Hazard Communication Program

Environmental Health, Safety and Risk Management Department

Box 6113, SFA Station
Nacogdoches, Texas 75962-6113

Thanks to the University of Texas for the use of their Hazard Communication Program

Revised September 2015
Created March 2004
I. Requirements Summary

II. Introduction: The Texas Hazard Communication Act
   A. General Information
   B. Applicability of THCA 502
   C. Exemptions
   D. Definitions (Sec. 502.004.)

III. Requirements:
   Part I - Workplace Chemical List (Sec. 502.005.)
      A. Chemical Lists
      B. Chemical List Records
      C. Exception
      D. Employee Awareness
   Part II - Safety Data Sheets ("SDS") (Sec. 502.006.)
      A. Safety Data Sheets—General Procedures
   Part III - Labels (Sec. 502.007.)
      A. Labels—General Procedures
      B. Labels—Primary Containers
      C. Labels—Secondary Containers
      D. Alternative Labeling
   Part IV – Globally Harmonized System
      A. Overview
      B. Benefits
      C. Major Changes to the Hazard Communication Standard
      D. Effective Completion Date
   Part V - Employee Education Program (Sec. 502.009)
      A. Hazard Communication (General)
      B. Hazard Communication ("Site-Specific")
   Part VI – Reporting Fatalities and Injuries (Sec. 502.012)
      A. Reporting Fatalities and Injuries – Departmental Report
      B. Reporting Fatalities and Injuries – Safety Department
   Part VII - Employee Notice; Rights of Employees (Sec. 502.017)
      A. Notice to Employees
      B. Rights of Employees

IV. Individual Responsibilities
   A. Individual Worker
   B. Principle investigators, supervisors, or forman
   C. Department manager, administrator, director, or dean
   D. Purchasing Department
   E. Human Resources
   F. Environmental Health, Safety & Risk Management Department
   G. Contractors
V. References

VI. Appendices:
   A. Hazard Communication Act Training Record
   B. Notice to Employees (English & Spanish)
   C. Hazardous Communications Workplace Chemical List
I. Requirements Summary:

The following summarizes the minimum requirements of the Hazard Communication Act that state agencies must implement, if hazardous chemicals exist in the agency’s workplace.

1. Workplace Chemical List
   Each University workplace or temporary workplace (The University’s definition of workplace is a building) shall compile lists of hazardous chemicals quantities totaling 1 Liter or 1 Kilogram present within these locations and shall forward copies of these lists to the Environmental Health, Safety, & Risk Management Department (Box 6113) by December 31st of each year. A *Hazardous Communications Workplace Chemical List Form* is located in the Appendix.

   It is the responsibility of every supervisor to make their employees aware of the workplace chemical list before working with or in a work area containing hazardous chemicals.

2. Safety Data Sheets
   Each supervisor is responsible for maintaining a SDS file with the chemicals that are used and stored in each of their work areas as well as provide a copy for the Environmental Health, Safety, & Risk Management Department’s Master Workplace Chemical List.

   All University departments are responsible for ensuring that upon request, a current SDS will be made available to any employee who works with or may be exposed to the hazardous chemical or material.

3. Labels
   Supervisors shall ensure that labels are legible, in English, and prominently displayed on the container throughout each work shift. The label may include information in another language as appropriate. Labels on containers of hazardous chemicals are required, at minimum, to have the same name appearing on the SDS, the pertinent physical and health hazards, including the organs that would be affected, and the manufacturer's name and address.

4. Employee Education Program
   All new employees of the University, both full or part time, who will be expected to use or handle hazardous chemicals, shall be given instruction in the basic provisions of the Texas Hazard Communication Act at the time of their "benefits" orientation, normally held during the initial week of their employment. This training must be received before the employee is assigned to use or handle hazardous chemicals.

   The Hazard Communication (General) class referenced above provides general information, but information specific to the employee's particular work area must be provided by the supervisor. Supervisors will train every employee who works with or may be exposed to hazardous chemicals on the safe use of those substances and about the Texas Hazard Communication Act.

   All Hazard Communication training shall be documented on the Hazard Communication Act Training Record form (available in the Appendix), which shall be forwarded to the Environmental Health, Safety, and Risk Management Department prior to December 31 each year.
5. Reporting Fatalities and Injuries
All departmental supervisory personnel are responsible for reporting to the Environmental Health, Safety, and Risk Management Department any employee accident that directly or indirectly involves chemical exposure or that involves lack of air, and results in an injury requiring medical attention or fatality.

6. Employee Notice; Rights of Employees
Departmental supervisors are responsible for ensuring that an 8½ by 11 inches copy of the “Notice to Employees”, as illustrated in the Appendix to this plan, or as hereafter updated and revised by the Texas Department of State Health Services, is clearly posted and unobstructed at all locations where notices are normally posted within every building of the university where their staff are occupied. A copy of the “Notice to Employees” is located in the Appendix in English and Spanish.

II. Introduction: Texas Hazard Communication Act

A. General Information
1. The Hazard Communication Act in the State of Texas was passed by the 69th legislature and became law effective January 1, 1986. The revised Act, including laws titled chapter 502 ("Hazard Communication Act") and chapter 506 ("Public Employer Community Right-to-Know Act"), was passed by the 73rd Legislature and became law effective September 1, 1993.

2. The Texas Hazard Communication Act (THCA), codified as chapter 502 of the Texas Health and Safety Code (HSC), requires all public employers in Texas to provide their employees with information regarding hazardous chemicals to which employees may be exposed in their workplace. In order to comply with Section 502.009(b) of the THCA, Section 295.7(a) of the THCA Rules (Title 25 of the Texas Administrative Code (TAC), Section 295.1-295.12), the Occupation Safety and Health Administration’s Hazard Communication Standard (29 CFR 1910.1200), and the EPA SARA Title III Community Right-to-Know Law, the following written Hazard Communication Program has been established for Stephen F. Austin State University.

3. A master copy of the written hazard communication program will be maintained in the Environmental Health, Safety, and Risk Management Department. The Director of the Environmental Health, Safety, and Risk Management Department is the overall coordinator for the program and is able to answer questions and provide additional information if needed. Copies of the written program will also be maintained at each workplace where hazardous chemicals are used or stored. All information required as a part of our Hazard Communication Program, is available to employees, representatives, and authorized government officials upon request. Access to this information is an employee’s right and no one shall be penalized in any way for asking to review this information. The use of this information is an integral part of the University’s shared commitment to a safe and healthy workplace.
4. This program emphasizes our continuing commitment to provide a safe workplace for all employees. Each unit or division of the University shall follow this program and maintain each work area in accordance to the guidelines established in this program. The purpose of this written program is to explain how Stephen F. Austin State University fulfills the requirements of federal, state and local rules on informing employees of the potential hazards of chemicals used or stored in the workplace. The University inventories chemicals in use, obtains and uses Safety Data Sheets (SDS), maintains labels on containers of chemical substances, informs the community and trains employees about the potential hazards of chemicals they may encounter on the job.

