

**DRAFT MEETING MINUTES  
NYSDEC JOINT STATEWIDE HEALTH & SAFETY  
COMMITTEE MEETING**

**November 2, 2006**

**Attendees:**

Joe Lattanzio	(Co-Chair) DEC Director of Employee Relations - Albany
Jim Kersten	(Co-Chair) PEF/EnCon - Buffalo
Jean Edouard	Health & Safety Unit - Albany
Mark Cadrette	Health & Safety Unit - Albany
Ed Kucskar	Health & Safety Unit - Albany
Nanette Geary	Health & Safety Unit - Albany
Marie Furlong	Employee Relations - Albany
Verne French	CSEA - Region 5
Luke Evans	Council 82 (Rangers)
Steve Wood	Council 82 (Lieutenants)
Bernie Rivers	Council 82 (ECOs)
Matt Kozak	CSEA Headquarters
Wayne Bayer	PEF
Jack Marsch	PEF
Dylan Keenan	PEF
Holly Clark	PEF

Minutes

The minutes of the August 3, 2006 meeting were distributed via GroupWise on 10/23/06.

Health & Safety Committee Training Sub-Committee Report

J. Kersten reported he is continuing to compile the necessary information for the Safety & Health Initiatives Program (SHIP) application. He has incorporated language on health and safety committees' operations and our Statement of Purpose. Once it has been reviewed by the subcommittee, the application will be circulated to the larger group for review. The SHIP contract money will expire at the end of March 2007. H. Clark and/or J. Kersten to investigate with J. Rosen whether we can encumber the money prior to the end of March with the intent to conduct the training later in the spring.

J. Kersten detailed the preliminary conference format: Day One: Travel and ½ day conference session. Day Two will be a full day of conference. Day Three: Conference would end at 12:30 PM and travel home. Management would prefer it be 1 ½ days of training (first half day concentrating on Regional and Division Directors' training) and ending at Noon the next day. Management's concern is that the PEF format would involve too large a commitment for the Regional and Division Directors. PEF felt the training should focus more on the regional health and safety committees. It was ultimately agreed to scale down the format. Training locations to be discussed.

Emergency Response - Update

G. Milstrey is still awaiting the unions' comments on the draft Emergency Response Plan. The Unions will be sending their comments in writing directly to Glenn. Their main suggestion will be that the plan be more job specific.

### Workplace Violence Prevention Legislation

J. Lattanzio reported that the Department has begun to review the new legislation internally, and that the Counsel's Office is assessing our obligations under the new law. It is expected that GOER or the Department of Labor (DOL) will issue a boilerplate policy/procedures. Under the new legislation, supervisors are obligated to act upon any employee report (must be in writing) of being physically threatened. Should the employee not receive a satisfactory response, he/she will have recourse to file a report directly with DOL. There is a component to the legislation that compels the agency to do a risk assessment. We will be issuing a short form canvass to all employees to learn whether/if/where/how they have ever felt threatened in the workplace, parking lots, handling cash, working late, etc.

M. Kozak (CSEA) reported that DOL is developing the standard and that CSEA believes the legislation will be enforced under PESH. Although the Division of Law Enforcement does not want its ECOs used as security guards, Lt. S. Wood did ask that there be general guidelines on how to handle employees in the case of imminent danger.

The unions requested active participation in the process.

### Body Armor (Outer Carriers for Rangers) - Update

L. Evans reported that the outer carriers had been distributed to the Rangers.

### Layering System for Ranger Uniforms

L. Evans reported that he has researched the costs and will present the info to T. Rinaldi and copy J. Lattanzio.

### Union Drilling Natural Gas Rig Accident (Schuyler County)

PEF inquired as to whether a final OSHA report had been issued on this fatal accident which was reported in detail to the Committee at the August 3<sup>rd</sup> meeting. Health & Safety staff to provide a copy of the report once it has been posted to the OSHA website. **[Update: According to various media sources, OSHA has cited Union Drilling, Inc. for six alleged, willful, repeat and serious violations of safety standards concerning the drilling rig fatality. It is expected that these citations will eventually be posted on the OSHA website. If the NYS DEC or a private organization (e.g., PEF) wanted a copy of the accident investigation report (e.g., request for the specific citations associated with the accident investigation) then a written FOIL request to include the inspection number (309381614) would need to be submitted to the OSHA Syracuse Office. OSHA staff have been working with DEC staff to identify the locations of other drilling sites for possible OSHA inspections.]**

### Formaldehyde Handling

At the August 3, 2006 meeting, there was a discussion regarding formaldehyde handling concerns raised by the Randolph Fish Hatchery staff. J. Kersten inquired whether the Division of Fish, Wildlife & Marine Resources had purchased the special formaldehyde pumping system as agreed. M. Cadrette reported that, although Management approved the purchase, once the ventilation was improved by the installation of fans, the Randolph Hatchery staff decided they did not want the automated system. PESH is satisfied with the conditions at our fisheries. There is no issue of concern; however, PEF requested we extend an invitation to H. Buell to attend the next meeting for the purpose of follow up.

