

PEA Committee on Worksite Safety & Health Report

“Safety First”

Joseph J. Mazur, Jr. Chairperson,
January 27, 2010

File # - **05-105, 05-107** **PEOSH File # C70-08-097**

Worksite : **PS #5**

Subject: Water Damage

Description: Water damage, falling plaster, possible mold; Roof Leaks causing water damage to ceiling and walls.

Results : -Complaint filed with District 11/04/2005, No response. PEOSH complaint filed 09/22/2006, PEOSH inspection 10/26/2006 without Association representation, One serious violation in three locations was found along with two other-than-serious violations building wide. **Abatement Date** – January 5, 2007, Penalty of \$500 per serious violation and \$300.00 per other-than-serious violation per day after 01/05/2007. PEOSH informal conference on 01/10/2007 with PEA representation. Roof project is with SCC.

-Grant for \$250 million is scheduled but unfunded, District will ask for **extension** until funds are released.

-District asked on 08/20/2007 for **another extension** to abate the problem. The new abatement date is January 15, 2008

- PEOSH complaint referred on 01/16/2008 and combined with 07-101; 07-107, and 07-108.

- District asked for a **third extension**.

- PEA commented on the extension request on 02/21/2008. PEOSH responded on 03/29/2008

- PEOSH stated the District has not provided documentation that a structural engineer determined that the building was safe for employees. PEOSH stated the District cordoned off the area and removed employees from the area. This was the reason extensions were granted in the past. ***This is NOT true.***

-District asked for **another extension** on 08/27/2008, with no final abatement date stated.

-District asked for **another extension** on 11/20/2008.

-In a letter dated May 6, 2009, PEOSH is asking the District for a current update of the repair process before any additional extensions will be granted.

A meeting and walkthrough between PEOSH, the District, and PEA took place on 10/05/2009. PEOSH has requested that an action plan be submitted to them regarding when and how all of the outstanding violations are going to be abated.

Status : **Open.** At the 05/07/2008 JLMH&S meeting the district stated \$100m is available statewide from the state to repair emergency projects. PS #5 roof is on the list. A preliminary inspection was done by the State which overlooked several major problems including damaged parapets, brickwork which needs pointing, and improperly installed univent grills. (JLMS&HC 12/15/2008)

This project was switched from an “emerging project” under the School Development Corporation to a grant which will be administered by the District. Anticipated start of the repairs will be in Spring 2010 after an engineering study and bids have taken place. (JLMH&SC meeting 09/17/2009)

An inspection by the DOL on 12/17/09 the District provided PEOSH with a list of the repairs to me made. Anticipated completion of the roof repairs is Spring 2010.

File # : **07-101**

Worksite: **PS #5**

Subject: Water infiltration.

Description: Ceilings leak during rain, falling paint and plaster in rooms 216, 218, 220, guidance and VP offices.

Results: -Complaint filed with district 10/17/2007.

Status : **Open.** (*Combined with 05-105*)

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File # : **07-102**
Worksite : **PS #5**
Subject : Security Cameras.
Description : Security cameras not working inside and outside of building.
Results : -Complaint filed with district 10/17/2007.
-Business Administrator asked for crime statistics for the area. Quotes were received by the Facilities Department for the replacement of the DVR and repair/replacement of the cameras.
Status : **Open.**

File # : **07-107**
Worksite : **PS #5**
Subject : Water Infiltration – gym.
Description : -Water infiltration causing peeling paint and falling plaster from gym ceiling.
-Complaint filed with District 12/14/2007.
Status : **Open – (Combined with 05-105)**

File # : **07-108**
Worksite : **PS #5**
Subject : Water Infiltration – back stairwell.
Description : -Water leaks from ceiling and walls causing falling paint and plaster in back stairwell.
Result : -Complaint filed with District on 12/14/2007.
Status : **Open. (Combined with 05-105)**

File # : **07-118**
Worksite : **PS #5**
Subject : Lock/Keys
Description : -Many classroom door locks are lacking keys. Rooms cannot be locked in an emergency situation.
Result : -Complaint filed with District on 04/25/2008.
Status : **Open.**

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File #: 07-119
Worksite: PS #5
Subject: Water leak.
Description: -Water leaked into room 223. Stained ceiling tiles possible developing mold.
Result: -Complaint filed with PEOSH on 04/25/2008.
Status: **Open.** (Combined with #05-105)

