from multiple program areas in both the NJDLWD and the NJDHSS. The Strategic Plan is designed to integrate various activities, to present a unified purpose and direction for all of the programmatic elements within PEOSH. For example, when a new standard is adopted, compliance inspections will be conducted to ensure compliance with the standard, training and outreach materials are developed, and compliance assistance will be provided to educate employers and workers and to assist employers in compliance.

The strategic plan identifies three fundamental goals to reduce workplace injuries, illnesses and fatalities in New Jersey. The goals, activities to meet the goals and FY2009 outcomes are described below.

Strategic Goal #1

Improve workplace safety and health for all public employees as evidenced by fewer hazards, reduced exposures and fewer injuries, illnesses, and fatalities.

Outcome Goal: Reduce the number of worker injuries and illnesses, by focusing statewide attention and Agency resources on the most prevalent types of injuries, illnesses, the most hazardous public occupations, and the most hazardous workplaces.

Performance Goal 1.1 State Support Activities for Transportation (NAICS 488)

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 percent by 2013 as follows (1 percent per year)

In year one NJLWD planned to:

- Identify and verify all worksites covered by NAICS 488;
- Send a letter to the included NAICS employers requiring them to submit NJOSH 300 data for every facility for the years 2004, 2005, 2006, 2007 and 2008;
- Collect and analyze NJOSH 300 data for the years 2004, 2005, 2006, 2007 and 2008 from the targeted facilities; and
- Verify that the information provided by the employers is accurate. This information will be used as the baseline.

In addition in year one LWD planned to:

- Identify appropriate outreach materials;
- Make outreach materials available through mass mailing and the website;
- Conduct outreach for training and consultation services;
- Identify organizations to form alliance/partnership; and
- Develop a baseline

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

A letter was sent to the [Agency Information Deleted] and the [Agency Information Deleted] requiring them to submit NJOSH 300 data for every facility for the years 2004, 2005, 2006, 2007 and 2008.

Outcome Measures

All work sites were identified. The employers are:
[Agency Information Deleted]

The NJOSH 300 data received from the employers was analyzed.

NJDLWD has verified the accuracy of the NJOSH 300 data

The baseline to be used is the 2008 488 NAICS incidence rate of nonfatal occupational injuries and illnesses of 11.5 total recordable cases (Source the NJLWD, Division of Program Planning, Analysis and Evaluation) See chart page (3)
http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

Performance Goal 1.2 State Nursing and Residential Care Facilities (NAICS 623)

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 percent by 2013 as follows (1 percent per year)

In year one NJLWD planned to:

- Identify and verify all worksites covered by NAICS 623;
- Send a letter to the included NAICS employers requiring them to submit NJOSH 300 data for every facility for the years 2004, 2005, 2006, 2007 and 2008;
- Collect and analyze NJOSH 300 data for the years 2004, 2005, 2006, 2007 and 2008 from the targeted facilities; and
- Verify that the information provided by the employers is accurate. This will be used as the baseline.

In addition in year one NJLWD planned to:

- Identify appropriate outreach materials;
- Make outreach materials available through mass mailing and the website;
- Conduct outreach for training and consultation services;
- Identify organizations to form alliance/partnership;
- Develop a baseline

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

Review of injury and illness records indicate that NJ Department of Human Services (NJDHS) facilities report significant numbers of workplace violence injuries and injuries related to patient handling. PEOSH conducted outreach to the NJDHS. In FFY2009, staff corresponded and met with management representatives from the NJDHS. The purpose of the outreach was to review the services PEOSH consultants could provide such as;

- Assistance in developing and implementing joint labor management safety and health programs
- Developing and implementing work place controls to address workplace violence and
- Developing and implementing safe patient handling program.

At the end of FFY2009 NJDHS had expressed interest in PEOSH consultation services but no consultation requests have been received from the NJDHS.

PEOSH conducted outreach to NJ Department of Military and Veterans Affairs (DMVA). DMVA management indicated that they would be interested in consultation assistance. Since DMVA facilities were undergoing other regulatory inspections in FFY2009, DMVA management requested that PEOSH contact them after December 2010.

Outcome Measures

All worksites were identified. Employers with facilities included in this NAICS code are;

[Agency Information Deleted]

The NJOSH 300 data received from the employers was analyzed.

NJDLWD has verified the accuracy of the NJOSH 300 data

The baseline to be used is the 2008 for NAICS 623 incidence rate of nonfatal occupational injuries and illnesses of 15.5 total recordable cases (Source the NJLWD, Division of Program Planning, Analysis and Evaluation See chart page (3) http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

Performance Goal 1.3 – Local Fire Protection (NAICS 92216)

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 percent by 2013 as follows (1 percent per year):

Activities

A summary of activities is found in the table at the end of the report.
Outcome Measures

Outcome Measures

The baseline to be used is the 2008 NAICS 92216 incidence rate of nonfatal occupational injuries and illnesses of 11.7 total recordable cases (Source the NJLWD, Division of Program Planning, Analysis and Evaluation. See chart page (3).
http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

Performance Goal 1.4 – Local Police Protection (NAICS 92212)

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 percent by 2013 as follows (1 percent per year):

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

New Jersey State Police, Hazardous Materials Response Unit Respiratory Protection Training

The NJDHSS PEOSH Program participated with staff from the NJ State Police, Office of Emergency Management in a respiratory protection train the trainer program. The training is being offered to local police departments.

An ever increasing number of police departments in New Jersey are providing respiratory protection to police officers. In order to use respiratory protection safely, police officers need to be included in a respiratory protection program. This training assisted police departments in developing and implementing an effective respiratory protection program.

The Police Department must establish and implement a written respiratory protection program with worksite-specific procedures. The program must include the following:

- Procedures for selecting respirators for use in the workplace;
- Medical evaluations of employees required to use respirators;
- Fit testing procedures for tight-fitting respirators;
- Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;
- Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;
- Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators;
- Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations;
- Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and
- Procedures for regularly evaluating the effectiveness of the program.

The program must be administered by a suitably trained program administrator.

Outcome Measures

The baseline to be used is the 2008 NAICS 92212 incidence rate of nonfatal occupational injuries and illnesses of 11.4 total recordable cases (Source the NJLWD, Division of Program Planning, Analysis and Evaluation See chart page (3) http://lwd.dol.state.nj.us/labor/lpa/content/occsafheavy_index.html).

Strategic Goal #2

To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, and participation in safety and health.

Performance Goal 2.1 – Disseminate Guidelines for Joint Labor Management Health and Safety Committees to all New Jersey State Agencies. Encourage public New Jersey State Agencies to develop and implement or improve Joint Labor Management Safety and Health Committees.

Year 1 Identify appropriate outreach materials
 Mass mail outreach materials
 Conduct outreach for training and consultation services
 Identify organizations to form alliance/partnerships

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

New Jersey Department of Labor and Workforce Development (NJLWD) Joint Labor Management Health and Safety Committee. The PEOSH Compliance Assistance staff member participates in all NJLWD safety committee meetings. These meetings are held once a month and rotate to a different NJLWD location each month. The advantage of holding these meetings at the different locations is the participation of local union representatives and visibility of the joint labor management safety committee to local office NJLWD employees.

Progress on this goal has been slowed by the lack of available staff to conduct; outreach, trainings, mailings and develop alliances.

Outcome Measures

Identified appropriate materials
Drafted letter to send to agencies

Performance Goal 2.2 – The NJDHSS PEOSH Program will conduct programmed inspections of municipal departments of public works. As part of these programmed inspections safety and health information is provided.

In the FFY2009 annual Plan the NJDHSS PEOSH goal was to initiate 22 inspections in municipal departments of public works.

Activities

A summary of activities is found in the table at the end of the report.

Outcome Measures

The NJDHSS PEOSH Program conducted 14 programmed inspections at municipal departments of public works which is less than the goal of 22 inspections. It was difficult to meet the goal because the enforcement group was not fully staffed. During FFY09 two enforcement staff left the Program and one staff person was on maternity leave for part of the year. The Program conducted eight consultations in municipal departments of public works. The total of programmed inspections and consultations was 22.

Performance Goal 2.3 – Customer Satisfaction (Consultation)

Every year 90% of public employers targeted through consultation visits rate the intervention as highly effective (score 7 or higher, on scale of 1 through 10 on the customer satisfaction survey).

As stated in the Annual Plan, PEOSH planned to have 90% of public employers targeted through consultation visits rate the intervention as highly effective (score 7 or higher, on a scale of 1 through 10 on the customer satisfaction survey).