### Health & Safety Ergonomic Training Proposal

M. Kozak (CSEA) is working on a case study to show a reduction in the number of injuries as a result of ergonomic training. CSEA has offered to conduct an ergonomic training pilot program at the Central Office. The training would be conducted at a time selected by DEC and in conjunction with our Health & Safety staff. Management believes it will be a benefit to our employees, making our employees more aware of their work area. The training will include "no sweat computer fitness"—eye movements to alleviate fatigue and info on micro-breaks. CSEA has funding to provide the training but not to correct equipment issues. M. Kozak to provide J. Lattanzio with a general proposal outlining the benefits of the training for Executive review/ approval.

### Pandemic Flu - Update

M. Cadrette reported that a workgroup (comprised of Operations, ISD, Health & Safety, and others) has met once. The Continuity of Operations Plan (COOP) is with Executive for approval. All agencies have been asked to identify their essential functions. Staffing issues (i.e., keeping the agency up and running during massive employee absences) will be the main concerns. M. Kozak reported DOH is stockpiling surgical masks, vaccine, etc. If the flu should occur, staff will be asked to stay home when ill. **[Update: The COOP has received Executive approval.]**

On 10/23/06 GOER, DOH, SEMO and the unions met to discuss the State's planning in this regard. As information is available, Management will pass it along.

### Avian Flu - Update

The Avian Flu threat is being dealt with at the Program level. Issues such as dying birds and their disposal are being studied.

### Region 4 Stairwells

This issue was discussed at the last meeting and resolved by M. Cadrette. The Committee agreed to drop this issue from the next agenda.

### Regional Mass Vaccination Exercises

As reported in the previous meeting's minutes, a mass flu vaccination exercise will be held in Syracuse and NYC for State employees within a 15 mile radius. Turnout is expected to be low. Registration is being encouraged; however, at this point, only 15 Region 7 employees have signed up to participate. **[Update: Approximately 18 DEC employees attended the very well organized training event held in Syracuse.]**

### Automated External Defibrillators (AEDs) - Update

N. Geary told the Committee it is hoped DOB (through OGS) would be sending out funding award letters soon. It is anticipated that there will be funding for a 4 year program. J. Lattanzio reported we will be able to implement the first phase of the program, which will be the purchase of 265 AEDs for the education centers, fish hatcheries, campgrounds, and regional and sub-offices. The next phase will deal with the purchase of units for every ECO and Ranger. We have requested a total of 727 units. Although the legislation does not address DLE and they are not a priority, we have included them. Currently, there are four (4) different AED models in use. The Department will probably trade in all current models and replace and distribute them more equitably with the new model selected under the implementation plan. We've had no

official word on the number DEC has been approved to purchase. PEF requested a copy of the implementation plan. W. Bayer raised the issue of the AED locator icon on our desktops. Once the AEDs are in place, Management will investigate this suggestion. ***[Update: The budget allocation for the program has been received; however, it does not include funding for the ECO/Ranger units.]***

#### Green Cleaning: Executive Order 134 (1/05/05) - Update

Nothing new to report.

#### Supervisors' Health & Safety Training

The last training of the year was conducted in New Paltz on 9/14/06. The next cycle of training will begin in March; 300 employees will be trained in 2007. This contract is extendable, as needed.

#### Standard Operating Procedures (SOPs)

J. Kersten again expressed the difficulty he has had accessing the SOPs on the Program websites. He requested a hard copy be placed in the Program front offices or in the libraries. S&HM has asked their employees to sign off that they read their SOPs and some staff can't locate them. M. Cadrette explained that, as the SOPs are updated, it is more efficient to revise them on-line. Following this practice, old copies needn't be retrieved and employees are always assured of using the current version. Also, links to most of the Program SOPs are on the Health & Safety website. J. Lattanzio to send out a reminder to all employees regarding the location of the H&S website. ***[Update: S&HM has restructured their website and added a prominent link for easy access to their SOPs.]***

#### Fire Drills - Update

J. Edouard gave J. Kersten a copy of the roster of the fire drills held. Last October, a law was issued changing the number of required drills to two (2) per year. In compliance with the City of Albany laws, three (3) drills were held in the Central Office this year.

