Employee Right to Know Management Plan

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Rev:Apr. 14, 2023

NORTHLAND
COMMUNITY & TECHNICAL COLLEGE

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I. Purpose:

To protect employees from overexposure to hazardous chemicals, harmful physical agents or infectious agents by providing employees with the knowledge of the hazards to understand why protective measures are required so they can protect themselves.

II. Scope:

Employees routinely exposed to hazardous chemicals, harmful physical agents (heat, noise, radiation) or infectious agents are covered under this program. Areas where employees are routinely exposed to any of these types of hazards include but are not limited to:

- Buildings and Grounds Department
- Maintenance Department
- Animal Science/Science Department
- Aviation Department
- Automotive Department,
- Art Department
- Theatre Arts Department
- Food Service Department
- Auto Body Department
- Biology Department
- Nursing Department
- Surgical Technician
- Respiratory Therapy
- Physical Therapy
- Occupational Therapy
- Radiologic Technology
- Pharmacy Technician
- Welding Department
- Construction Electricity
- Construction plumbing
- Construction HVAC
- Carpentry
- Fire Tech
- Para-Medicine
- Mechatronics
- Welding Department

III. Directive:

An inventory of hazardous chemicals including compressed gases, harmful physical agents and infectious agents will be maintained by the Safety Officer.
Employees will be trained on the hazards of the chemicals and agents they work with, before they are exposed, and then on an annual basis, to ensure that they retain the information. The degree of hazard from new products or processes will be reviewed by

the Department Head and/or Safety Officer before the product or process is put into use. All hazardous chemicals will be labeled according to the Globally Harmonized System (GHS) so that employees can readily identify what the chemicals are and what protective measures are needed. All employees transferring chemicals must understand labeling requirements. The Safety Officer will obtain and maintain Safety Data Sheets (SDS) for each hazardous chemical used by employees at work.

IV. Legal Reference:

Minnesota's Employee Right to Know Law is Minnesota Occupational Safety and Health (MNOSHA) Rules 5206.0100-1200.

V. Responsibilities:

The following individuals have specific responsibilities for carrying out this program:

Provost, Dean and Directors

- Supports the Overall Employee Right-To-Know program.

Department Head or Supervisor

- Oversee the Employee Right-To-Know program.
- Oversee the training program.
- Provide advice on product or process hazards.
- Develop the hazard inventory and keep it updated.
- Obtain current safety data sheets and make them available to employees.
- Ensure employees are trained on the hazards to which they may be exposed.
- Evaluate the need for hazardous products or processes, seek safer alternatives.
- Ensure substances and harmful physical agents have warning labels.
- Keep SDS on products no longer used at least 30 years.

Safety Administrator

- Ensure that the campus has written and implemented ERTK program.
- Ensure that the hazard assessments of all campus employees are conducted.
- Conduct on-going assessments of the health and safety hazards on campus.
- All contractors/vendors and their employees working on the campus have information about the hazardous substances, harmful physical agents and infectious agents in the area of campus they may be working and subsequently may have a potential for exposure.
- Evaluate contractor/vendor ERTK program if they work in areas where there is a potential for exposure to hazardous substances, harmful physical agents and infectious agents.
- Evaluate employee training records of the contractor/vendor if they work in areas where there is a potential for exposure to hazardous substances, harmful physical agents and infectious agents.

- Overall responsibility of compliance of ERTK program elements such as labeling, training, and hazard inventory throughout the campus.
- Ensure all campus wide employee training (annual and initial employee) is conducted appropriately in a timely manner.
- Conduct annual review of the written program.
- Maintain overall ERTK employee training records.

Employees

- Learn the hazards and safe operating procedures for the job.
- Follow safe practices.
- Label chemicals in accordance with labeling requirements.
- Complete initial and annual employee training.

