



WEC@WORK

News from the NJ Work Environment Council

March/April 2011

Safe, Secure Jobs
and a Healthy,
Sustainable
Environment

Join us for

Contract Work:
Identifying the
Hidden Dangers
of Working in
Industrial Facilities

Thursday
June 23, 2011

8 AM - 2 PM

Rutgers University,
Institute of
Management and
Labor Relations

Registration fee is
\$20.

Please register
online at
www.njwec.org or
call Denise Patel at
(609) 695-7100,
ext. 305

For Good Jobs and Healthy Communities, Stronger Safeguards, Not Weaker

How did Wall Street and corporate CEOs destroy millions of jobs and make our families and communities less secure?

Public oversight and safeguards were too weak.

Now, they are sitting on the largest profits and cash reserves in history. Yet, they are lobbying for even less oversight.

For example, corporate lobbies are pushing legislation that would prevent NJ state agencies from issuing safeguards that exceed weak federal standards, unless 120 state legislators first approved every word ([A2486/S1986](#)). Our protections would be weakened by political infighting, gridlock, and lobbyists' influence, instead of being based on facts and science. The legislation's key sponsor, Assemblyman John Burzichelli (D-3), cannot cite one example of how his bill benefits New Jersey.

Responding to Governor Christie's [Executive Order](#) No. 2, the Department of Environmental Protection has proposed a [rule](#) to allow the agency to waive corporations' obligations involving the chemical right to know, toxic catastrophe prevention, and many other worker and environmental protection laws.

WEC and our allies are fighting both attacks.

To create good jobs and healthy communities, we need *stronger* safeguards for corporations to follow, not *weaker*.

Safeguards ensure that the public interest is protected.

As Tom Donohue, head of the U.S. Chamber of Commerce, [explained recently](#), a corporate CEO's responsibility is not to create jobs but "to return a reasonable return to their investors." It takes public oversight to make companies give priority to good jobs, workers' rights, clean air and water, and other essential protections.

Safeguards protect responsible corporations from being undercut so they won't lose business by respecting workers and the environment.

Safeguards create millions of jobs. New jobs are being created to generate cleaner energy, make buildings and homes energy efficient, make industries environmentally sustainable, and clean up past sources of pollution. Proposed Clean Air Act safeguards will create [1.5 million jobs](#) upgrading power plants. The Bush Administration estimated that exports of environmental equipment support [1.6 million jobs](#).

Safeguards keep corporations from shifting their own costs to victims. [BP's Gulf oil spill](#) disaster illustrates how innocent people lose jobs, homes, and small businesses when companies are allowed to cut corners.

Safeguards control overall costs by emphasizing prevention. Stronger safeguards could have avoided the billions of dollars we have had to spend cleaning up toxic

dumps that never should have been allowed in the first place.

Safeguards rarely cause job loss. Throughout history, corporate CEOs have claimed that any new safeguard would cause job losses. But as [CryWolfProject.org](#) has shown, those claims virtually never turn out to be true.

Corporations often say they are moving jobs because of safeguards when the real motive is to exploit workers overseas for a tenth of the wage level or less and take advantage of Wall Street-backed trade agreements like [NAFTA](#).

In those rare cases where there is job loss because corporate CEOs failed to keep their operations environmentally sustainable, workers must be provided a "just transition." This means they should suffer no loss in their standard of living for a reasonable period, receiving full wage replacement, health insurance, and job training until they find comparable employment.

It's time to stand together for stronger safeguards, not weaker, and to tell our elected officials in New Jersey and Washington, DC, to stand up for us, not Wall Street and CEOs.

You can learn more about the WEC-coordinated "Forward, Not Back" campaign [online](#) and attend our workshop on May 31, 2011 at the Rutgers Labor Education Center in New Brunswick.

An Evening with Dr. David Michaels

WEC held a special event on March 15th with OSHA Director Dr. David Michaels. Over 115 people attended including OSHA Regional Administrator Bob Kulick and the NJ OSHA Area Directors. The event was co-hosted by Rutgers University Labor Education and Research Now and New Labor.

Dr. Michaels discussed parts of his agenda for OSHA, but spent most of the time answering questions from participants on issues ranging from immigrant rights to safe jobs to the attacks on OSHA's budget and regulations to the planned Illness and Injury Prevention standard. The event also featured a new [slide show](#) listing the names of some NJ workers who died in workplace tragedies.

Special thanks to our 12 event sponsors, WEC Board Recording Secretary Carmen Martino for moderating, and John Shinn, WEC Board Member and USW District 4 Sub-District Director, for introducing Dr. Michaels.