5. The format of this program is first to cite (in italics) specific sections of the law. Following this is an explanation of The University's policies and procedures. Only those sections that are pertinent to this written plan are included. Sections 502.010 through 502.016 are excluded.

B. Applicability of THCA 502
1. This chapter applies only to employers who are not required to comply with 29 CFR 1910.1200 (OSHA Hazard Communication Act). As a public institution, Stephen F. Austin State University is not covered by the Occupational Safety and Health Act of 1970 (OSHA) unless a contractual agreement for compliance with OSHA is included in federal grant funding applications.

2. Chemical manufacturers, importers, and distributors—although covered by the federal OSHA law—shall provide Safety Data Sheets (SDSs) as required by Section 502.006. Penalties provided by Sections 502.014, 502.015, and 502.016 may be assessed against chemical manufacturers, importers, and distributors for failure to provide SDSs.

C. Exemptions
1. This chapter, except Section 502.009 ("Employee Education Program"), does not apply to a hazardous chemical in a sealed and labeled package that is received and subsequently sold or transferred in that package if:
   a. the seal and label remain intact while the chemical is in the workplace; and
   b. the chemical does not remain in the workplace longer than five working days.

2. This chapter does not require labeling of the following chemicals:
   a. pesticides;
   b. any food, food additive, color additive, drug, cosmetic, medical, or veterinary device;
   c. any distilled spirits that are beverage alcohol, wine, or malt beverages intended for non-industrial use;
   d. any consumer product or hazardous substance, when subject to a consumer product safety standard or labeling requirement of those Acts or regulations issued under those Acts by the Consumer Product Safety Commission.

3. Per Section 502.004 (f), the following chemicals are exempt from the requirements of the Texas Hazard Communication Act and are outside the scope of this written program.
a. any hazardous waste, as that term is defined by the Federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901 et seq.) when subject to regulations issued under that Act by the Environmental Protection Agency and/or by the Texas Commission on Environmental Quality (TCEQ).

b. a chemical in a laboratory under the direct supervision or guidance of a technically qualified individual if:
   i. labels on incoming containers of chemicals are not removed or defaced;
   ii. the employer complies with section 502.006 ("SDS") and 502.009 ("Employee Education Program") of the THCA with respect to laboratory employees; and
   iii. the laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes;

c. tobacco or tobacco products;

d. wood or wood products;

e. articles formed to a specific shape of design during manufacture and that do not release or otherwise result in exposure to a hazardous chemical under normal conditions of use.

f. food, drugs, cosmetics, or alcoholic beverages in a retail food sale establishment that are packaged for sale to consumers;

g. food, drugs, or cosmetics intended for personal consumption by an employee while in the workplace;

h. any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. Section 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. Section 1261 et seq.), respectively, if the employer can demonstrate it is used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by consumers;

i. any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 301 et seq.);

j. radioactive waste.

D. Definitions (As Listed in Section 502.004 of the Act) (TX Dept. of State Health Services Rules 25 TAC 295.2)


2. “Appropriate Hazard Warning” is any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the health and physical hazards, including the target organ effects, of the chemical(s) in the container(s).

3. “Article” means a manufactured item:

4. “Asphyxiation” is a death or injury from suffocation that is caused by a chemical and which is due to interference with the oxygen supply of the blood, other than drowning.

5. “Board” means the Texas Board of Health.

6. “Categories of Hazardous Chemicals” A grouping of hazardous chemicals with similar properties.

7. “Chemical manufacturer” means an employer in Standard Industrial Classification (SIC) Codes 20-39 with a workplace where chemicals are produced for use or distribution.

8. “Chemical name” means:
   (A) the scientific designation of a chemical in accordance with the nomenclature system developed by
         the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service
         (CAS) rules of nomenclature; or
   (B) a name that clearly identifies the chemical for the purpose of conducting a hazard evaluation.
9. “Common name” means a designation of identification, such as a code name, code number, trade name, brand name, or generic name, used to identify a chemical other than by its chemical name.

10. “Container” Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical or contains multiple smaller containers of an identical hazardous chemical. The term “container” does not mean pipes nor piping systems, not does it mean engines, fuel tanks, or other operating systems in a vehicle. A primary container is one in which the hazardous chemical is received from the supplier. A secondary container is on to which the hazardous chemical is transferred after receipt from the supplier.

11. “Department” means the Texas Department of State Health Services.

12. “Designated representative” means the individual or organization to whom/which an employee gives written authorization to exercise the employee’s rights under this chapter, except that a recognized or certified collective bargaining agent is a designated representative regardless of written employee authorization.

13. “Director” means the director of the Texas Department of Health.

14. “Distributor” means a business in Standard Industrial Classification Major Industry Group 516 or 517 that supplies hazardous chemicals to an employer who must comply with this Act.

15. “Emergency Service Organization” is any organization established to provide the following services for the general public: fire prevention and suppression, hazardous materials response operations, or emergency medical services. An emergency service organization may consist of volunteer members or be a unit of a political subdivision of the state with compensated employees.

16. “Employee” means a person who may be or may have been exposed to hazardous chemicals in the person's workplace under normal operating conditions or foreseeable emergencies, and includes a person working for this state, a person working for a political subdivision of this state, or a member of a volunteer emergency service organization or, if the applicable OSHA standard or MSHA standard is not in effect, a person working for a private employer. Workers such as office workers or accountants who encounter hazardous chemicals only in non-routine, isolated instances are not employees for purposes of this act.

• (NOTE: In addition to the final sentence in the foregoing paragraph, the July 21, 1993 ruling of the Texas Attorney General, Opinion No. DM-239, in regard to “students” is deemed of particular importance in both interpreting and implementing the Texas Hazard Communication Act:

• Students are no ‘employees’ for the purpose of the Texas Hazard Communication Act, Texas Health and Safety Code sections 502.001.016. Therefore, the Act is not applicable to students in their capacity as students, except for the requirements of section 502.004 (e)(5)(B) which requires that safety data sheets be maintained by the laboratory and made accessible to students.”

17. “Handle” is to touch, move, or manipulate hazardous chemicals.

18. "Hazardous chemical” or "chemical” means an element, compound, or mixture of elements or compounds that is a physical hazard or health hazard as defined by the OSHA standard in 29 CFR Section 1910.1200(c), or a hazardous substance as defined by the OSHA standard in 29 CFR Section 1910.1200(d)(3), or by OSHA's written interpretations. A hazard determination may be made by employers who choose not to rely on the evaluations made by their suppliers if there are relevant qualitative or quantitative differences. A hazard determination shall involve the best professional judgment.

