

FY 2018
Follow-up Federal Annual Monitoring Evaluation (FAME) Report

State of New Jersey
Public Employees Occupational Safety and Health (PEOSH)



Evaluation Period: October 1, 2017 – September 30, 2018

Initial Approval Date: January 11, 2001
Program Certification Date: January 22, 2016
Final Approval Date: Not Applicable

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I. Executive Summary

The primary purpose of this report is to assess the New Jersey Public Employee Occupational Safety and Health (PEOSH) State Plan's progress in Fiscal Year (FY) 2018 in resolving outstanding findings from the previous FY 2017 Comprehensive Federal Annual Monitoring Evaluation (FAME) Report.

PEOSH continues to have a presence in state and local government workplaces through its inspection activity, partnerships, and outreach activity. PEOSH conducted 629 inspections in FY 2018 (72% of the 870 inspection goal). This number is considerably lower than the 767 inspections conducted in FY 2017. PEOSH is experiencing challenges with staff retention – particularly safety enforcement staff. During FY 2018, PEOSH safety lost two inspectors due to retirement and as such, the newly confirmed labor commissioner recently granted permission to hire two additional safety inspectors. In addition, PEOSH health lost one administrative position due to retirement. A replacement was hired in January 2019. This year, PEOSH exceeded their projected consultation visits goal by 35 visits.

PEOSH also continues to excel in outreach and training, and its compliance assistance and training staff conducted significant outreach in targeted high-hazard industries. In addition, PEOSH also continues to be a leader in the realm of homeland security in New Jersey. PEOSH personnel continue to serve as key members of the emergency response community and have served in leadership roles in a number of local, state, and federal emergency response efforts and activities. This participation helps to ensure effective PEOSH integration into the emergency response community.

During the FY 2018 performance period, PEOSH continued to be very responsive to providing requested information to the Region in a timely manner and actively participated in the regular Quarterly Meetings. Staff made it a priority to work through outstanding findings and recommendations identified in previous FAME reports. In general, PEOSH program administration maintains a high level of performance.

Last year's FAME report included three findings which related to data and information not being complete and/or not being entered into OSHA's Information System (OIS), granting Petition for Modification of Abatements (PMAs) without the required interim steps necessary to protect workers, and insufficient documentation in consultation case files. These three findings have been continued in this FY 2018 report.

The five observations from the FY 2017 comprehensive FAME report are being continued for further monitoring during the upcoming performance period. Appendix A of this report describes the continued findings and recommendations. Appendix B describes observations and the related federal monitoring plans. Appendix C describes the status of previous findings with associated completed corrective actions.

II. State Plan Background

On January 16, 2018, Philip D. Murphy was sworn in as the 56th governor of New Jersey. He announced his selection of Robert Asaro-Angelo as Labor Commissioner who was confirmed on March 26, 2018. Commissioner Asaro-Angelo oversees the New Jersey State Plan which includes two offices: a labor (safety) central office and a health central office – both located in Trenton, New Jersey. These two offices cover all state and local government enforcement and consultation activities in New Jersey.

PEOSH covers both safety and health disciplines. Private sector enforcement is retained under federal jurisdiction, while private sector consultative services are provided by the NDJLWD Consultation Services Bureau under section 21(d) of the OSH Act. Private sector consultation services are administered under a separate grant. A review of that program is not included in this report. The New Jersey State Plan agreement requires PEOSH to adopt all applicable OSHA safety and health standards – either identically or as alternative standards “at least as effective as” the federal standards.

PEOSH does not contain provisions for the issuance of monetary penalties for state and local government employers found not to be in-compliance with applicable standards on a first instance basis – except in cases of willful or repeat violations. There is also a provision for penalties on all failure to correct violations. PEOSH’s review proceedings are similar to OSHA review procedures.

The table below presents PEOSH’s funding history over the past five years:

FY 2014-2018 Funding History					
Fiscal Year	Federal Award (\$)	State Plan Match (\$)	100% State Plan Funds (\$)	Total Funding (\$)	Percentage of State Plan Contribution
2018	\$1,921,400	\$1,921,400	\$1,013,965	\$4,856,765	60.4%
2017	\$1,921,400	\$1,921,400	\$1,252,679	\$5,095,479	62.3%
2016	\$1,921,400	\$1,921,400	\$1,165,793	\$5,008,593	61.6%
2015	\$1,921,400	\$1,921,400	\$911,664	\$4,754,464	59.5%
2014	\$1,912,800	\$1,912,800	\$824,156	\$4,649,756	58.9%

In the FY 2018 grant application, PEOSH allocated for 15.05 enforcement staff and had 12.55 onboard; 2.50 safety and health consultants were allocated and 1.50 was onboard. PEOSH has half a full-time employee whistleblower investigator position onboard. PEOSH does not meet staffing expectations (20 safety/seven health); however, as a state and local government-only State Plan, PEOSH is not subject to required benchmark levels.

New Issues

None.

Electronic Reporting Rule

On May 12, 2016, OSHA published the Final Rule to Improve Tracking of Workplace Injuries and Illnesses. The rule amended the regulations on recording and reporting occupational injuries and illnesses to require employers with 250 or more employees to submit injury and illness Forms 300, 300A, and 301 to OSHA electronically through the Injury Tracking application (ITA) on an annual basis. State Plans were required to adopt an “at least as effective” rule by November 14, 2016 or within six months of OSHA’s promulgation.

Subsequently, OSHA rescinded the requirement to submit electronically Forms 300 and 301 (NPRM on July 30, 2018, final rule on January 25, 2019). Initially, a number of State Plans, including PEOSH delayed adoption of the rule during the rulemaking. Now that this rulemaking has concluded, OSHA expects the PEOSH State Plan to complete adoption of this rule.

III. Assessment of State Plan Progress and Performance

A. Data and Methodology

OSHA has established a two-year cycle for the FAME process. This is the follow-up year, and as such, OSHA did not perform an on-site case file review associated with a comprehensive FAME. This strategy allows the State Plan to focus on correcting deficiencies identified in the most recent comprehensive FAME. The analyses and conclusions described in this report are based on information obtained from a variety of monitoring sources, including:

- State Activity Mandated Measures Report (Appendix D)
- State Information Report
- Mandated Activities Report for Consultation
- State OSHA Annual Report (Appendix E)
- State Plan Annual Performance Plan
- State Plan Grant Application
- Quarterly monitoring meetings between OSHA and the State Plan

B. Findings and Observations

This report contains three findings (continued) and five observations (continued). Appendix A describes the continued findings and recommendations. Appendix B describes observations subject to continued monitoring and the related federal monitoring plan. Appendix C describes the status of each FY 2017 recommendation in detail.

Completed Findings

There were no completed findings identified in FY 2018.

Continued Findings

Finding FY 2018-01 (Finding FY 2017-01): *OIS Data/Information*

Data/information was incomplete and/or not entered into OIS. Incomplete data entry or missing OIS 93 forms were observed in all six (100%) of the enforcement health case files reviewed in FY 2017 where sampling was performed. In addition, in FY 2017, both of the consultation files with sampling conducted were missing OIS 93 form or evidence of data entry into OIS.

Status: Department of Health (DOH) staff have been instructed to enter sampling data collected. All sample results will be provided to the employer, worker, and complainant. The corrective action has been completed, but a case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus of next year's on-site case file review during the FY 2019 comprehensive FAME and remains open, awaiting verification.

Finding FY 2018-02 (Finding FY 2017-02): *Petition for Modification of Abatement (PMA)*

PMAs are being granted without the required interim steps necessary to protect workers in seven of the nine (78%) case files reviewed in FY 2017 (five of seven NJDOH files/two of two NJDLWD files).

Status: All CSHOs have been instructed to utilize the PMA request form developed by PEOSH which requires each element of a PMA request to be satisfied prior to granting the extension. The corrective action has been completed, but a case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus of next year's on-site case file review during the FY 2019 comprehensive FAME and remains open, awaiting verification.

Finding FY 2018-03 (Finding FY 2017-03): *Consultation Case File Documentation*

Documentation in the consultation case files was lacking. Specifically in FY 2017:

- All 10 (100%) case files that required a Form 33 to be completed had incompletely filled out forms and the rationale for scoring was not supported by the facts in the files.
- Adequate abatement was lacking in seven out of 10 (70%) consultation files with hazard notices.
- Three out of four (75%) extension requests were missing information such as interim protections and/or the reason for the delay.
- Seven out of seven (100%) case files lacked evidence of the List of Hazards being forwarded to the union.
- Two out of four (50%) technical assistance files were missing evidence of a hazard assessment.
- Two out of three (67%) consultation health files failed to document the noise levels even though these hazards were recognized and sampling had not been conducted previously.

Status: One or more attributes in each of the seven subject areas on Form 33 will be completed by

consultants. Consultants will ensure that rationale for scoring is supported by facts. All case files will include adequate hazard abatement documentation. Employers will be required to complete a standardized “abatement extension request” form. The completed form will be reviewed by a supervisor and documented in the case file. Consultants will forward the List of Hazards to the union/worker representative and document the action in the case file. All Training and Assistance (T/A) visits not preceded by an initial consultation visit will include documentation of an enforcement visit in the case file. Noise levels and recommendations for worker protections will be adequately documented when applicable. A case file review is necessary to gather the facts needed to evaluate progress on this finding. This finding will be a focus of next year’s on-site case file review during the FY 2019 comprehensive FAME and remains open.

New FY 2018 Finding

No new findings were identified in FY 2018.

Closed Observations

There were no closed observations identified in FY 2018.

Continued Observations

Observation FY 2018-01 (FY 2017-OB-01): *Notification to Complainant*

In two (33%) of the six health complaint case files reviewed in FY 2017, the letter sent to the complainant did not address why a complaint item was not cited or the results of the inspection.

