

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 2094**

STATE OF NEW JERSEY

DATED: SEPTEMBER 19, 1996

The Assembly Labor Committee reports favorably Assembly Committee Substitute for Assembly Bill No. 2094.

This bill provides, during the period ending on December 31, 1999, a one-year, 5% reduction in workers' compensation premiums for each employer that establishes one or more Joint Safety and Health Committees which are found to meet the requirements of the bill.

The bill establishes a Workplace Safety and Health Commission to review and determine the eligibility of applications from employers for the premium reduction. The commission is also required to produce a report regarding the impact of the bill and related legislation on participating employers and their employees and make recommendations regarding the modification or continuation beyond December 31, 1999 of the provisions of the bill and regarding other possible methods to induce more employers to establish Joint Safety and Health Committees.

For an employer to receive a workers' compensation premium reduction under the bill, the bill requires that the employer establish a Joint Safety and Health Committee at each facility covered by the workers' compensation policy subject to the premium reduction. Each committee is required to have not fewer than four members, which shall consist of an equal number of employer members and employee members. The bill requires that if employees at the facility are represented by one or more unions, the committee be established with the participation and the written consent of both the employer and the unions and that the unions select the employee members of the committee. In nonunionized facilities, the employee members are required to be volunteers who are not managers or supervisors.

The committee is required to:

1. Hold regular meetings, not less than once each month, unless the employer and employee members of the committee agree to meet less frequently than once each month, and prepare written minutes of the meetings;

2. Collect and analyze information regarding the effectiveness of safety and health programs at the facility in preventing injury and illness and prepare written reports for the employer of its findings;

3. Collect and analyze information regarding safety and health conditions at the facility, by means including inspections of facilities and investigations of accidents and exposures, for which the committee shall be given reasonable and timely access, and prepare written reports for the employer of its findings;

4. Reduce and prevent injury and illness by disseminating information to employees and raising employee awareness regarding safety and health conditions and the best practices; and

5. Keep and make available to employees and the employer all records of the committee, including all minutes and reports of the committee, for a period of not less than three years, provided that, if the operations of the committee are discontinued, the employer is given those responsibilities.

In nonunionized facilities, the committee is prohibited from dealing or bargaining with the employer and all findings of the committee are advisory. In unionized facilities, no operations of the committee are allowed to violate any provision of a collective bargaining agreement, and the committee may exercise, in addition to the responsibilities indicated by the bill, any other responsibilities permitted by law and the collective bargaining agreement.

The bill requires that committee members be paid their regular wage when performing committee duties and provided with training to enable them to carry out their duties as committee members.