19. "Health hazard" has the meaning given that term by the OSHA standard (29 CFR 1910.1200(c)). A chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term
“health hazard” includes chemicals which are carcinogens, toxic or highly toxic agents, reproduction toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.

20. "Identity" means a chemical or common name, or alphabetical or numerical identification, that is indicated on the safety data sheet (SDS) for the chemical. The identity used must permit cross-references to be made among the workplace chemical list, the label, and the SDS.

21. "Label" means any written, printed, or graphic material displayed on or affixed to a container of hazardous chemicals, and which includes the same name as on the safety data sheet.

22. “Laboratory” means any facility where relatively small quantities of hazardous chemicals are used on a non-production level.

23. "Safety Data Sheet" ("SDS") means a document containing chemical hazard and safe handling information that is prepared in accordance with the requirements of the OSHA standard for that document. 29 CFR Section 1910.1200. A current SDS is one which contains the most recent significant hazard information for the hazardous chemicals as determined by the chemical’s manufacturer. An appropriate SDS is on which conforms to the most current requirements set by OSHA standards.

24. "MSHA standard" means the Hazard Communication Standard issued by the Mining Safety and Health Administration.


26. "Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water-reactive in terms defined in the OSHA standard.

27. “Personal Protective Equipment” Protective equipment provided to an employee by the employer which provides a level of protection to chemicals to which the employee may be exposed that will be adequate to ensure their health and safety based on current industry standards. In determining the selection of PPE, the employer shall consider all routes of entry, permeability of PPE materials, the duties being performed by the employee, the hazardous chemicals present, and such other factors as may affect the performance of the equipment. The employer must ensure that provided equipment fits the individual employee and is functional for its intended use as described by the manufacturer’s specifications.

28. “Stationary Process Container” A tank, vat or other such container which holds different hazardous chemicals at different times.

29. “Technically Qualified Individual” means an individual with a professional education and background working in the research or medical fields, such as a physician or registered nurse, or an individual holding a minimum of a bachelor’s degree in a physical or natural science.

30. "Temporary workplace” means a stationary workplace that is staffed less than 20 hours a week. A temporary workplace may be considered to be a work area of the headquarters workplace from which employees are routinely dispatched. Temporary workplaces may include pumping stations, emergency response sites, and similar workplaces.

31. "Work area” means a room, a defined space, a utility structure, or an emergency response site in a workplace where hazardous chemicals are present, produced, or used and where employees are present.

32. "Workplace" means a contiguous facility that is staffed 20 hours or more per week, unless such a facility is subdivided by the employer. Normally this subdivision would be a building, cluster of buildings or other structures, or a complex of buildings, but could be for a portion of a building if the employer chooses. Noncontiguous properties are always separate workplaces unless they are temporary workplaces, in which case they can be either work areas of a headquarters’ workplace or separate workplaces, which is at the discretion of the employer.

33. "Workplace chemical list” means a list of hazardous chemicals developed under Section 502.005(a).

34. “Written Hazard Communication Program” is a document which describes an employer’s program for compliance with those requirements of the Act imposed on the employer.
III. Requirements: Texas Hazard Communication Act

Part I: Workplace Chemical List
Sec. 502.005. (THCA)

a. For the purpose of worker right-to-know, an employer shall compile and maintain a workplace chemical list that contains the following information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds or in excess of an amount that the board determines by rule for certain highly toxic or dangerous chemicals:
   1. the identity used on the SDS and container label; and
   2. the work area in which the hazardous chemical is normally present.

b. The employer shall update the workplace chemical list as necessary but at least by December 31 of each year. Each workplace chemical list shall be dated and signed by the person responsible for compiling the information.

c. The workplace chemical list may be prepared for the workplace as a whole or for each work area or temporary workplace and must be readily available to employees and their representatives. All employees shall be made aware of the workplace chemical list before working with or in a work area containing hazardous chemicals.

d. An employer shall maintain a workplace chemical list for at least 30 years. The employer shall send complete records to the director if the employer ceases to operate.

A. Chemical Lists:
Each University workplace or temporary workplace shall compile lists of hazardous chemicals quantities totaling 1 Liter or 1 Kilogram present within these locations in accordance with the foregoing Section 502.005 and shall forward copies of these lists to the Environmental Health, Safety, & Risk Management Department (Box 6113) by December 31st of each year. The Hazardous Communication Workplace Chemical List Form is located in the Appendix and can be used to assist with compiling the chemical list. When new hazardous chemicals are purchased or brought on campus they must have a SDS and be included on their department’s chemical list.

B. Chemical List Records:
The Environmental Health, Safety, & Risk Management Department shall maintain chemical lists for a period of at least 30 years.

C. Employee Awareness:
It is the responsibility of every supervisor to make their employees aware of the workplace chemical list before working with or in a work area containing hazardous chemicals. Employing departments are primarily responsible for making applicable workplace chemical lists readily available for their employees and their employee’s representatives. Additionally, copies of all workplace chemical lists will be available from the Environmental Health, Safety, & Risk Management Department if necessary.

Part II: Safety Data Sheets ("SDS")
Sec. 502.006. (THCA)

a. A chemical manufacturer or distributor shall provide appropriate safety data sheets to employers who acquire hazardous chemicals in this state with each initial shipment and with the first shipment after a SDS is updated. The SDSs must conform to the most current requirements of the OSHA standard.
b. An employer shall maintain a legible copy of current SDS for each hazardous chemical purchased. If the employer does not have a current SDS for a hazardous chemical when the chemical is received at the workplace, the employer shall request a SDS in writing from the manufacturer or distributor in a timely manner or shall otherwise obtain a current SDS. The manufacturer or distributor shall respond with an appropriate SDS in a timely manner.

c. Safety Data Sheets shall be readily available, on request, for review by employees or designated representatives at each workplace.

d. A copy of a SDS maintained by an employer under this section shall be provided to the director on request.

A. Safety Data Sheets—General Procedures:
Formerly known as Material Safety Data Sheets (MSDS); all departments are responsible for ensuring that all university purchase orders or telephone requests for hazardous chemicals from vendors stipulate that the most current Safety Data Sheets available for these products must be provided with the shipment or mailed to the purchaser. Upon receipt of the order at Central Receiving or at a satellite location, the SDS shall be sent to the Environmental Health, Safety, & Risk Management Department to be added to the master chemical list and a copy retained with the material or forwarded to the end user accompanying the material. All departments must request or obtain an otherwise unavailable SDS within 30 business days of receipt of any hazardous chemical and must not permit the use of any hazardous chemical until a current SDS is available. It shall be the policy and procedure of Stephen F. Austin State University to minimize purchases of hazardous chemical products from suppliers that do not readily supply SDS. Each supervisor is responsible for maintaining a SDS file with the chemicals that are used and stored in each of their work areas as well as provide a copy for the Environmental Health, Safety, & Risk Management Department’s Master Workplace Chemical List.

