



**NEW JERSEY WORK  
ENVIRONMENT COUNCIL**



# **Making Progress in Tough Times**

**2012-2013 UPDATE  
APRIL 2013**

**Human climate in N.J. sacrificed  
for better business climate**

**The Record**  
THE TRUSTED LOCAL SOURCE

**Stronger Safeguards needed in  
N.J. hospitals, Nursing Homes**

**The Star-Ledger**

**Gov. Chris Christie's corporate  
waivers jeopardize New Jersey**

**The Times**  
The right place. The right Times.

**DOW CHEMICAL FIRE IN PA. EXPOSES  
RISKS OF UNDERMINING SAFEGUARDS**

Corporate CEOs continue their attack on basic health, safety, and environmental safeguards in our workplaces and communities. New Jersey has the nation's fourth highest unemployment rate. We have a governor and many other politicians from both parties hostile to worker rights and environmental protection. And we suffered a devastating storm – likely resulting from our changing climate. Despite all this, more than 70 labor, environmental, and community organizations united in the New Jersey Work Environment Council (WEC) continue to show that by working together we can make progress, defend past gains, and address urgent new needs.

Here are some recent accomplishments by WEC together with our partner organizations:

**Safe Recovery from Sandy:** Without united action, recovery efforts after Superstorm Sandy could have and may still turn into a second disaster, causing serious safety and health problems for thousands of workers, volunteers, and community residents. Hazards include contaminated debris, mold, lead, asbestos, silica, building collapse, and construction dangers, such as roof falls. Many people involved in recovery don't understand the hazards they face and how to prevent them.

After Sandy hit, WEC quickly responded.

- We disseminated information on response and recovery hazards to hundreds of leaders of local unions, workers' centers, and volunteer efforts in the hardest hit areas. Working with skilled

emergency response trainers from the United Steelworkers' Tony Mazzocchi Center and International Chemical Workers Council (UFCW), we documented conditions, distributed booklets and fact sheets, and trained volunteers from faith-based and other volunteer organizations.

- We organized, with OSHA and EPA, a public forum on recovery hazards where local leaders questioned federal and state agency representatives about their responsibilities, activities, and plans. Participating agencies also included the National Institute of Environmental Health Sciences (NIEHS), the National Institute of Occupational Safety and Health (NIOSH), and the NJ Public Employees Occupational Safety and Health Program.



- Through a WEC coordinated letter, 48 organizations and safety and health experts urged Governor Christie to request, through FEMA, training resources from NIEHS, to launch intensive public education, including safety awareness days, and to coordinate an action-oriented task force of government agencies and nonprofit organizations to ensure a safe recovery. Because of WEC's work, the Governor asked FEMA for NIEHS training support and NJ Health Department Commissioner Mary O'Dowd convened a new Environmental Health Task Force, in which WEC participates. We will press the Task Force to make a real difference. We have also joined with environmental allies to support principles for sustainable reconstruction. While achieving a safe recovery poses an enormous challenge, WEC has made a good start in pushing public officials to act.



**Jordan Barab, federal OSHA's 2nd in charge, participates in workshop discussion on response to Hurricane Sandy.**

**Forward, Not Back:** Since Chris Christie became governor in 2010 he has attempted to weaken workplace and environmental standards that are among the nation's strongest. WEC spearheads broad coalition efforts advocating stronger, not weaker, public oversight of corporations. Fortunately, we defeated legislation (A2486/S1986) in the session ending in January 2012 that would have blocked adoption and renewal of state standards that are stronger than weak federal rules.

WEC also coordinated support for a lawsuit by 28 labor and environmental allies against Christie's Department of Environmental Protection "waiver rule" that directs the agency to waive safeguards that create an "undue burden" on particular corporations (that just might happen to be major campaign contributors). Our attorney, Ed Lloyd, argued the case against the validity of the waiver rule before the appellate court on January 14, 2013. Because of an adverse decision, we plan an appeal to the NJ

Supreme Court. With allies, we won an Assembly resolution to reject this rule, and we continue to advocate passage of that resolution in the State Senate.