Activities and Interim Outcome Measures

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

100 % of public employers responding to the PEOSH Consultation survey rated the intervention as highly effective which exceeds the goal of 90% customer satisfaction.

The table below shows the results of the number of initial visits, surveys received and the average rating by quarter.

FFY 2009 Consultation Evaluation Survey Results

Quarter	Responses Received	Average Rating
1	6	10.0
2	15	9.9
3	9	9.8
4	5	10

Performance Goal 2.4 – Customer Satisfaction – (Education and Training)

Every year 90% of compliance assistance interventions (outreach, seminars, mass mailings, hazard bulletins, newsletters) conducted/distributed in the public sector have rated the intervention as highly effective (score 3 or higher on a scale of 1 through 5 on the customer satisfaction survey).

As stated in the Annual Plan, PEOSH planned to have 90% of compliance assistance interventions (e.g., outreach, seminars, mass mailings, hazard bulletins, newsletters, etc.) conducted/distributed in the public sector have rated the intervention as highly effective (score 3 or higher, on a scale of 1 through 5 on the customer satisfaction survey).

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

PUBLICATIONS

The following four publications were developed and posted on the PEOSH websites:

[Addition of a Last Chance Bailout System to a NIOSH Certified Respirator](#) The purpose of this alert is to notify fire departments that the addition of a bailout system to the fire fighters self contained breathing apparatus (SCBA) voids the NIOSH certification. Using a respirator that is not NIOSH certified is a violation of the PEOSH Respiratory Protection Standard.

[Replacement Self Contained Breathing Apparatus Cylinders](#) The purpose of this alert is to notify fire departments that using SCBA cylinders that were not part of the original NIOSH certified assembly voids the NIOSH certification. Using a respirator that is not NIOSH certified is a violation of the PEOSH Respiratory Protection Standard.

[Preventing Worker Injury and Deaths When Operating Golf Cars, Personal transport Vehicles, and Low Speed Vehicles](#) The Purpose of this alert is to notify public employers and employees about the hazards of operating these vehicles and actions to take to reduce the likely hood of injury. The alert is found at:
http://lwd.dol.state.nj.us/labor/forms_pdfs/lsse/golf_cart_alert.pdf

[American Resource and Recovery Act Funded Youth/Temporary Workers in Public Sector Employment](#) The purpose of this alert is to remind employers to properly train youth/temporary workers to do jobs safely and restrict youth/temporary workers to jobs they are allowed to do by law. The alert is found at;
http://lwd.dol.state.nj.us/labor/forms_pdfs/lsse/summer_youth_program.pdf

Outcome Measures

Of those who responded to the survey, 100% rated the compliance assistance as highly effective.

Performance Goal 2.5 – Employee Involvement

100% of PEOSH interventions include employee involvement (every year).

As stated in the FFY 2009 Annual Performance Plan, PEOSH planned to have 100% of PEOSH interventions (e.g., inspections, consultations, etc.) include employee involvement every year.

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

Outcome Measures

There was 100% employee involvement.

Outreach Activities

PEOSH Advisory Board; For the year 2009, PEOSH conducted a total of 4 PEOSH Advisory Board meetings as part of their outreach program. These meetings involve employer and employee representatives from State, counties and municipalities. Several public representatives are also represented. Minutes are provided to members on health and safety topics that are presented for discussion at the meetings. Ongoing data for enforcement, consultation and training services provided by PEOSH is presented to the group. Special alerts and updates on standard adoptions are also presented.

Minutes are kept on file and are used to continually improve the level of service provided by PEOSH.

Four advisory board meetings are scheduled for 2010.

PEOSH Advisory Board Subcommittee on Workplace Violence in Schools: A sub committee is continuing to meet in reference to an investigation that NJDLW PEOSH conducted at a North Jersey School in reference to a school's workplace violence investigation. The subcommittee is comprised of representatives of the PEOSH Advisory Board, school board members and the NJ Education Association. The committee met 4 times in 2009 and is continuing to investigate measures that can be taken to address student violence against teachers in New Jersey's public schools. A report will be given to members of the sub committee on November 20th 2009 outline suggestions made by the committee to address the issue. The subcommittee will continue to meet and will provide recommendations to the PEOSH advisory board on measures to be taken to address the issue of student/teacher workplace violence in New Jersey's public schools.

PEOSH Collaboration with the Pediatric Asthma Coalition of New Jersey to Reduce Asthma Triggers in Schools

PEOSH is collaborating with the Pediatric Asthma Coalition of New Jersey (PACNJ) to reduce asthma triggers in schools. PACNJ sponsors the “Asthma-Friendly School Award” which recognizes school district efforts to enhance the quality of education for students and staff who face the challenges of asthma. Previously, the award required attendance at the Environmental Protection Agency’s “Tools for Schools” training. Now, as one of the 6 steps required to achieve the PACNJ “Asthma-Friendly School Award,” PACNJ requires that a school nurse and the school or district level IAQ designated person attend PEOSH Indoor Air Quality Designated Persons training.

In order to better tailor the training to the needs of participants, PEOSH consultation personnel met with PACNJ staff and EPA region II representatives who had previously been involved in providing training. Educational goals for the different audiences (nurses, principals, custodians/HVAC personnel) were identified. Required content was determined and exercises were developed to enhance participation. Selected materials from the EPA Tools for Schools Program and the PEOSH Indoor Air Quality Model Program are provided as handouts. An EPA-funded video produced by Rutgers University is utilized in the training. Both PACNJ and PEOSH personnel participate in the presentation and discussions.

The first joint training was conducted on April 23, 2009 at the Ocean County Fire Academy. Thirty-six nurses and facilities staff from 15 different school settings throughout the state attended. Following the training, PEOSH, PACNJ and EPA personnel again met to review the evaluations and revise training to better meet the needs of attendees. Modifications were made to increase participation during the session and help improve attendees confidence at undertaking indoor air quality walkthroughs upon return to their school settings.

Training is currently underway in the Paterson School District. All school principals, building administrators and chief custodians have attended PEOSH Designated Persons training and a training date for all school nurses is scheduled.

Legionella Task Force: NJDHSS PEOSH staff participated on the NJDHSS Legionella Task Force. The Task Force is responsible for responding to Legionella outbreaks in New Jersey.

Staff is assisting the Communicable Disease Service in investigating a major community acquired outbreak of Legionella. The county has historically has had fewer than 7 cases per year. From October 1, 2008, there have been 19 confirmed cases of Legionellosis in an area of southwest Newark and Irvington. There is no specific facility or facilities (residence, workplace, meeting place, etc.) implicated in this outbreak. We have developed a plan in conjunction with the local health departments to identify all major potential sources of aerosolized water in the area. We will establish a plan for sampling these sources, as the next step.

Staff is following up on several outbreaks of Legionellosis. Eight cases have been found through the clinical investigation at a hospital. There is ongoing extensive investigation and planning for modification of the water system at the hospital. Treatment was completed in early October through three wings of the facility. Chlorine injection systems have been installed through out the hospital to boost chlorine level.

Staff is following up on two new cases at a senior housing facility and one case at a long term care facility. A consultant is performing follow up sampling. It appears that the treatment has been successful to date.

In FFY 2009, the staff continued an investigation at another senior housing facility that has had five cases over the last two years. Because they had treated the system several times with both hyperchlorination as well as superheating, and renovated the potable water system, The facility management hired a second consultant who has investigated the plumbing system and taken additional samples. No results have been reported.

Staff continued to investigate the efficacy of copper-silver ionization as a long term treatment of potable hot water for legionella. There are some reports of the onset of resistant strains of Legionella but to date, no published studies.

Staff continued to monitor ongoing Legionella follow up sampling results at five facilities. There are ongoing discussions with one of the consultants concerning the applicability of the OSHA Tech Manual action levels for protecting the patients at long term care facilities. Their updated report correctly indicates that Action level in the OSHA Tech manual are not accepted as protective of susceptible populations as found in long term care facilities.

NJDHSS Surveillance Program Federal OSHA Silica Partnership: PEOSH Staff participated in a meeting with representatives from the NJDHSS Surveillance Program, federal OSHA, NJLWD Office of Occupational Safety and Health, and the NJ State Laborers' Health and Safety Fund to finalize the content of a series of outreach programs to be presented to NJDOT Regional Engineers. The purpose of the outreach programs is to provide information on occupational safety and health hazards to the regional engineers. The regional engineers are responsible for road/bridge construction projects. By assisting the regional engineers in identifying the hazards they can then either compel the contractor doing the work to correct the hazard or make the appropriate referral to the NJLWD or the NJDHSS.