If a SDS is needed for a work area, the manufacturer of the chemical should be contacted. If a SDS is still not available, contact the Environmental Health, Safety, & Risk Management Department. These SDSs should then be maintained in an organized manner within the work area and/or workplace should be utilized in the mandated site-specific training of employees.

All University departments are responsible for ensuring that upon request, a current SDS will be made available to any employee who works with or may be exposed to the hazardous chemical or material. The SDS must be provided for review at the workplace during the same shift in which it was requested. University departments must be able to provide SDS for review on request by the Texas Department of State Health Services representatives during their inspections of campus operations and to emergency responders as soon as practicable upon request.

Part III: Labels
Sec. 502.007. (THCA)
a. A label on an existing container of a hazardous chemical may not be removed or defaced unless it is illegible, inaccurate, or does not conform to the OSHA standard or other applicable labeling requirement. Primary containers must be re-labeled with at least the identity appearing on the SDS, the pertinent physical and health hazards, including the organs that would be affected, and the manufacturer's name and address. Except as provided by Subsection (b), secondary containers must be re-labeled with at least the identity appearing on the SDS and appropriate hazard warnings.
b. An employee may not be required to work with a hazardous chemical from an unlabeled container except for a portable container intended for the immediate use of the employee who performs the transfer.

The Texas Hazard Communication Act (THCA) requires that all hazardous chemicals be properly labeled. A Hazardous Chemical According to the THCA means an element, compound, or mixture of elements or compounds that is physical or health hazard, or as a hazardous substance as defined in OSHA 29 CFR 1910, Subpart Z, Toxic or Hazardous Substances, or by the ACGIH, Threshold limits for Chemical Substances. Basically any compound or chemical that is known to cause a health hazard or a physical hazard is a hazardous chemical.

A. Labels—General Procedures:
Supervisor’s of every University department where containers of hazardous chemicals are present are responsible for assuring that the manufacturer/supplier label is not removed or defaced unless it is illegible, inaccurate, or does not conform to the OSHA standard or other applicable labeling requirement.

Supervisor’s are also responsible for re-labeling a container, only when the label is illegible or when it comes to their attention that the labeling does not meet the requirements of the OSHA Standard.

A supervisor who receives an unlabeled or mislabeled container of hazardous chemical from a supplier or a container which requires re-labeling shall ensure that such containers are re-labeled in accordance this section prior to use by any employee. Supervisors may contact their supplier to request such replacement labels or may prepare their own replacement labels.

Supervisors shall ensure that labels are legible, in English, and prominently displayed on the container throughout each work shift. The label may include information in another language as appropriate.

Supervisors may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials instead of affixing labels to individual stationary process containers, as long as the alternative method identifies the container to which it is applicable and conveys the label information required in this plan.

Except for those chemicals noted in the exemption section on page 6 of the Introduction, containers of hazardous chemicals which were received prior to the original effective date of the Act, January 1, 1986, and which do not meet these labeling requirements, must be re-labeled in accordance with these requirements.

B. Labels—Primary Containers:
A primary container is one in which the hazardous chemical is received from the supplier. Labels on incoming containers shall not be removed or defaced unless a new label or marking with the required information or warnings is immediately attached. Labels provided by the chemical manufacturers, distributors, and importers shall list the name and address of the manufacturer, distributor, importer, or other party responsible for the chemical and from whom information about the chemical can be obtained. Primary containers of hazardous chemicals that might require re-labeling must be re-labeled with, at minimum, the name appearing on the SDS, the pertinent physical and health hazards, including the organs that would be affected, and the manufacturer’s name and address.
C. Labels—Secondary Containers:
A secondary container is one into which the hazardous chemical is transferred after receipt from the supplier. Secondary containers must be labeled with at least the name of the hazardous chemical appearing on the SDS and the pertinent physical and health hazards, including the organs that would be affected. Exception: an employee who transfers the contents from a primary container into a secondary container for immediate use is not required to label the secondary container.

D. Alternative Labeling
A Description of alternative labeling systems, if used, is provided to employees by the department. Examples of alternative labeling systems are the National Fire Protection Association (NFPA) 704m Standard and the Hazardous Materials Information Systems (HMIS) Standard.

Part IV: Globally Harmonized System (GHS)

A. Overview
New changes to the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard are bringing the United States into alignment with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS), further improving safety and health protections for America's workers. Building on the success of OSHA's current Hazard Communication Standard, the GHS is expected to prevent injuries and illnesses, save lives and improve trade conditions for chemical manufacturers. The Hazard Communication Standard in 1983 gave the workers the 'right to know,' but the new Globally Harmonized System gives workers the 'right to understand.'

The new hazard communication standard still requires chemical manufacturers and importers to evaluate the chemicals they produce or import and provide hazard information to employers and workers by putting labels on containers and preparing safety data sheets. However, the old standard allowed chemical manufacturers and importers to convey hazard information on labels and material safety data sheets in whatever format they chose. The modified standard provides a single set of harmonized criteria for classifying chemicals according to their health and physical hazards and specifies hazard communication elements for labeling and safety data sheets.

B. Benefits
The new standard covers over 43 million workers who produce or handle hazardous chemicals in more than five million workplaces across the country. The modification is expected to prevent over 500 workplace injuries and illnesses and 43 fatalities annually. Once fully implemented it will also:

- Improve the quality and consistency of hazard information in the workplace, making it safer for workers to do their jobs and easier for employers to stay competitive;
- Enhance worker comprehension of hazards, especially for low and limited-literacy workers, reduce confusion in the workplace, facilitate safety training, and result in safer handling and use of chemicals;
• Provide workers quicker and more efficient access to information on the safety data sheets;

• Result in cost savings to American businesses of more than $475 million in productivity improvements, fewer safety data sheet and label updates and simpler new hazard communication training.

C. Major changes to the Hazard Communication Standard:

• **Hazard classification:** Chemical manufacturers and importers are required to determine the hazards of the chemicals they produce or import. Hazard classification under the new, updated standard provides specific criteria to address health and physical hazards as well as classification of chemical mixtures.

• **Labels:** Chemical manufacturers and importers must provide a label that includes a signal word, pictogram (see figure 1 below), hazard statement, and precautionary statement for each hazard class and category.

• **Safety Data Sheets:** The new format requires 16 specific sections, ensuring consistency in presentation of important protection information.

• **Information and training:** To facilitate understanding of the new system, the new standard requires that workers be trained by December 1, 2013 on the new label elements and safety data sheet format, in addition to the current training requirements.