VI. Right-to-Know Program

i. Hazard Reduction

Whenever feasible, less hazardous products or processes will be used in place of more hazardous products or processes. The cost of protective measures and disposal must be factored into the cost of the new product, when evaluating its cost-effectiveness. The Safety Officer will be consulted whenever the use of any new product or process is considered.

ii. Hazard Inventory

A. Physical Hazards:

The Safety Officer will develop a list of areas that would routinely expose employees to one of the following physical hazards:

1. Noise: Areas where employees routinely work with power tools, compressed air, noisy equipment etc. If noise levels exceed 85db, compliance with Occupational Exposure to Noise Standard, 29 CFR 1910.95 is required.
2. Temperature extremes: Areas of potential excessive heat or cold exposures such as employees who routinely work outside.
3. Ionizing radiation: Areas with potential sources of X-rays and/or radioactive materials. (See OSHA standard 29 CFR 1910.1096).
4. Nonionizing Radiation: Areas with sources of nonionizing radiation. (See OSHA standard 29 CFR 1910.1097).

There are no sources of ionizing radiation currently being used in the College.

B. Chemical Hazards:

1. The Department Head will develop a list of hazardous chemicals used in each area.
2. The Department Head will maintain the list of hazardous chemicals used in each area, update the list as new products are introduced or as others are

discontinued. Minnesota State has a contract with *MSDSOnline Services*, an independent web based system to provide easy online access to SDSs used at each campus. This is a user friendly system which has automatic updates of SDSs based on the latest regulatory compliance. Each campus is able to build their unique eBinder of the SDSs used at their campus. The campus Safety Officer must ensure their eBinder is updated. This service provides several advantages over the paper based SDS system. If paper copies are used on campus, each SDS will be dated upon arrival. SDSs dated over five years old will be replaced with an updated sheet.

3. Chemical hazards include any substance which has been shown to cause harmful health effects in laboratory studies or field experience. They include:
   a. Specific products, if they contain any hazardous ingredient present in amounts above 1% (or 0.1% for carcinogens). Example: paints, part cleaners, cleaning products, etc.
   b. Solid materials which are worked on or broken down in a specific process. Example: Dusts from grinding, asbestos, etc.
   c. Processes which produce hazardous fumes, mists, vapors, gases or dusts. Examples: Operating diesel or gasoline equipment, cleaners, welding vapors, etc.
4. A physical inventory of the hazardous substances will be generated and updated, every two years by the Department Head/Supervisor.

C. Infectious Agents:
The Department Head/ Safety Officer must:

1. Identify the infectious agents that are present in the work area and provide information and training to employees who are routinely exposed to those substances or agents in either the course of their normal workday or during a foreseeable emergency. Infectious agents include bacterial, viral, fungal, parasitic, and rickettsia agents.

2. If employees are exposed to blood as part of their job duties, the campus must develop and implement an Exposure Control Plan meeting the requirements of the Occupational Exposure to Bloodborne Pathogens standard, 29 CFR 1910.1030. If *all* infectious agents to which employees may be exposed are covered as part of the Exposure Control Plan, that plan will be considered as meeting the ERTK requirement for a written program for infectious agents.

iii. <u>Labels:</u>

A. Harmful Physical Agents:
Department Head/Safety Officer must ensure all equipment or work area that generate harmful physical agents at a level that may be expected to approximate or

exceed the permissible exposure limit or applicable action level are properly labeled. The label shall include:

- Name of physical agent.
- Appropriate hazard warning.
- Examples of labels: “Potential HEAT STRESS AREA – Training required” or “HIGH NOISE AREA – Hearing protection required”.

B. Chemical Hazards:
Department Head/ Supervisor must ensure all incoming shipments of hazardous chemicals are labeled. Labels on containers received from manufacturers or importers must include:

- A product identifier.
- A signal word, either “Danger” or “Warning”.
- Hazard statements assigned to a hazard class and category that describes the nature of any hazards of a chemical, including, where appropriate, the degree of hazard.
- One or more pictograms.
- Precautionary statements, meaning a phrase that describes recommended measures to be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical.
- If adequate, manufacturer’s label will be retained on the original container. These labels will not be covered or defaced in any way.
- New labels may be applied to original containers when manufacturer labels are defaced, damaged or unreadable *(See Secondary Containers).* The label must contain all the necessary information from the Safety Data Sheet.
- Stationary process containers within a work area having similar contents and hazards may be labeled by use of signs, placards or other alternative identification. The process container must have the product identifier and any words, pictures, symbols or a combination that provides at least general information about hazards of the chemical.