We also educated the public and policy makers to counter the false premise that regulations "kill jobs." This was done, in part, through speaking appearances and by distributing the issues brief, *Why Responsible Legislators Should Support Good Jobs and Strong Safeguards for Workers and Communities*, to every member of the state legislature.

**Healthy Schools Now!** Serious hazards in public schools include poor indoor air quality, mold, extreme temperatures, and electrical and fire dangers.

Our work seeks to modernize NJ school facilities, correct widespread health and safety hazards facing students, teachers, and other school staff, and free up \$4 billion already directed by the courts and authorized by the state legislature – but blocked by Governor Christie – to fix school facilities in poor communities.

To accomplish this, we began organizing a Healthy Schools Now! campaign and coalition. We built relationships with new partners, including the Statewide Education Organizing Committee, Save Our Schools NJ, Education Law Center (and their Our Children, Our Schools network), Abbott Leadership Institute, Latino Institute, Latino Action Network, NAACP, and Newark Teachers Union (AFT), and worked with long-standing WEC affiliates, such as the NJ Education Association (NJEA). We developed a campaign platform, website, and brochure to educate and engage parents, teachers and school staff and make their voices heard by policy makers. We've also formed a campaign steering committee. Campaign partners met with the Governor's Schools Development Authority (SDA) about its abysmal record of correcting serious conditions in low-income school districts and demanded more transparency



**This contractor is violating OSHA standards.**

PHOTO BY LUIS VAZQUEZ



**Trenton High School conditions.**

PHOTO COURTESY OF BETTER PLAN FOR TRENTON HIGH SCHOOL

and responsiveness. Campaign partners also testified at the Joint Committee on Public Schools on hazards in public schools and testified in favor of state legislation (A2492/S817) that would help schools address extreme temperatures.

With support from NJEA, we continued to provide technical and organizing consultation on school hazards, including to NJEA local associations in Alloway, Asbury Park, Bloomfield, Cliffside Park, Clinton, Franklin Lakes, Greenwich, Hawthorne, Howell, Keansburg, Lyndhurst, Millville, Paterson, Pine Hill, Pleasantville, Penns Grove, Red Bank, Somers Point, Waretown, Willingboro, and Woodland Park, and in Bergen and Hunterdon Counties.

**Chemical Safety and Security First:** On November 30, 2012, nearly 700 residents were evacuated and at least 100 were sickened when more than 23,000 pounds of highly toxic and cancer-causing vinyl chloride (VC) spread from a ruptured rail car through the working class and poor residential areas of Paulsboro, Gloucester County. The emergency response was a disaster itself, exposing responders to VC gas because they lacked proper protective equipment and were provided inoperative air monitors. When schools were closed, some children walked home through a fog of VC. This disaster illustrates why chemical safety is a continuing issue for us all. WEC is working with Paulsboro residents, the local teachers' association, and emergency responders (both volunteer and union firefighters) to help them organize to prevent future threats to health.

Continuing our efforts for safety and security across New Jersey, we press corporate management for safer processing methods, substitution of safer chemicals, and greater worker and community partici-

pation to prevent hazards. Over the past few years, more than one million people working in and/or living near hazardous facilities in NJ have become safer as facilities reduced their potential hazards as a result of this path-breaking work. One 2012 highlight of our work is that the U.S. Chemical Safety Board, which examines the root causes of major chemical incidents across the nation, adopted a formal policy to include workers and union representatives as participants in their site investigations, as urged by WEC.

## **WEC Education and Training**

WEC reached more than 3,200 people in 2012 through training, education, and outreach activities. Highlights of these activities included workshops and presentations on:

- Preventing Workplace Violence
- Safe Patient Handling
- Health Care Hazards
- Hazards in Public Schools
- Chemical Process Safety Management
- Chemical Hazards
- Incident Investigation
- NJ Policies for Safer Chemical Facilities
- Effective Health and Safety Committees
- Post-Disaster Safety and Health Hazards and Challenges
- Whistleblower Protections
- Illegal Employer Safety Incentive Programs
- Worker Rights Under OSHA and Public Employee OSHA
- Green Jobs and School Modernization

WEC also brought together our member organizations to learn about their rights under workplace safety and environmental laws, and sponsored forums with OSHA and/or EPA regional officials on immigrant worker safety and health issues, whistleblower protection, and the challenges posed by Superstorm Sandy.