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year’s on-site case file review during the FY 2019 comprehensive FAME. This observation is continued.

Observation FY 2018-02 (FY 2017-OB-02): *Adequate Evidence to Support Violations*

Evidence to support violations was inadequate in six (19%) of the 31 case files reviewed in FY 2017 that had citations issued (zero of nine NJDOH files/six of 22 NJDLWD files). All six case files had citations issued for 1910.38(b) and 1910.39(b). No other standard referenced. The 1910.38 provisions are applicable and may be referenced only when another OSHA standard requires an Emergency Action Plan (EAP).

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year’s on-site case file review during the FY 2019 comprehensive FAME. This observation is continued.

Observation FY 2018-03 (FY 2017-OB-03): *Missed Violations*

In FY 2017, missed violations were noted in three of the 31 (10%) case files reviewed with violations (three of nine NJDOH files/zero of 22 NJDLWD files). The missed violations included inoperable bathrooms, missing exit signs, housekeeping for asbestos, access to exposure records, eyewash not functioning correctly, and a lack of an emergency response plan.

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2019 comprehensive FAME. This observation is continued.

Observation FY 2018-04 (FY 2017-OB-04): *Appropriateness of Violation Classification*

In FY 2017, Severity/probability given on the violation worksheet did not match to the injury/illness assessed in six of the 31 (16%) case files reviewed that had violations (five of nine NJDOH files/one of 22 NJDLWD files).

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2019 comprehensive FAME. This observation is continued.

Observation FY 2018-05 (FY 2017-OB-05): *Consultation Reports*

There were delays in issuing consultation reports. Specifically in FY 2017:

- Five out of 15 (33%) consultation reports were not issued to the employer within 20 calendar days.
- Three out of 15 (20%) consultation files had opening conference dates that were different from the closing conference date.

Status: A case file review is necessary to gather the facts needed to evaluate performance in relation to this observation. This observation will be a focus of next year's on-site case file review during the FY 2019 comprehensive FAME. This observation is continued.

New FY 2018 Observations

No new observations were identified in FY 2018.

C. State Activity Mandated Measures (SAMM) Highlights

Each SAMM has an agreed upon further review level (FRL) which can be either a single number, or a range of numbers above and below the national average. State Plan SAMM data that falls outside the FRL triggers a closer look at the underlying performance of the mandatory activity. Appendix D presents PEOSH's FY 2018 State Activity Mandated Measures (SAMM) Report and includes the FRLs for each measure. The State Plan was outside the FRL on the following SAMMs:

SAMM 2a – Average number of workdays to initiate complaint investigations (state formula):

Discussion of State Plan data and FRL: PEOSH's average number of workdays to initiate complaint investigations was 2.99 days for FY 2018, which is higher than the negotiated FRL number of one workday.

Explanation: NJDOH receives a high number of indoor air quality (IAQ) complaints, which constitutes the majority of the phone/fax complaints. Although the average number is above the

negotiated FRL it has significantly decreased from the 4.47 days in FY 2017. OSHA will continue to monitor the progress on this issue.

SAMM 5 – Average number of violations per inspection with violations by violation type:

Discussion of State Plan data and FRL: The FRL for the average number of violations per inspection with violations by violation type is +/- 20% of the three-year national average of 1.82 for serious/willful/repeat (S/W/R) violations, which equals a range of 1.46 to 2.18. PEOSH's S/W/R average is 3.68 violations, which is above the FRL range. The FRL for other-than-serious (OTS) violations is +/- 20% of the three-year national average of 0.98 which equals a range of 0.78 to 1.18. PEOSH's OTS average is 2.57 (also above the FRL range).

Explanation: PEOSH's violations per inspection continue to be above average.

SAMM 7 – Planned v. actual inspections – safety/health:

Discussion of State Plan data and FRL: The FRL for planned v. actual inspections is +/- 5% of the negotiated number of 720 safety inspections which equals a range of 684 to 756 inspections and 150 health inspections which equals a range of 142.50 to 157.50 inspections. PEOSH's safety staff conducted 474 inspections which is substantially lower than the FRL. The health staff conducted 150 inspections which is within the FRL range.

Explanation: PEOSH's low number of safety inspections can be attributed to the loss of two safety enforcement staff bringing the number down from eight to six. Three of the six remaining safety enforcement staff are also assigned to conduct PEOSH whistleblower complaint investigations which can displace enforcement inspection activity. PEOSH has requested and received approval from the new administration for the hiring of replacements for the vacant positions.

SAMM 10 – Percent of work-related fatalities responded to in one workday:

Discussion of State Plan data and FRL: During FY 2018, two work-related fatalities were reported – the same number as in FY 2017. PEOSH's one-day response time was 100%.

Explanation: PEOSH continues to perform well under SAMM 10.

SAMM 11 – Average lapse time:

Discussion of State Plan data and FRL: The FRL for average lapse time for safety is +/- 20% of the three-year national average of 46.20 days, which equals a range of 36.96 days to 55.44 days. During FY 2018, PEOSH's average lapse time for citations was calculated at 13.93 days for safety – considerably lower than the FRL range. The FRL for average lapse time for health is +/- 20% of the three-year national average of 56.56 which equals a range of 45.25 days to 67.87 days. The health lapse time is slightly higher than the FRL and was calculated at 69.65 days during FY 2018 compared to 72.22 days in FY 2017.

Explanation: OSHA will continue to monitor PEOSH's progress on address the high health lapse time.

Appendix A – New and Continued Findings and Recommendations

FY 2018 PEOSH Follow-up FAME Report

FY 2018-#	Finding	Recommendation	FY 2017-#
FY 2018-01	<p><i>OIS Data/Information</i> Data/information was incomplete and/or not entered into OIS. Incomplete data entry or missing OIS 93 forms were observed in all six (100%) of the enforcement health case files where sampling was performed. In addition, both of the consultation files with sampling conducted were missing OIS 93 form or evidence of data entry into OIS.</p>	PEOSH enforcement and consultation should ensure that when sampling is performed complete data is entered in the OIS 93 form and copies of the sampling results are provided to both the employer/employee/complainant. Corrective action complete; awaiting verification.	FY 2017-01
FY 2018-02	<p><i>Petition for Modification of Abatement (PMA)</i> PMAs are being granted without the required interim steps necessary to protect workers in seven of the nine (78%) case files reviewed (five of seven NJDOH files/two of two NJDLWD files).</p>	PEOSH should ensure the procedures as stated in its Field Operations Manual (FOM) Chapter 7, III “Petition for Modification of Abatement” are followed for any requested PMA. Corrective action complete; awaiting verification.	FY 2017-02 FY 2016-01
FY 2018-03	<p><i>Consultation Case File Documentation</i> Documentation in the consultation case files was lacking. Specifically:</p> <ul style="list-style-type: none"> •All 10 (100%) case files that required a Form 33 to be completed had incompletely filled out forms and the rationale for scoring was not supported by the facts in the files. •Adequate abatement was lacking in seven out of 10 (70%) consultation files with hazard notices. •Three out of four (75%) extension requests were missing information such as interim protections and/or the reason for the delay. •Seven out of seven (100%) case files lacked evidence of the List of Hazards being forwarded to the union. •Two out of four (50%) technical assistance files were missing evidence of a hazard assessment. •Two out of three (67%) consultation health files failed to document the noise levels even though these hazards were recognized and sampling had not been conducted previously. 	PEOSH should ensure consultants complete case files in accordance with CSP 02-00-003 to improve documentation of case files.	FY 2017-03 FY 2016-OB-03

Appendix B – Observations and Federal Monitoring Plans

FY 2018 PEOSH Follow-up FAME Report

Observation # FY 2018-OB-#	Observation# FY 2017-OB-#	Observation	Federal Monitoring Plan	Current Status
FY 2018-OB-01	FY 2017-OB-01	<p><i>Notification to Complainant</i></p> <p>In FY 2017, two (33%) of the six health complaint case files reviewed, the letter sent to the complainant did not address why a complaint item was not cited or the results of the inspection.</p>	In FY 2019, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued
FY 2018-OB-02	FY 2017-OB-02	<p><i>Adequate Evidence to Support Violations</i></p> <p>Evidence to support violations was inadequate in six (19%) of the 31 case files reviewed in FY 2017 that had citations issued (zero of nine NJDOH files/six of 22 NJDLWD files). All six case files had citations issued for 1910.38(b) and 1910.39(b). No other standard referenced. The 1910.38 provisions are applicable and may be referenced only when another OSHA standard requires an Emergency Action Plan (EAP).</p>	In FY 2019, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued
FY 2018-OB-03	FY 2017-OB-03	<p><i>Missed Violations</i></p> <p>In FY 2017, missed violations were noted in three of the 31 (10%) case files reviewed with violations (three of nine NJDOH files/zero of 22 NJDLWD files). The missed violations included inoperable bathrooms, missing exit signs, housekeeping for asbestos, access to exposure records, eyewash not functioning correctly, and a lack of an emergency response plan.</p>	In FY 2019, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued
FY2018-OB-04	FY 2017-OB-04 FY 2016-OB-01 FY 2015-OB-03	<p><i>Appropriateness of Violation Classification</i></p> <p>In FY 2017, severity/probability given on the violation worksheet did not match to the injury/illness assessed in six of the 31 (16%) case files reviewed that had violations (five of nine NJDOH files/one of 22 NJDLWD files).</p>	In FY 2019, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued
FY 2018-OB-05	FY 2017-OB-05	<p><i>Consultation Reports</i></p> <p>There were delays in issuing consultation reports. Specifically in FY 2017: Five out of 15 (33%) consultation reports were not issued to the employer within 20 calendar days. Three out of 15 (20%) consultation files had opening conference dates that were different from the closing conference date.</p>	In FY 2019, a limited number of case files will be selected randomly and reviewed to determine if these are isolated instances or if this represents a trend that requires further action.	Continued