Performance Goal 2.6 – Safety and Health Achievement Recognition (SHARP)

Award Safety and Health Achievement Recognition (SHARP, Inspection Deferral) to 20 worksites by the end of FFY2013.

As stated the Annual Plan, PEOSH planned to award four (4) worksites the Safety and Health Achievement Recognition (SHARP).

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

Safety and Health SHARP is discussed during each consultation visit.

Outcome Measures:

In FFY 2009, there were 8 sites participating in SHARP.

Strategic Goal 3

Performance Goal 3.1–Fatality Investigations/Inspections

Initiate inspections of fatalities and catastrophes within one day on notification for 95% of occurrences to prevent further injuries or deaths by the end of FFY 2009.

As stated in the FFY 2009 Annual Plan, PEOSH planned to initiate inspections of fatalities and catastrophes within one (1) day of notification for 95% of occurrences to prevent further injuries or deaths.

Activities

A summary of activities is found in the table at the end of the report. In addition the following activities were undertaken;

Outcome Measures:

There were 5 fatalities in FFY 2009. All investigations were initiated within one day of notification exceeding the Strategic Goal of 95%.

Performance Goal 3.2A–Safety Complaints Received

As stated in the Annual Plan, the NJDLWD planned to initiate 95% of safety complaint inspections within five (5) working days of notification.

Activities

For FFY 2009 the NJDLWD received 96 complaints. 100% of complaint inspections were conducted within 5 days.

Outcome Measures:

100% of the complaint investigations were conducted within 5 days.

Performance Goal 3.2B –Health Complaints Received

As stated in the Annual Plan, the NJDHSS goal is to initiate 95% of non-IAQ/ sanitation complaint inspections within five (5) working days of notification.

Activities

A summary of activities is found in the table at the end of the report.

Outcome Measures:

100% of the non-IAQ, non-sanitation complaints were initiated within five days.

Assessment of State Performance of Mandated Activities

Outcome Measures:

Enforcement

LABOR: The NJDLW safety enforcement exceeded its goals for the number of inspections conducted. This is the result of two public sector consultants who were assigned to conduct safety inspections. To achieve goals in FY2010 for PEOSH safety consultations 23(g) funded staff from training and compliance assistance will be utilized.

HEALTH: The NJDHSS PEOSH Program was unable to meet the goal of conducting 280 inspections even though many compliance staff exceeded their goals. During FFY2009 two compliance staff left the program and another was on maternity leave. It is unlikely that in FFY2010 the Program will be able to hire new staff to replace the lost staff. The Program is supposed to have 7 compliance staff. To address the loss of staff the Program has moved one staff person from consultation to enforcement. It is anticipated that one staff person on maternity leave will return in November.

Consultation

LABOR: The NJLWD PEOSH Program exceeded the goal of 40 total visits.

HEALTH: The NJDHSS PEOSH Program exceeded the goal. A staff person from consultation is reassigned to enforcement in FFY2010.

Training

LABOR: Although there were no PEOSH training and assistance visits provided in FFY 2009, there were a total of 249 public sector safety training courses that were presented by the Occupational Safety Training Unit.

HEALTH: The NJDHSS PEOSH Program exceeded the goal of 90 presentations. In addition to the education staff person, seven other PEOSH staff provided educational outreach helping the program to exceed the goal. The goal was exceeded, even though the education staff person was not available for 8 weeks during FFY2009.

Penalties

The Office of Public Employees Occupational Safety and Health (OPEOSH) has concluded that to better serve and to make workplaces safer and healthier, those areas that incur penalties for violations could create safer and healthier environments by using consultation services in their workplaces. As a result and to encourage the use of these consultation services, OPEOSH may at an informal conference offer a reduction in the amount of the imposed penalties of up to 75% provided that the offending authority agrees to total consultation services for all facilities within the municipality. This agreement would include both the Department of Labor and Workforce Development (DLWD) and the Department of Health and Senior Services (DHSS) consultation units. Should the offending authority agree to a partial consultation involving only the facility where violations were cited, a penalty reduction would be limited to 25% of the original penalty.

Should a penalty reduction agreement be made at the informal conference, the Assistant Director overseeing the LWD consultation services along with the DHSS designee shall ensure that the proper documents are filled out and that the consultation visits are initiated in a timely manner. Upon the completion of consultation services, the Assistant Director and DHSS designee shall advise the Chief of OPEOSH of said completion so that the penalty case may be closed out. PEOSH will extend abatement dates if necessary following established PEOSH guidelines.

In FFY 2009 there were 3 penalty settlements that resulted in full safety and health consultations for those municipalities.

Discrimination

NJDLWD: Conducted 5 discrimination complaint cases all of which were completed within 90 days. One case was determined to be meritorious, 4 cases were not meritorious, three of which were forwarded to the Office of Administrative Law, and one case is pending.

Two PEOSH NJDLWD safety compliance officers are trained to conduct discrimination complaints.

Compliance Assistance

The NJ LWD PEOSH CAS has reported the following activities:

- NJLWD PEOSH Compliance Assistance Specialist represents LWD at monthly meetings of the Commission on Radiation Protection that are held at the Department of Environmental facility in Ewing, NJ.
- October 2008, Compliance Assistance Specialist provided promotional materials on the OSHA-PEOSH Consultation & Training Programs and Governor's Safety Award Program at the Middlesex County College Health & Safety Fair in Edison, NJ.
- October 2008, The Director, Assistant Director and Chief PEOSH Safety Enforcement attended the NJEA Health & Safety Conference that was held at the Hilton in East Brunswick, NJ. Information was provided on the PEOSH Consultation & Training Programs and the Governor's Safety Award Program. A PowerPoint on the PEOSH program that covered violence in schools issues was presented and a question and answer session was held with the conference participants.
- NJLWD PEOSH Compliance Assistance Specialist represents LWD at monthly meetings of the Clean Water Council that are held in Trenton, NJ.
- November 2008, Compliance Assistance Specialist provided information on LWD PEOSH Consultation and Training and Governor's Safety Award Programs at the 93rd Annual League Conference held at the Atlantic City Convention Center in Atlantic City, New Jersey.
- NJLWD PEOSH Compliance Assistance Specialist participates in meetings of the Northern NJ Federal Safety & Health Council that are held in northern NJ locations.
- December 2008, Compliance Assistance Specialist attended a Safe Schools OSHA Alliance meeting with representatives from NJ Department of Education held at NJLWD in Trenton, NJ.

- Staff from the NJLWD Division of Public Safety and Occupational Safety and Health attend the quarterly meetings of the NJ State Industrial Safety Committee.
- January 2009 NJLWD PEOSH Consultation & Training staff assisted with presenting a 10-Hour Construction training course to students attending the Isles – NJ Center for Energy and Environmental Training (NJCEET) training at Mercer County Community College Campus in Trenton, NJ. This training is part of the green jobs training program that helps dislocated workers and others to find jobs in green industries and related occupations.
- January 2009, PEOSH Compliance Assistance Specialist attended the New Jersey Department of Transportation Work Zone meeting with representatives from the Center for Advanced Infrastructure and Transportation and the New Jersey Local Technical Assistant Programs held in Piscataway, NJ.
- January 2009, PEOSH Compliance Assistance Specialist attended the OSHA Highway Work Zone Alliance meeting held in Woodbridge, NJ.
- January 2009, PEOSH Compliance Assistance Specialist attended a Cooperative Education Association OSHA Alliance meeting held at Pennco Tech in Blackwood, NJ.
- January 2009, PEOSH Compliance Assistance Specialist made a presentation about NJLWD PEOSH programs and PEOSH regulations at the Middlesex County Prosecutor’s Office Training Academy held in Edison, NJ.
- February 2009, PEOSH Compliance Assistance Specialist staffed a table at the NJ AFL-CIO 2009 Occupational Safety and Health Education Program (OSHEP) Conference that was held at the Hilton in East Brunswick, NJ. Information on the LWD Consultation and Training Programs as well as the Governor’s Award Program was provided to conference attendees.
- February 2009, PEOSH Compliance Assistance Specialist attended the Paterson Education Association meeting in Paterson, NJ and provided information on PEOSH topics covering egress and evacuation. Also information was provided about the Governor’s Award Program.
- March 2009, PEOSH Compliance Assistance Specialist gave a presentation at the Association of Environmental Authorities (AEA) Utility Management Conference that was held at the Trump Marina Hotel and Casino in Atlantic City, Discussed was the LWD Consultation, Training, SHARP and Governor’s Awards programs.
- March 2009, PEOSH Compliance Assistance Specialist attended a Cooperative Education Association OSHA Alliance meeting held in Trenton, NJ.