C. Infectious Agents:
Department Head/ Supervisor/ Safety Officer must ensure labeling of infectious waste (for example, labeled with the biohazard symbol) complies with:

- Occupational Exposure to Bloodborne Pathogens, 29 CFR 1910.1030.
- Minnesota Infectious Waste Control Act.

iv. <u>Secondary Containers for Hazardous Chemicals:</u>

On those occasions when it is necessary to transfer materials from the manufacturer’s containers into secondary containers, employees must properly label the new container. The Department Head and Employees must ensure secondary containers are labeled. Secondary containers must be adequately labeled as to its contents and hazard, to provide employees necessary safety information. The label must include:

- Manufacturer’s Name, Address and Telephone Number.

- Product Name.
- All Hazard signal word, hazard statement and pictogram(s) included on SDS.
- All Personal Productive Equipment needed.

The Department Head must ensure that secondary containers are compatible with the materials to be contained.

v. <u>Safety Data Sheets</u>

The Department Head will ensure that safety data sheets are obtained for each chemical listed in the hazard inventory and ensure that the eBinder on *MSDSOline* is updated regularly. If the campus maintains paper SDSs the Department Head/Employee will update the SDS book annually, ensuring that all the SDS's are current.

vi. <u>Training</u>

A. All new employees will receive training on hazards they may be exposed to before they begin their new assignments. The Supervisor/ Safety Officer is responsible for ensuring the new employees receive this training. Initial training will be done as part of the new employee's orientation. A list of the hazard communication topics covered will be maintained in the Right-To-Know Training section of this manual. Training will be conducted by the Safety/Human Resources Department. Training sessions must allow employees an opportunity for interactive questions and answers with the person conducting training. Training will cover a summary of the Employee Right-To-Know standard and campus written ERTK program and specific training topics for hazardous chemicals, harmful physical agents and infectious agents as listed below.

1. Training information for **hazardous chemicals:**
    - The operations in the work area where hazardous chemicals are found.
    - The methods and observations to detect the presence of a release of chemicals.
    - Physical, health, simple asphyxiation, combustible dust and pyrophoric gas hazards.
    - The measures and work practices employees can use to protect themselves against the hazards.
    - Written copy of above information i.e. SDS, where and how employees can access MSDSOnline for up-to-date information on the hazardous chemicals.

2. Training information for **harmful physical agents**:
    - The name or names of the physical agent, including commonly used synonyms.
    - The level at which exposure to physical agent has been restricted.

- Appropriate emergency treatment.
- Known proper conditions for exposure to the physical agent.
- The contact details of manufacturer of the equipment that generates the harmful physical agent.
- Written copy of above information must be kept in the same area where employees are exposed to the harmful physical agent.
- Example of information for exposure to ionizing/nonionizing radiation include:
    - Identity of sources.
    - Exposure limits.
    - Health effects of exposure.
    - Emergency procedures.
    - Safety procedures and control measures.
    - Personal protective equipment.

3. Training information for **infectious agents:**
    - The epidemiology and symptoms of infectious diseases, including hazards to special at-risk employee groups.
    - Appropriate methods of recognition of tasks and other activities that may involve exposure to infectious agents, including blood and other infectious materials.
    - The chain of infection, or infectious disease process, including agents, reservoirs, modes of escape from reservoirs, modes of transmission, and modes of entry into host and host susceptibility.
    - The use and limitations of control methods that prevent or reduce exposure, including universal precautions, engineering controls, appropriate work practices, personal protective equipment and housekeeping.
    - Basis for selection of personal protective equipment, including its use, types of equipment available, location of equipment, and decontamination and disposal.
    - The proper procedures for clean-up of blood or body fluids.
    - Recommended immunization practices.
    - Procedures to follow if an exposure incident occurs, including when, how and to whom the incident should be reported, and post-exposure evaluation and medical follow-up that will be available.
    - Appropriate actions to take and personnel to contact in an emergency involving potentially infectious materials.
    - Signs, labels, tags or color coding used to denote biohazards.
    - Written copy of the ERTK program, exposure control plan, other relevant reference materials and contact information of personnel to contact with questions.

