

5.3.1 Employee Right-to-Know Policy

Purpose

In 1983, the Minnesota Legislature passed the Employee Right-to-Know (ERTK) Act, requiring employers to develop written training programs for their employees regarding the hazardous substances, harmful physical agents, and infectious agents to which they are routinely exposed in the workplace. To guide employers in creating these training programs, Minnesota OSHA conducted public rulemaking to add Chapter 5206 to the Minnesota Rules, which outlines the required program contents, including training, labeling, and additional information.

In brief, the written program must include:

- A plan for providing training to employees before an initial or a change in work assignment or conditions, and annual refresher training, including an outline of training content;
- Methods for making ERTK information, such as Safety Data Sheets (SDSs), readily accessible to employees in their work areas;
- A description of how labels, placards, and signs will be used to identify hazardous materials or work areas where harmful physical agents are generated at levels approaching regulatory limits;
- A list of hazardous substances and agents present in the workplace; and
- The methods used to inform employees of the hazards of infrequent tasks and unlabeled pipes.

Policy

Central Lakes College is committed to providing safe and healthy facilities for students, faculty, staff, and visitors, and to meeting state and Federal Occupational Health and Safety requirements. As part of this effort, CLC has collected Safety Data Sheets from our vendors for hazardous chemicals, ensured that containers are properly labeled, and installed signs in areas where there is a risk of danger.

Employees are trained on the hazardous materials, harmful physical agents, and infectious agents to which they are exposed during their job duties.

This program applies to all work operations in our college where staff, faculty, and students may be exposed to hazardous substances, harmful physical agents, or infectious agents under normal working conditions or in emergencies. Faculty, staff, and students all share responsibility for minimizing their exposure to hazardous conditions.

The Environmental Health and Safety (EHS) Officer serves as the program coordinator for the Employee Right-to-Know program. The EHS Officer will review and update the program, as necessary. Copies of the written program may be obtained from the Office of Environmental Health and Safety.

Training

Supervisors are responsible for ensuring that employees under their supervision have received proper training on the hazards associated with the substances and equipment they use. The Office of Environmental Health and Safety will support supervisors in meeting the training requirements.

Everyone who works with or is potentially exposed to hazardous chemicals, harmful physical agents, or infectious agents will receive initial training on the Employee Right-to-Know standard and the safe use of those chemicals or agents before their work assignment. A program has been prepared for this purpose and is outlined below. Whenever a new hazard is introduced, additional training will be provided. Training updates will be conducted at least annually and may include summaries of previously covered information. The Office of Environmental Health and Safety will coordinate with the Human Resource Department to ensure new employees are included in this program.

Training plan - The employee right-to-know training will include:

- A summary of the Employee Right to Know standard and this written program;
- Chemicals and physical agents are present in their workplace operations.
- Physical and health effects of the hazardous chemicals or physical agents;
- The chemical and physical properties of the dangerous materials.
- The physical hazards of chemicals (e.g., potential for fire, explosion, etc.);
- The health hazards associated with exposure to chemicals, harmful physical agents, and infectious agents.
- The procedures to protect against the health hazards.
- The work procedures to follow to ensure protection when cleaning up incidental spills and leaks of hazardous chemicals.
- The location of the SDSs and instructions on how to read and interpret the information on labels.
- Training records are maintained online by the State of Minnesota Enterprise Learning Management system. Refresher training is conducted annually.

List of hazardous chemicals

Each department is responsible for maintaining a list of hazardous substances in its work area and also providing a copy of the list to the EHS Officer. The EHS Officer will update the list as necessary and maintain the master list. The list identifies all chemicals used in work areas. The list of hazardous substances corresponds to the list of Material Safety Data Sheets (MSDS) and Safety Data Sheets (SDS). Staff can access the MSDS online by simply clicking on the MSDS icon on their desktop.

List of harmful physical agents

The Environmental Health and Safety Officer will work with each department to maintain a list of harmful physical agents present in the workplace in amounts approaching regulatory limits, including those resulting from the use of equipment, handling of products, and other similar activities. Heat, cold, noise, ionizing radiation, and nonionizing radiation sources will be identified for each work area. Department and area supervisors, directors, and others with supervisory responsibilities are responsible for informing EHS of any harmful physical agents used in areas under their control or supervision.