- March 2009, PEOSH Compliance Assistance Specialist attended and assisted at LWD booth at the New Jersey Health Care Association Conference in Atlantic City, NJ. Promotional materials on the PEOSH Consultation & Training Programs and Governor's Safety Award Program were distributed.
- April 2009, PEOSH Compliance Assistance Specialist attended a PEOSH Advisory Board Workplace Violence in Schools subcommittee meeting that was held at the Department of LWD in Trenton, NJ.
- April 2009, PEOSH Compliance Assistance Specialist attended and staffed a booth at the Mid-Atlantic Region Safety, Health and Wellness Expo that was held at the Trump Plaza, Atlantic City, NJ. Information was provided on the LWD PEOSH Consultation, Training and Governor's Safety Award Programs.
- May 2009, the PEOSH Consultation & Training staff assisted with presenting a 10-Hour Construction course to students attending the ISLES – NJ Center for Energy and Environmental Training (NJCEET) at Lincoln Park Coast Cultural District in Newark NJ. This training is part of the green jobs training program that helps dislocated workers and others to find jobs in green industries and related occupations.
- May 2009, PEOSH Compliance Assistance Specialist attended a meeting with the New Jersey Cooperative Education Association held in Trenton, NJ.
- May 2009, PEOSH Compliance Assistance Specialist staffed a booth at the New Jersey Association of Homes and Services for the Aging (NJAHSA) that was held at the Trump Taj Mahal, Atlantic City, NJ. Information was provided on LWD PEOSH Consultation and Training and Governors Safety Award Programs.
- June 2009, PEOSH Compliance Assistance Specialist made a presentation about NJLWD PEOSH programs for the NJ Residential Energy Conservation & Assistance Conference sponsored by Department of Community Affairs and the New Jersey Community Action Association at the Trump Marina Hotel in Atlantic City, NJ.
- June 2009, PEOSH Consultation & Training staff assisted with presented a 10-Hour Construction course to students attending the Hispanic Family Center of Southern New Jersey "Training for Green Jobs" in Camden, NJ. This training is part of the green jobs training program that helps dislocated workers and others to find jobs in green industries and related occupations.
- June 2009, PEOSH Compliance Assistance Specialist represented LWD at the Northern New Jersey Federal Safety & Health Council (NNJFS&H Council) meeting that was held at Roche Labs in Nutley, NJ. Topics discussed at the meeting included the "Roche Curtain Wall Replacement Project"; a Partnership with OSHA; A Success Story; BuildSafeNJ; Gerdau Ameristee; "Take 10" Safety

& Health Program and a presentation to promote June as “Young Worker Safety & Health Month”. OSHA updates were discussed as well.

- June 2009, PEOSH Compliance Assistance Specialist represented LWD at the New Jersey Center of Advanced Infrastructure & Transportation (NJCAIT) and the New Jersey Local Technical Assistant Program (NJLTAP) – Highway Work Zone Partnership meeting that was held at Rutgers University in New Brunswick, NJ.
- July 2009 PEOSH Compliance Assistance Specialist attended The Southern New Jersey Federal Safety & Health Council meeting & safety equipment expo that was held at Seaside Heights, NJ. Informational materials on LWD OSHA-PEOSH Consultation & Training and the Governor’s Safety Award program were provided.
- July and August 2009, LWD PEOSH Consultation & Training staff assisted with presenting 10-Hour Construction courses to students attending the Central Jersey Community Development Corporation in Somerset, NJ, Lincoln Park Coast Cultural District in Newark, NJ and the Hispanic Family Center of Southern New Jersey in Camden, NJ - “Green Job Training Partnership Program” (GJTP). LWD created the GJTP to provide a pipeline of entry-level workers for the new jobs that will be created as a result of Governor Corzine’s Economic Recovery and the State’s Master Energy Plan.
- August 6, 2009, PEOSH Compliance Assistance Specialist represented NJLWD at a Safe School Alliance meeting held at the UMDNJ in Piscataway, NJ. The Occupational Safety & Health Administration “OSHA”, New Jersey Department of Labor & Workforce Development (NJLWD) and the New Jersey Cooperative Education Coordinators Association (NJCECA) discussed working together to provide interested parties with information, guidance and access to training resources that will help them protect the health and safety of NJCECA members, young workers/students, school administrators and other school personnel.
- September 2009, PEOSH Consultation and Training staff assisted with presenting 10-Hour Construction courses to students attending the New Jersey for Energy and Environmental Training (NJCEET) in Trenton, and the Central Jersey Community Development Corporation a/k/a First Baptist Community Development Corporation in Somerset, NJ. The Green Job Training Partnership Programs was created to provide a pipeline of entry-level workers for the new jobs that will be created as a result of Governor Corzine’s Economic Recovery and the State’s Master Energy Plan.
- September 2009, PEOSH Compliance Assistance Specialist attended a meeting at the Northern New Jersey Federal Safety & Health Council (NNJFS&H Council) that was held at the Morris County Firefighter and Police Training Academy in Parsippany, NJ.

- September 2009, PEOSH Compliance Assistance Specialist attended Work Zone Safety Partnership meeting that was held at the NJ Turnpike Authority in Woodbridge, NJ.
- September 2009, PEOSH Compliance Assistance Specialist presented a PEOSH Regulatory Review Workshop at the South Bergen Joint Insurance Fund meeting in Lodi, NJ. Twenty-two (22) municipalities attended totaling approximately 60 participants, including public works personnel, police officials, fire officials and municipal administrators. Presentation consisted of information concerning PEOSH Compliance Officer Inspection procedures, examples of fines/penalties incurred by municipalities for failure to comply with abatement procedures and examples of hazards on the “most frequently cited” list.
- September 2009, PEOSH Compliance Assistance Specialist attended a presentation held by the New Jersey State Police at the Operating Engineers training facility in Dayton, NJ. Topics discussed were emergency responder safety and the use of Incident Command and Accountability system. Task Force One – Urban Search and Rescue Unit also presented and discussed the importance of maintaining and assuring the safety of responders through the use of various communications and tracking systems. The State Police Search and Rescue Helicopter Team presented a safety session regarding the use of aerial search and rescue equipment such as helicopters and search planes and the hazards which must be considered when using this equipment. High voltage power lines and other high-level hazards were discussed in addition to weather hazards faced by the crew.

Outreach and Compliance Assistance

ARRA STIMULUS OUTREACH ARRA stimulus money (17 + million dollars) is available to NJ to provide summer youth employment (up to age 24) The stimulus money is being distributed to all the NJ counties. Most of the employment will be in the public sector and some will be employed by non-profit groups.

NJDLWD, Division of Public Safety and Occupational Safety and Health with the assistance of the NJDHSS, Public Employees Occupational Safety and Health Program developed an Alert on Youth Occupational Safety and Health awareness. This bulletin was distributed to the employers of these youth workers. The alert is available at: http://lwd.dol.state.nj.us/labor/forms_pdfs/lse/summer_youth_program.pdf

NJDLWD conducted 82 inspections at summer youth sites. 27 violations were identified and 82 reports were issued.

NJLWD and NJDHSS provided safety and health awareness training for monitors and inspectors who made field visits to the work sites where the youth are currently employed.

The training took place at the LWD Building 13th floor auditorium on June 29 and June 30, 2009 from 9 a.m. to 3:30 p.m. Two sessions were conducted to accommodate those invited to this training (LWD staff, county monitors, etc.).

PREPARING THE WORKPLACE (H1N1 TRAINING) The PEOSH Program received requests from public employers and other public employee groups for presentations on preparing the workplace for H1N1 flu.

The following organizations received training;

- The PEOSH Advisory Board September 3, 2009
- NJ State Industrial Safety Committee/NJ Chapter of the American Society of Safety Engineers - September 22, 2009
- NJ Department of Transportation - September 29, 2009

The PEOSH Program presentation included information on the modes of transmission of influenza, a comparison of seasonal flu and pandemic flu and workplace pandemic planning.

The NJDHSS PEOSH Program assisted the NJ Fire Commission, Health and Safety Advisory Council in the development of a handout to provide to the fire fighters at the NJ State Fireman's Association Convention in Wildwood (Sept. 19 and 20, 2009). The H1N1 handout will serve as a reminder to firefighters of precautions in avoiding exposure when at work and home.

