



WEC@WORK

News from the NJ Work Environment Council

May 2009

Better Choices for New Jersey

This month we feature an opinion from the Better Choices Budget Campaign. WEC and 37 labor, environmental, and other organizations are members.

Whichever way Governor Corzine and our legislators tackle the huge budget crisis confronting New Jersey, some will be unhappy. Fortunately, a fair approach to solving this crisis can also offer the most fiscally responsible approach – and one that does not further weaken enforcement of environmental and workplace safety laws.

The Governor's proposed \$6 billion in budget cuts would impair critical services. For example, his plan will eliminate as many as 550 Department of Environmental Protection (DEP) employees, bringing its staff to an estimated 2,450. In 1994, DEP had 4,000 employees. Since Governor Corzine came into office, he has cut DEP staff from 3,400 to 3,000 people. Further cuts will result in weaker enforcement of pollution laws. Moreover, DEP issues permits for bridge and road construction; insufficient staffing cripples economic recovery.

Other proposed cuts hurt programs that help in this economic recession: after-school programs that let parents keep their jobs; job training and GED preparation so people can secure jobs; health care for struggling families; nursing home support for seniors; and property tax relief for lower- and middle-income homeowners and tenants.

Recently, forty of our state's top economists and public policy experts wrote Governor Corzine and said that it is bad economics to cut services for lower- and middle-income residents. They maintained that it is more



economically prudent to raise revenues from residents in the top 4 percent income bracket (above \$250,000) than to slash spending targeted at lower- and middle-income households.

This approach – first offered by the Better Choices Budget Campaign – calls for protecting essential services through fair revenue increases. The Governor has commendably taken first steps to share more of the recession's burden with the wealthiest, but further action is needed.

The Better Choices plan proposes these steps to stop the cuts:

- Doubling the corporate business tax surcharge;
- Asking two cents on the dollar more in income taxes of residents making between \$300,000 and \$400,000; and
- Protecting our environment by tripling registration fees on polluting, gas-guzzling SUVs over 5,000 pounds.

We know the argument against asking corporations and the wealthy to chip in: that it will cause them to flee New Jersey. However, a recent Princeton University study found that the 2004 state tax increase on half-millionaires es-

entially led to zero migration of wealthy households. Further, a Rutgers study surveyed 150 top executives and found that more than 95% of them were committed to staying in our state, citing public services for why they wanted to stay: a well-trained workforce, good schools, and access to quality health care. Cutting these services is what could drive businesses out.

To those who maintain that overspending is at fault, we ask: Which services do we have too much of? Are our workplaces too safe? Is our air or water too clean? Are our children's classes too small? Is tuition too low? Is our health care too good? The real risk we face is underinvestment.

We urge our legislators to adopt these measures for shared sacrifice. If corporations and the wealthy pay their fair share, we can maintain vital services, including environmental and worker protection – and be fiscally responsible.

For more information about the Better Choices Budget Campaign or become a member of the campaign, go to www.betterchoicesfornj.org/

Safe, Secure Jobs
and a Healthy,
Sustainable
Environment

Beyond
Toxics:
Protecting
Our Jobs &
Communities

An all day WEC
conference to
promote
chemical safety
for a sustainable
future.

Saturday,
November
14, 2009

Rutgers Labor
Education
Center

New Brunswick,
New Jersey

WEC's Annual
Membership
Meeting to
follow.

Help Legislators Feel the Heat

Is your school too hot or too cold? With chilly classrooms last winter and an all too recent memory, June has arrived and some of those same classrooms have reached 92 degrees.

That is why the New Jersey Education Association (NJEA), with WEC support, is urging state legislators to pass state legislation establishing school temperature guidelines to help ensure a good teaching and learning environment for students and staff.

Under the bill, each school district must: (1) strive to maintain, to the extent feasible, room temperatures within the target range of 68 - 79 degrees Fahrenheit in all occupied areas of school facilities; (2) measure the temperature of an occupied area of a school facility when a temperature outside the target range is suspected; (3) evacuate students and staff from an occupied area with a recorded temperature below 63 degrees Fahrenheit or above 89 degrees Fahrenheit within two hours of the temperature measurement; and (4) report by telephone a temperature-related evacuation within 24 hours to the Department of Health and Senior Services (DHSS). In addition, it requires DHSS to inspect any school facility that is evacuated more than once in a school year to ensure that the facility meets State indoor air quality standards.