**Davetta Howard presents a petition, signed by over 175 Paulsboro residents, to the town council demanding action after the disastrous vinyl chloride leak.**





**Teamsters Local 877 is leading a campaign for better fire protection to protect members and the community.**

## WEC Publications

WEC continues to produce high quality publications, which are available by visiting [www.njwec.org](http://www.njwec.org). In 2012, in addition to advocacy materials, these included:

- *Preventing Workplace Hazards: An Action Guide for NJ Workers and Unions* (2nd Edition). This 147-page guide was supported by 22 labor organizations and the Public Welfare Foundation and is the most comprehensive sourcebook ever created for NJ workers and unions. Twenty model request letters help your union request information and action from employers and government agencies.
- *You Have the Right to Disclose Unlawful Activity and to Not Participate In Such Activity Without Retaliation*. A fact sheet on our state whistleblower law, the NJ Conscientious Employee Protection Act (CEPA), as well as a model letter to employers about their annual obligation to notify their employees of their CEPA rights.
- Fact sheets on Sandy recovery dangers, the hazards of vinyl chloride (for Paulsboro residents), understanding risk management plans, how to get off-site chemical release consequence information, NJ's safer chemical processing rule, and worker/union rights to participate in US Environmental Protection Agency accidental release inspections.
- Columns for the New Jersey Education Association's *Reporter* newspaper, which reaches more than 195,000 teachers and other school staff. 2012-13 topics were: *Keeping the Classroom Chemical Free; Modernizing Promotes Safety, Savings; Ventilation Systems Affect Air Quality; How Does Your School Handle Pests?; Job Stress; Keep the Heat Down; Be Kind to Your Eyes; Your Best Solution: A Health and Safety Committee;*

*Out in the Cold; Sandy: Is It Safe to Come Back?; and Reporting Violence*. To read them, visit [www.njea.org/issues-and-political-action/health-and-safety](http://www.njea.org/issues-and-political-action/health-and-safety)

- Training factsheets and participatory activities on workplace Injury and Illness Prevention Programs produced under our new OSHA training grant.
- *Why Responsible Legislators Should Support Good Jobs and Strong Safeguards for Workers and Communities*. An issues brief.

## WEC Testimony

WEC leaders and staff frequently testified before public bodies on critical issues. We:

- Opposed NJ withdrawal from the Regional Greenhouse Gas Initiative (A1998).
- Opposed deregulation bill that allows agencies to be tied up in "red tape" by industry petitioners claiming that rules conflict with each other (S913).
- Supported Assembly and Senate rejection of DEP "waiver rule" (ACR37/SCR59).
- Supported school temperature guidelines (A2492/S817).
- Supported correcting imminent danger hazards in low income public schools (Schools Development Authority, Joint Legislative Committee on Public Schools).
- Supported policies to ensure safe, secure chemical facilities (Assembly Homeland Security Committee).
- Urged amendments to stop construction contractors from receiving public contracts if they have been found to endanger workers (A2384).

## Member Organizations

### Labor Organizations

American Federation of Government Employees District 2  
American Federation of Teachers, NJ State Federation  
American Federation of State, County, and Municipal Employees Council 1  
Barnegat Education Association  
Bergen County Central Trades and Labor Council  
Bernards Township Education Association  
Burlington County Central Labor Council  
Camden County Council 10  
Central/Northern New Jersey Coalition of Black Trade Unionists  
Communications Workers of America (CWA) District 1  
CWA Local 1032  
CWA Local 1036  
CWA Local 1037  
CWA Local 1082  
CWA Local 1091/New Jersey Nurses Union  
Education Association of Passaic  
Essex-West Hudson Central Labor Council  
Health Professionals and Allied Employees (HPAE)  
HPAE Local 5147  
HPAE Local 5185  
Hudson County Central Labor Council  
International Brotherhood of Electrical Workers (IBEW) Local 827  
IBEW Local 94  
International Brotherhood of Teamsters (IBT) Local 877  
IBT Local 469  
IBT Local 612  
International Federation of Professionals and Technical Engineers (IFPTE) Local 194  
IFPTE Local 195  
Laborers International Union of North America Local 78  
Middlesex County Central Labor Council  
Monmouth/Ocean Central Labor Council