The NJDHSS PEOSH Program is assisting the NJDHSS, Office of Certificate of Need and Healthcare Facility Licensure in developing their regulations on safe patient handling and workplace violence prevention in health care facilities.

U.S. Chemical Safety and Hazard Investigation Board: PEOSH staff met with representatives from the U.S. Chemical Safety and Hazard Investigation Board (CSB). The CSB requested the meeting because they are encouraging the State of Florida to create a public employee health and safety program in Florida. CSB is interested because they recently completed an investigation of an explosion at a sewerage treatment plant in Florida. The accident resulted in injuries and fatalities to public employees. The CSB described the accident and causes. We described the PEOSH Program to the CSB and we offered to discuss PEOSH with representatives from the State of Florida.

As a result of the meeting a request was made to the NJDHSS RTK Program to determine if any public workplace had large quantities of methanol on site. No public workplace was identified.

New Jersey Fire Commission, Firefighter Health and Safety Advisory Council; The Committee meets quarterly to discuss health and safety issues that affect New Jersey Firefighters and make recommendations to the NJ Fire Commission. In FFY 2009, the Committee worked on issues including firefighter personal protective clothing, fire fighter training and discussion of fire fighter fatalities.

Metropolitan Area Safety and Health Committee: PEOSH staff participate on the Metropolitan Area Safety and Health (MASH) Committee. At the last MASH meeting at the OSHA Region 2 office in New York City a presentation on some of the current FEMA preparedness initiatives was provided by the FEMA Region 2, Preparedness Analyst, Planning Officer.

The mission of the MASH committee is to establish an association of health and safety professionals from government agencies and infrastructure sectors to promote worker health and safety in response to a disaster or emergency situation in or around the New York/New Jersey metropolitan region. Representatives from Federal OSHA, New York City, the state of New York, the state of New Jersey and the Port Authority attend.

PEOSH staff participated on the Safe Schools Committee. Safe Schools is a project supported by the NJ Department of Education, Office of Vocational-Technical and Career Education, to assist schools in meeting environmental and occupational safety and health regulations and protecting students and staff from occupational injuries and illnesses. Staff participated in the Safe Schools Task Force Meeting to discuss potential occupational safety and health hazards for students placed in cooperative education programs in agriculture settings.

Certified Educational Facilities Manager Program Training Partnership: The PEOSH Education and Training staff entered into an informal training partnership with the Rutgers University – Bloustein School of Planning and Public Policy to provide Indoor Air Quality Designated Persons Training as part of their Certified Educational Facilities Manager (CEFM) certification program. The CEFM certification is required of all public works managers in the state of NJ.

Certified Public Works Manager Program Training Partnership: The NJDHSS PEOSH Program enforces the New Jersey Indoor Air Quality Standard, which applies to all public and charter schools in New Jersey. While the standard is intended to protect the health of teachers and custodians, compliance with the standard also is protective of the health of public school children throughout the state from indoor contaminants, including mold. One of the requirements of the standard is for the employer to identify and train a Designated Person responsible for complying with the standard. This responsibility typically falls on the Educational Facilities Manager.

THE NJDHSS PEOSH Program has entered into a training partnership with the Rutgers, Certified Educational Facilities Manager (CEFM) program. Under the agreement the NJDHSS PEOSH Program is providing Designated Person Training in five locations throughout the state as part of the Rutgers certificate program. The course is attended by Educational Facilities Manager. The Rutgers CEFM program benefits from this partnership by being able to offer attendees up-to-date regulatory guidance directly from the regulatory agency and being able to assure that students who achieve the certification will meet the training requirements of the Indoor Air Quality Standard. Assuring that facilities managers in New Jersey Schools have a basic understanding of the importance of good indoor air quality is anticipated to have a benefit to all occupants of our public schools by reducing preventable and costly chronic diseases associated with poor indoor air quality, including asthma.

The Asthma Coalition: This is a multi- departmental effort to promote a segment of the “Healthy New Jersey 2010” published by the New Jersey Department of Health and Senior Services (DHSS). The membership of the coalition comprises of NJDHSS, NJ Department of Environmental Protection, NJ Department of Education and NJ Department of Human Services. PEOSH staff attended the NJDHSS-Asthma Awareness and Education Program (AAEP), Asthma Committee Meeting, to review the Asthma Strategic Plan. The Asthma Strategic Plan is organized by nine (9) focus areas. The meeting reviewed comments on the objectives, strategies, performance indicator(s) and evaluation in these areas. AAEP is funded by the CDC to address the burden of asthma in New Jersey, through partnerships, interventions, and surveillance. As a requirement of our Cooperative Agreement, the NJDHSS-AAEP is responsible for developing and maintaining a New Jersey Asthma Strategic Plan.

NJDHSS Office of Certificate of Need and Healthcare Facility Licensure: The NJDHSS PEOSH Program is assisting the NJDHSS, Office of Certificate of Need and Healthcare Facility Licensure in developing their regulations on safe patient handling and workplace violence prevention in health care facilities.

The New Jersey Safe Patient Handling Act was approved January 3, 2008. The responsibility of developing and enforcing regulations

H1N1 Flu Response: Staff from the PEOSH Program provided assistance to the New Jersey Department of Health and Senior Services H1N1 flu response.

PEOSH staff was at the EPI Call Center for eight days from Friday May 1 through Friday May 8 to answer occupationally related H1N1 flu questions.

PEOSH provided information that could be used on the NJDHSS website on occupationally related information.

The NJDHSS, Chief of Employee Health and Safety consulted with PEOSH staff concerning the issuing and using of respirators.

LINCS Meetings

PEOSH staff met with representatives from six LINCS agencies to discuss worker protection issues relating to the Novel Influenza A H1N1 event. The agencies visited were Sussex, Morris, Hunterdon, Mercer, Camden and Burlington. The following are significant issues discussed.

The Emergency Use Authorization: All were aware that for purposes of their responders (LINCS, Health Dept., EMS, PD and volunteers (MRC & CERT)), the standard was in force. In addition, should an N-95 other than the model used in their Respiratory Protection Program, it would need to be fit tested.

SNS N-95 provisions included several different makes & models: Most LINCS agency do not know which organizations use which type of respirator. One LINCS does survey law enforcement, EMS, OEM, MRC but have not tested their procedure to see that it will direct the appropriate N-95s to each organization.

SNS distribution procedure: Most LINCS agencies are looking to NJDHSS for guidance on the expectations, criteria and procedure for executing the distribution. One agency did distribute the SNS to hospitals and was not planning on recalling it.

OSHA guidance on preparing a workplace for an influenza pandemic: On issue discussed was the OSHA protocol for estimating the number of respirators an organization should stockpile. All agencies were surprised by the magnitude of the stockpile, e.g. EMS squads should stockpile 480 per member. The agencies were referred to the OSHA website (<http://osha.gov/dsg/topics/pandemicflu/index.html>) for guidance on preparing for pandemic flu.

Hospitals out of N-95s: One hospital ran out it's because its standing order could not be filled by the manufacturer in the previous month, before the H1N1 event. One local health department had the police department take their stockpile in case the police needed more respirators. This brings up several questions concerning the police department respiratory protection program.

Allocation of N-95s: Most manufacturers had begun to allocate N-95s early in the event. From a recent phone conversation with one of the manufacturers, this fall will be worse since much of their manufacturing is outside the US. These nations are requiring all N-95s manufactured to remain in the country to fill that country's own needs first. The manufacturer mentioned that this would be a widespread issue in the industry. We may need to use other filtering face piece respirators (R-99/100s & P-99/100s), or even elastomeric cartridge respirators.

The use of higher protection filtering face piece respirators brings on additional questions, such as “Is the fit of the higher level “masks” made by the same manufacturer equivalent enough to forgo fit testing as each type runs out?”

PEOSH staff offered to provide respiratory protection training and fit test training to the LINCS Agencies and responders (EMS, MRC, Law Enforcement) The first meeting is scheduled for August 25th in Morris County. The following is the agenda.

Respiratory Protection Preparedness For Emergency Response

Meeting topics will include developing and implementing an effective and PEOSH compliant respiratory protection program, fit test training and discussion of issues related to activating the program in an emergency event.

