

What to Expect when NJPEOSH Visits

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What is a PEOSH?

Agency enforcing occupational safety standards for N.J. public employees

- Federal OSHA creates standards
- N.J. Dept. of Health
 - Health-related hazards
 - Chemical exposures
- N.J. Dept. of Labor
 - Safety hazards
 - Machine guarding



Part 1

Anatomy of a PEOSH Inspection

3 Reasons for a PEOSH Visit:

- Serious Injury / Fatality Investigation
- Employee Complaint
- Programmed Inspection

Employers' Rights before Inspection

Complaint and Programmed Inspections
WILL BE unannounced
& during business hours

Except when:

- An imminent danger
- Can only effectively be conducted after hours
- To ensure someone is present at facility



Inspection Process

- 1) Inspector identification & credentialing
- 2) Opening Conference
- 3) Escorted Walk-around
- 4) Closing Conference

- Inspector will announce him/her self and show credentials to a manager.
- You may deny entry but they may return with a warrant.

Opening Conference

- Employee representative will be invited
 - Union representative if part of a bargaining unit, or
 - Person selected by employees
- Must tell if visit is complaint-driven
 - But not who submitted complaint
 - Can limit review to complaint or expand

Inspector may Request

- Job Hazard Assessments
- List of hazardous substances
- Employee roster
- Training records
- Written Safety Programs
- Injury Logs - 300 & 300A



Escorted Tour of Facility

Choose guide carefully

PEOSH Inspectors:

- Have the right to go almost anywhere
 - Can limit areas due to safety concerns
 - Too limiting can be deemed a 'refusal' to inspect
- May take air samples, monitor for noise, photos or other safety measurements

Escorted Tour of Facility

PEOSH Inspectors:

- Have the right to privately interview employees
- Have the right to question employees

Closing Conference

Inspector will:

- Review “apparent violations”
- Discuss options & deadlines for abatement
- Possible fines for NOT correcting
- Employer’s right to contest citations
- Obligation to post citation

Warn employer to not discriminate or retaliate against employees who participated in inspection

Possible Outcomes of Inspection

- Clean bill of health
- Issued a citation
 - Willful – fines 10 x dollar amount
 - Serious
 - Less than Serious
 - Repeat

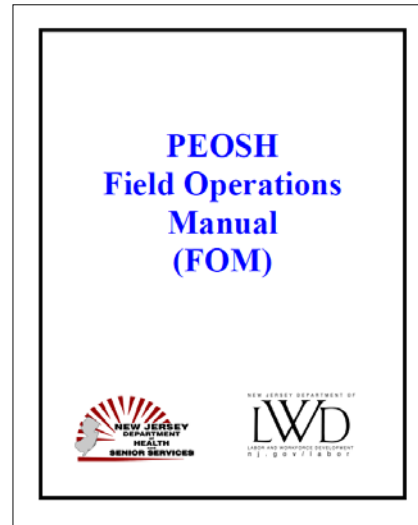
Deficiencies corrected during inspection will still be cited, but also listed as *Abated*

The PEOSH Act does not provide for citing employees

“Employers are responsible for employee compliance with the standards”

PEOSH Field Operation Manual

Guides inspectors on HOW to conduct inspections & record reviews



Part 2

Preparing for a PEOSH Inspection

Common citations fall into 3 categories:

- Facility-related
- Recordkeeping-related
- Safety program & training-related

Common Facility-related Deficiencies

- Fire extinguishers not being visually inspected every month
- Machine guards and warning signs / labels
- Open electrical junction boxes
- Damaged electrical cords and fixtures
- Unlit EXIT lights

Common Recordkeeping Deficiencies

- Failure to post 300A Injury Summary Log (February 1 – April 30)
- Failure to have 5 years of Injury logs 'available' to inspectors

Common Written Program Deficiencies

- Emergency Action Plans
- Lock Out / Tag Out – Annual audit of Authorized Persons
- Respiratory Protection Plan
- Job Hazard (PPE) Assessments