Appendix C - Status of FY 2017 Findings and Recommendations

FY 2018 PEOSH Follow-up FAME Report

FY 2017-#	Finding	Recommendation	State Plan Corrective Action	Completion Date	Current Status
FY 2017-01	Data/information was incomplete and/or not entered into OIS (e.g., missing OIS 93 forms), and copies of the sampling results were not provided to the employer, worker, and complainant.	PEOSH enforcement and consultation should ensure that when sampling is performed, complete data is entered in the OIS 93 form and copies of the sampling results are provided to the employer, worker, and complainant.	DOH staff has been instructed to enter sampling data collected. All sample results will be provided to the employer, worker, and complainant.	July 1, 2018	Awaiting Verification
FY 2017-02	PMAs are being granted without the required interim steps necessary to protect workers.	PEOSH should ensure procedures in its Field Operations Manual (FOM) Chapter 7, III "Petition for Modification of Abatement" are followed for any requested PMA.	All CSHOs have been instructed to utilize the PMA request form developed by PEOSH, which requires each element of a PMA request to be satisfied prior to granting the extension.	March 28, 2018	Awaiting Verification
FY 2017-03	Consultation case file documentation was lacking.	PEOSH should ensure consultants complete case files in accordance with CSP 02-00-003 to improve documentation.	One or more attributes in each of the seven subject areas on Form 33 will be completed by consultants. Consultants will ensure that rationale for scoring is supported by facts. All case files will include adequate hazard abatement documentation. Employers will be required to complete a standardized "abatement extension request" form. The completed form will be reviewed by a supervisor and documented in the case file. Consultants will forward the List of Hazards to the union/worker representative and document the action in the case file. All T&A visits not preceded by an initial consultation visit will include documentation of an enforcement visit in the case file. Noise levels and recommendations for worker protections will be adequately documented when applicable.	July 1, 2018	Open

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 PEOSH Follow-up FAME Report

U.S. Department of Labor				
Occupational Safety and Health Administration State Plan Activity Mandated Measures (SAMMs)				
State Plan: New Jersey - PEOSH			FY 2018	
SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
1a	Average number of work days to initiate complaint inspections (state formula)	14.60	5 days for serious hazards; 120 days for other than serious hazards	The further review level is negotiated by OSHA and the State Plan.
1b	Average number of work days to initiate complaint inspections (federal formula)	10.26	N/A	This measure is for informational purposes only and is not a mandated measure.
2a	Average number of work days to initiate complaint investigations (state formula)	2.99	1	The further review level is negotiated by OSHA and the State Plan.
2b	Average number of work days to initiate complaint investigations (federal formula)	0.33	N/A	This measure is for informational purposes only and is not a mandated measure.
3	Percent of complaints and referrals responded to within one workday (imminent danger)	100%	100%	The further review level is fixed for all State Plans.
4	Number of denials where entry not obtained	0	0	The further review level is fixed for all State Plans.
5	Average number of violations per inspection with violations by violation type	SWRU: 3.68	+/- 20% of SWRU: 1.82	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 1.46 to 2.18 for SWRU and from 0.78 to 1.18 for OTS.
		Other: 2.57	+/- 20% of Other: 0.98	
6	Percent of total inspections in state and local government workplaces	100%	100%	Since this is a State and Local Government State Plan, all inspections are in state and local government workplaces.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 PEOSH Follow-up FAME Report

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
7	Planned v. actual inspections – safety/health	S: 474	+/- 5% of S: 720	The further review level is based on a number negotiated by OSHA and the State Plan through the grant application. The range of acceptable data not requiring further review is from 684 to 756 for safety and from 142.50 to 157.50 for health.
		H: 155	+/- 5% of H: 150	
8	Average current serious penalty in private sector - total (1 to greater than 250 workers)	N/A	+/- 25% of \$2,603.32	N/A – This is a State and Local Government State Plan. The further review level is based on a three-year national average.
	a. Average current serious penalty in private sector (1-25 workers)	N/A	+/- 25% of \$1,765.19	N/A – This is a State and Local Government State Plan. The further review level is based on a three-year national average.
	b. Average current serious penalty in private sector (26-100 workers)	N/A	+/- 25% of \$3,005.17	N/A – This is a State and Local Government State Plan. The further review level is based on a three-year national average.
	c. Average current serious penalty in private sector (101-250 workers)	N/A	+/- 25% of \$4,203.40	N/A – This is a State and Local Government State Plan. The further review level is based on a three-year national average.
	d. Average current serious penalty in private sector (greater than 250 workers)	N/A	+/- 25% of \$5,272.40	N/A – This is a State and Local Government State Plan. The further review level is based on a three-year national average.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 PEOSH Follow-up FAME Report

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
9	Percent in compliance	S: 21.07%	+/- 20% of S: 29.90%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 23.92% to 35.88% for safety and from 28.88% to 43.32% for health.
		H: 33.33%	+/- 20% of H: 36.10%	
10	Percent of work-related fatalities responded to in one workday	100%	100%	The further review level is fixed for all State Plans.
11	Average lapse time	S: 13.93	+/- 20% of S: 46.20	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 36.96 to 55.44 for safety and from 45.25 to 67.87 for health.
		H: 69.65	+/- 20% of H: 56.56	
12	Percent penalty retained	100%	+/- 15% of 66.81%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 56.79% to 76.83%.
13	Percent of initial inspections with worker walk around representation or worker interview	99.68%	100%	The further review level is fixed for all State Plans.
14	Percent of 11(c) investigations completed within 90 days	25%	100%	The further review level is fixed for all State Plans.
15	Percent of 11(c) complaints that are meritorious	25%	+/- 20% of 24%	The further review level is based on a three-year national average. The range of acceptable data not requiring further review is from 19.20% to 28.80%.

Appendix D – FY 2018 State Activity Mandated Measures (SAMM) Report

FY 2018 PEOSH Follow-up FAME Report

SAMM Number	SAMM Name	State Plan Data	Further Review Level	Notes
16	Average number of calendar days to complete an 11(c) investigation	167	90	The further review level is fixed for all State Plans.
17	Percent of enforcement presence	N/A	+/- 25% of 1.24%	N/A – This is a State and Local Government State Plan and is not held to this SAMM. The further review level is based on a three-year national average.

NOTE: Fiscal Year 2018 is the third year since the transition from the NCR (OSHA’s legacy data system) began that all State Plan enforcement data has been captured in OSHA’s Information System (OIS). Therefore, the national averages on this report are three-year rolling averages. Unless otherwise noted, the data contained in this Appendix D is pulled from the State Activity Mandated Measures (SAMM) Report in OIS and the State Plan WebIMIS report run on November 13, 2018, as part of OSHA’s official end-of-year data run.

Appendix E – FY 2018 State OSHA Annual Report (SOAR)
FY 2018 PEOSH Follow-up FAME Report

STATE OSHA ANNUAL REPORT (SOAR) 2018

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
Public Health Services Branch
Division of Epidemiology, Environmental and Occupational Health
Consumer, Environmental and Occupational Health Service
Environmental and Occupational Health Assessment Program**

December 2018

Appendix E – FY 2018 State OSHA Annual Report (SOAR)

FY 2018 PEOSH Follow-up FAME Report

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, (29 CFR 1928) Agricultural Standards, (29 CFR 1915) Shipyard Standards, (29 CFR 1917) Marine Terminal Standards, (29 CFR 1918) Long shoring Standards, (29 CFR 1919) Gear Certification Standards and (29 CFR 1924) Standards for workshops/rehabilitation facilities; the promulgation of standards in the absence of federal standards if existing standards are not strict enough; employee rights to request an inspection; and employer responsibilities.

In accordance with the New Jersey Public Employee's Occupational Safety and Health Act employers have an obligation to provide public employees with a workplace free from recognized hazards which may cause serious injury or death and to 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 discriminatory action as a result of filing a safety or health 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 (NJDOH) responds to complaints, conducts seminars, and distributes information regarding health hazards.

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MANDATED ACTIVITIES

Activity	Safety		Health	
	Goal	Actual	Goal	Actual
Enforcement Inspection	720	*475	150	155
Consultation Visit	50	127	30	**26
Training Program	100	129	50	***57
Outreach Participants	1,500	1461	1,500	1,900

* The number of Safety Enforcement staff members reduced from eight (8) to seven (7) for the 1st quarter and then reduced from seven (7) to six (6) for the 2nd through the 4th quarters of FFY 2018.

** NJDOH had two consultants (one new hire in January 2018) and one trainer for FFY2018.

*** Does not include one presentation at the OSHA Advisory Committee, participation in the Firefighter Summit and thirteen Legionella Walkthroughs.

