

Approved 1/26/2017

Occupational Health and Safety Review Commission
Minutes of August 16, 2016

The meeting of the Occupational Health and Safety Review Commission was held on August 16, 2016 starting at 10:00 a.m. in the Large Conference Room of the Marquez Place Building, 525 Marquez Place Santa Fe, NM.

1. CALL TO ORDER

C. Bryan Drennan, Chair called the meeting to order at 10:00 a.m. A quorum was established by roll call.

2. ROLL CALL

Members Present:

C. Bryan Drennan, Chair
William "Brock" Carter
Robert Roehm

Others Present:

Dylan Lang, Assistant Attorney General (Commission Counsel)
Linda Vigil, Hearing Clerk (Commission Administrator)
Jeffrey Holappa, NMED Administrative Law Judge
Bob Genoway, OSHA Bureau Chief
Don Rideout, OSHB
Jay Stimmel, OSHB
Herman Hernandez, OSHB

3. INTRODUCTIONS OF MEMBERS AND GUESTS

Introductions were made by those present.

4. APPROVAL OF AGENDA

MOTION: Mr. Roehm moved to approve the Agenda as presented, with a second by Mr. Carter which passed by voice vote.

5. APPROVAL OF MINUTES OF DECEMBER 2, 2014

MOTION: Mr. Carter moved to approve the minutes of December 2, 2014, with a second from Mr. Roehm which passed by voice vote.

6. INTRODUCTION OF NEW MEMBER ROBERT ROEHM

Mr. Roehm introduced himself and his background in safety.

7. DISCUSSION OF OHSRC NMAC RULES

Chair Drennan discussed the NMAC Rules that are in place and the change of one rule regarding recordkeeping. Mr. Genoway explained the change.

Mr. Carter inquired about the rule of drug testing and decrease in benefits.

Mr. Genoway explained the Federal Rules regarding record keeping and drug testing.

8. OHSRC CASE UPDATE (2015-2016)

Chair Drennan discussed the 2013 cases that are still open. A discussion was held about how to get the matters resolved or updated without taking formal action first. An informal letter will go out to the parties in the case to request an update. If there is no response, Commission Counsel will seek another route.

A discussion was held about 2015 cases that can be noted as closed. There are several 2016 cases that are related and may be requesting extensions due to pending civil litigation.

9. OTHER BUSINESS

Chair Drennan asked that the Commissioners become up to date on their Financial Disclosures. Ms. Vigil will email the forms.

Ms. Vigil explained the Official Journal for the Commission is now updated and kept up regularly.

10. MATTERS FROM THE FLOOR

Mr. Roehm asked what the process was for filing of Orders and other documents. Ms. Vigil explained all motions and Administrative Complaints are filed with her, she will then forward to the Chair to review and sign any orders if necessary. A copy will be sent to the Commissioners along with the contested citation.

Chair Drennan suggested holding a meeting every 6 months to review cases and receive an update from the Bureau. If there is a hearing scheduled the meeting can be held in conjunction with it.

11. ADJOURNMENT

MOTION: *There being no further business to come before the Occupation Health and Safety Review Commission Mr. Carter moved to adjourn at 10:50 a.m. with a second from Mr. Roehm.*

SIGNATURE

C. Bryan Drennan, OHSRC Chair