Last February, Bill 3222 was favorably released from the Assembly Education Committee. The bill next needs a vote by the full Assembly. The bill's sponsors are Assemblypersons John McKeon (D-27), Mila Jasey (D-27), Eleese Evans (D-35), and Paul Moriarty (D-4). An identical bill, Senate Bill 709, was introduced in the Senate in January by Senator Bob Smith (D-17).

WEC and NJEA urge you to turn up the heat on legislators and support these bills. To read the bills, go to www.njleg.state.nj.us/bills/BillView.asp and enter the bill numbers.

CSB Stands Up for Public Against Bayer

Last August, an explosion at the Bayer CropScience chemical plant in West Virginia killed two employees and raised the fears of residents.

In March 2009, the Chemical Safety and Hazard Investigation Board (CSB) tried to schedule a public hearing to lay out its preliminary findings about what caused the accident. But, Bayer, citing

the 2002 federal *Maritime Transportation Act*, tried to limit what the agency could disclose, specifically the potential hazards posed by the production and use of methyl isocyanate (MIC).

MIC killed thousands of people in Bhopal, India, after a Union Carbide plant leaked there in 1984. Until 1986, Union Carbide owned the WV plant. The Bhopal accident prompted New Jersey to pass the *Toxic Catastrophe Prevention Act* which regulates approximately 100 facilities using highly hazardous chemicals in the state.

This is the first time in the CSB's 11-year history that a company has tried to limit what could be discussed publicly, and the first time the maritime law has been invoked this way. If Bayer had been successful, it would have set a precedent for other companies to limit the release of information. Fortunately, Bayer was only able to delay the public hearing until April 23. Many residents and emergency responders attended.

Concerned about the misuse of terrorism law, Rep. Bart Stupak (D-MI), Chairman of the House Subcommittee on Oversight and Investigations, scheduled an April hearing to review the company's action. At the hearing, Bayer officials admitted using federal security laws to stonewall the public from the investigation results.

MIC was not directly involved in the Bayer explosion, but an above-ground storage tank that can hold up to 40,000 pounds of MIC was just 80 feet from the blast area. In the Bhopal disaster, 50,000 to 90,000 pounds of MIC leaked.

In an attempt to improve its image and uphold its claims that MIC poses no danger to the public, Bayer set up a media tour on May 7 to show journalists and local officials around the plant. They refused all questions about the

August incident.

The CSB was also concerned about the amount of overtime Bayer employees had been working before the accident; poor communications between the plant and outside emergency crews; the risks posed by the presence of the MIC tanks; and how one of the two men who died had a toxic level of cyanide in his blood.

Ridiculous, but True!

- AK Stamping (AKS) Company of Mountainside, NJ has won a contract to manufacture "green" ammunition links for the U.S. military. According to an AKS representative, green ammunition does not contain toxic materials, preventing poisonous contaminants from leaching into the water or soil at military weapons testing ranges. The company says their contract with American Rheinmetall Munitions (ARM) will save 15 jobs at AKS, which employs 85 people. AKS will make the links to be used with the Mk281 40mm grenade produced by ARM, a type of ammunition which leaves no toxic materials or unexploded rounds. The grenade is fired from launchers, not thrown, and is used by the U.S. Marines and Army. (Source: NJBIZ, 3/23/09)

- The Chemistry Council of NJ, NJ Business and Industry Association, and NJ Chamber of Commerce, commenting on a proposed *Toxic Catastrophe Prevention Act* rule revision by the NJ Department of Environmental Protection, believe that "...submittal of information on **potential** [our emphasis] catastrophic events would be a new requirement and burden, with no appropriate justification and little value." Fortunately, DEP rejected industry's advice, pointing out that evaluation of "near misses" will help *prevent* catastrophes. (Source: NJ DEP website)

Calendar

Thursday, June 11, 2009 - *Toxic Catastrophe Prevention Act* Rule Amendments Workshop, sponsored by NJ Department of Environmental Protection, NJDEP Building, 401 E. State St, Trenton, 1:30 - 4 pm.

Saturday, June 13, 2009 - *People's Assembly on Environmental Justice*, Thomas Edison State College, 101 W. State St., Trenton, 8:30 am - 4 pm. For more information, contact Henry Rose at (609) 777-4351. ext 4254.

Friday, November 20, 2009 - WEC's Annual Awards Reception, Rutgers Labor Education Center, New Brunswick, 7 pm

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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; Valorie Caffee, Director of Organizing; Djenaba Figueroa, Office Manager; Cecelia Gilligan Leto, Project Coordinator; Denise Patel, Campaign Organizer. Staff are members of USW or CWA.

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