

# PEA Committee on Worksite Safety & Health Report

*“Safety First”*

Joseph J. Mazur, Jr. Chairperson,  
September 23, 2009

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.

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)

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File # :                    **06-105**

Worksite :                **PS #20**

Subject :                 Dumpster

Description :            Dumpster area is unsanitary. Water valve and hose requested to clean area for custodian.

Results :                -Complaint filed with District 12/12/06.  
-PEOSH complaint filed  
-PEOSH inspection conducted 02/22/2008 during our President’s Day vacation without PEA Representation.  
-Awaiting PEOSH report.

Status :                 **Open.**

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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.**

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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)*

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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)*

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File #:                   **07-112**                                   **PEOSH File #C70-08-131**

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

Subject:                 Stair treads / handrails.

Description:           - Stair treads are badly worn, some stair edges are chipped. Some handrails are missing.  
- Some stairs over 96” in width lack center handrail.

Result:                 - PEOSH consultation observed these problems.  
- PEOSH complaint filed 01/14/2008.  
- PEOSH inspection conducted 01/20/2008 with PEA representation.  
- 4 serious violations in 16 locations were found including:  
    - missing handrails.  
    - Loose handrails.  
    - worn stair treads.  
    - broken exit light.  
- Abatement date 04/16/2008.  
- Penalty of \$90.00 per violation per location after 04/16/2008.

Status:                 **Open.** – District asked to an extension on April 10, 2008 to increase the abatement date to October 16, 2008. - District asked for *another extension* on 09/24/2008 to 02/15/2009 in order to complete the stair tread replacement. Most treads have been replaced by a contractor, and a few more need to be completed. Extension was granted by PEOSH on 10/09/2008.  
    A few stair nosings must still be replaced in the gym. This will be done by the Facilities Department. (JLMS&HC 12/15/2008)

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File #:                   **07-118**

Worksite:               **PS #5**

Subject:                 Lock/Keys

Description:           - Many classroom door lock 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)

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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.

Status:                 **Open.** .  
                              **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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File #:                   **08-108**                                   **PEOSH File #:   A70-08-160   &   C70-08-161**

Worksite:               **B.U.I.L.D. Academy**

Subject:                 Request for Accident Investigation

Description:           -In an attempt to open a window, a staff member thumb was caught between the frame and the window. When his hand was pulled away, the skin was stuck to the frame causing profuse bleeding. Other windows in the building are constructed in a similar manner and are in the same condition.

Result:                 -PEOSH Complaint filed 01/20/2009 by e-mail requesting an accident investigation.  
-PEOSH inspection done 01/29/2009 with PEA representation.  
-Two PEOSH Orders-To-Comply dated 02/04/2009 received.. One for the accident investigation and the other for other safety hazards observed during the inspection.  
    Accident Investigation:  
        One serious violation in one location noted.  
        -Window in men's room. Employees were exposed to a hazard of point of operation when opening and closing the window. Abatement date: 04/08/2009. Penalty of \$280.00 per day after 04/08/2009.  
        -The items cited on this inspection report has been resolved. Closed by PEOSH.

Other Hazards:  
        Five serious violations in 15 locations including:  
        -Loose handrail

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- Broken stairs (2)
  - Loose stair tread.
  - Open floor drain.
  - Window point of operation as above. 23 Locations.
  - Water leaking from ceiling into buckets. 4 Locations
  - Pipe leaking water into wall and onto floor.
- Two Other-Than-Serious violations in 2 locations including:
- Fire extinguisher not inspected monthly.
  - Fire extinguisher not inspected for a yearly maintenance check.
- Abatement date: 04/08/2009. Penalty of \$280.00 per day after 04/08/2009.
  - This inspection is still open.
  - On May 1, 2009 the District asked for an extension of 120 days for the 23 windows that do not stay up.

Status: **Open.**

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File #: **08-110**

Worksite: **John F. Kennedy High School** **Inspection : 312932031**

Subject: Indoor Air Quality Documentation

Description: -Building delegate asks principal for documentation as he is entitled to under N.J.A.C. 12-100-13, the New Jersey Indoor Air Quality Standard.