D. Effective Completion Date
As of December 1, 2015, all new chemicals being received into the workplace will be labeled in compliance with the GHS standard format. Chemical containers received prior to December 1, 2015, may have a label in another format as long as it communicates the same basic information required under the GHS standard. The new GHS compliant labels will include pictograms as described in Figure 1 below.

By June 1, 2016, all GHS compliant labeling and safety data sheet requirements should be fully implemented in the workplace.
Figure 1. Hazard Communication Standard Pictograms and their description under the GHS.

<table>
<thead>
<tr>
<th>Health Hazard</th>
<th>Flame</th>
<th>Exclamation Mark</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Carcinogen</td>
<td>• Flammables</td>
<td>• Irritant (skin and eye)</td>
</tr>
<tr>
<td>• Mutagenicity</td>
<td>• Pyrophorics</td>
<td>• Skin Sensitizer</td>
</tr>
<tr>
<td>• Reproductive Toxicity</td>
<td>• Self-Heating</td>
<td>• Acute Toxicity (harmful)</td>
</tr>
<tr>
<td>• Respiratory Sensitizer</td>
<td>• Emits Flammable Gas</td>
<td>• Narcotic Effects</td>
</tr>
<tr>
<td>• Target Organ Toxicity</td>
<td>• Self-Reactives</td>
<td>• Respiratory Tract Irritant</td>
</tr>
<tr>
<td>• Aspiration Toxicity</td>
<td>• Organic Peroxides</td>
<td>• Hazardous to Ozone Layer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Non-Mandatory)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gas Cylinder</th>
<th>Corrosion</th>
<th>Exploding Bomb</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Gases Under Pressure</td>
<td>• Skin Corrosion/ Burns</td>
<td>• Explosives</td>
</tr>
<tr>
<td></td>
<td>• Eye Damage</td>
<td>• Self-Reactives</td>
</tr>
<tr>
<td></td>
<td>• Corrosive to Metals</td>
<td>• Organic Peroxides</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Flame Over Circle</th>
<th>Environment</th>
<th>Skull and Crossbones</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Oxidizers</td>
<td>• Aquatic Toxicity</td>
<td>• Acute Toxicity (fatal or toxic)</td>
</tr>
<tr>
<td>(Non-Mandatory)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Part V: Employee Education and Training Program
Sec. 502.009. (THCA)

a. An employer shall provide an education and training program for employees who use or handle hazardous chemicals.

b. An employer shall develop, implement, and maintain at the workplace a written hazard communication program for the workplace that describes how the criteria specified in this chapter will be met.

c. An education and training program must include, as appropriate:

   1. information on interpreting labels and SDSs and the relationship between those two methods of hazard communication;

   2. the location by work area, acute and chronic effects, and safe handling of hazardous chemicals known to be present in the employees' work area and to which the employees may be exposed;

   3. the proper use of protective equipment and first aid treatment to be used with respect to the hazardous chemicals to which employees may be exposed; and

   4. general safety instructions on the handling, cleanup procedures, and disposal of hazardous chemicals.

d. Training may be conducted by categories of chemicals. An employer must advise employees that information is available on the specific hazards of individual chemicals through the SDSs. Protective equipment and first aid treatment may be by categories of hazardous chemicals.

e. An employer shall provide additional instruction to an employee when the potential for exposure to hazardous chemicals in the employee's work area increases significantly or when the employer receives new and significant information concerning the hazards of a chemical in the employee's work area. The addition of new chemicals alone does not necessarily require additional training.

f. An employer shall provide training to a new or newly assigned employee before the employee works with or in an area containing a hazardous chemical.

g. An employer shall keep the written hazard communication program and a record of each training session given to employees, including the date, a roster of the employees who attended, the subjects covered in the training session, and the names of the instructors. Those records shall be maintained for at least 5 years by the employer. The department will have access to those records and may interview with employees during inspections.

h. Emergency service organizations shall provide, to their members or employees who may encounter hazardous chemicals during an emergency, information on recognizing, evaluating, and controlling exposure to the chemicals.

In order to comply with the "Employee Education and Training Program" requirements of the Texas Hazard Communication Act, the following Hazard Communication training program is required by Stephen F. Austin State University for all employees who use or handle hazardous chemicals (including faculty, staff, and employed students):
A. HAZARD COMMUNICATION (GENERAL):

1. All new employees of the University, both full or part time who will be expected to use or handle hazardous chemicals, shall be given instruction in the basic provisions of the Texas Hazard Communication Act at the time of their "benefits" orientation, normally held during the initial week of their employment. This training must be received before the employee is assigned to use or handle hazardous chemicals.

2. Employees who have not received Hazard Communication (General) training at orientation can attend the scheduled class taught by the Environmental Health, Safety, and Risk Management Department.

3. General Hazard Communication (General) training will be documented for the Environmental Health, Safety, and Risk Management Department on the Hazard Communication Act Training Record form (located in the Appendix), and a copy of the class record shall be maintained for at least 5 years.

B. HAZARD COMMUNICATION ("SITE-SPECIFIC"):

1. The Hazard Communication (General) class referenced above provides general information, but information specific to the employee's particular work area must be provided by the supervisor. Supervisors will train every employee who works with or may be exposed to hazardous chemicals on the safe use of those substances and about the Texas Hazard Communication Act. Additional training will be provided whenever a new chemical is introduced into the work area. Supervisors will conduct “site-specific” training annually as a way of reinforcing the importance of the awareness of the potential hazards of chemicals in the workplace. New employees must be trained before being required to work with, or being exposed to, hazardous chemicals. In addition, representatives from the Environmental Health, Safety, and Risk Management Department will assist the Hazard Communication instructor, if requested, in understanding the general aspects of the Texas Hazard Communication Act (explanation of Safety Data Sheets, labeling, written plan).

2. Site-Specific Hazard Communication training for employees must include instruction in the areas outlined in Sec. 502.009, which include:
   - information on labeling and SDS; the location of hazardous chemicals by work area and their associated health effects;
   - for hazardous chemicals known to be in the employee’s work area(s):
     - Location of hazardous chemicals
     - Physical effects and short-term and long-term health effects of exposure
     - Safe handling
     - Proper use of personal protective equipment
     - Safety instructions of handling, cleanup and disposal.
     - First aid treatment for exposure to hazardous chemicals.

3. Site-Specific Hazard Communication training shall be documented on the Hazard Communication Act Training Record form (located in the Appendix.), which shall be forwarded to the Environmental Health, Safety, and Risk Management Department prior to December 31 each year. An official copy of these records shall be maintained by the department administering the training and the Environmental Health, Safety, and Risk Management Department for at least 5 years.
Part VI: Reporting Fatalities and Injuries
Sec. 502.012. (THCA)

(a) Within 48 hours after the occurrence of an employee accident that directly or indirectly involves chemical exposure or that involves asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees, the employing department of any of the employees so injured or killed shall report to the accident either orally or in a writing to the department.