AM - Developing a written Respiratory Protection Program Including:

- Models available from PEOSH
- Hazard identification
- Respirator Selection
- Medical Clearance
- Fit Testing
- Training
- Deployment
- Storage
- Inspection, maintenance & repair
- Disposal
- Recordkeeping

PM - Discussion on fit testing & Workshop on performing Qualitative Fit testing

Additional Issues:

- Stockpiling
- Voluntary use
- Decisions to require use
- Extending the time/use limits
- Use of respirators other than ones in the program

Open Discussion, Questions & Answers

Staff from the NJ Department of Community Affairs, Division of Fire Safety consulted with PEOSH staff in the development of a Safety Alert they issued providing recommendations to emergency medical services (EMS) providers.

NJLWD Homeland Security Activities 10/01/08-9/30/09

- December 2008 OSHA On-Site Consultant assisted Bishop McCarthy Residence in Vineland with the production of an Emergency Evacuation training video.
- NJLWD staff attends monthly meetings of the Domestic Security Preparedness Planning Group (DSPPG) Lawrenceville, NJ.
- NJLWD staff participates in OSHA State Plan Emergency Preparedness and Response conference calls.
- March 2009- NJ EMS Task Force (Intervention) on Respiratory Protection.
- May 2009 NJLWD staff attended meeting at NJ Office of Homeland Security and Preparedness where adding safety programs to the NJ LEARN website was discussed.
- NJLWD staff participates in meetings of the OSHA Regional Emergency Management Planning Committee.
- NJLWD staff attended train-the-trainer refresher training at theUMDNJ School of Public Health in Piscataway, NJ for Disaster Site Worker Training.
- NJLWD staff attended (OSHA) “Red October” exercise planning meetings at the Lakehurst Naval Air Station in Lakehurst, NJ.
- NJLWD staff attended the NJ Department of Labor & Workforce Development COOP/COG Meeting.
- July 2009, NJ Office of Homeland Security and Preparedness Seconds Meeting.
- NJLWD staff attended the August 2009 orientation at the New Jersey Regional Operations and Intelligence Center (ROIC).

Standards and Regulations Adoption:

NJ Register

VOLUME 41, ISSUE 24

ISSUE DATE: DECEMBER 21, 2009

SPECIAL ADOPTION

**LABOR AND WORKFORCE DEVELOPMENT
PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH**

41 N.J.R. 4830(a)

Special Adopted New Rules: N.J.A.C. 12:100-14 through 18

Special Adopted Recodification with Amendments: N.J.A.C. 12:100-17 as 19

Shipyard Employment, Marine Terminals, Longshoring, Gear Certification, and Workshops/Rehabilitation Facilities

Adopted: November 25, 2009 by David J. Socolow, Commissioner, Department of Labor and Workforce Development.

Filed: November 25, 2009 as R.2009 d.391.

Authority: *N.J.S.A. 34:1-20, 34:1A-3(c)* and *34:6A-25* et seq., specifically 34:6A-30.

Effective Date: December 21, 2009.

Expiration Date: June 6, 2010.

SUBCHAPTER 14. SHIPYARD EMPLOYMENT

12:100-14.1 Scope of subchapter

This subchapter shall apply to shipyard employment safety and health standards adopted by reference.

12:100-14.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1915, Occupational Safety and Health Standards for Shipyard Employment, with the amendments published in the Federal Register through November 18, 2009 and any subsequent amendments thereto, are adopted upon publication in the New Jersey Register and are incorporated herein by reference as occupational safety and health standards for the protection of employees engaged in shipyard operations and shall include:

- 1. Subpart A--General Provisions;**
- 2. Subpart B--Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment;**
- 3. Subpart C--Surface Preparation and Preservation;**
- 4. Subpart D--Welding, Cutting and Heating;**
- 5. Subpart E--Scaffolds, Ladders and Other Working Surfaces;**
- 6. Subpart F--General Working Conditions;**
- 7. Subpart G--Gear and Equipment for Rigging and Materials Handling;**
- 8. Subpart H--Tools and Related Equipment;**
- 9. Subpart I--Personal Protective Equipment (PPE);**
- 10. Subpart J--Ship's Machinery and Piping Systems;**
- 11. Subpart K--Portable, Unfired Pressure Vessels, Drums and Containers, Other than Ship's Equipment;**
- 12. Subpart L--Electrical Machinery;**
- 13. Subpart P--Fire Protection in Shipyard Employment; and**
- 14. Subpart Z--Toxic and Hazardous Substances;**

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by any incorporation by reference as prescribed in (a) above.

12:100-14.3 Compliance with referenced standards

(a) The standards contained in *N.J.A.C. 12:100-14.2* shall apply according to the provisions thereof.

(b) Each employer shall protect his or her employees by complying with the standards prescribed in *N.J.A.C. 12:100-14.2*.

SUBCHAPTER 15. MARINE TERMINALS

12:100-15.1 Scope of subchapter

This subchapter shall apply to marine terminal safety and health standards adopted by reference.

12:100-15.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1917, Marine Terminals, with the amendments published in the Federal Register through November 18, 2009 and any subsequent amendments thereto, are adopted upon publication in the New Jersey Register and are incorporated herein by reference as occupational safety and health standards for the protection of public employees working within marine terminals and shall include:

- 1. Subpart A--General Provisions;**
- 2. Subpart B--Marine Terminal Operations;**
- 3. Subpart C--Cargo Handling Gear and Equipment;**
- 4. Subpart D--Specialized Terminals;**
- 5. Subpart E--Personal Protection;**
- 6. Subpart F--Terminal Facilities;**
- 7. Subpart G--Related Terminal Operations and Equipment; and**
- 8. Appendix I to Part 1917 Special Cargo Gear and Container Spreader Test Requirements (Mandatory).**

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by any incorporation by reference as prescribed in (a) above.

12:100-15.3 Compliance with referenced standards

(a) The standards contained in *N.J.A.C. 12:100-15.2* shall apply according to the provisions thereof.

[page=4831] **(b) Each employer shall protect his or her employees by complying with the standards prescribed in *N.J.A.C. 12:100-15.2*.**

SUBCHAPTER 16. LONGSHORING

12:100-16.1 Scope of subchapter

This subchapter shall apply to safety and health standards adopted by reference for longshoring operations and related employments.

12:100-16.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1918, Safety and Health Regulations for Longshoring, with the amendments published in the Federal Register through November 18, 2009 and any subsequent amendments thereto, are adopted upon publication in the New Jersey Register and are incorporated herein by reference as occupational safety and health standards and shall include:

- 1. Subpart A--General Provisions;**
- 2. Subpart B--Gear Certification;**
- 3. Subpart C--Gangways and Other Means of Access;**
- 4. Subpart D--Working Surfaces;**
- 5. Subpart E--Opening and Closing Hatches;**
- 6. Subpart F--Vessel's Cargo Handling Gear;**
- 7. Subpart G--Cargo Handling Gear and Equipment Other than Ship's Gear;**
- 8. Subpart H--Handling Cargo;**
- 9. Subpart I--General Working Conditions;**
- 10. Subpart J--Personal Protective Equipment;**
- 11. Appendix I to Part 1918--Cargo Gear Register and Certificates (Non-mandatory);**
- 12. Appendix II to Part 1918--Tables for Selected Miscellaneous Auxilliary Gear (Mandatory);**
- 13. Appendix III to Part 1918--The Mechanics of Conventional Cargo Gear (Non-mandatory);**
- 14. Appendix IV to Part 1918--Special Cargo Gear and Container Spreader Test Requirements (Mandatory); and**

15. Appendix V to Part 1918--Basic Elements of a First Aid Training Program (Non-mandatory).

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by any incorporation by reference as prescribed in (a) above.

12:100-16.3 Compliance with referenced standards

(a) The standards contained in *N.J.A.C. 12:100-16.2* shall apply according to the provisions thereof.

(b) Each employer shall protect his or her employees by complying with the standards prescribed in *N.J.A.C. 12:100-16.2*.

SUBCHAPTER 17. GEAR CERTIFICATION

12:100-17.1 Scope of subchapter

This subchapter shall apply to standards adopted by reference for accreditation of persons for purposes of certificating vessels cargo gear and shore-based material handling devices and the duties of such persons.

12:100-17.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1919, Gear Certification, with the amendments published in the Federal Register through November 18, 2009 and any subsequent amendments thereto, are adopted upon publication in the New Jersey Register and are incorporated herein by reference as occupational safety and health standards and shall include:

- 1. Subpart A--General Provisions;**
- 2. Subpart B--Procedure Governing Accreditation;**
- 3. Subpart C--Duties of Persons Accredited to Certificate Vessels' Cargo Gear;**
- 4. Subpart D--Certification of Vessels' Cargo Gear;**
- 5. Subpart E--Certification of Vessels: Tests and Proof Loads; Heat Treatment; Competent Persons;**
- 6. Subpart F--Accreditation to Certificate Shore-Based Equipment;**
- 7. Subpart G--Duties of Persons Accredited to Certificate Shore-Based Material Handling Devices; and**
- 8. Subpart H--Certification of Shore-Based Material Handling Devices.**

12:100-17.3 Compliance with referenced standards

(a) The standards contained in *N.J.A.C. 12:100-17.2* shall apply according to the provisions thereof.