#### Site Safety Report/Region 6 Spill

In the beginning of the year, J. Marsch expressed his concern regarding a DEC staff person responding to a spill site in Bridgewater, and the availability of a site safety plan at that location. The Committee was informed by Major Heinrich that, while DEC provides guidance at such instances, the site was under the oversight of the State Police. J. Marsch would like a copy of the site safety plan used. Since this is something which will have to be FOILED, J. Kersten to send J. Lattanzio a request, and Management will attempt to get a copy.

### **New Agenda Items**

#### Health & Safety Corner in e-News

The Health & Safety Unit has initiated a once a month article entitled "The Health & Safety Corner." Articles will deal with general interest topics such as the two we've done to date: ergonomics and Lyme disease. Our next article will encourage employees to stay home when they are sick. The Health & Safety Unit welcomes topic suggestions.

### 2005 Occupational Accident & Injury Report

Due to short staffing, this report has not been issued since 2003. Until recently, we did not have good data or a structure for presentation. We now have the staff to devote time to a comprehensive report. A summary presentation was held for Executive Staff and Regional Directors. This report, which was compiled from the Accident Reporting System, is not required by OSHA or State law. Our purpose was to identify patterns and assess what we could do to improve. Only recordable accidents (e.g., lost/restricted work day) were included in the report. There were 219 recordable incidents for 2005: 199 injuries and 20 illnesses. Comparison to 2002 data indicated a 143% increase in the number of recordable cases which may attribute in part to better tracking of cases using the NYS Department of Civil Service's Accident Reporting System (ARS). Common types of injuries: sprains/strains, bruises/contusions, and abrasions/cuts/scratches. Common types of injury factors: over exertions, struck by or against, and slips/trips/falls. Common injury causes: lack of knowledge/experience and workplace conditions. Additional training is the key to reduce many of the reported injuries and illnesses.

This report will be used as our future baseline. J. Lattanzio reported that in the next fiscal year Workers' Comp costs are going to be charged back to the agencies.

The report indicated Operations, DLE and the Rangers had high accident/injury levels. B. Rivers suggested treating the academy as a separate entity and running the academy statistics separately as the academy is not conducted every year.

### Accident Reporting Form

This form was revised by the Personnel Office because supervisors were not entering causes or corrective action when completing the form. PEF objects to the word "discipline" in the new form, as well as not being provided with a copy of the new form itself. The new language, however, was directly derived from the Health & Safety Unit's accident tracking database software to better track and analyze the Department's injuries and illnesses. Both the accident tracking database and the form are used in conjunction to help identify what went wrong so it can be fixed, not to place blame or assign fault. PEF requested that use of the form be suspended pending union negotiations on mutually acceptable text. H. Clark to meet with M. Cadrette and E. Kucskar on modifying the language. ***[Update: Health & Safety Unit staff met with PEF representatives to discuss modifying the language on the new accident form. Brief explanations for each accident cause and corrective action were provided to PEF, and subsequent agreement was reached with PEF.]***

### New Numeric Identification System for Medical Monitoring

EHS has initiated a new 5 number numeric system. From now on the employees will use their assigned account number as an ID instead of their SS #. The account numbers will be sent to the regional health and safety coordinators for distribution to the employees. The coordinator will be the resource if the employee inadvertently loses his/her number. At the first appointment, the employee uses his SS # and is then issued an account number.

### World Trade Center (WTC) Medical Monitoring

J. Edouard attended a meeting on 10/20/06 at DOH Troy. DOH has done a study on responders and how they've been affected by their work at the WTC. According to the study, 45-47% of the monitored responders have reported lower or upper respiratory track problems. About 10,000 State employees worked at the WTC site. Those showing symptoms will be encouraged to register with Workers' Comp.

### Security Issues

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Regional & Central Office Building Security  
ID Cards  
Protocol for When Threats are Received

B. Rivers detailed for the Committee an incident, which occurred in Region 3. In a telephone conversation, a disgruntled citizen made threatening remarks toward the R-3 office. Upon investigation the person was not deemed to be a threat. However, due to a lack of communication, the Commissioner's Office and DLE were not notified of the call until the next day. Ultimately, the Regional Director was notified and an ECO was placed at the door. Unfortunately, not all employees entering the building at that time had an ID, which created another set of problems. A protocol needs to be set up to handle these types of situations, and all employees need to carry IDs. J. Lattanzio said he believed that all regional office employees had IDs. He will check it out.

Next Meeting

Mutually agreed to meet in February. PEF to provide dates to J. Lattanzio.