(b) The report shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries. If it is necessary to complete the investigation of an incident, the department may require additional reports in writing as necessary.

A. Reporting Fatalities and Injuries – Departmental Report:

All departmental supervisory personnel are responsible for reporting to the Environmental Health, Safety, and Risk Management Department any employee accident that directly or indirectly involves chemical exposure or that involves lack of air, and results in an injury requiring medical attention or fatality. Whoever reports such an accident shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries to the Environmental Health, Safety, and Risk Management Department within 48 hours after the occurrence. Safety Phone # 468-4532 or 468-6034.

B. Reporting Fatalities and Injuries - Environmental Health, Safety, and Risk Management Department

Immediately upon notification by a department, the Environmental Health, Safety, and Risk Management Department will report the accident to the Texas Department of State Health Services, Product Safety Division, and Hazardous Communication Branch at 1-800-452-2791. If further information is needed for investigation of the incident, the Environmental Health, Safety, and Risk Management Department may require additional reports from the department in writing as necessary.

Texas Department of State Health Services
Product Safety Division
Hazard Communication Branch
1100 West 49th Street
Austin, Texas 78756
800-452-2791 (toll free)
(512) 834-6603

C. Employees will be responsible for reporting all accidents involving hazardous chemicals to their supervisor.
Part VII: Employee Notice; Rights of Employees
Sec. 502.017. (THCA)

a. An employer shall post and maintain adequate notice, at locations where notices are normally posted, informing employees of their rights under this chapter. If the director does not prepare the notice under Section 502.008., the employer shall prepare the notice.
b. Employees who may be exposed to hazardous chemicals shall be informed of the exposure and shall have access to the workplace chemical list and SDSs for the hazardous chemicals. Employees, on request, shall be provided with a copy of a specific SDS with any trade secret information deleted. In addition, the employee shall receive training concerning the hazards of the chemicals and measures they can take to protect themselves from those hazards. Employees shall be provided with appropriate personal protective equipment. These rights are guaranteed.
c. An employer may not discharge, cause to be discharged, otherwise discipline or in any manner discriminate against an employee because the employee has:
   1. filed a complaint;
   2. assisted an inspector of the department who may make or is making an inspection under Section 502.011;
   3. instituted or caused to be instituted any proceeding under or related to this chapter;
   4. testified or is about to testify in a proceeding under this chapter; or
   5. exercised any rights afforded under this chapter on behalf of the employee or on the behalf of others.
d. Pay, position, seniority, or other benefits may not be lost as the result of the exercise of any right provided by this chapter.
e. A waiver by an employee of the benefits or requirements of this chapter is void. An employer's request or requirement that an employee waive any rights under this chapter as a condition of employment is a violation of this chapter.

A. NOTICE TO EMPLOYEES:

1. Departmental supervisors are responsible for ensuring that an 8½ by 11 inches copy of the “Notice to Employees”, as illustrated in the Appendix to this plan, or as hereafter updated and revised by the Texas Department of State Health Services, is clearly posted and unobstructed at all locations where notices are normally posted within every building of the university where their staff are occupied.
2. Departmental supervisors may add the name and telephone number of the Environmental Health, Safety, and Risk Management Department to the bottom of the workplace notice.

B. RIGHTS OF EMPLOYEES

1. Departments must inform employees if they may have been exposed to hazardous chemicals.
2. Departments must provide access to the workplace chemical list and SDS’s for the hazardous chemicals in the employee’s workplace. Employees, on request, shall be provided with a copy of a specific SDS with any trade secret information deleted. In
addition, departments must ensure that employees receive training concerning the hazards of the chemicals and measures they can take to protect themselves from those hazards.

3. Departments must provide appropriate personal protective equipment (PPE) for their employees. Departments shall provide appropriate PPE to employees who may be exposed to hazardous chemicals in their workplace. Departments will ensure that their employees received training regarding how to maintain and store PPE appropriately to ensure that contamination does not occur.

4. The University shall not discipline, harass, or discriminate against an employee for filing complaints, assisting inspectors, participating in proceedings related to the Hazard Communication Act, or exercising rights under the Act.

5. Employees cannot waive their rights under the Act. A request or requirement for such a waiver by any representatives of the University violated the Act.

IV. INDIVIDUAL RESPONSIBILITIES

A. It is the responsibility of the individual worker to:

1. Use personal protective equipment as required by University policy and procedures.
2. Inform his or her supervisor of:
   a. Any symptoms of overexposure that may possibly be related to hazardous chemicals.
   b. Missing labels on containers.
   c. Malfunctioning safety equipment.
3. Use approved labels on hazardous chemical containers. Approved labels for hazardous chemicals shall contain the identity of the hazardous chemical, the appropriate physical and health hazard warnings, and the name and address of the chemical manufacturer. When transferring from a labeled container to an unlabeled container copy the labeled containers label and affix it to the unlabeled container; therefore the accuracy of labels associated safety data sheet and product liability on purchased chemical remains the responsibility of the manufacturer. The worker is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for immediate use by the worker who performed the transfer.
4. Do not remove or deface existing labels on purchased hazardous chemicals unless the container is empty and ready for disposal.
5. Use approved containers for hazardous materials.
6. Know the location of emergency equipment, such as, first aid supplies, emergency showers and eyewashes, etc.
7. Know his or her role in emergency procedures.
8. Attend all hazard communication training sessions deemed necessary.

B. Principal investigators, supervisors, or foremen are the primary individuals responsible for the success of the hazard communication program. It is their responsibility to:

1. Ensure that all workers within their group receive the appropriate hazard communication training.
2. Ensure that new workers within their group receive the necessary training prior to their working with any hazardous chemicals.
3. Ensure that if any new hazardous chemicals are introduced into the work area, workers within the group are given documented training and information regarding those chemicals prior to those chemicals actually being used. This includes specific training on chemicals for new or transferred workers.

4. Keep the list of the hazardous chemicals used within the group up-to-date.

5. Ensure that a SDS is available for each chemical found on the list of hazardous chemicals for that group. The principal investigator, supervisor, or foreman may obtain a SDS from the Environmental Health, Safety, and Risk Management Department file or from the manufacturer for each chemical in his or her work area.