(b) Each employer shall protect his or her employees by complying with the standards prescribed in *N.J.A.C. 12:100-17.2*.

SUBCHAPTER 18. WORKSHOPS/REHABILITATION FACILITIES

12:100-18.1 Scope of subchapter

This subchapter shall apply to workshops and rehabilitation facilities assisted by a grant pursuant to section 12 or section 13 of the Vocational Rehabilitation Act Amendments of 1965, 79 Stat. 1284, 1286.

12:100-18.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1924, Safety Standards Applicable to Workshops and Rehabilitation Facilities Assisted by Grants, with the amendments published in the Federal Register through November 18, 2009 and any subsequent amendments thereto, are adopted upon publication in the New Jersey Register and are incorporated herein by reference as occupational safety and health standards.

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by any incorporation by reference as prescribed in (a) above.

12:100-18.3 Compliance with referenced standards

(a) The standards contained in *N.J.A.C. 12:100-18.2* shall apply according to the provisions thereof.

(b) Each employer shall protect his or her employees by complying with the standards prescribed in *N.J.A.C. 12:100-18.2*.

SUBCHAPTER [17.] 19. STANDARDS AND PUBLICATIONS REFERRED TO IN THIS CHAPTER

12:100-[17.1]19.1 Documents referred to by reference

(a) The full title and edition of each of the standards or publications referred to in this chapter are as follows:

1.-2. (No change.)

3. 29 CFR Part 1915, Occupational Safety and Health Standards for Shipyard Employment;
4. 29 CFR Part 1917, Marine Terminals;
5. 29 CFR Part 1918, Safety and Health Regulations for Longshoring;
6. 29 CFR Part 1919, Gear Certification;
7. 29 CFR Part 1924, Safety Standards Applicable to Workshops and Rehabilitation Facilities Assisted by Grants;

Recodify existing 3.-23. as **8.-28.** (No change in text.)

12:100-[17.2]**19.2** (No change in text.)

12:100-[17.3]**19.3** Availability of documents from issuing organization

Copies of the standards and publications referred to in this chapter may be obtained from the organizations listed below. The abbreviations preceding these standards and publications have the following meaning, and are the organizations issuing the standards and publications listed in *N.J.A.C. 12:100-[17.1]***19.1**:

OFFICE OF ADMINISTRATIVE LAW NOTE: Pursuant to *N.J.S.A. 52:14B-7(c)* and *N.J.A.C. 1:30-5.2(a)2*, the text of 29 CFR 1915, 1917, 1918, 1919 and 1924 adopted herein by reference by the Department of Labor and Workforce Development is not published herein, but may be reviewed by contacting:

New Jersey Department of Labor and Workforce Development
Office of Public Employees' Occupational Safety and Health
1 John Fitch Plaza
3rd Floor
[page=4832] Trenton, New Jersey 08625
Phone 609-633-3896
New Jersey Office of Administrative Law
9 Quakerbridge Plaza
PO Box 049
Trenton, NJ 08625-0049
Phone 609-588-6614

The text of these CFR Parts may also be reviewed at
<http://www.gpoaccess.gov/cfr/index.html>.

29 CFR Part 1910 RIN 1218-AC08
Revising Standards Referenced in the Acetylene Standard
AGENCY: Occupational Safety and Health
Administration (OSHA), Department of Labor.

ACTION: Final rule; confirmation of

29 CFR Parts 1910, 1915, 1917, 1918 and 1926 RIN 1218-AC42
Clarification of Employer Duty to Provide Personal Protective
Equipment and Train Each **Employee**

AGENCY: Occupational Safety and Health
Administration (OSHA), U.S. Department of Labor.

ACTION: Final rule.

CASPA

In FFY 2009, there were no PEOSH CASPAs.

Variations

In FFY 2009, there were no requests for variations.

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: Improve workplace safety and health for all public employees as evidenced by fewer hazards, reduced exposures and fewer injuries, illnesses and fatalities.

Outcome Goal: Reduce the number of worker injuries and illnesses by focusing statewide attention and agency resources on the most prevalent types of injuries and illnesses; the most hazardous public occupations, and the most hazardous workplaces.

Performance Goal 1.1: Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS code by 5% by 2013 as follows (1% per year): **State Support Activities for Transportation (NAICS: 488)**

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	08	07	15
	Indicator 2 – Number of consultation visits conducted	00	00	0
	Indicator 3 – Number of outreach/training and education seminars conducted	00	07	7
	Indicator 4 – Number of outreach materials distributed	02	121	123
	Indicator 5 – Number of alliance/partnerships established	00	00	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 488 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	105	07	112
	Indicator 2 - Serious hazards (Consultation)		00	
Primary Outcome Measures	Indicator 3 - Number of employees trained		310	
	Reduction of injuries and illnesses in NAICS 488 by 5% by 2013 from 2008 baseline of 11.5 Total Recordable Cases.			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: Improve workplace safety and health for all public employees as evidenced by fewer hazards; reduced exposures and fewer injuries, illnesses and fatalities.

Outcome Goal: Reduce the number of worker injuries and illnesses by focusing statewide attention and agency resources on the most prevalent types of injuries and illnesses; the most hazardous public occupations, and the most hazardous workplaces.

Performance Goal 1.2: Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS code by 5% by 2013 as follows (1% per year): **State Nursing and Residential Care Facilities (NAICS: 623)**

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	5	22	27
	Indicator 2 – Number of consultation visits conducted	0	0	0
	Indicator 3 – Number of outreach/training and education seminars conducted	0	01	01
	Indicator 4 – Number of outreach materials Distributed	200	118	318
	Indicator 5 – Number of alliance/partnerships established	0	0	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 623 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	114	0	114
	Indicator 2 - Serious hazards (Consultation)		0	
	Indicator 3 - Number of employees trained		08	
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 623 by 5% by 2013 from 2008 baseline of 15.5 Total Recordable Cases.			
Comments	Activity measures include initial and follow-up			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: Improve workplace safety and health for all public employees as evidenced by fewer hazards; reduced exposures and fewer injuries, illnesses and fatalities.

Outcome Goal: Reduce the number of worker injuries and illnesses by focusing statewide attention and agency resources on the most prevalent types of injuries and illnesses; the most hazardous public occupations, and the most hazardous workplaces.

Performance Goal 1.3: Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS code by 5% by 2013 as follows (1% per year): **Local Fire Protection (NAICS: 92216)**

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	81	22	103
	Indicator 2 – Number of consultation visits conducted	8	23	31
	Indicator 3 – Number of outreach/training and education seminars conducted	0	02	02
	Indicator 4 – Number of outreach materials Distributed	50	587	637
	Indicator 5 – Number of alliance/partnerships established	0	00	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 92216 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	1,039	37	1,076
	Indicator 2 - Serious hazards (Consultation)	9	46	55
	Indicator 3 - Number of employees trained		41	
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 92216 by 5% by 2013 from 2008 baseline of 11.7 Total Recordable Cases.			
Comments	Activity measures include initial inspections.			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: Improve workplace safety and health for all public employees as evidenced by fewer hazards; reduced exposures and fewer injuries, illnesses and fatalities.

Outcome Goal: Reduce the number of worker injuries and illnesses by focusing statewide attention and agency resources on the most prevalent types of injuries and illnesses; the most hazardous public occupations, and the most hazardous workplaces.

Performance Goal 1.4: Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS code by 5% by 2013 as follows (1% per year): **Local Police Protection (NAICS: 92212)**

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	183	42	225
	Indicator 2 – Number of consultation visits conducted	2	04	06
	Indicator 3 – Number of outreach/training and education seminars conducted	00	05	05
	Indicator 4 – Number of outreach materials Distributed	40	523	563
	Indicator 5 – Number of alliance/partnerships established	00	00	00
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 92212 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	2,423	49	2,472
	Indicator 2 - Serious hazards (Consultation)	0	7	7
	Indicator 3 - Number of employees trained		136	
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 92212 by 5% by 2013 from 2008 baseline of 11.4 Total Recordable Cases.			
Comments	Activity measures include initial inspections.			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, and participation in safety and health.