ENFORCEMENT INSPECTIONS

	Safety	Health	Total
Programmed	168	23	191
Complaint	51	100	151
Referral	21	13	34
Accident	22	0	22
Fatality	2	0	2
Technical/Monitoring	0	9	9
Follow-up	211	10	221
Total	475	155	630

CONSULTATIONS

Visit Type	Safety	Health	Total
Initial	84	21	105
Follow-up	2	1	3
Training & Assistance	41	4	45
Total	127	26	153

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2014-2018 Non-Fatal Occupational Injury and Illness Incident Rates for Industry Sectors Covered by PEOSH 5-Year Strategic Plan

Incidence rates ¹ of non-fatal occupational injuries and illnesses by industry and case types, New Jersey, 2013							
		Total recordable cases					
Industry ²	NAICS code ³	2013	2014	2015	2016	2017	2018
State government							
Support activities for transportation	488	11.1	11.7	9.5	8.4	9.7	
Nursing and residential care facilities	623	11.9	11.1	10.5	8.8	10.8	
Local government							
Water, sewage and other systems	2213	8.1	9.3	8.2	11.7	9.0	
Nursing and residential care facilities	623	14.0	11.3	10.1	10.6	10.9	
Fire protection	92216	10.5	8.2	9.4	8.7	6.7	
Public Works Departments ⁴	921	3.3	3.7	3.3	2.7	IR ⁵	
<p>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</p> <p style="margin-left: 40px;">N = number of injuries and illnesses EH = total hours worked by all employees during the calendar year 200,000 = base for 100 equivalent full-time workers (working 40 hours per week, 50 weeks per year).</p> <p>² Totals include data for industries not shown separately.</p> <p>³ <i>North American Industry Classification System</i> -- United States, 2007.</p> <p>⁴ Public Works Departments (PWD) do not have an individual NAICS code. Therefore, the measure used for the PWD category is the incident rate for the occupational duties found at PWD facilities under the 921 NAICS code for recordable cases with days away from work. This incident rate for PWD occupational duties for days away from work under the NAICS 921 comprises the majority (average 83 %) of the total number of cases. SOURCE: N.J. Department of Labor & Workforce Development, in cooperation with U.S. Bureau of Labor Statistics, U.S. Department of Labor, Survey of Occupational Injuries and Illnesses, November 8, 2018.</p> <p>⁵ The 2017 incidence rate for the 921 NAICS code from the Federal Bureau of Labor Statistics (BLS) is prohibited from being published by BLS. However, the data available from the BLS indicates an overall reduction in recordable incident rates over the 5-year period from 2013. The actual rate and percentage decrease, while not available to the public, has been shared with Federal OSHA for administrative purposes only.</p>							

Analysis

PEOSH began its new 5-Year Strategic Plan in Federal Fiscal Year (FFY) 2014. Revisions from the previous Strategic plan are reflected in the removal of Local Police Protection and the addition of Public Works Departments and Water and Sewerage Treatment Facilities.

PEOSH continues to use data provided by NJDLWD’s Office of Research and Information, formerly known as the Division of Labor Planning and Analysis, to evaluate industry trends in non-fatal occupational injury and illness incidence rates and identify those with the highest injury and illness rates.

Information provided by the NJDOH indicates that assaults on employees and musculoskeletal disorders from improper lifting account for one-half to three-quarters of the injuries at NJ State

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Developmental Centers which comprise the majority of facilities within NAICS 623 (Nursing Homes/Residential Care Facilities).

Progress Toward Strategic Plan Goals

The New Jersey Public Employees Occupational Safety and Health State OSHA Annual Report (SOAR) for FFY 2018 provides a summary of the PEOSH activities and results as they relate to the PEOSH Strategic Plan for FFY2014 – FFY2018. 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 in the targeted industries. Working in partnership with our customers, PEOSH focuses on providing safe and healthful workplaces for New Jersey’s public employees, and on preventing workplace injuries and illnesses.

PEOSH’s success in meeting the goals and objectives as outlined in the Strategic Plan are measured by combining results from multiple program areas in both the NJDLWD and the NJDOH. The Strategic Plan is designed to integrate various activities, and 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 will be developed, and compliance assistance will be provided to educate employers and workers and to assist employers in compliance.

The strategic plan identifies three (3) fundamental goals to reduce workplace injuries, illnesses and fatalities in New Jersey. The goals, activities to meet the goals and FFY2018 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 non-fatal occupational injury and illness incident rates in state, county and/or local agencies in the specific NAICS segments by 5 % by 2018 (1 % per year).

NJDLWD planned to:

- Identify and verify all worksites covered by NAICS 488;
- 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

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- Develop a baseline.

National/Special Emphasis Programs and Campaigns (NEP/SEP):

The following Programs are associated with this performance goal:

- Highway Work Zone Safety
- Heat Stress

Activities:

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

Outcome Measures:

All NAICS 488 work sites were identified. The employers are:

- New Jersey Turnpike Authority (includes Garden State Parkway);
- South Jersey Transportation Authority (includes Atlantic City Expressway); and
- South Jersey Port Corporation.

The baseline to be used is the 2013 NAICS 488 incidence rate of non-fatal occupational injuries and illnesses of **11.1** total recordable cases (Source the NJDLWD, Office of Research and Information) See chart on page four (4). The current Occupational Injury and Illness data table can be found at: http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html.

A 5% decrease from the baseline of 11.1 will result in 10.6 total recordable cases. The latest Division of Program Planning, Analysis and Evaluation data is for the year 2017. The 2017 total recordable cases for Support Activities for Transportation decreased from the baseline of 11.1 to 9.7. The goal was met for this year.

The five-year recordable rate for NAICS 488 decreased overall by 12.6%. The goal for the 2014-2018 PEOSH 5-Year Strategic Plan was met.

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

Decrease non-fatal occupational injury and illness incident rates in state, county and/or local agencies in the specific NAICS segments by 5% by 2018 (1 % per year).

NJDLWD planned to:

- Identify and verify all worksites covered by NAICS 623;
- Develop a baseline;
- Identify appropriate outreach materials;
- Make outreach materials available through mass mailing and the website;
- Conduct outreach for training and consultation services; and
- Identify organizations to form alliance/partnership.

National/Special Emphasis Programs and Campaigns (NEP/SEP/LEP): The following Programs are associated with this performance goal:

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- Nursing Homes Residential Care (The OSHA National Emphasis Plan (NEP) for Nursing Homes expired as of April 2015, PEOSH continues to inspect nursing homes in accordance with its 5-year strategic plan and the June 25, 2015 OSHA Inspection Guidance for Inpatient Healthcare Settings.)
- Temporary Workers
- Workplace Violence

Activities:

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

PEOSH Program consultation staff initiated a consultation emphasis program to reduce the injuries and illnesses related to workplace violence and lifting (safe patient handling). These facilities have recorded high injury and illness rates. The PEOSH Program will evaluate rates, evaluate the workplace and make recommendations to reduce injuries and illnesses related to workplace violence.

PEOSH Safety Consultation was represented at the Healthcare Association of New Jersey's (HCANJ) Annual Convention. This convention provided an opportunity to promote PEOSH cooperative services to public sector nursing home Administrators, Directors of Nursing, and other high ranking officials.

Outcome Measures:

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

NJ Department of Corrections:

- Garden State Youth Reception and Corrections Center
- Wagner Youth Correctional Institute

NJ Department of Human Services:

Division of Developmental Disabilities

- Hunterdon Developmental Center
- New Lisbon Developmental Center
- Vineland Developmental Center
- Woodbine Developmental Center

NJ Department of Law and Public Safety:

- Training School for Boys and Girls

NJ Department of Military and Veterans Affairs:

- NJ Veterans Home, Menlo Park
- NJ Veterans Home, Paramus
- NJ Veterans Home, Vineland

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The baseline used is the 2013 NAICS 623 incidence rates of non-fatal occupational injuries and illnesses of **11.9** total recordable cases for State Government facilities and **14.0** for Local Government facilities. (Source: the NJDLWD, Office of Research and Information). See chart on page four (4). The current Occupational Injury and Illness data table can be found at: http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html.

A 5% decrease from the baselines of 11.9 (State Government) and 14.0 (Local Government) will result in 11.3 and 13.3 total recordable cases respectively. The latest Division of Program Planning, Analysis and Evaluation data is for the year 2017. The 2017 total recordable cases for State Nursing and Residential Care Facilities decreased from the baseline of 11.9 to 10.8 for State Government facilities and 14.0 to 10.9 for Local Government facilities. The goal was met for this year.

The five-year recordable rate for NAICS 623 decreased overall by 9.2% for State Government facilities and 22% for Local Government facilities. The goal for the 2014-2018 PEOSH 5-Year Strategic Plan was met.

Performance Goal 1.3 – Local Fire Protection (NAICS 92216)

Decrease non-fatal occupational injury and illness incident rates in state, county and/or local agencies in the specific NAICS segments by 5 % by 2018 (1 % per year).

NJDLWD planned to:

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

National/Special Emphasis Programs and Campaigns (NEP/SEP):

The following Programs are associated with this performance goal:

- Highway Work Zone Safety
- HAZWOPER
- Heat Stress

Activities:

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

Outcome Measures:

The baseline to be used is the 2013 NAICS 92216 incidence rate of nonfatal occupational injuries and illnesses of **10.5** total recordable cases (Source: the NJDLWD, Office of Research and Information). See chart on page four (4). The current Occupational Injury and Illness data table can be found at: http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

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A 5% decrease from the baseline of 10.5 will result in 10.0 total recordable cases. The latest Division of Program Planning, Analysis and Evaluation data is for the year 2017. The 2017 total recordable cases for Local Fire Protection decreased from the baseline of 10.5 to 6.7. The goal was met for this year.

The five-year recordable rate for NAICS 92216 decreased overall by 36.2%. The goal for the 2014-2018 PEOSH 5-Year Strategic Plan was met.

Performance Goal 1.4 – Public Works Departments

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 % by 2018 as follows (1% per year):

NJDLWD planned to:

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

National/Special Emphasis Programs and Campaigns (NEP/SEP):

The following Programs are associated with this performance goal:

- Highway Work Zone Safety
- Amputations
- Heat Stress
- Temporary Workers

Activities:

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

Outcome Measures:

The baseline to be used is the 2013 NAICS 921 incidence rate of cases involving days away from work by occupation of **3.3** (Source: the NJDLWD, Office of Research and Information). See chart on page four (4). The current Occupational Injury and Illness data table can be found at: http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

A 5% decrease from the baseline of 3.3 will result in a 3.1 incident rate for cases with days away from work. The latest Division of Program Planning, Analysis and Evaluation data is for the year 2017.