6. Periodically inspect engineering controls and personal protective equipment.

7. Make routine surveys of the work area to ensure safe practices are being followed.

8. Ensure required labeling practices are being followed.

9. Enforce applicable safety and health rules.

10. Store hazardous chemicals in designated safe locations.

11. Report damaged containers or spills to the Environmental Health, Safety, and Risk Management Department.

12. Ensure that SDSs are on file for that hazardous chemical.

13. Ensure that appropriate labels are affixed to chemical containers and that existing labels are not defaced.

14. If needed, use prescribed personal protective equipment when handling hazardous materials.

15. If a SDS is not on file or has not been received for hazardous chemical, principal investigators, supervisors, or foreman shall detain the hazardous chemical until an SDS for the material can be obtained. The receiving individual should immediately notify the manufacturer or distributor of the hazardous chemical and request an SDS for the chemical. If an SDS is not available for a hazardous chemical the Environmental Health, Safety, and Risk Management Department shall be notified for instructions and the hazardous chemical must be returned to the sender.

16. Allow Environmental Health, Safety, and Risk Management Department staff entry into laboratories and work areas to perform inventories and inspections.

C. It is the responsibility of the department manager, administrator, director or dean to:

1. Follow-up to ensure principal investigators, supervisors or foremen are carrying out prescribed university policy and procedures concerning hazard communication.

2. Notify the Environmental Health, Safety, and Risk Management Department of any operating changes affecting the hazardous materials being used.

D. It is the responsibly of the Purchasing Department and each purchasing sub-site to:

1. Forward all SDSs to the Environmental Health, Safety, and Risk Management Department.

E. It is the responsibility of the Human Resources Department to:

1. Forward the Hazard Communication Act Training Record of all new employees trained in Hazcom by the University to the Environmental Health, Safety, and Risk Management Department.
F. It is the responsibility of the Environmental Health, Safety, and Risk Management Department to:

1. Administer the hazard communication policy and procedure.
2. Keep an up-to-date Workplace Chemical List used within the University as well as maintain a current file of SDSs for those chemicals.
3. Periodically review work areas to ensure compliance with this policy and procedure.
4. Routinely audit all records to ensure the most current SDSs are on file and that employee's training is documented.
5. Coordinate emergency procedures and fire department activities related to hazardous chemicals.
6. Post the Notice to Employees in all buildings, which contain hazardous chemicals.
7. Maintain safety data sheets during normal working hours.
8. Appraise each pertinent individual of his/her responsibility per this document.
9. Establish and maintain an up to date chemical inventory checklist.
10. Annually, present a Workplace Chemical List Form for each department to sign-off on for his or her work areas. Other methods of documenting the chemical inventory (such as through the Chematix chemical inventory system) may be submitted if approved by the Environmental Health, Safety, and Risk Management Department.

G. It is the responsibility of contractors to:

1. Supply the Environmental Health, Safety, and Risk Management Department with safety data sheets for hazardous chemicals brought on to the campus of Stephen F. Austin State University if requested.
2. Contractors must follow this procedure and their own hazard communication program.

V. REFERENCES

Risk Management for Texas State Agencies Guidelines, Volume III, Section Two, Chapter7.12 – Hazard Communication Program (Hazcom)

Title 25, Texas Administrative Code (TAC), Chapter 502, Texas Hazard Communication Act.

Title 25, Texas Administrative Code (TAC), Chapter 506, Public Employer Community Right-to-Know Act.


VI. Appendix
The University requires documentation that all employees have been trained in the Hazard Communication Act (HAZCOM). This requires attendance at both the General Hazcom training course given during new employee orientation as well as Site-Specific training. The Supervisor is responsible for insuring that Site-Specific training is provided to new employees and whenever the potential for exposure to hazardous chemicals increases significantly or when new or significant hazard information is received. In accordance with the General Safety Manual and the University’s Hazard Communication Program, the individuals listed below have attended a training session covering the provisions listed on the next page of this document.

<table>
<thead>
<tr>
<th>DEPT.:</th>
<th>BUILDING/ROOM:</th>
<th>DATE:</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>P.I.:</th>
<th>INSTRUCTOR:</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>NAME (print clearly (Last name, First Name, MI))</th>
<th>SIGNATURE</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Doe, John T.)</td>
<td>(John T. Doe)</td>
<td>(Director of ______)</td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I certify that the topics listed on the next page were covered in this training session.

____________________________Signature of Instructor

Keep a copy and return the completed original form to the Environmental Health, Safety and Risk Management Department.
Training Checklist

This checklist will help you cover training topics as described in The University’s Hazard Communication Program and the General Safety Manual and supplements information provided during the General Hazard Communication course. While other training may cover some of the following topics, it is your responsibility to ensure employees have a thorough understanding of the topics (use the General Safety Manual and the Safety Data Sheets (SDS) of your workplace chemicals as a source in your discussion):

CHEMICALS
- General and site-specific procedures for safe handling and use of chemicals.
- Physical and health (both short-term and long term) hazards of chemicals used in the work area.
- Where chemicals are located in the work area and the segregation scheme in use.
- Methods used to detect the presence or release of hazardous chemicals.
- Signs and symptoms associated with exposures to hazardous chemicals in the work area.
- How to respond to a chemical exposure, including first aid and emergency response.
- What OSHA Permissible Exposure Limits (PEL’s) are as well as other recommended exposure limits. Show where exposure limits for a particular chemical can be found. (OSHA Permissible Exposure Limits of some chemicals can be found on the SDS).
- Where SDS can be found (work area, manufacturer, or the Environmental Health, Safety and Risk Management Department).

PROCEDURAL
- Where spill control equipment is located and how to clean up chemical after use or a spill.
- Where emergency numbers are posted, where fire alarms and fire extinguishers are located, and procedures for building evacuation.
- Where Texas Hazard Communication Act Employee Notification posters are displayed (should be where employee notices are normally posted).
- Where the General Safety Manual is kept and an overview of its contents.
- Explain what the proper procedure for chemical and biological disposal is.

PERSONAL PROTECTIVE EQUIPMENT
- How to prevent exposure to chemicals (e.g. general and site-specific practices, appropriate personal protective clothing).
- Where personal protective clothing and equipment (e.g. goggles, masks, and eyewashes) are located and how to use them.

SPECIAL EQUIPMENT (if applicable)
- Instructions in the use of any special equipment in the lab.
NOTICE TO EMPLOYEES

The Texas Hazard Communication Act, codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

HAZARDOUS CHEMICALS

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

WORKPLACE CHEMICAL LIST

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

EMPLOYEE EDUCATION PROGRAM

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on the measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

SAFETY DATA SHEETS

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current Safety Data Sheets (SDSs) or Material Safety Data Sheets (MSDSs) if an SDS is not available yet, which detail physical and health hazards and other pertinent information on those chemicals.

LABELS

Employees shall not be required to work with hazardous chemicals from unlabeled containers except portable containers for immediate use, the contents of which are known to the user.

EMPLOYEE RIGHTS

Employees have rights to:
- access copies of SDSs (or an MSDS if an SDS is not available yet)
- information on their chemical exposures
- receive training on chemical hazards
- receive appropriate protective equipment
- file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the telephone numbers provided below.