File #: 08-106 **PEOSH File # C70-08-158 INSPECTION # 312608342**
Worksite: PS # 10
Subject: Water Infiltration / Mold
Description: -Water infiltration causing mold throughout the building..
Result: -District notified prior to JLMWS&H meeting on 10/28/2008.
-District sent Jim Ruff from the Facilities Department who said it wasn't mold.
-PEOSH Complaint filed 12/17/2008.
-PEOSH/Labor inspection conducted on December 23, 2008 with PEA representation.
-PEOSH Report dated 12/29/2008 received. Five serious violations in 9 locations were cited including:
-Bent stair handrails.
-Rotted fixed stairway.
-Treads of fixed stairs were not slip resistant.
-Electrical conduit not secured to wall in classroom.
-Walls and ceilings damaged by water seepage.
- Abatement date: 03/02/2009. Penalty of \$90.00 per day per violation after 03/02/2009.
-District asked for 30 day extension to abate the problem. PEOSH granted an extension until December 2, 2009.
-PEOSH/Health inspection completed February 26, 2009 with PEA Representation. No potential violations found. Case was closed by DOH.

A meeting and walkthrough between PEOSH, the District, and PEA took place on 10/05/2009. PEOSH has requested that an action plan be submitted to them on when and how all of the outstanding violations are going to be abated.

-The District in a letter dated 01/05/2010, asked for a 30 day extension to complete the stairs and a 90 day extension for roof repairs.

Status: **Open.**

-An inspection between the District and DOL took place on 12/17/2009. All items in the Order-To_Comply were not completed. Major uncompleted items include the roof leaks and the gym stairs.

Note: *N.J.S.A. 34:6A-33(a) was cited for the damaged walls and ceilings due to water seepage, which states “The employer did not provide the employees with a place of employment which is free from recognized hazards”.*

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-An inspection by the District and DOL on 12/17/2009 indicated that all items on the Order-To-Comply were not addressed. Major items include stairway concrete repairs and railings.

File #: 08-117

Worksite: **PS #7**

Subject: Leaking Roof

Description: -Several years ago some roofing work was done. The ceiling collapsed in the auditorium, over the stage. It took a long time to repair. It is now leaking again. A work order was submitted on December 1, 2008. No action has been taken to resolve this problem.

Result: -Complaint filed with District on 05/12/2008.

Status: **Open.**

File #: 09-101

Worksite: **PANTHER Academy**

Subject: IAQ

Description: Rooms and hallways are very hot. Windows do not open. HVAC not functioning properly.

Result: -Complaint filed with District on 09/15/2009.
-Outside contractor (Trane) was at the facility on 09/16/09 for several days to repair the problem.

Status: **Closed.** School was asked two times for the status of the complaint. Did not respond to our requests.

File #: 09-102

Worksite: **District Wide**

Subject: IAQ – HVAC Filters

Description: Private contractor Sodexo are not providing HVAC filters as required under their contract with the District, thus the District is not complying with their own Indoor Air Quality Program.

Result: -Complaint filed with PEOSH on 09/24/2009.

Status: **Open.**

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File #: 09-103

Worksite: **P.S. # 12**

Subject: Fluorescent Light Ballasts

Description: Many fluorescent light ballasts are burnt out in several rooms.

Result: -Complaint filed with the District on 10/22/2009.
-Electricians came to replace ballasts and relocated one high fluorescent fixture. One additional fixture needs to be relocated.

Status: **Open.**

File #: 09-104

Worksite: **P.S # 5**

Subject: Heat

Description: -Basement room does not have any heat since the space heaters were removed last year..

Result: -Complaint filed with the District on 10/27/2009.
-At the JLMH&SC meeting on 12/01/2009, issue was said to have been repaired and resolved.
-After repairs to the piping system were made, the circuit board in the unit was found to be bad. The new board is in stock and should be installed shortly as per Mr. Maglio on 12/07/2009.
-School stated the room has heat.

Status: **Closed.**

File #: 09-105

Worksite: **International High School**

Subject: Bathrooms

Description: Bathrooms are not cleaned by the custodial contractor Sodexo, properly, resulting in unsanitary conditions since September 26, 2009..

Result: -Complaint filed with the District on 11/12/2009.
-Restrooms are being cleaned to the satisfaction of staff since ABM Building Services took over custodial services.

Status: **Closed.**

File #: 09-106

Worksite: **John F. Kennedy High School**

Subject: HVAC

Description: Univent in Room 206 has most major parts removed for the past 2 years, resulting in an inoperable unit.

Result: -Complaint filed with the District on 11/16/2009.