Note: The 2017 incident rate for the 921 NAICS code from the Federal Bureau of Labor Statistics (BLS) is prohibited to be published by BLS. However, the data available from the BLS indicates an overall reduction in recordable incident rates over the 5-year period from 2013 that satisfies the goal. The actual rate and percentage decrease, while not available to the public, has

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been shared with Federal OSHA for administrative purposes only. The goal for the 2014-2018 PEOSH 5-Year Strategic Plan was met.

Performance Goal 1.5 –Water and Sewage Treatment Facilities (NAICS 2213)

Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS segments by 5 % by 2018 as follows (1% per year):

NJDLWD planned to:

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

National/Special Emphasis Programs and Campaigns (NEP/SEP):

The following Programs are associated with this performance goal:

- Highway Work Zone Safety
- Trenching
- Temporary Workers

Activities:

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

Outcome Measures:

The baseline to be used is the 2013 NAICS 221320 incidence rate of nonfatal occupational injuries and illnesses of **8.1** total recordable cases (Source: the NJDLWD, Office of Research and Information). See chart on page four (4). The current Occupational Injury and Illness data table can be found at: http://lwd.dol.state.nj.us/labor/lpa/content/occsafheasvy_index.html).

A 5% decrease from the baseline of 8.1 will result in 7.7 total recordable cases. The latest Division of Program Planning, Analysis and Evaluation data is for the year 2017. The 2017 total recordable cases for Water and Sewage Treatment Facilities increased from the baseline of 8.1 to 9.0. The goal was not met for this year including the 2014-2018 PEOSH 5-Year Strategic Plan.

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 – Employee Involvement

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

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Activities:

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

Outcome Measures:

100% of PEOSH Interventions conducted in FFY2017 included employee involvement. The goal was met for this year and the **2014-2018 PEOSH 5-Year Strategic Plan**.

Performance Goal 2.2 – SHARP Award

Award Safety and Health Achievement Recognition (e.g., SHARP, Inspection Deferral) to 20 worksites by the end of 2018 (4 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:

Safety and Health SHARP is discussed during each consultation visit.

Outcome Measures:

Presently there are no public sector SHARP facilities in NJ. It was determined that public employers participating in construction type activities are not eligible to apply for SHARP. This has significantly limited the number of public agencies that might apply, especially those in high hazard emphasis areas. These employers are encouraged to participate in the NJ Governors Safety and Health Awards. Where relevant, SHARP is promoted and consultants are encouraged to work with employers that are interested in the program. The goal was not met for this year.

Performance Goal 2.3 – Promote Safety and Health Management System

100% of PEOSH Consultations will include site specific recommendations to improve the Safety and Health Program Management System in place at that facility.

Activities:

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

Outcome Measures:

In FFY2018, 100% of PEOSH Consultations included site specific recommendations to improve the Safety and Health Program Management System in place at that facility. The goal was met for this year.

Performance Goal 2.4 – Compliance Assistance for High Hazard Industry Organizations/Groups

Perform compliance assistance interventions for high hazard industry organizations / groups, specifically those named in Performance Goals 1.1, 1.2, 1.3, 1.4, and 1.5 (State Support for Transportation, Public Nursing Homes, Local Fire Protection, Public Works, and Water and

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Sewer). These interventions will focus on the hazards of relevant National and Local Emphasis Programs, and promoting PEOSH cooperative services.

Examples of interventions are speaking engagements, exhibitions, training sessions, etc. at high hazard industry associations/groups. National Emphasis Programs include Work Zone safety and Excavation / Trenching. Local Emphasis Programs will be determined in the Annual Performance Plan.

Activities:

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

Outcome Measures:

From NJDLWD, eight (8) specific interventions were conducted which reached 675 individuals in high hazard industry organizations / groups. The goal was met for this year.

From NJDOH, twelve (12) specific interventions were conducted which reached 325 individuals in high hazard industry organizations / groups. The goal was met for this year.

Strategic Goal #3

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–Fatality Investigations/Inspections

Initiate inspections of fatalities and catastrophes within one (1) day of notification for 100% of occurrences to prevent further injuries or deaths by the end of FFY 2018.

Activities:

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

Outcome Measures:

There were eleven (11) public employee fatalities recorded in FFY 2018. Nine (9) were determined to be non-occupational safety or health related. No investigations were initiated due to pre-existing medical conditions, suicide, or motor vehicle accidents. The two (2) investigations that were undertaken were initiated within one (1) day of notification meeting the Strategic Goal of 100%. The goal was met for this year and the **2014-2018 PEOSH 5-Year Strategic Plan**.

Performance Goal 3.2A–Safety Complaints Received

As stated in the Annual Plan, the NJDLWD planned to initiate 100% of safety complaint inspections within five (5) working days of notification.

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Activities:

For FFY 2018, NJ PEOSH Safety Enforcement received 51 formal complaints.

Outcome Measures:

100% of the FFY 2018 complaint investigations were initiated within five (5) days. The goal was met for this year and the **2014-2018 PEOSH 5-Year Strategic Plan**.

Performance Goal 3.2B –Health Complaints Received

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

Activities:

For FFY 2018, NJDOH PEOSH Program received 66 non-IAQ/Sanitation complaints. Sixty-six (66) inspections were initiated within five (5) days (average 3.9 days, range 1-5 days). The NJDOH PEOSH Program received 180 IAQ and sanitation complaints in FFY 2018.

Outcome Measures:

The goal to initiate 95% of non-IAQ/sanitation complaints was met. 100% (66/66) of the non-IAQ, non-sanitation complaints were initiated within five (5) days. The goal was met for this year.

Performance Goal 3.3 – Consultation Customer Satisfaction Surveys

Each year, 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 a customer satisfaction survey).

Activities:

All public employers who participate in initial consultations are provided with a customer satisfaction survey which rates the consultation intervention on a scale of 1 to 10. PEOSH strives to rate 7 or better on all customer satisfaction surveys that are returned by public employers.

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

Outcome Measures:

NJDLWD PEOSH received 38 customer satisfaction surveys for initial consultation interventions. 100% of the customer satisfaction surveys received rated the consultation interventions as highly effective (score 7 or higher on a scale of 1 through 10 on a customer satisfaction survey). The goal was met for this year.

NJDOH PEOSH received five (5) customer satisfaction surveys for initial consultation interventions. 100% of the customer satisfaction surveys received rated the consultation interventions as highly effective (score 7 or higher on a scale of 1 through 10 on a customer satisfaction survey). The goal was met for this year.

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Performance Goal 3.4 – Compliance Assistance Customer Satisfaction Surveys

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 7 or higher, on a scale of 1 thru 10 on a customer satisfaction survey).

Activities:

All public employers who participate in compliance assistance interventions are provided with a customer satisfaction survey which rates the compliance assistance intervention on a scale of 1 to 10. PEOSH strives to rate 7 or better on all customer satisfaction surveys that are returned by public employers.

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

Outcome Measures:

NJDLWD PEOSH received 12 customer satisfaction surveys for compliance assistance interventions. 100% of the customer satisfaction surveys received rated the compliance assistance interventions as highly effective (score 7 or higher on a scale of 1 through 10 on a customer satisfaction survey). The goal was met for this year.

NJDOH PEOSH received 32 customer satisfaction surveys for compliance assistance interventions. 100% of the customer satisfaction surveys received rated the compliance assistance interventions as highly effective (score 7 or higher on a scale of 1 through 10 on a customer satisfaction survey). The goal was met for this year.

Assessment of State Performance of Mandated Activities

Outcome Measures:

Enforcement:

LABOR: The NJDLWD safety enforcement conducted 475 inspections which was 245 short of its goal. The number of NJDLWD Safety Enforcement Staff reduced from eight (8) to seven (7) for the 1st quarter and reduced again from seven (7) to six (6) for the 2nd through 4th quarters of FFY 2018.

The NJDLWD safety enforcement has requested approval from the new administration resulting from the election of the Governor of New Jersey (Phillip D. Murphy) for the hiring of replacements of the vacant positions.

It is also noted that three (3) of the enforcement staff are assigned to conduct PEOSH whistleblower complaint investigations which can also displace enforcement inspection activity.

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HEALTH: The NJDOH PEOSH Program conducted 155 inspections, which exceeded the goal of 150. One NJDOH PEOSH enforcement staff was temporarily transferred to Consultation. One key staff member responsible for program administration retired during this fiscal year. A new hire is anticipated to begin at the end of the calendar year; however, the program anticipates some disruption in program performance during the transition and for a period of time during the training period of the new employee.

Consultation:

LABOR: The NJDLWD PEOSH Program conducted 84 initial visits, 2 follow up visits, and 41 training and assistance visits.

HEALTH: The NJDOH PEOSH Program conducted 26 consultations, but was unable to attain the goal of 30. During FFY 2018 a new consultant was hired and completed OSHA-mandated trainings.

Training:

LABOR: The NJDLWD PEOSH Training Unit exceeded the goal of 100 training classes reaching 1,500 students. In FFY 2018, 129 training classes were provided to 1,461 public employees in New Jersey.

HEALTH: The NJDOH PEOSH Program conducted 57 training classes and reached 1,900 participants. The goal of 50 classes and 1,500 participants was met. The NJDOH PEOSH Program had one (1) trainer for FFY 2018.

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, the 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 its control. This agreement would include both the NJDLWD and NJDOH 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 NJDLWD consultation services along with the NJDOH 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 NJDOH designee shall advise the Chief of PEOSH of said completion so that the penalty case may be closed. PEOSH will extend abatement dates if necessary following established PEOSH guidelines.