Further information may be obtained from:
Texas Department of State Health Services
Division for Regulatory Services
Policy, Standards, & Quality Assurance Unit
Environmental Hazards Group
PO Box 149347, MC 1987
Austin, TX 78714-9347

(800) 452-2791 (toll-free in Texas)
(512) 834-6787
Fax: (512) 834-6726
TXHazComHelp@dshs.texas.gov

EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM $50 TO $100,000 FOR EACH VIOLATION OF THIS ACT
AVISO AL EMPLEADO

La Ley de Comunicación sobre Peligros de Texas, codificada como el capítulo 502 del Código de Salud y Seguridad de Texas, exige que los empleadores públicos le provean a los empleados información específica sobre los peligros de los químicos a los que los empleados podrían estar expuestos en el centro de trabajo. Según exige la ley, su empleador debe proveerle cierta información y capacitación. A continuación presentamos un breve resumen de la ley.

QUÍMICOS PELIGROSOS

Los químicos peligrosos son cualquier producto o material que represente algún peligro físico o de salud al ser usado, a menos que esté claramente exento bajo la ley. Como ejemplos de químicos peligrosos, se mencionan combustibles, productos de limpieza, solventes, aceites y grasas, gases comprimidos, productos químicos y de pintura, pesticidas, herbicidas, refrigerantes, químicos de laboratorio, cemento, vanillas de soldadura, etc.

HOJAS DE DATOS DE SEGURIDAD

El empleador debe informar de la exposición a los empleados que pudieran estar expuestos a químicos peligrosos y ellos deben tener acceso fácil a las hojas de datos de seguridad (SDS) o las hojas de datos de seguridad del material (MSDS) más recientes si es que todavía no hay una SDS disponible, las cuales detallen los peligros físicos y de salud y cualquier otra información pertinente sobre dichos químicos.

ETIQUETAS

No se requerirá que los empleados trabajen con químicos peligrosos provenientes de contenedores que no estén etiquetados con excepción de los contenedores portátiles de uso inmediato, el contenido de los cuales el usuario conoce.

DERECHOS DEL EMPLEADO

Los empleados tienen derecho a:
- acceder a copias de las SDS (o una MSDS si es que todavía no hay una SDS disponible)
- la información sobre sus exposiciones químicas
- recibir capacitación sobre los peligros químicos
- recibir el equipo protector apropiado
- presentar quejas, asistir a los inspectores y testificar en contra de su empleador

No se despedirá a los empleados ni se les discriminatorá de ninguna manera por ellos ejercer cualquiera de los derechos que esta ley estipula. Las renuncias de derechos del empleado no tienen ninguna validez; el que el empleador solicite ese tipo de renuncia infringe esta ley. Los empleados pueden presentar sus quejas ante el Departamento Estatal de Servicios de Salud de Texas llamando al teléfono sin costo provisto abajo.

LOS EMPLEADORES PODRían ESTAR SUJETOS A SANCIONES ADMINISTRATIVAS Y A MULTAS CIVILES O PENALES QUE VAN DESDE LOS $50 HASTA LOS $100,000 DÓLARES POR CADA INFRACCIÓN DE ESTA LEY

Puede obtener mayor información en:
Texas Department of State Health Services
Division for Regulatory Services
Policy, Standards, & Quality Assurance Unit
Environmental Hazards Group
PO 149347, MC 1987
Austin, TX 78714-9347

(800) 452-2791 (llamada gratuita dentro de Texas)
(512) 834-6787
Fax: (512) 834-6726
TXHazComHelp@dshs.texas.gov

Worker Right-To-Know Program
Publication # E23-14173
Revised 03/2014

TEXAS
Department of State Health Services
Hazardous Communications Workplace Chemical List

General Information
Name: ___________________________ Building Name: ___________________________
Date: ___________________________ Department: ___________________________
Emergency Contact: ______________ Room Number: ___________________________
Contact Phone #: ______________ General Room Use: __________________________

Safety Devices
Eyewash in Room or Hall: Y/N Safety Shower in Room or Hall: Y/N
Fire-blanket in Room or Hall: Y/N Spill Clean-up Material Location: Y/N
Have Fire Extinguisher(s): Y/N
Are they regularly checked? Y/N
Have Gas Cylinders: Y/N Are Cylinders Chained: Y/N
What Type of Gas:
Is there natural gas emergency shut-off system? Y/N
Chemical Fume Hood: Y/N Current Certification: Y/N
Air Flow Monitor on Hood: Y/N Are Chemicals Evaporated in Hood: Y/N
If So what chemical(s):
Flammable Storage Cabinets: Y/N Use Chemical Disposal Service: Y/N
Name of Disposal Service: ___________________________ Phone Number of Disposal Service: ___________________________
Are flammables and corrosives stored separately? Y/N
Do shelves storing chemicals have lips installed? Y/N
Do you have a sharps container for broken glassware? Y/N
Is there an inventory of chemicals Y/N
Is personal protective equipment provided for everyone working with chemicals? Y/N
Do you maintain a laboratory Safety Manual? Y/N
Is there “Right to Know” poster installed? Y/N
Do you use extension cords as a permanent power source? Y/N
Do refrigerators have food stored together with chemicals? Y/N

Right to Know Act
Do You Have SDS on all Chemicals Present in Room: Y/N
Is Notice to Employees Posted: Y/N
Is Hazardous Material Training Done: Y/N Is Regular Safety Training Done: Y/N
Are These Documented: Y/N

Biological and Radiological Information
Any Biological or Radioactive Materials: Y/N
If yes, do they have safety handling, storage and disposal procedures? Y/N
Level of Biosafety used:
Is there appropriate safety measures for the biosafety level  Y/N
Any Additional Information:

**MOU Information**
Do you have controlled items/substance/substance analogue?  Y/N
If yes, do you maintain an annually inspected list?  Y/N
If yes, please provide the list

**Select Agents**
Do you have any chemicals of interest in the lab  Y/N
If yes, please fill out the column on the following page.
## Hazardous Communications Workplace Chemical List (Continued)

### SELECT AGENTS LIST

<table>
<thead>
<tr>
<th>Chemical Name as on SDS</th>
<th>Quantity</th>
<th>Storage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Select Agents List Prepared By: __________________   __________________
Name (printed)     Signature (Required)

Date prepared: ________________

### WORKPLACE CHEMICAL LIST

<table>
<thead>
<tr>
<th>Chemical Name on SDS</th>
<th>Work Area</th>
<th>Quantity</th>
<th>Unit Size</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Workplace Chemical List Prepared By: __________________   __________________
Name (printed)     Signature (Required)

Date prepared: ________________