

**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.,  
specifically 34:6A-30, 31 and 32.

**Source and Effective Date**

R.2005 d.21, effective December 8, 2004.  
See: 36 N.J.R. 4210(a), 37 N.J.R. 80(c).

**Chapter Expiration Date**

Subchapters I through 13 expire on December 8, 2009.

Subchapter 14, Shipyard Employment, Subchapter 15, Marine Terminals, Subchapter 16, Longshoring, Subchapter 17, Gear Certification, Subchapter 18, Workshops/Rehabilitation Facilities and Subchapter 19, Standards and Publications Referred to in this Chapter, expire June 6, 2010. See: 41 N.J.R. 4830(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Chapter 100, General Provisions, was repealed, and Chapter 100, Migrant Labor, was adopted as R.1975 d.101, effective April 16, 1975.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Chapter 100, Migrant Labor, was repealed by R.1978 d.288, effective August 16, 1978.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. 2391(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: 31 N.J.R. 1849(b), 31 N.J.R. 2755(c).

Subchapter 3A, Adoption of Standards, and Subchapter 7, Standard for Hazard Communication, were adopted by R.2004 d.183, effective May 7, 2004. See: 36 N.J.R. 150(a), 36 N.J.R. 2244(a).

Chapter 100, Safety and Health Standards for Public Employees, was readopted as R.2005 d.21, effective December 8, 2004. See: Source and Effective Date.

Subchapter 14, Shipyard Employment, Subchapter 15, Marine Terminals, Subchapter 16, Longshoring, Subchapter 17, Gear Certification, and Subchapter 18, Workshops/Rehabilitation Facilities, were adopted as special new rules; and former Subchapter 17, Standards and Publications Referred to in this Chapter, was recodified as N.J.A.C. 12:100-19 by R.2009 d.391, effective December 21, 2009 (to expire June 6, 2010). See: 41 N.J.R. 4830(a).

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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.