EPA Worker Participation

In January, after a multi-year effort with 106 labor, environmental, and community partners, including the BlueGreen Alliance, WEC won a landmark *national* policy from the U.S. Environmental Protection Agency (EPA) ensuring worker participation. Employees and their union representatives across the country will now have new rights to participate during EPA inspections and point out risks to help prevent catastrophic chemical releases from approximately 13,000 of the nation's potentially most dangerous industrial facilities using extremely hazardous chemicals. Previously, NJ was the only state with this policy after Lisa Jackson, as Assistant Commissioner of the NJ Department of Environmental Protection, issued it in 2005 after a WEC-led campaign. [Read the EPA Policy.](#)

CSB Public Program

On March 29th, WEC hosted a training workshop on Preventing Chemical Accidents with guest speaker Bill Hoyle. Hoyle, Senior Investigator at the U.S. Chemical Safety Accident and Investigation Board (CSB), introduced the workshop by explaining

how OSHA's Process Safety Management standard can be used to prevent catastrophic accidents. Thirty workers and managers participated in the training. Following the training, Hoyle led a discussion to help shape a new CSB policy to involve workers in accident investigations.

DEP First Agency to Propose Waiver Rule

Acting on Governor Christie's Executive Order #2 calling on all state agencies to develop a waiver procedure for regulations, the NJ Department of Environment Protection (DEP) became the first to issue a rule proposal outlining a waiver procedure. WEC has called on the DEP to rescind the proposed rule.

The waiver rule would endanger New Jersey workers. DEP rules help create safer and healthier working conditions for employees in some of our most hazardous industries like chemical plants and oil refineries. For example, the Toxic Catastrophe Prevention Act requires facility management to evaluate worst-case scenarios caused by chemical accidents and review options for adopting inherently safer technologies.

The Legislature has already provided for waivers in laws where it makes sense and given authority to agencies to set the details. Anything less than the standard will undermine necessary safeguards.

Overall, the waiver rule will unfairly benefit larger corporations who can afford to pay consultants and lawyers

to find ways to get regulations waived. Safeguards provide a level playing field for responsible companies from being undercut so they don't lose business by respecting workers and the environment. The proposed waiver rule would create exceptions to standards and make enforcement of regulations in New Jersey extremely unpredictable. Governor Christie and the DEP should be moving us forward, not back.

Greenfaith Lobby Day

On March 14, 2011, Greenfaith, a WEC member organization, held its annual Lobby Day at the State House in Trenton. WEC Organizer Denise Patel briefed the group of faith-based community leaders and volunteers on the effort by Governor Christie and some Democrats and Republicans in the Legislature to deregulate the state and weaken New Jersey's sensible safeguards. This year on Greenfaith Lobby Day, A-2486 (see cover story) was posted for a vote before the full Assembly. The volunteers lobbied legislators to vote against it. Fortunately, the bill was never brought up for a vote.

Good Luck, Jane Nogaki!

Best of luck to Jane Nogaki, former President of WEC, on her retirement. Jane helped co-chair the Right to Know Coalition which helped lead to the creation of WEC, the nation's first state-based blue green coalition. Thank you, Jane, for all of your hard work and dedication to the environment, workers and public health!

Calendar

Saturday, May 14, 2011 – *NJ Environmental Federation 25th Annual Conference: Smart, Clean & Green*, 8 am – 5 pm, Rutgers University School of Law, Newark. For more information: www.cleanwater.org/njef. Governor Christie and EPA Administrator Lisa Jackson are invited.

Tuesday, May 31, 2011 - *Forward, Not Back* Workshop, Rutgers Labor Education Center, 9 am - 3:30 pm. For more information, contact Rick Engler at rengler@njwec.org.

Thursday, June 23, 2011 – *Contract Work: Identifying the Hidden Dangers of Working in Industrial Facilities*, Rutgers Labor Education Center, 8 am – 2 pm. Registration fee: \$20. For more information: www.njwec.org/psm.cfm.

Save the Date! - Friday, November 18, 2011
WEC's Annual Awards Celebration

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Back issues of *WEC@WORK* are available at www.njwec.org. Rick Engler & Denise Patel, Editors. WEC is an alliance of 70 labor, environmental and community organizations working together for safe, secure jobs and a healthy, sustainable environment. WEC Staff: Rick Engler, Director; Debra Coyle McFadden, Assistant Director; Cecelia Leto, Project Coordinator; Denise Patel, Campaign Organizer. Staff are members of USW or CWA.

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