Job Hazard Assessment

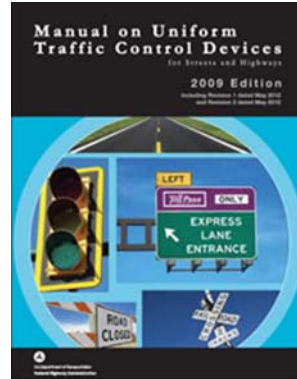
Employers must:

- Observe task
- Identify hazards
- Institute controls to protect worker
- Keep written records
 - Who and when completed the form

Hopewell Township Department of Public Works			
Personal Protective Equipment Assessment			
Task:	Leaf Vacuuming on or near roadway	Date:	Nov 23, 20xx
Location:	Washington Road	Observer:	Propoche
Time:	From: 900 To: 930	Reviewer:	
Job Description:	A crew of 2-3 workers, using a truck mounted / trailer leaf vacuum, proceed along residential streets collecting piles of leaves. This assessment does not pertain to using a leaf vacuum off roadway.		
Major Tasks:	(break down job into 2 or more tasks)		
1-	Driver moves slowly paying attention to traffic, workers, and other roadway hazards		
2-	Workers check equipment according to manufacturer's recommendations		
3-	Crew drives to, from, and between work sites		
4-	Vacuum tube operator and assistant(s) use vacuum to collect piles of leaves along roadway		
5-			
6-			
List Hazards:	Materials used or potentially contacted & associated hazard(s) (from label/HSD)		
1-			
2-			
3-			
4-			
5-			
6-			
Equipment, tools, machinery, etc. used & associated hazard(s) (from manufacturer manual)			
1-			
2-			
3-			
4-			
5-			
6-			
If Respiratory Hazards are at or above OSHA PEL, also evaluate site in accordance with 1910.154.			
If Noise levels are suspected at or above 85 dB, record readings here:			
Location:	time:	reading:	
Location:	time:	reading:	
Location:	time:	reading:	

Common Training Deficiencies

- Bloodborne Pathogens
- Work Zone / Traffic Control
- Respiratory Protection
 - Voluntary Respirator Program
- Operation of Utility Vehicles (golf carts)



General Duty Clause

5(a)(1)

Each employer shall furnish a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees

- Annual inspection / testing of automobile hoists
- Annual inspection of jacks
- Electric door closer entrapment protection

Compliance Documentation

- Respiratory Protection Plan
- Bloodborne Pathogen Plan
- Haz-Com Plan
- Emergency Action Plan
- Lock-Out-Tag-Out Plan
- Indoor Air Quality Plan
- Hearing Conservation Program
- Personal Protective Equipment Plan
- CDL/Fleet Safety

Thank You

Are there any questions?

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OSHA Inspection Criteria

Requirements under 29CFR by

Standard For:

- *Policies*
- *Recordkeeping Requirements*
- *Certification*
- *Training*
- *Exposure Monitoring*
- *Medical Surveillance*
- *Competent Person*
- *Qualified Person*
- *Signs Markings and Tags*
- *Other Requirements*

P: Programs, policies and procedures-related requirement: Indicates required programs or policies, which can be written or unwritten, and/or be a mix of procedures, policies or plans required to meet a rule's requirements.

I: Inspections and tests requirement: Indicates required inspections, workplace evaluations, hazard assessments, visual examinations, tests, and/or surveys, documented and undocumented.

RK: Recordkeeping requirement: Indicates rules that have recordkeeping requirements for activities such as injury reporting, equipment inspections, surveys, tests, medical monitoring, exposure monitoring, training, records and other documentation requirements.

C: Certification requirement: Indicates rules that have a certification component. Certification will usually mean a written, signed, and dated statement confirming the performance of a requirement—also called a “certification record” in many rules.

T: Training and communications requirement: Indicates rules that have requirements for employee training, instruction, communications and/or providing information.

EM: Exposure monitoring requirement: Indicates rules that require exposure monitoring or other monitoring components for workplace hazards such as noise, chemicals and air contaminants.

MS: Medical surveillance requirement: Indicates rules that require regular medical examinations and consultations for employees who may be overexposed to hazardous substances during their work and/or a medical or a physically qualified component.

CP: Competent person requirement: Indicates rules that have requirements for “competent persons.” An OSHA “competent person” is defined as “one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.”