Status: **Open.**

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File #: **09-108**
Worksite: **Great Falls Academy / Building #16**
Subject: Indoor Air Quality
Description: -Several staff members are experiencing breathing problems while in the building.
Result: -Complaint filed with the District on 12/01/2009.
Status: **Open.**

File #: **09-109**
Worksite: **PS # 12** **PEOSH #: A70-08-173** **Inspection #: 314063918**
Subject: Accident Investigation
Description: -Student teacher stepped into the large gaps in the floor boards in room 107, causing her to fall injuring her ankle. A work order was immediately issued to repair the gaps. Nearly 4 weeks passed and there was no action by the District to rectify the problem..
Result: -Complaint filed with PEOSH on 12/09/2009.
-PEOSH inspection conducted on 12/16/2009 with PEA representation. Awaiting report.
-PEOSH Inspection report received. Order-To-Comply indicated two serious violations in 7 locations were found including warped and loose floorboards (5 rooms) and unmarked elevated entrances to rooms (2 locations). Abatement date of 02/24/2010. Penalty of \$120.00 per day per violation after 02/24/2010.
Status: **Open.**

File #: **09-110**
Worksite: **John F. Kennedy High School** **PEOSH #: A70-08-172** **Inspection #: 312674435**
Subject: Accident Investigation
Description: -Staff member went to use the electrical cord used to retract the bleachers in the gym. When the cord was plugged in, it malfunctioned and a metal part on the plug contacted with electricity causing the teacher to get shocked and thrown about 8 feet back. Paterson Fire Department ambulance responded. Evaluation and treatment by EMT's and school nurse. Did not transport to the hospital.
Result: -Complaint told verbally to Mr. Howard Black, Assistant Commissioner of Labor on 12/09/2009, who immediately contacted Mr. John Patterson, Chief, PEOSH, and requested an inspector be sent to the school that same day. Inspector arrived about 1:00PM on 12/09/2009. Awaiting report.
-A formal written complaint was submitted by the Association on 12/15/2009 after receiving the accident reports on the incident.
-PEOSH Inspection report received. Two serious violations found including training records for using the equipment and improper electrical connections. Abatement date is 02.17/2010. Fine of \$400.00 per day per violation after 02/17/2010.
Status: **Open.**

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File #: **09-111**

Worksite: **BUILD Academy**

Subject: Excessive Heat

Description: Heat in rooms can range up to 95 degrees. There is no way of regulating room temperatures.

Result: -Complaint filed with District on 12/15/2009
-Ms. Brenda Zemo, EOHS Officer, in a e-mail stated that the outside heating contractor, CJ Vanderbeck will be at the school on 12/17/2009 to address the problem.

Status: **Open.**

File #: **09-112**

Worksite: **P.S. # 19**

Subject: Mold/ IAQ

Description: Staff member has become ill from possible mold and poor IAQ after workers removed the floor boards in the Principal's office. A leak in the school made the floor boards necessary to replace. The door to the room was left open so the dust and other contaminants were able to spread to the rest of the building.

Result: -Complaint filed with District on 12/21/2009

Status: **Open.**

File #: **09-113**

Worksite: **P.S. # 27**

Subject: IAQ

Description: -Staff member has become ill, according to her physician, from something possibly in her room or in the building.
-A field visit to room 206 on November 2, 2009 by Ms. Brenda Zemo revealed readings of 1,100 to 1,350 ppm of Carbon Dioxide which, according to PEOSH standards, the HVAC system must be checked for proper operation.

Result: -Complaint filed with District on 12/23/2009
-An inspection done by Brenda Zemo, EOHS Officer for the PPS indicated the following:
-High carbon dioxide readings since the univent is shut off due to excessive heat.
-excessive materials due to the lack of appropriate storage means and space.
-excessive chalk dust on ledge of blackboard.

Status: **Open.**



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This report was completed on January 25, 2010 and contains all information provided to this Committee by the worksite as of this date.

An “**E**” after the file number designates that the complaint was filed through e-mail to the District. No written complaint form was sent. Should the problem continue, and a written complaint sent to the District, or a PEOSH complaint filed, the “**E**” designation will be dropped.

The following complaints need updating by the worksites. Please respond in writing as to the status of the complaint and if the problem still exists:

09-111 BUILD Academy - Excessive Heat

IF SCHOOLS FAIL TO RESPOND AND INFORM THIS COMMITTEE, OPEN COMPLAINTS WILL BE DESIGNATED AS “CLOSED” AFTER TWO (2) REQUESTS FOR INFORMATION.

Any errors which are discovered in the content of this report should be made in writing to :
Paterson Education Association
Committee on Worksite Safety & Health
445 Straight Street
Paterson, New Jersey 07501-2935

Or to: JMazur@Paterson.k12.nj.us