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In FFY 2018 there were (2) penalties issued by NJ PEOSH. Subsequently, there was 1 penalty settlement agreement that resulted in full safety and health consultations.

Informal conferences:

NJ PEOSH conducted one (1) informal conference during FFY 2018.

Monetary Penalties Collected:

Total monetary penalties collected for FFY 2018: **\$ 58,750.00**

Discrimination:

NJDLWD: PEOSH processed thirteen (13) discrimination complaints under its jurisdiction, eight (8) of which were completed within 90 days. Four (4) cases were investigated resulting in one (1) merit finding and three (3) non-merit findings. Nine (9) cases were administratively closed as they did not establish all of the required prima-facie elements to initiate a formal discrimination investigation. Two investigation cases, one (1) merit and one (1) non-merit, were appealed and transferred to the Office of Administrative Law (OAL) to be heard before an administrative law judge. The appealed cases were pending at the close of FFY2018. Once the hearing decision/recommendations are returned to NJDLWD, the Commissioner of NJLWD may adopt, reject or modify the recommendations which will become a final determination not more than 45 days from receipt of the OAL hearing report.

Three (3) NJDLWD PEOSH personnel are trained to conduct discrimination complaints. Two (2) attended the #1610, Interviewing Techniques for Whistleblower Investigators in June 2018 at the OSHA Training Institute in Chicago in accordance with OSHA Training Directive TED-01-00-020. PEOSH has scheduled training for all three (3) whistleblower investigators in FFY 2019.

Compliance Assistance:

NJDLWD PEOSH reported the following notable Compliance Assistance Activities in FFY 2018:

On 11/17/2017, PEOSH consultation management met with representatives from a state agency to address concerns about personnel operating at elevation using various mechanical means, and provided information relative to OSHA/PEOSH standards.

On 3/23/2018, the PEOSH Assistant Chief met with representatives from a state educational facility to discuss an extended hazard abatement/protection plan of action.

On 7/13/2018, a PEOSH consultant met with a vendor of electrical PPE at the request of a PEOSH compliance officer. They discussed the suitability of items being purchased by a state agency to comport with the OSHA and PEOSH standards.

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General Issues of Concern/Note/Information:

PEOSH Advisory Board:

For FFY 2018, PEOSH conducted a total of four (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.

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 2018, the Committee worked on issues including: Firefighter health and wellness as related to fitness for duty, facial hair being non-compliant with the 29 CFR 1910.134 Respiratory Protection standard when wearing Self Contained Breathing Apparatus (SCBA), and the hazardous exposures to members of a Junior Fireman's Auxiliary (under the age of eighteen) when at a fire scene or certain training exercises at a training academy such as live burns or power tools with task associated hazards.

OSHA Outreach Training Presented:

An updated "PEOSH Fire Service Update" was offered to municipal fire departments through the NJDCA Division of Fire Safety's training catalog as an opportunity to learn more about PEOSH, PEOSH regulations, the N.J.A.C. 12:100-10 Firefighter Standards, hazards specific to firefighting, and the PEOSH On-Site Consultation and Training program. The presentation has been updated with new program contact information and information pertaining to departments that have junior firefighters. This program was offered on the following dates at the respective locations:

- 10/20/2017 at the Cape May County Fire Academy,
- 11/02/2017 at the Somerset County Emergency Services Training Academy,
- 11/03/2017 at the Bergen County Emergency Services Training Academy,
- 4/26/2018 at the Morris County Fire Academy,
- 6/5/2018 at the Monmouth County Fire Academy.

In all, 94 firefighters attended the training.

Promotional Activities:

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On October 24, 2017, Staff prepared and delivered a 1-hour presentation on the hazards of Lead in Indoor Firing Ranges at the Clinical Research and Occupational Medicine Grand Rounds meeting at Rutgers School of Public Health, Piscataway, NJ.

On November 14 through 16, 2017, PEOSH employees and supervisors staffed the PEOSH booth at the League of Municipalities exposition hall at the Atlantic City Convention Center. PEOSH staff distributed information on consultation and training opportunities and answered questions from elected officials and support staff on available resources.

On December 1, 2017, PEOSH staff met with county government representatives to identify opportunities for consultation and training for various county government groups.

On January 11, 2018, (1) PEOSH Consultation employee attended the Monmouth County Joint Insurance Fund's Annual Luncheon in West Long Branch, NJ. The PEOSH employee provided a presentation explaining PEOSH, PEOSH Emphasis Areas, inspection procedures, commonly found hazards, and promoting PEOSH Consultation services. Approximately 125 municipal employees attended from a variety of municipalities in Monmouth County, NJ.

On March 7, 2018, the PEOSH Assistant Chief was scheduled to deliver a presentation to the NJ Water Environment Association. Due to inclement weather, the in-person presentation was cancelled, but the handouts and ancillary materials were distributed to program attendees.

On April 23, 2018, the PEOSH Consultation Chief delivered a presentation at the Ocean County Municipal Joint Insurance Fund Awards/Kickoff Meeting. The presentation detailed PEOSH, PEOSH Emphasis Areas, inspection procedures, commonly found hazards, and promoting PEOSH Consultation services. There were approximately 60 attendees from approximately 30 organizations from Ocean County, NJ.

On April 25, 2018, the PEOSH Assistant Chief delivered a presentation to the NJ Public Works Association at the Glassboro Department of Public Works. The presentation detailed PEOSH, PEOSH Emphasis Areas, inspection procedures, commonly found hazards, and promoting PEOSH Consultation services. There were approximately 40 attendees from approximately 30 organizations from Gloucester and Camden County, NJ.

On September 12, 2018, the PEOSH Assistant Chief delivered a presentation on PEOSH and commonly found hazards to the NJ Water Environment Association, a collection of county and municipal government employees who work at water utilities and wastewater utilities. A total of 20 attendees participated in the presentation, which was held in Eatontown, NJ.

Certified Education Facilities Manager Training:

The NJDOH 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

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Person responsible for complying with the standard. This responsibility typically falls on the Facilities Manager. Every school district is required to employ a Certified Educational Facilities Manager (CEFM), a certification granted by Rutgers University. The PACNJ, NJSB & GA and PEOSH IAQ Designated Person Course is approved for four (4) CEU's toward maintenance of this certification.

The NJDOH PEOSH Program continued its' training partnership with the Rutgers CEFM program to provide indoor air quality training as part of the CEFM curriculum. NJDOH PEOSH Program staff taught five (5) courses throughout the state in FFY 2018. This partnership allows PEOSH to more efficiently reach our target audience while minimizing the cost of compliance to school districts. The CEFM program benefits from this partnership by being able to offer students 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.

Hazard Communication - Train the Trainer Program:

The New Jersey Hazard Communication Standard requires that each employer train potentially exposed employees using Hazard Communication trainers who are "Technically Qualified" as defined in NJAC 12:100-7. In addition, all Hazard Communication trainers need training on the new GHS classifications, SDSs and labels. PEOSH has rewritten and started to test drive and perfect a new Hazard Communication Train the Trainer course to prepare more qualified trainers. To increase participation, the course was reduced to three (3) days (from six (6) days) by eliminating a day about teaching adults and a day of short presentations by all the participants. The new course focuses strictly on the health & safety topics: chemical health hazards (recognition, evaluation & control), hazard information (SDS, labels & GHS classifications). NJDOH PEOSH Program staff taught four (4) courses throughout the state in FFY 2018.

Indoor Air Quality:

NJDOH PEOSH continues to work with The American Lung Association, Pediatric/Adult Asthma Coalition of New Jersey (PACNJ) and the NJ School Building and Grounds Association to present a four (4) hour Indoor Air Quality (IAQ) course. The main goal of the course is to assist school districts in understanding the NJ Indoor Air Quality Standard and provide guidance on implementation of a successful IAQ program. The presentations also stress the value of the school nurse as an active participant in the IAQ Program and the establishment of an effective IAQ Team which includes the school nurse.

The course is free and open to anyone involved in indoor air quality in schools from Superintendent to Janitor. Participation in the program is approved for four (4) CEU's toward the maintenance of several certifications required in New Jersey: Nursing, Public Health Official and the Certified Educational Facilities Manager.

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PACNJ also presents information concerning the Asthma Friendly Schools Award requirements, an initiative of the Lung Association nationwide to reduce the incidence and cost in terms of both lost school days and money resulting from asthma. Improved indoor air quality in schools, by using green cleaning products and improving conditions that trigger asthma will reduce the incidence of asthma attacks for students and teachers and improve learning.

There are six (6) requirements that must be met by a school district to be recognized as an Asthma Friendly School:

1. Asthma Training for School Nurses: Each school nurse is to complete the PACNJ Asthma Basics for School Nurses and Gadgets and Gizmos for Asthma Control online training.
2. Asthma In-Service for Faculty: Each school nurse is to conduct the PACNJ Faculty In-Service Program: Asthma Management in the Classroom: What Teachers Need to Know.
3. Asthma Treatment Plan Training: "PACNJ Asthma Treatment Plan: School Nurses Leading the Way" online training presentation and quiz is completed by school nurse.
4. Indoor Air Quality (IAQ) Training: NJ PEOSH Indoor Air Quality Designated Persons Training is completed by a School Nurse and the IAQ Designated Person from the school district and an Indoor Air Quality Team has been established in the school.
5. No-Idling Pledge, from the NJ Department of Environmental Protection, has been completed by the school district.
6. A nebulizer is required in each school

NJDOH PEOSH Program staff taught nine (9) IAQ courses to a total of 643 attendees throughout the state in FFY 2018.

Homeland Security:

NJDOH Activities

On May 4, 2018, Staff attended the NJ Emergency Preparedness Association Conference to make a presentation on the planning and training requirements under 29CFR1910.120 HAZWOPER.