List of Harmful Infectious Agents

The Environmental Health and Safety Officer will collaborate with the Department's Program Coordinator to compile a list of infectious agents to which workers are routinely exposed during their assigned work. For further information, see the Bloodborne Pathogens Exposure and Sharp Injury Policy 5.5.

Safety Data Sheets (SDSs)

Safety Data Sheets provide specific information about that chemical. The Department Coordinator will maintain a binder or access MSDS for every substance on the list of hazardous chemicals in their area. Staff can access the MSDS online by simply clicking on the MSDS icon on their desktop.

The Department coordinator is responsible for notifying Environmental Health and Safety when a new SDS is received for the latest products. Once notified, the Environmental Health and Safety Officer will update the online SDS database with the current information. The Environmental Health and Safety Officer will contact the chemical manufacturer or vendor if additional research is needed or if an SDS was not provided with the initial shipment. The program coordinator must clear all new materials to be brought into the facility.

Labels and other forms of warning

The supervisor or department head at each department will ensure that all hazardous chemicals in their area of responsibility are properly labeled and updated as necessary. Manufacturer's container labels should be left on the containers if possible. They must list, at a minimum, the chemical's identity, the appropriate hazard warning, and the name and address of the manufacturer, importer, or other responsible party.

If chemicals are transferred from a manufacturer's container into another container, the new container must have a label that identifies the chemical's identity and any relevant hazard warnings. Immediate-use containers, which are containers of hazardous substances under the control of a single employee *and* emptied during the same work shift, do not require labeling.

OSHA has updated the requirements for labeling of hazardous chemicals under its Hazard Communication Standard (HCS). As of June 1, 2015, all labels must include pictograms, a signal word, hazard and precautionary statements, the product identifier, and supplier identification. A sample revised HCS label identifying the required label elements can be reviewed by clicking the links below.

https://www.osha.gov/Publications/HazComm_QuickCard_Labels.html

Labels for a hazardous chemical must contain:

- Name, Address, and Telephone Number
- Product Identifier
- Signal Word
- Hazard Statement(s)
- Precautionary Statement(s)
- Pictogram(s)

Pipes or piping systems do not have to be labeled, but their contents will be described in the training session.

The Department supervisor will ensure that equipment or work areas that specifically generate harmful physical agents at a level that may be expected to approximate or exceed the permissible exposure limit or applicable action level are posted with the name of the physical agent and the appropriate hazard warning.

Receptacles containing potentially infectious materials must be labeled in accordance with the Bloodborne Pathogens and Employee Right-to-Know Labeling Requirements.

Non-routine tasks

When employees are required to perform hazardous, non-routine tasks, the Department supervisor will conduct a special informative session to inform them about the dangerous chemicals they may be exposed to and the proper precautions to reduce or avoid exposure. Safety Data Sheets for the hazardous chemicals used will be available online. The Department coordinator is responsible for ensuring this training is provided.

Contractors at the workplace

If a contractor has its employees working at the facility, Environmental Health & Safety, in conjunction with the Physical Plant Director and Department coordinator, will:

1. Provide the contractor with the location of SDSs for the hazardous substances to which its employees may be exposed while working at the facility.
2. Inform the contractor of any precautionary measures that need to be taken to protect the employees during both normal working conditions and in foreseeable emergencies; and
3. Inform the contractor about the labeling system used in the facility.

The Environmental Health & Safety or Physical Plant Director will request that the contractor provide the appropriate hazard information concerning chemicals they intend to use on CLC premises.

Frequency of training

The Environmental Health and Safety Officer, along with the Department Supervisor, will regularly review the CLC employee training program and advise management on initial or annual refresher training needs. Retraining is also required whenever a new hazard is introduced into the workplace. As part of the training program assessment, the Environmental Health and Safety Officer will solicit employee input on the training they have received and their suggestions for improvement. This review will be performed annually; necessary revisions will be made to ensure currency and applicability.

Date of Implementation/Presidential Review: 5/1/2014

Date of last review: 7/31/2025