Result:

- Principal was asked for information on 01/14/2009.
- Principal was told by Ms. Brenda Zemo, the District’s Environmental Safety & Health Officer, that he would not be able to get the information until the end of the year and that no person has been trained as the Designated Person for JFK.
- PEOSH Complaint filed on 03/04/2009.
- PEOSH/Health inspection conducted 05/18/2009 without district PEA Representation PEA Building rep was present.
- Letter dated 06/05/2009 from PEOSH/Health stated 3 potential violations including:
  - Lack of a designated person.
  - Lack of a written IAQ plan.
  - Lack of the establishment and following of a preventative maintenance program for the HVAC system.
- Once an Order-to-Comply is issued by the Department of Labor, the lead PEOSH agency, abatement dates and penalties will be established.
- Awaiting Order-to-Comply from the DOL.
- Order to comply dated 06/12/2009 received. Three Other-Than-Serious violations cited including:
  - Lack of a designated person as specified under 12:100-13.3 .
  - No written IAQ plan available.
  - Employer did not establish and follow a preventative maintenance program for the HVAC System.
- Abatement date of 07/21/2009 with penalties of \$128.00 per day per violation after that date.
- In a letter dated 07/29/2009, the District stated that all violations has been abated and forwarded to PEOSH copies of all documents it asked for.
- Closed by PEOSH on 08/25/2009.

Status: **Closed.**



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**File #:** 08-115

**Worksite:** Public School # 12                      **PEOSH #:** C70-08-165                      **Inspection #:** 312509847

**Subject:** Stairs/Stairwells

**Description:** -Condition of interior and exterior stairs is poor. Broken stair treads, deteriorating treads, psinted-over non-skid surfaces, lack of required handrails, improperly sized handrails, and improperly angled stairs are some of the problems.  
-A e-mail sent by the Association to Mike Maglio, Director of Facilities, to review the problems went unanswered.  
-PEOSH Complaint filed on 03/09/2009.  
-PEOSH/ Labor inspection conducted 03/24/2009 with PEA representation.  
-PEOSH report dated 03/31/2009 received.  
    -Eleven “Serious” violations in 28 locations cited including:  
        -Broken ceramic floor tiles.  
        -Lack of handrails on stairs over 44” but less than 88”  
        -Lack of center handrails on stairs over 88 inches wide.  
        -Handrails not turned into supporting walls.  
        -Improper handrail wall clearance.  
        -Broken stairs.  
        -Improperly angled stairs.  
        -Lack of anti-skid nosings.  
        -Broken sidewalk.  
        -Wood plank causing a tripping hazard in an egress passageway.  
        -Balcony door not marked “NOT AN EXIT”.

**Status:**                      **Open.**

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**File #:** 08-116

**Worksite:** B.U.I.L.D. Academy                      **PEOSH #:** C70-08-169                      A70-08-170                      **Inspection #** 312611155

**Subject:** Request for Accident Investigation.

**Description:** -On March 23, 2009, a staff member at the school opened a window. Like many windows in the building, it did not stay up and came crashing down on her hand, taking some skin off of her knuckle.  
-A survey was conducted in the building to find a total of 31 windows were found to be in the same type of condition and would not stay up by themselves and must be propped up, or come crashing down when opened.  
- A PEOSH Request for Accident Investigation was made on 05/14/2009.  
-PEOSH/Labor inspection conducted 05/26/2009 with PEA Representation.  
-Two PEOSH Orders-to-Comply dated 06/04/2009 received. One for the Accident Investigation and the other for other safety hazards found during the inspection.  
    **Accident investigation:** (A70-08-170)  
        -One serious violation in one location noted.  
            -Window in Room 212. Employees were exposed to a hazard of point of operation injury when opening and closing the window.  
        - Abatement date: 08/05/2009.  
        - Penalty of \$300.00 per day after 08/05/2009.  
    **Other Hazards:** (C70-08-169)  
        -Three serious violations in 15 locations including:  
            -Lack of slip resistant stair treads.  
            -Emergency lights not functioning. (2 locations)  
            -Windows point of operation as above. (12 locations) Total of 30 windows.  
        -Abatement date: 08/05/2009.  
        -Penalty of \$150.00 for items 1 & 2 above, and \$300.00 for item 3 above, per day after 08/05/2009.  
        -In a letter dated 08/24/2009, PEOSH stated on a reinspection on 08/24/2009 all hazards were abated and this cases had been closed.

**Status:**                      **Closed.**

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**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.**

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**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:** **Open.**

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This report was completed on September 18, 2009 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.

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**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:**

**None**

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**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