

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.2010 d.118, effective May 25, 2010.
See: 42 N.J.R. 128(a), 42 N.J.R. 1210(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1.c(2), Chapter 100, Safety and Health Standards for Public Employees, expires on November 21, 2017.
See: 49 N.J.R. 1817(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Chapter 100, General Provisions, was repealed, and Chapter 100, Migrant Labor, was adopted as R.1975 d.101, effective April 16, 1975.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Chapter 100, Migrant Labor, was repealed by R.1978 d.288, effective August 16, 1978.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Subchapter 12, Asbestos, was repealed by R.1996 d.370, effective August 5, 1996.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 as new rules by R.2004 d.183, effective May 3, 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: 36 N.J.R. 4210(a), 37 N.J.R. 80(c).

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).

Chapter 100, Safety and Health Standards for Public Employees, was readopted as R.2010 d.118, effective May 25, 2010. See: Source and Effective Date. See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 100, Safety and Health Standards for Public Employees, was scheduled to expire on May 25, 2017. See: 43 N.J.R. 1203(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 12:100-1.1 Purpose
- 12:100-1.2 Scope
- 12:100-1.3 Documents referred to by reference
- 12:100-1.4 through 12:100-1.6 (Reserved)

SUBCHAPTER 2. DEFINITIONS

- 12:100-2.1 Definitions

SUBCHAPTER 3. ADMINISTRATION

- 12:100-3.1 Scope of subchapter
- 12:100-3.2 Compliance
- 12:100-3.3 Jurisdictional roles of State agencies

SUBCHAPTER 3A. ADOPTION OF STANDARDS

- 12:100-3A.1 Adoption of standards in compliance with applicable Federal standards
- 12:100-3A.2 Adoption of standards more stringent than Federal standards
- 12:100-3A.3 Adoption of emergency temporary standards

SUBCHAPTER 4. GENERAL STANDARDS

- 12:100-4.1 Scope of subchapter; "employer" defined
- 12:100-4.2 Adoption by reference
- 12:100-4.3 Compliance with referenced standards

SUBCHAPTER 5. CONSTRUCTION STANDARDS

- 12:100-5.1 Scope of subchapter
- 12:100-5.2 Adoption by reference
- 12:100-5.3 Compliance with referenced standards

SUBCHAPTER 6. AGRICULTURAL STANDARDS

- 12:100-6.1 Scope of subchapter
- 12:100-6.2 Adoption by reference
- 12:100-6.3 Compliance with referenced standards

SUBCHAPTER 7. STANDARD FOR HAZARD
COMMUNICATION

- 12:100-7.1 Purpose
- 12:100-7.2 Definitions
- 12:100-7.3 Employee information and training
- 12:100-7.4 through 12:100-7.9 (Reserved)

APPENDIX A

APPENDIX B

APPENDIX C through APPENDIX E (Reserved)

SUBCHAPTER 8. STANDARDS FOR INDOOR FIRING RANGES FOR PUBLIC EMPLOYEES

- 12:100-8.1 Scope
- 12:100-8.2 Definitions
- 12:100-8.3 Lead standard
- 12:100-8.4 Ammunition
- 12:100-8.5 Ventilation system
- 12:100-8.6 Noise exposure
- 12:100-8.7 Water drains
- 12:100-8.8 Work practices

SUBCHAPTER 9. (RESERVED)

SUBCHAPTER 10. STANDARDS FOR FIREFIGHTERS

- 12:100-10.1 Scope; standards information
- 12:100-10.2 Definitions
- 12:100-10.3 Organization, training and education
- 12:100-10.4 Personnel; limitations on ability to perform
- 12:100-10.5 Protective clothing
- 12:100-10.6 Protective clothing; foot and leg protection
- 12:100-10.7 Protective clothing; body protection
- 12:100-10.8 Protective clothing; hand protection
- 12:100-10.9 Protective clothing; head, eye and face protection
- 12:100-10.10 Respiratory protection devices
- 12:100-10.11 Life-safety rope, harnesses and hardware
- 12:100-10.12 Personal alert safety system
- 12:100-10.13 Hearing protection
- 12:100-10.14 Filling air cylinders
- 12:100-10.15 Fire apparatus operations
- 12:100-10.16 Maintenance of firefighter equipment

SUBCHAPTERS 11 THROUGH 12. (RESERVED)

SUBCHAPTER 13. INDOOR AIR QUALITY STANDARD

- 12:100-13.1 Scope
- 12:100-13.2 Definitions
- 12:100-13.3 Compliance program
- 12:100-13.4 Controls of specific contaminant sources
- 12:100-13.5 Air quality during renovation and remodeling
- 12:100-13.6 Recordkeeping
- 12:100-13.7 Employer's response to a signed PEOSH complaint
- 12:100-13.8 Indoor air quality (IAQ) compliance documents

SUBCHAPTER 14. SHIPYARD EMPLOYMENT

- 12:100-14.1 Scope of subchapter
- 12:100-14.2 Adoption by reference
- 12:100-14.3 Compliance with referenced standards

SUBCHAPTER 15. MARINE TERMINALS

- 12:100-15.1 Scope of subchapter
- 12:100-15.2 Adoption by reference
- 12:100-15.3 Compliance with referenced standards

SUBCHAPTER 16. LONGSHORING

- 12:100-16.1 Scope of subchapter
- 12:100-16.2 Adoption by reference
- 12:100-16.3 Compliance with referenced standards

SUBCHAPTER 17. GEAR CERTIFICATION

- 12:100-17.1 Scope of subchapter
- 12:100-17.2 Adoption by reference
- 12:100-17.3 Compliance with referenced standards

SUBCHAPTER 18. WORKSHOPS/REHABILITATION FACILITIES

- 12:100-18.1 Scope of subchapter
- 12:100-18.2 Adoption by reference
- 12:100-18.3 Compliance with referenced standards

SUBCHAPTER 19. STANDARDS AND PUBLICATIONS REFERRED TO IN THIS CHAPTER

- 12:100-19.1 Documents referred to by reference
- 12:100-19.2 Availability of documents for inspection
- 12:100-19.3 Availability of documents from issuing organization

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. 12:100-19.

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.

Amended by R.2017 d.115, effective June 5, 2017.

See: 48 N.J.R. 935(a), 49 N.J.R. 1423(a).

Updated the N.J.A.C. reference.

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).