Performance Goal 2.1: Foster the development of effective health and safety management systems in 100% of state agencies and offer training programs to 20% of the agencies each year.

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of training programs for Joint Labor Management Health and Safety Committees		00	
	Indicator 2 – Number of educational materials Distributed		00	
	Indicator 3 – Number of partnerships/alliances Established		00	
Intermediate Outcome Measures	Disseminate Guidelines for Joint Labor Management Safety and Health Committees to all state agencies. Offer outreach activities on effective health and safety management systems to 20% of the state agencies per year.			
	Indicator 1 – Number of Joint Labor Management Health and Safety Committees formed or improved.		00	
Primary Outcome Measures	Foster the development of effective health and safety management systems in 100% of state agencies.			
Comments	There are 22 state agencies. Goal is to complete 100% of these agencies in 5 years (20% per year).			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, and participation in safety and health.

Performance Goal 2.2: The NJDHSS PEOSH Program will conduct programmed inspections in 4% of municipal department of public works.

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of programmed inspections		14	14
	Indicator 2 – Number of consultation visits	4	08	08
	Indicator 3 – Number of outreach and training/education seminars conducted	27	08	35
Intermediate Outcome Measures	NJDHSS PEOSH will conduct inspections at 22 municipal DPW's.		14	
Primary Outcome Measures	NJDHSS will conduct inspections at 110 municipal DPW's over the 5 year period.		14	
Comments	Initial Inspections/Visits Only			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, and participation in safety and health.

Performance Goal 2.3: Every year, 90% of public employers targeted through consultation visits rate the intervention as highly effective (score 7 or higher, on a scale of 1 thru 10 on a customer satisfaction survey).

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 Number of initial consultation visits	34	67	101
	Indicator 2 Number of Surveys received	1	35	36
	Indicator 3 Number of survey responses received where the employer rated the consultation visit as highly effective (score 7 or higher, on a scale of 1 thru 10).	1	35	36
Intermediate Outcome Measures	90% of public employers rate the consultation visits as highly effective (score 7 or higher on a scale of 1 through 10).	100% of the survey responses received rated the consultation services as highly effective.		
Primary Outcome Measures	90% of public employers rate the consultation visits as highly effective (score 7 or higher on a scale of 1 through 10).			
Comments	2009 Survey forms returned to Labor could not be located.			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, and participation in safety and health.

Performance Goal 2.4: Every year, 90% of compliance assistance interventions (e.g., outreach, seminars, mass mailings, hazard bulletins, newsletters, etc.) conducted/distributed in the public sector have rated the intervention as highly effective (score of 3 or higher, on a scale of 1 thru 5 on a customer satisfaction survey).

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of education/training seminars conducted	249	101	350
	Indicator 2 – Number of evaluations received	10	45	55
	Indicator 3 – Number of compliance assistance interventions rated as highly effective.	10	45	55
	Indicator 4 – Number of other compliance assistance interventions (e.g. mass mailings, hazard alerts, etc.) conducted/distributed.	02	02	04
Intermediate Outcome Measures	Every year, 90% of compliance assistance interventions, conducted/distributed in the public sector rate the intervention as highly effective (score of 3 or higher, on a scale of 1 thru 5 on customer satisfaction survey).	100%		
Primary Outcome Measures	Every year, 90% of compliance assistance interventions, conducted/distributed in the public sector rate the intervention as highly effective (score of 3 or higher, on a scale of 1 thru 5 on customer satisfaction survey).	100%		

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey's public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, participation in safety and health.

Performance Goal 2.5: 100% of PEOSH Interventions (e.g., inspections, consultations, etc.) will include employee involvement (every year)

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of inspections* conducted	1,423	276	1,699
	Indicator 2 – Number of inspections conducted where employees were conferred with	1,423	276	1,699
	Indicator 3 – Number of consultation* visits conducted	42	147	189
	Indicator 4 – Number of consultation visits conducted where employees were conferred with	42	147	189
	Indicator 5 – Number of education/training seminars conducted	249	101	350
	Indicator 6 – Number of education/training seminars conducted where employees were conferred with.	249	101	350
Intermediate Outcome Measures	100% of PEOSH interventions include employee involvement.			
Primary Outcome Measures	100% of PEOSH interventions include employee involvement.	100% of PEOSH interventions included employee involvement		
Comments	*Includes Initial and Follow Up			

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To promote safety and health values in New Jersey’s public sector workplaces.

Outcome Goal: To promote public sector employer and worker awareness of, commitment to, participation in safety and health.

Performance Goal 2.6: Award Safety and Health Achievement Recognition (e.g., SHARP, Inspection Deferral) to four (4) worksites by 2009.

Performance Indicator Type	Indicator	Result Total
Activity Measures	Indicator 1 – Number of Safety and Health Achievement Recognitions Awarded; Indicator 2 – FFY 2009 Total	06 08
Intermediate Outcome Measures	Award SHARP to 4 workplaces.	06
Primary Outcome Measures	Award SHARP to 20 worksites by 2013.	08
Comments	2nd Quarter: No Sharp’s Awarded 3rd Quarter: Five (5) Sharp’s awarded on 05/19/2009 to Township of Raritan, Department of Public Works, Police Department, and the Fire Department 1 & 2 and the Municipal Building	4th Quarter: No Sharp’s Awarded Existing SHARP sites: Bellmawr FD-Station 2 Bellmawr FD-Station 3

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To secure public confidence through excellence in the development and delivery of PEOSH programs and services.

Outcome Goal: Respond effectively to legal mandates, so that workers are provided full Protection under the PEOSH Act.

Performance Goal 3.1: Initiate inspections of fatalities and catastrophes within one (1) day of notification for 95% of occurrences to prevent further injuries or deaths.

Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of fatalities/catastrophes received.	05	00	05
	Indicator 2 – Number of fatalities/catastrophes investigated within one (1) day of notification.	05	00	05
Intermediate Outcome Measures	95% of investigations started in one (1) day.	100% of fatality investigations were initiated within 1 day.		
Primary Outcome Measures	95% of investigations started in one (1) day.			
Comments				

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To secure public confidence through excellence in the development and delivery of PEOSH programs and services.

Outcome Goal: Respond effectively to legal mandates, so that workers are provided full Protection under the PEOSH Act.

Performance Goal 3.2A: Safety complaints: Initiate 95% of safety complaint inspections within five (5) working days of notification.

Performance Indicator Type	Indicator	Result Total
Activity Measures	Indicator 1 – Number of safety complaints received	96
	Indicator 2 – Number of safety complaints initiated within five (5) working days of notification.	96
Intermediate Outcome Measures	95% of safety complaint inspections initiated within five (5) working days of notification.	100% of safety complaint inspections were initiated within 5 days.
Primary Outcome Measures	95% of safety complaint inspections initiated within five (5) working days of notification.	
Comments:		

**New Jersey Department of Health and Senior Services FFY 2009
State OSHA Annual Report (SOAR): Quarterly Summary Chart**

Strategic Goal: To secure public confidence through excellence in the development and delivery of PEOSH programs and services.

Outcome Goal: Respond effectively to legal mandates, so that workers are provided full Protection under the PEOSH Act.

Performance Goal 3.2B: Health complaints: Initiate 95% of non-indoor air quality (IAQ), sanitation health complaint inspections within five (5) working days of notification.

Performance Indicator Type	Indicator	Result Total
Activity Measures	Indicator 1 – Number of health complaints received Indicator 2 – Number of non-IAQ/sanitation complaints received Indicator 3 – Number of non-IAQ/sanitation health complaints initiated within five (5) days.	150 40 40
Intermediate Outcome Measures	95% of non-IAQ, sanitation health complaint inspections initiated within five (5) working days of notification.	100% of non-IAQ, sanitation health complaints were initiated within 5 days.
Primary Outcome Measures	95% of non-IAQ, sanitation health complaint inspections initiated within five (5) working days of notification.	
Comments	<p>1st Quarter: Average number of days to initiate non-IAQ/sanitation complaints was 3 days Range 1-5 days</p> <p>2nd Quarter: Average number of days to initiate non-IAQ/sanitation complaints was 2.4 days Range 1-5 days</p> <p>3rd Quarter: Average number of days to initiate non-IAQ/sanitation complaints was 2.3 days Range 1-5 days</p>	<p>4th Quarter: Average number of days to initiate non-IAQ/sanitation complaints was 2.2 days Range 1-5 days</p>

