

[First Reprint]
SENATE, No. 130

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator KYRILLOS

1 AN ACT concerning industrial hygiene and supplementing P.L.1960,
2 c.39 (C.56:8-1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. This act shall be known and may be cited as the "Industrial
8 Hygienist Truth in Advertising Act."

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10 2. The Legislature finds and declares that it is necessary to provide
11 assurance to the public that individuals who represent themselves as
12 being involved in the profession of industrial hygiene have met certain
13 qualifications.

14

15 3. As used in this act:

16 "Accredited college or university" means a college or university that
17 is accredited by one of the following six regional accrediting agencies:
18 Middle States Association of Colleges and Schools, New England
19 Association of Schools and Colleges, North Central Association of
20 Colleges and Schools, Northwest Association of Schools and Colleges,
21 Southern Association of Colleges and Schools, or Western Association
22 of Schools and Colleges. A college or university that is located
23 outside of the United States will be considered on the basis of its
24 accreditation status in the education system that has jurisdiction.

25 "Certified industrial hygienist" or "CIH" means a person who has
26 met the education, experience, and examination requirements of an
27 industrial hygiene certification organization and whose certification
28 has not lapsed or been revoked.

29 "Certified industrial hygienist in training" or "CIHIT" is a person
30 who has received the designation industrial hygienist in training from
31 an industrial hygiene certification organization and whose certification

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACP committee amendments adopted June 10, 1996.

1 has not lapsed or been revoked.

2 "Division" means the Division of Consumer Affairs in the
3 Department of Law and Public Safety.

4 "Industrial hygiene" means the science and practice devoted to the
5 anticipation, recognition, evaluation, and control of those factors and
6 stresses arising in or from the workplace or the environment that may
7 cause sickness, impaired health and well-being, or significant
8 discomfort among workers or members of the community.

9 "Industrial hygiene certification organization" means a professional
10 organization of certified industrial hygienists which has been in
11 existence for at least five years and which has been established to
12 improve the practice and educational standards of the profession of
13 industrial hygiene by certifying individuals who meet its education,
14 experience and examination requirements. The organization shall have
15 its certifying examinations evaluated by a national testing service and
16 shall maintain criteria that are at least the equivalent of the American
17 Board of Industrial Hygiene.

18 "Industrial hygienist" means a person who has an industrial
19 hygienist education as defined in this section.

20 "Industrial hygienist education" means a baccalaureate or graduate
21 degree from an accredited college or university in industrial hygiene,
22 biology, chemistry, engineering, physics, or a closely related physical
23 or biological science; or a baccalaureate or graduate degree from an
24 accredited college or university that contains at least 60 semester
25 credit hours in undergraduate or graduate level courses in science,
26 mathematics, engineering and technology, with at least 15 of those
27 hours in courses offered at the upper (junior, senior or graduate) level.
28 A degree that is heavily comprised of only one of those subject areas
29 in the absence of others, may be judged unacceptable. An
30 unacceptable baccalaureate degree may be remedied by additional
31 science coursework from an accredited college or university or by
32 completion of a related graduate degree from an accredited college or
33 university.

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35 4. a. It shall be an unlawful practice for any person to advertise or
36 hold himself out as a certified industrial hygienist in training or
37 "CIHIT", or as a certified industrial hygienist or "CIH", unless that
38 person is certified by an industrial hygiene certification organization.

39 b. It shall be an unlawful practice for any person who does not
40 have an industrial hygienist education to advertise or hold himself out
41 as an industrial hygienist ¹], unless he provides a disclaimer, acceptable
42 to the division, that he is not in compliance with the provisions of this
43 act]¹.

44

45 5. This act shall not apply to:

46 a. A person employed as an apprentice under the supervision of an

1 industrial hygienist, certified industrial hygienist in training or certified
2 industrial hygienist; or

3 b. A student studying industrial hygiene engaging in supervised
4 activities related to industrial hygiene.

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6 6. This act shall take effect immediately.

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11 Prohibits certain persons from advertising themselves as industrial
12 hygienists and certified industrial hygienists.