New Brunswick Education Association  
New Jersey Education Association  
New Jersey State Industrial Union Council  
New Labor  
Paterson Education Association  
Union of Rutgers Administrators, AFT Local 1766  
United Electrical, Radio and Machine Workers of America (UE) Local 106  
United Food and Commercial Workers (UFCW) Local 152, Professional Healthcare Division  
UFCW Local 1360  
United Steelworkers (USW) District 4  
USW Local 4-200  
USW Local 4-397  
USW Local 4-417  
USW Local 4-406  
USW Local 4-575  
USW Local 4-972  
USW Local 4-943  
United Transportation Union, New Jersey State Council  
Utility Workers Union of America, NJ State Council

### Environmental, Community and Other Organizations

American Labor Museum  
Clean Ocean Action  
Environment New Jersey  
GreenFaith  
Hackensack Riverkeeper  
Ironbound Community Corporation  
Long Branch Concerned Citizens Coalition  
New Jersey Audubon Society  
New Jersey Environmental Federation  
New Jersey Environmental Lobby  
New Jersey Citizen Action  
New Jersey Sierra Club  
Paterson Task Force for Community Action

## New Jersey Work Environment Council Officers/Board of Directors, Staff, and Consultants

WEC's Board of Directors sets policy, directs programs, and approves our budget. The Board represents our core labor, community, and environmental constituencies. An Executive Committee of the Board (\*), composed of the elected officers, as well as a Finance and project committees, helps guide WEC between quarterly Board meetings.

### OFFICERS

#### PRESIDENT

**\*John Pajak**, Vice President,  
International Brotherhood of Teamsters Local 877  
*A worker and safety activist at the Phillips 66 Bayway refinery in Linden, the east coast's largest oil refinery and member of the union's safety and health committee; the local also represents workers at nearby chemical plants.*

#### TREASURER

**\*Reverend Fletcher Harper**, Executive Director,  
GreenFaith  
*GreenFaith is an interfaith environmental coalition that mobilizes New Jersey's faith community to address issues of environmental spirituality, stewardship, and justice.*

#### RECORDING SECRETARY

**\*Carmen Martino**, Co-Director,  
Latino Occupational Safety and Health Initiative,  
Rutgers University School of Management and  
Labor Relations  
*A strategic researcher working closely with New Labor, a membership organization of immigrant workers.*

#### VICE PRESIDENTS

**\*Marie Blistan**, Secretary-Treasurer,  
NJ Education Association  
*Officer of the state's largest school employees' union, representing 195,000 active and retired teachers and other school employees.*

**\*Avery Grant**, Executive Director,  
Concerned Citizens Coalition of Long Branch  
*Community organization addressing contamination from a former coal gasification plant and other environmental justice issues.*

#### AT-LARGE MEMBERS OF THE BOARD OF DIRECTORS

**Diana Crowder**, Chair,  
Safety and Health Committee, Health Professionals  
and Allied Employees (HPAE) Local 5094  
*A Certified Industrial Hygienist, she represents HPAE, which includes more than 11,000 members statewide who work in hospitals and nursing homes.*

**Matt Elliott**, Global Warming and Clean Energy  
Advocate, Environment New Jersey  
*An organization which works on toxics, clean air, water, energy, and transportation issues.*

**Colandus "Kelly" Francis**, President,  
Camden County Branch, National Association for the  
Advancement of Colored People (NAACP)  
*Also a member of Camden's Environmental Justice Coalition.*

