

CHAPTER 100

**SAFETY AND HEALTH STANDARDS
FOR PUBLIC EMPLOYEES**

Authority

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

Source and Effective Date

R.1999 d.319, effective August 26, 1999.
See: 31 N.J.R. 1849(b), 31 N.J.R. 2755(c).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 100, Safety and Health Standards for Public Employees, expires on February 22, 2005. See: 36 N.J.R. 4210(a).

Chapter Historical Note

Chapter 100, General Provisions, was filed prior to September 1, 1969.

Chapter 100, General Provisions, was repealed, and Chapter 100, Migrant Labor, was adopted as R.1975 d.101, effective April 16, 1975. See: 7 N.J.R. 231(a).

Chapter 100, Migrant Labor, was repealed by R.1978 d.288, effective August 16, 1978. See: 10 N.J.R. 258(a), 10 N.J.R. 400(d).

Chapter 100, Safety and Health Standards for Public Employees, was adopted as new rules by R.1984 d.510, effective November 5, 1984. See: 16 N.J.R. 2057(a), 16 N.J.R. 3051(a).

Subchapter 12, Asbestos, was adopted, and Subchapter 7, Standards and Publications Referred to in This Chapter, was recodified as Subchapter 17 by R.1986, d.285, effective July 21, 1986. See: 18 N.J.R. 811(b), 18 N.J.R. 1479(b).

Subchapter 9, Work in Confined Spaces, was adopted as R.1988 d.451, effective September 19, 1988. See: 20 N.J.R. 1523(a), 20 N.J.R. 3291(a).

Subchapter 11, Control of Hazardous Energy Sources, was adopted as R.1989 d.238, effective May 1, 1989. See: 21 N.J.R. 620(a), 21 N.J.R. 1144(a).

Subchapter 8, Standards for Indoor Firing Ranges for Public Employees, was adopted as R.1989 d.357, effective July 3, 1989. See: 21 N.J.R. 1094(a), 21 N.J.R. 1829(b).

Pursuant to Executive Order No. 66(1978), Chapter 100, Safety and Health Standards for Public Employees, was readopted as R.1989 d.536, effective September 22, 1989. See: 21 N.J.R. 2224(a), 21 N.J.R. 3299(b).

Subchapter 10, Standards for Firefighters, was adopted as R.1993 d.28, effective January 4, 1993. See: 24 N.J.R. 73(a), 25 N.J.R. 180(b).

Pursuant to Executive Order No. 66(1978), Chapter 100, Safety and Health Standards for Public Employees, was readopted as R.1994 d.492, effective August 26, 1994. See: 26 N.J.R. 2776(a), 26 N.J.R. 3872(b).

Subchapter 12, Asbestos, was repealed by R.1996 d.370, effective August 5, 1996. See: 28 N.J.R. 2507(a), 28 N.J.R. 3801(a).

Subchapter 13, Indoor Air Quality Standard, was adopted as R.1997 d.109, effective March 3, 1997. See: 28 N.J.R. 4564(a), 29 N.J.R. 796(a).

Subchapter 9, Work in Confined Spaces, and Subchapter 11, Control of Hazardous Energy Sources, were repealed by R.1998 d.574, effective December 7, 1998. See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).

Pursuant to Executive Order No. 66(1978), Chapter 100, Safety and Health Standards for Public Employees, was readopted as R.1999 d.319, effective August 26, 1999. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

12:100-1.1 Purpose

The purpose of this chapter is to protect employees in the public sector by providing standards, which are at least as effective as the standards promulgated under Section 6 of the Federal Occupational Safety and Health Act of 1970, 29 USC 651 et seq.

Recodified from N.J.A.C. 12:100-1.3 by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).
Former N.J.A.C. 12:100-1.1, Title and citation, repealed.

12:100-1.2 Scope

This chapter shall apply to all employers, employees, and agencies subject to N.J.S.A. 34:6A-25 et seq., New Jersey Public Employees Occupational Safety and Health Act.

Recodified from N.J.A.C. 12:100-1.4 by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).
Former N.J.A.C. 12:100-1.2, Authority, repealed.

Case Notes

OSHA standards adopted in New Jersey could be applicable to scaffold collapse incident or recognized as prevailing safety standards in community. *Sanna v. National Sponge Co.*, 209 N.J.Super. 60, 506 A.2d 1258 (App.Div.1986).

12:100-1.3 Documents referred to by reference

The availability of standards and publications referred to in this chapter is explained in N.J.A.C. 12:100-17.

Recodified from N.J.A.C. 12:100-1.5 and amended by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).
Changed N.J.A.C. reference. Former N.J.A.C. 12:100-1.3, Purpose, recodified to N.J.A.C. 12:100-1.1.

12:100-1.4 (Reserved)

Recodified to N.J.A.C. 12:100-1.2 by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).

12:100-1.5 (Reserved)

Recodified to N.J.A.C. 12:100-1.3 by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).

12:100-1.6 (Reserved)

Repealed by R.1998 d.574, effective December 7, 1998.

See: 30 N.J.R. 3368(a), 30 N.J.R. 4240(b).

SUBCHAPTER 2. DEFINITIONS

12:100-2.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Act” means the New Jersey Public Employees Occupational Safety and Health Act, N.J.S.A. 34:6A-25 et seq.

“Approved” means acceptable to the Commissioner of Labor.

“CFR” means Code of Federal Regulations.

“Commissioner” means the Commissioner of Labor or his or her designee.