On July 18, 2018, Staff presented on 29CFR1910.134 Respiratory Protection requirements and provided hands-on fit test training to Medical Reserve Corps supervisory personnel.

Firefighters:

PEOSH NJDOH training staff provided the "2017-18 PEOSH Fire Service Update." This training was offered to Kean University's Firefighter Program as an opportunity to learn more about PEOSH, PEOSH regulations, the N.J.A.C. 12:100 Firefighter Standards, hazards specific to firefighting, and PEOSH On-Site Consultation and Training Program. The presentations stressed Asbestos and Noise as well as the usual coverage of the more commonly cited PEOSH standards. In all, seventy-four (74) firefighters attended the five (5) training sessions.

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On September 26, 2018, Staff attended the Bergen County Mutual Aid monthly meeting to discuss Asbestos and Noise exposure and requirements of 29CFR1910.134 Respiratory Protection. Approximately one hundred (100) firefighters attended.

NJDLWD Activities

October 16, 2017, one PEOSH Consultant completed the Hazardous Waste Operations & Emergency Response (HAZWOPER) 8-hour annual refresher at the Rutgers School of Public Health.

November 15, 2017, Assistant Director participated with the OSHA Emergency Preparedness and Response (EPR) Conference Call. The agenda/discussion was on Hurricane Harvey response, recovery, and clean-up operation with guest speaker, Doug Huddleston from OSHA Region 6.

November 15, 2017, Assistant Director, attended a meeting of the Domestic Security Planning and Preparedness Group held at the Regional Operations Intelligence Center (ROIC) Ewing, NJ. Director Maples of New Jersey Office of Homeland Security and Preparedness (NJOHSP) highlighted the importance of the Threat, Hazard Identification and Risk Assessment (THIRA) and State Preparedness Report (SPR) which are used to identify gaps and to highlight areas to direct funding, planning solutions, and other resources. NJOHSP is reconstituting the Training subcommittee to define training needs and training capabilities, and identify gaps. The subcommittee can include any agency that has a training unit or program, as well as county and local partners and volunteer agencies. The State Preparedness Report SPR is submitted to FEMA, who conducts a national level review to create a National Preparedness Report. If FEMA identifies common gaps among the states, it will plan training, exercises, etc. to fill the gaps. After the devastating hurricanes, 350 law enforcement personnel have been deployed to Puerto Rico (PR). (Currently we are in the 3rd wave of deployments, the 4th wave is leaving on November 18 and will return on December 2nd). Assignments include performing traffic control, security, community relations. Paul Perrillo (FEMA) reported that the residents of PR are very thankful to New Jersey for the assistance provided in PR.

February 21, 2018, Assistant Director attended a meeting of the Domestic Security Planning and Preparedness Group held at the Regional Operations Intelligence Center (ROIC) in Ewing, NJ. Topics discussed: New Jersey Office of Homeland Security and Preparedness (NJOHSP) Training Updates, March 2018 Executive Leaders Seminar, School Security Task Force Overview & New Legislation and State Emergency Operations Center Procedures Updates.

June 4, 2018, the PEOSH Assistant Chief completed the HAZWOPER 8-hour refresher.

July 18, 2018, Consultation staff participated in OSHA's Quarterly State Emergency Preparedness and Response (EPR) Conference Call. The primary discussion involved OSHA Region 2 response in Puerto Rico after hurricane Irma and hurricane Maria. The devastation created significant issues with response including communication, travel and accountability. Hazards present included illness from exposure to contaminated water or food, heat stress, downed electrical wires, carbon monoxide and electrical hazards from portable generators, fall

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and "struck-by" hazards, unprotected excavations, confined spaces, burns, lacerations, musculoskeletal injuries, and drowning or being caught in moving water.

September 17, 2018, one Consultation employee attended HAZWOPER refresher class at the Atlantic OSHA Training Center in Somerset, NJ. To work at hazardous waste sites, the 40 Hour HAZWOPER Certification is required. To maintain 40 Hour HAZWOPER Certification an 8 Hour refresher class must be taken annually. The Consultation employee completed the training to maintain the 40 Hour HAZWOPER Certification.

The PEOSH Consultation/Training Assistant Chief maintains current ICS-300 certification.

Training Received by PEOSH Staff:

NJDOH Training

January 29, 2018, two (2) Staff attended the Webinar OSHA's Role in Emergency Response

April 3-5, 2018, two (2) Staff attended OSHA 2450 – Safety and Health Management Systems course at OTI

April 16-27, 2018 one (1) Staff attended OSHA 1410 – Inspection Techniques and Legal Aspects at Maryland Occupational Safety and Health

April 24-May 4, 2018, one (1) Staff attended OSHA 1250 – Intro to Health Hazards for Industrial Hygienists at OTI

August 14-28, 2018, one (1) Staff attended OSHA 1500 – Introduction to On-Site Consultation at OTI

September 10, 2018, one (1) Staff attended the Webinar Intro to OSHA for New Hires

NJDLWD Training

November 1, 2017, three (3) PEOSH Consultation employees completed the Traffic Incident Manager Train-the-Trainer class at the Middlesex County Fire Academy. The class was administered by NJDOT and NJ State Police.

January 8 - 11, 2018, the PEOSH Assistant Chief completed the OSHA 510 Construction Industry Standards course.

January 29 - February 1, 2018 (1) PEOSH consultant completed the OSHA 511 General Industry Standards course.

February 5 - 8, 2018, (1) PEOSH consultant completed the OSHA 501 General Industry Trainer course.

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March 19 - 23, 2018, (1) PEOSH consultant completed the OSHA 510 Construction Industry Standards course.

March 26 - 29, 2018, (1) PEOSH consultant and the PEOSH Assistant Chief completed the OSHA 500 Construction Trainer course.

March 28, 2018, (2) PEOSH employees attended the Work Zone Safety conference sponsored by the Rutgers Center for Advanced Infrastructure Technology.

May 22, 2018, (1) PEOSH consultant completed the OSHA 501 General Industry Trainer course.

June 13, 2018, (1) PEOSH consultant completed the Coaching the Lift Truck Operator Train-the-Trainer program.

June 15, 2018, (1) PEOSH consultant attended the Expectations and Accountability for Managing Fall Hazards class offered by the Atlantic OSHA Training Center.

June 19 - 22, 2018, (2) PEOSH Safety Enforcement employees attended the OSHA 1610 Interviewing Techniques for Whistleblower Investigators. The class was held at the OSHA Training Center in Chicago. The specific topics include interview preparation, nonverbal communication; types of interviewees; multi-cultural interviewing; empathy; active listening; and influencing.

June 12 – 21, 2018, (1) PEOSH Safety Enforcement employee attended the OSHA 1410 Inspection Techniques & Legal Aspects. The class was held at the OSHA Training Center in Chicago. This course instructs the compliance officer how to apply specific inspection techniques as related to OSHA compliance activity in conjunction with the formal requirements and processes of the legal system.

August 13 - 16, 2018, (1) PSOSH Director, (1) Assistant Director, (2) Chiefs, (2) Assistant Chiefs, & (9) Safety Enforcement employees, attended the OSHA 521 Guide to Industrial Hygiene. The class was held at the Department of Labor & Workforce Development and sponsored by Rutgers School of Public Health. This course covers industrial hygiene practices and related OSHA regulations and procedures.

August 14 - 16, 2018, the PEOSH Assistant Chief attended and completed the OSHA 3080 Principles of Scaffolding course at OTI.

September 18 - 21, 2018, (1) PSOSH Director, (1) Assistant Director, (2) Chiefs, (3) Assistant Chiefs, & (10) Safety Enforcement employees, attended OSHA 2225 Respiratory Protection. The class was held at the Department of Labor & Workforce Development (9/18 -9/20). It was sponsored by Rutgers School for Public Health and held in at their location in Somerset, NJ on 9/21. This course covers the requirements for the establishment, maintenance, and monitoring of a respirator program.

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September 26 - 27, 2018, (1) PSOSH Director, (1) Assistant Director, (1) Chief, (3) Assistant Chiefs, & (10) Safety Enforcement/Consultation employees, attended the Tree Trimming Safety training. The class was sponsored by The Committee for The Advancement of Arboriculture and was held at the Quail Hill Scout Camp in Manalapan, NJ. All attendees were made aware of the intricacies and inherent risks associated with tree trimming. All sessions provided both classroom and hands on training. The course provided instruction beginning with basic safety considerations to the actual job site setup, climbing, and current industry safety standards.