**Amy Goldsmith**, Executive Director,  
NJ Environmental Federation  
*Affiliated with national Clean Water Action; focuses on safe drinking water, healthy ports, pesticides, and other issues.*

**Mae Lang**, Assistant to the Director,  
American Federation of State, County, and Municipal  
Employees, Council 1  
*Also Treasurer, Central-Northern New Jersey Coalition of Black Trade Unionists.*

**Adam Liebttag**, President,  
Communications Workers of America Local 1036  
*Represents 7,600 workers across NJ, including public sector workers at the NJ Departments of Environmental Protection, Health, Agriculture, and Judiciary, as well as in county and municipal governments and private sector healthcare workers.*

**Marien Casillas Pabellon**, Executive Director,  
New Labor  
*A workers' center and grassroots membership organization fighting for safe and healthful working conditions and justice for immigrant workers.*

**Joyce Sagi**, Chair of Health and Safety,  
Union of Rutgers Administrators, American Federation  
of Teachers (AFT) Local 1766  
*Also Executive Vice President, NJ Coalition of Labor Union Women.*

**John Shinn**, Director,  
United Steelworkers District 4  
*Represents largest industrial union in New Jersey, including chemical, oil, foundry and other workers. USW District 4 Staff Representative Luke Gordon is USW's alternate representative.*

**Rich Spieler**, President,  
Burlington Central Labor Council  
*Represents diverse unions as the volunteer President; also serves as a Business Agent for International Brotherhood of Electrical Workers Local 827, representing Verizon, Comcast, and other telecommunications employees.*

**Jeff Tittel**, Director,  
New Jersey Chapter, Sierra Club  
*The state affiliate of one of the nation's largest and most active environmental organizations.*

**Jim Young**, Vice President of Programs,  
BlueGreen Alliance (BGA)  
*BGA is a national partnership of unions and environmental organizations dedicated to expanding the number and quality of jobs in a clean energy economy. BGA includes ten national unions and four national environmental organizations; also Principle, The Labor Institute.*

### General Counsel

**David Tykulska, Esq.**  
*Labor and environmental attorney; national Board Chair of Clean Water Action.*

## Staff

**Rick Engler**, Director

**Debra Coyle McFadden**, Assistant Director

**Moriah Kinberg**, Campaign Organizer

**Cecelia Gilligan Leto**, Project Coordinator

**Denise Patel**, Project Coordinator

**Susan Esposito**, Administrative Assistant

## Consultants

**Diana Crowder**, Industrial Hygiene, Healthy Schools

**David Dembo**, Editorial

**Fran Gilmore**, Industrial Hygiene, Healthy Schools

**Adrienne Markowitz**, Industrial Hygiene, Healthy Schools

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**Paul Orum**, Chemical Safety

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**Patricia Stanley**, CPA, Bookkeeping and Accounting

**Terry Stimpfel**, Healthy Schools

**Matt Witt**, Communications

## Our Supporters

In addition to our member organizations and many individual members, WEC was supported in 2012-2013 by important contributions from these foundations and government agencies:

Public Welfare Foundation

Unitarian Universalist Veatch Program

Fund for New Jersey

Community Foundation of New Jersey

Environmental Endowment for New Jersey

Jessie Smith Noyes Foundation

Schumann Fund for New Jersey

Occupational Safety and Health Administration

National Council for Occupational Safety and Health

WEC is a state affiliate of both the BlueGreen Alliance, a national partnership of 14 unions and environmental organizations dedicated to expanding the number and quality of jobs in the green economy, and the National Council for Occupational Safety and Health, which links 15 regional labor coalitions dedicated to winning safe and healthy jobs for all workers.

**To join WEC as an organization or individual or for questions, contact:**

**NJ Work Environment Council, 142 West State Street, Third Floor, Trenton, NJ 08608.**

**Telephone: (609) 695-7100. Email: [info@njwec.org](mailto:info@njwec.org). Visit our website at [www.njwec.org](http://www.njwec.org).**

CWA38010/AFL-CIO  
Accomplishments 2012 thru 2013