NOTE: Information required as part of the ERTK infectious agents training program is identical to training for employees exposed to blood required by the Blood Borne Pathogens standard, 29 CFR 1910.1030. The campus can conduct one training program that covers all infectious agents to satisfy both standards.

B. The Safety Officer is responsible for ensuring that all routinely exposed employees receive Right-To-Know training annually. Training sessions must allow employees an opportunity for interactive questions and answers with the person conducting training. At the discretion of the Safety Officer, the refresher training may be informal safety talks or may be one formal training session. Formal (Classroom) training sessions will be organized and an outline of training and signed rosters will be kept for documentation. Informal safety talks need to be documented also. A checklist of topics reviewed at the session and signed by the employee will be kept by the Safety Officer.
C. The Department Head will train their employees on the hazards of new products or processes, before the product or process is used.
Training may be informal, hands-on training, but must be documented.
D. Recordkeeping:
    - ALL training will be documented.
    - Training documentation will include:
        a. Date and location of training.
        b. Names of all the employees attending, and their signatures.
        c. Name and title of person conducting the training.
        d. Brief summary of material covered.
    - Training records will be filed and retained for at least three years.

vii. <u>Non Routine Tasks</u>

All non-routine tasks involving exposure to hazardous chemicals, harmful physical agents or infectious agents shall be performed only after consultation with the Supervisor. The Supervisor will review the task and chemicals or agents to be used or encountered, based on a thorough description to be provided by the Safety Administrator. They will establish safety and health measures to be implemented by the employee.

An industrial hygienist will provide technical expertise and assistance in establishing safe work practices and proper personal protection if necessary. If the scope of the task changes, or amount and/or kind of hazards encountered differs from the original plan/description, all work will cease. The Safety Administrator will reevaluate the task and make appropriate recommendations for continued safe work. Documentation of employee training for non-routine tasks involving hazardous materials will be kept in the Right-To-Know training section of this manual.

viii. Right to Refuse Work

Under the Minnesota Employee Right-To-Know Act, https://www.revisor.mn.gov/rules/5206/ employees have the right to refuse work in conditions they believe may be imminently dangerous to their lives or health. Employees will not be punished in any way for any legitimate refusals to work because of dangerous conditions. If an employee believes conditions are imminently dangerous, the following procedure must be followed:

- Employee notifies Supervisor/Safety Officer and requests the problem to be rectified.
- Until the problem is addressed and rectified, the Supervisor in consultation with Safety Officer may assign the concerned employee to another task.
- If the Supervisor does not respond to the employee's complaint, the employee should notify the Safety Officer and/or the Campus Safety Committee.
- If there is still no response, the employee can contact MNOSHA. MNOSHA will investigate the employee concern for non-compliance with ERTK regulations. The campus has an obligation and regulatory requirement to address and rectify all non-compliance ERTK concerns, identified by MNOSHA per specified timeline. The campus may not dock the employee for any lost time because of employee's refusal to work.

IX. Contractors/ Vendors

The campus has to ensure all pertinent hazard information is shared with the contractors/vendors whose employees may be affected by potential exposure to hazardous substances and harmful physical agents or infectious agents present on the campus. The contractors/vendors are responsible for the safety of their area, assuring their employees are trained in all hazards to which they may be exposed even if the exposure is caused by the work of campus employee(s).

For several contractors working in an area, if one of the contractor introduce hazardous substances into the worksite that may expose another employer's employees, they are required to provide the other employers or contractors with a copy of pertinent safety data sheets (SDS's) or to make them available at a central location at the site. One employer does not have to physically give another employer the SDS's, but must inform the other employer of the location at the site where the SDS's will be maintained.