QP: Qualified person requirement: Indicates rules that have requirements for “qualified persons.” “Qualified” means one who, by possession of a recognized degree, certificate or professional standing, or who by extensive knowledge, training and experience, has successfully demonstrated his or her ability to solve or resolve problems relating to the subject matter, the work, or the project. This will include registered professional engineers, physicians, audiologists, and other qualified persons..

SMT: Signs, markings, tags requirement: Indicates rules that have requirements for some type of labeling component for equipment, machines and tools or signs for regulated areas, or requirement for establishing a regulated area, posting and placarding.

O: Other requirements: Indicates rules that have special requirements other than those listed above.

General Rules and Operational Procedures												
Office of Occupational Safety and Health												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
Safety and Health Programs	X*	X*	X*		X							
29 CFR 1904 – Recordkeeping												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1904.0-Purpose 1904.46 Definitions	X		X*	X*	X					X		
29 CFR 1910 – General Industry												
Subpart D Walking and Working Surfaces												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.25 Portable Wood Ladders		X								X		
1910.26 Portable Metal Ladders		X										
1910.27 Fixed Ladders		X										
1910.28 – Safety Requirements for scaffolding		X	X*						X			
Subpart E – Means of Egress												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.38 Emergency Action Plan	X*		X*		X							
	X*		X*		X							
29 CFR 1910 - General Industry												
Subpart F Powered Platforms, Man lifts, and Vehicle Mounted Work Platforms												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.66 Powered Platforms for building maintenance	X*	X	X*	X*	X			X				
1910.67 Vehicle mounted elevating and rotating work platforms												
1910.68 Manlifts		X	X*	X*	X			X	X			
29 CFR 1910 - General Industry												
Subpart G Occupational Health and Environmental controls												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.94 Ventilation	X*	X	X*	X*	X			X				
1910.95 Occupational Noise Exposure												
1910.97 Ionizing Radiation		X	X*	X*	X			X	X			

29 CFR 1910 - General Industry												
Subpart H – Hazardous Materials												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.103 - Hydrogen		X										
1910.104 – Oxygen		X										
1910.106 - Flammable Liquids	X	X	X*	X*	X*				X	X*		
1910.107 – Spray Finishing w/ flammable & Combustible Materials		X										
1910.109 Explosives and Blasting Agents	X	X			X				X			
1910.110 Storage and Handling of Liquid Petroleum Gasses		X			X							
1910.111 – Storage and handling of Anhydrous Ammonia		X	X*X*						X			
1910.119 – Process safety Management of highly hazardous chemicals	X*	X	X*	X*	X*	X			X			
1910.120 – Hazardous Waste Operations and Emergency Response	X*	X	X*	X*	X*	X*	X*		X			
1910.124 General requirements for dipping and coating operations		X										
29 CFR 1910 - General Industry												
Subpart I – Personal Protective Equipment												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.132 – General Requirements		X	X*	X*	X							
1910.134 – Respiratory Protection	X*	X*	X*	X*	X	X	X		X	X		
1910.137 – Electrical protective equipment		X	X*	X*				X	X	X		
29 CFR 1910 - General Industry												
Subpart J – Environmental Controls												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
0910.141 – Sanitation	X											
1910.145 Specification for accident Prevention Signs and Tags					X							
1910.146 – Permit required Confined Spaces	X*	X	X*	X*	X*	X			X		X	
1910.147 Control of Hazardous Energy (Lockout Tag Out)	X*	X	X*	X*	X				X	X		
29 CFR 1910 - General Industry												
Subpart K Medical Services												
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O	
1910.151 Medical Services and First Aid					X							