Standards and Regulations Adoption FFY 2018:

NO ADOPTIONS FOR FFY2018

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**New Jersey Department of Labor & Workforce Development in conjunction with
The New Jersey Department of Health FFY 2018
State OSHA Annual Report (SOAR): Results 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 2018 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	11	3	14
	Indicator 2 – Number of initial/follow-up consultation visits conducted	1	0	1
	Indicator 3 – Number of training and assistance visits and education seminars conducted	10	0	10
	Indicator 4 – Number of outreach materials distributed	0	0	0
	Indicator 5 – Number of alliance/partnerships established	0	0	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 488 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	34	4	38
	Indicator 2 - Serious hazards (Consultation)	3	0	3
	Indicator 3 - Number of employees trained	226	0	226
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 488 by 5% by 2018 (1% per year) from 2013 baseline of 11.1 Total Recordable Cases.	The 2017 total recordable cases decreased from the baseline of 11.1 to 9.7		
Comments:				

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New Jersey Department of Labor & Workforce Development in conjunction with

The New Jersey Department of Health

FFY 2018 State OSHA Annual Report (SOAR): Results 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 2018 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	8	0	8
	Indicator 2 – Number of initial/follow-up consultation visits conducted	9	0	9
	Indicator 3 – Number of training and assistance visits and education seminars conducted	6	0	6
	Indicator 4 – Number of outreach materials distributed	0	0	0
	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)	29	0	29
	Indicator 2 - Serious hazards (Consultation)	30	0	30
	Indicator 3 - Number of employees trained	73	0	73
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 623 by 5% by 2018 (1% per year) from 2013 baselines of 11.9 (State Govt. Facilities) and 14.0 (Local Govt. Facilities) Total Recordable Cases.	The 2017 total recordable cases decreased from the baseline of 11.9 to 10.8 for State Govt. facilities and 14.0 to 10.9 for Local Govt. facilities.		
Comments	Activity measures include initial and follow-up			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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 2018 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	103	12	115
	Indicator 2 – Number of initial/follow-up consultation visits conducted	8	6	14
	Indicator 3 – Number of training and assistance visits and education seminars conducted	5	7	12
	Indicator 4 – Number of outreach materials distributed	0	0	0
	Indicator 5 – Number of alliance/partnerships established	0	0	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 92216 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	246	16	262
	Indicator 2 - Serious hazards (Consultation)	36	42	78
	Indicator 3 - Number of employees trained	62	174	236
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 92216 by 5% by 2018 from 2013 baseline of 10.5 Total Recordable Cases.	The 2017 total recordable cases decreased from the baseline of 10.5 to 6.7.		
Comments	Activity measures include initial inspections.			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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 2018 as follows (1% per year): Public Works Departments (NAICS: 921)				
Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	66	1	67
	Indicator 2 – Number of initial/follow-up consultation visits conducted	8	4	12
	Indicator 3 – Number of training and assistance visits and education seminars conducted	6	3	9
	Indicator 4 – Number of outreach materials distributed	0	0	0
	Indicator 5 – Number of alliance/partnerships established	0	0	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 921 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	318	1	319
	Indicator 2 - Serious hazards (Consultation)	18	9	27
	Indicator 3 - Number of employees trained	92	105	197
Primary Outcome Measures	Reduction in the incident rate for cases with days away from work in NAICS 921 by occupation listing common in Public Works facilities by 5% by 2018 (1% each year).	The 2017 incident rate for cases with days away from, although not publishable by Federal BLS, indicated a satisfactory decrease from the baseline of 3.3.		
Comments	Activity measures include initial inspections.			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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 1.5: Decrease injuries and illnesses in state, county and/or local agencies in the specific NAICS code by 5% by 2018 as follows (1% per year): Water and Sewage Treatment (NAICS: 2213)				
Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of enforcement inspections conducted	35	13	48
	Indicator 2 – Number of initial/follow-up consultation visits conducted	7	1	8
	Indicator 3 – Number of training and assistance visits and education seminars conducted	2	0	2
	Indicator 4 – Number of outreach materials distributed	0	0	0
	Indicator 5 – Number of alliance/partnerships established	0	0	0
Intermediate Outcome Measures	Reduction of injuries and illnesses in NAICS 2213 by 1% per year.			
	Indicator 1 - Serious citations (Enforcement)	156	10	166
	Indicator 2 - Serious hazards (Consultation)	17	5	22
	Indicator 3 - Number of employees trained	32	0	32
Primary Outcome Measures	Reduction of injuries and illnesses in NAICS 2213 by 5% by 2018 from 2013 baseline of 8.1 Total Recordable Cases.	The 2017 total recordable cases increased from the baseline of 8.1 to 9.0.		
Comments	Activity measures include initial inspections.			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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: 100% of PEOSH Interventions (e.g., inspections, consultations, etc.) will include employee involvement (every year)				
Performance Indicator Type	Indicator	Labor	Health	Total
Activity Measures	Indicator 1 – Number of inspections* conducted	475	155	630
	Indicator 2 – Number of inspections conducted where employees were conferred with	475	155	630
	Indicator 3 – Number of consultation* visits conducted	83	22	105
	Indicator 4 – Number of consultation visits conducted where employees were conferred with	83	22	105
	Indicator 5 – Number of education/training seminars conducted	55	57	112
	Indicator 6 – Number of education/training seminars conducted where employees were conferred with.	55	57	112
Intermediate Outcome Measures	100% of PEOSH interventions include employee involvement.	100% of PEOSH interventions included 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 (Does not include Training and Education for Consultation)			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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: Award Safety and Health Achievement Recognition (e.g., SHARP, Inspection Deferral) to twenty (20) worksites by 2018 (4 per year).		
Performance Indicator Type	Indicator	Result Total
Activity Measures	Indicator 1 – Number of Safety and Health Achievement Recognitions Awarded.	0
Intermediate Outcome Measures	Award SHARP to (four) 4 workplaces.	
Primary Outcome Measures	Award SHARP to (twenty) 20 worksites by 2018.	
Comments	The restriction that companies eligible for SHARP can’t participate in construction type activities offsite greatly limits potential high hazard candidates.	

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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: 100% of PEOSH Consultations will include site specific recommendations to improve the Safety and Health Program Management System in place at that facility.				
Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Percent of PEOSH Consultations that include site specific recommendations.	100%		
Intermediate Outcome Measures	Number of initial Consultation visits conducted	81	21	102
	Number of initial Consultation visits where site specific recommendations to improve Safety and Health Program Management Systems were provided.	81	21	102
Primary Outcome Measures	100% of PEOSH Consultations will include site specific recommendations.	100% of PEOSH Consultations included site specific recommendations in FFY2018.		
Baseline	Goal is measured annually, no baseline is applicable.			
Comments	Recommendations will be included as an attachment to each consultation report.			

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FY 2018 PEOSH Follow-up FAME Report

New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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: Perform compliance assistance interventions for high hazard industry organizations/groups concerning the hazards of relevant National and Local Emphasis Programs, and promoting PEOSH Cooperative Services.				
Performance Indicator Type	Indicator	Labor	Health	Total
Activity Measures	Indicator - Number of interventions for high hazard public employers	8	15	23
	Indicator – Number of individuals affected by these interventions.	675	325	1000
Intermediate Outcome Measures	Compliance assistance interventions for high hazard industry organizations/groups concerning the hazards of relevant National and Local Emphasis Programs, and promoting PEOSH Cooperative services are performed.	Yes		
Final Outcome Measures	Compliance assistance interventions for high hazard industry organizations/groups concerning the hazards of relevant National and Local Emphasis Programs, and promoting PEOSH Cooperative services are performed.	Yes		
Comments	Examples of interventions are speaking engagements, exhibitions, training sessions, etc. at high hazard industry associations/groups. National Emphasis Programs include work zone safety and trenching. Local Emphasis Programs include Noise and Asbestos.			

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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 100% of occurrences to prevent further injuries or deaths.				
Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of fatalities/catastrophes reported.	11	0	11
	Indicator 2 – Number of fatalities/catastrophes investigated within one (1) day of notification.	2	0	2
Intermediate Outcome Measures	100% of investigations started in one (1) day.	100% of fatality investigations were initiated within (1) day.		
Primary Outcome Measures	100% of investigations started in one (1) day.			
Comments	Goal is measured annually, no baseline applies.			

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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 100 % of formal safety complaint inspections within five (5) working days of notification.		
Performance Indicator Type	Indicator	Total
Activity Measures	Indicator 1 – Number of formal safety complaints received	51
	Indicator 2 – Number of formal safety complaints initiated within five (5) working days of notification.	51
Intermediate Outcome Measures	100% of safety complaint inspections initiated within five (5) working days of notification.	100% of safety complaint inspections were initiated within (five) 5 days.
Primary Outcome Measures	100% of safety complaint inspections initiated within five (5) working days of notification.	
Comments:	Goal is measured annually, no baseline applies.	

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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	246
	Indicator 2 – Number of non-IAQ/sanitation complaints received	66
	Indicator 3 – Number of non-IAQ/sanitation health complaints initiated within five (5) days.	66
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 five (5) days. The average for initiating was less than five (5) days (3.9 days).
Primary Outcome Measures	95% of non-IAQ, sanitation health complaint inspections initiated within five (5) working days of notification.	
Comments		

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results Summary Chart				
Strategic Goal: To promote safety and health values in New Jersey’s public sector workplaces.				
Outcome Goal: Respond effectively to legal mandates, so that workers are provided full protection under the PEOSH Act.				
Performance Goal 3.3: 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).				
	Activity Measures	Result		
		Labor	Health	Total
Performance Indicators	Indicator 1 – Number of initial consultation visits conducted	81	21	102
	Indicator 2 – Number of consultation surveys received.	38	5	43
	Indicator 3 – Number of surveys received that rate the intervention as highly effective	38	5	43
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).	100% of the survey responses received rated the consultation services as highly effective.		
Comments				

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New Jersey Department of Labor & Workforce Development in conjunction with The New Jersey Department of Health FFY 2018 State OSHA Annual Report (SOAR): Results 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 3.4: 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 7 or higher, on a scale of 1 thru 10 on the customer satisfaction survey).				
Performance Indicator Type	Indicator	Result		
		Labor	Health	Total
Activity Measures	Indicator 1 – Number of compliance assistance activities conducted	91	49	140
	Indicator 2 – Number of compliance assistance surveys received.	12	32	44
	Indicator 3 – Number of surveys received that rate the intervention as highly effective	12	32	44
Intermediate Outcome Measures	90% of compliance assistance interventions are rated as highly effective (score of 7 or higher, on a scale of 1 thru 10 on the customer satisfaction survey).	100%		
Primary Outcome Measures	90% of compliance assistance interventions are rated as highly effective (score of 7 or higher, on a scale of 1 thru 10 on the customer satisfaction survey).	100%		
Comments				