29 CFR 1910 - General Industry											
Subpart Z Toxic and Hazardous Substances											
Section	P	I	RK	C	T	EM	MS	CP	QP	SMT	O
1910.1000 Air Contaminants	X	X*	X*					X	X*		
1910.1001 Asbestos	X*	X	X*		X*	X*	X*	X	X*	X	
1910.1003 13 Carcinogens	X*		X*		X*		X*	X	X	X	
1910.1017 Vinyl Chloride	X*		X*		X*	X*	X*		X*	X	
1910.1018 Inorganic Arsenic	X*		X*		X*	X*	X*		X	X	
1910.1020 access t Employee Exposure and Medical Records		X*	X*								
1910.1025 Lead	X*		X*		X*	X*	X*		X*	X	
1910.1026—Chromium (VI)	X*		X*		X*	X*	X*		X*	X	
1910.1027—Cadmium	X*		X*		X*	X*	X*		X*	X	
1910.1028—Benzene	X*		X*		X*	X*	X*		X*	X	
1910.1029—Coke Oven Emissions	X*	X	X*	X*	X*	X*	X*		X*	X	
1910.1030—Bloodborne Pathogens	X*		X*	X*	X*	X*	X*		X*	X	
1910.1043—Cotton Dust	X*		X*		X*	X*	X*		X*	X	
1910.1044—1,2-dibromo-3-chloropropane	X*		X*		X*	X*	X*		X*	X	
1910.1045—Acrylonitrile	X*		X*		X*	X*	X*		X*	X	
1910.1047—Ethylene Oxide	X*		X*		X*	X*	X*		X*	X	
1910.1048—Formaldehyde	X*	X	X*		X*	X*	X*		X*	X	
1910.1050—Methylenedianiline	X*	X*	X*		X*	X*	X*		X*	X	
1910.1051—1,3-Butadiene	X*		X*		X*	X*	X*		X*	X	
1910.1052—Methylene Chloride	X*		X*	X*	X*	X*	X*		X*	X	
1910.1096—Ionizing Radiation	X*	X	X*		X*		X*		X*	X	
1910.1200—Hazard Communication	X*		X*		X*				X*	X*	
1910.1201—Retention of DOT Markings, Placards and Labels										X	
1910.1450—Occupational Exposure to Hazardous Chemicals in Laboratories	X*		X*		X*	X*	X*		X*	X	

NJ Department of Labor Workforce Development
Office of Public Employees Occupational Safety Health

Most Frequently Cited Standards for October 1, through December 31, 2016

Frequency Cited	Standard	Description
53	1904.29(a)	Recordkeeping - Failure to maintain NJOSH 300 Forms
27	N.J.S.A. 34:6A-33(a)	General Duty Clause: Overhead Doors w/o Reverse/Stop Mechanism, No Vehicle Lift Inspection, etc.
17	1910.39(b)	No Fire Prevention Plan in writing
16	1910.132(d)(1)	No PPE Hazard Assessment
15	N.J.A.C. 12:100-7.8(a)	No HazCom training
14	1910.38(b)	No written Emergency Action Plan
10	1910.147(c)(6)(i)	Lockout/Tagout Program: No Periodic Inspection
10	1910.157(g)(1)	No fire extinguisher training
10	N.J.A.C. 12:100-7.5(a)	No Hazard Communication Program
8	1910.303(f)(2)	Circuit breakers not labeled
7	1910.303(g)(2)(ii)	Electrical equipment not guarded/protected from damage
8	1910.305(b)(1)(ii)	Openings in electrical boxes not closed
8	1910.37(a)(4)	Safety equipment not kept in proper working order
7	1910.157(e)(3)	Fire extinguishers not inspected annually
7	1910.176(b)	Unsafe Storage
7	1910.212(a)(3)(ii)	No point of operation machine guarding
7	1910.37(b)(2)	Exit signs not provided
7	N.J.A.C. 12:100-10.9(a)	Firefighter helmet not compliant
6	1910.147(c)(1)	No Lockout/Tagout Program
6	1910.157(c)(1)	Fire extinguishers not mounted/identified
6	1910.157(e)(2)	Fire extinguishers not inspected monthly
6	1910.176(c)	Housekeeping
6	1910.303(b)(7)(iv)	Electrical equipment with damaged parts
5	1910.147(c)(4)(i)	Lockout/Tagout Program: No Procedures Documented
5	1910.244(a)(2)(vi)	Portable floor jack not inspected
5	1910.303(b)(1)	Electrical Equipment Not Free from Recognized Hazard
5	1910.305(b)(2)(i)	Electrical Equipment Not Free from Recognized Hazard