

The Georgia Public Employee Hazardous Chemical Protection and Right To Know Act of 1988

Basic Functions and Responsibilities at Georgia State University

For Additional Information Contact:

Jagroop K. Ramdeen
Occupational Health and Safety Officer
Right To Know Coordinator
Workers' Compensation Administrator
Department of Safety and Risk Management
P.O. Box 3961
Georgia State University
Atlanta, GA 30302-3961 Phone:
(404) 413-9545
FAX: (404) 413-9550
In Person: 75 Piedmont Ave., Suite 506

The Georgia Public Employee Hazardous Chemical Protection and Right To Know Act of 1988

Basic Functions and Responsibilities at Georgia State University

Index

Page

Introduction	-----	3
Basic Responsibilities	-----	3
Safety and Risk Management Functions	-----	4
Departmental Functions	-----	6
Clarifications / Definitions	-----	9
CAS Number	-----	9
Employee Information Poster	-----	9
Employee Rights	-----	10
Hazardous Chemical Material	-----	10
Material Safety Data Sheet (MSDS)	-----	11
Basic Procedures for Ordering MSDS'		
Through the Right To Know Coordinator	-----	12
Right To Know Websites	-----	13
Right To Know Coordinator, Georgia State University	-----	13

Right To Know Training Requirements – Basic	-----	13
Frequency of Training	-----	13
Content of Training - Minimum	-----	14
Training Format	-----	15
Training Specifics	-----	15
Basic Training	-----	15
Chemical Specific Training	-----	15
On Going Training	-----	16
Documentation	-----	16

Introduction

It is the policy of Georgia State University that an ongoing Right to Know Program for hazardous chemicals was instituted and is maintained in order to comply with the State of Georgia's "Public Employee Hazardous Chemical Protection and Right to Know Act of 1988."

Right To Know (RTK) Laws are meant to protect people who work in at universities from the dangers of hazardous materials. All Right To Know Legislation is designed to help employees recognize and eliminate the potential dangers associated with the use of hazardous materials in their workplace. The Right To Know Law is administered, for the State of Georgia, by the Georgia Department of Labor, under their more broad based Public Employee Hazardous Chemical Protection & Right To Know Rules. The University System of Georgia, Board of Regents (BOR) has the responsibility of assuring compliance for their System members, through their rules and requirements.

Basic Responsibilities Under The State of Georgia Right To Know Law, Department of Labor Rules and The University System of Georgia, Board of Regents (BOR) Requirements

The Georgia Right-To-Know Law requires each employee (faculty, staff, student workers, full time employees, part time employees and/or temporary employees) to be provided with information and training on hazardous chemicals that they may be exposed to as part of their job. At a minimum, basic level awareness training shall be provided at the time of initial assignment to the workplace. At Georgia State University, all newly hired employees, except student employees, receives information about their rights and obligations under the Right To Know Law at the time they are hired.

Safety and Risk Management Functions

The Georgia State University, Department of Safety and Risk Management have been designated to coordinate the University's Right To Know Program. These functions includes, but are not limited to:

- a. Development and updating of the written program
- b. Acquisition of a list of all hazardous chemicals and/or materials used or stored on the Georgia State University campus and to make it available to all who request it.
- c. Assure access to training *for* all employees prior to working with any hazardous chemicals at the Georgia State University.
- d. Assure access to annual refresher training to all employees who normally work with hazardous chemicals.
- e. Assure that Material Safety Data Sheets (MSDS's) are readily available for use by employees.
- f. Make available to all employees on all shifts Material Safety Data Sheets within 5 days of a request by an employee.
- g. Provide assistance and guidance to department heads, when requested to do so, in providing training to employees on the following:
 1. Identification of specific work areas in the workplace where hazardous chemicals are handled and/or produced.
 2. The various control measures to be used to minimize the employee's exposure to hazardous chemicals. Where applicable, this may include information on:
 - The proper use, care, storage, selection, and fitting of respirators, and the elements of a respirator program.
 - The use of face shields, goggles, and safety glasses.
 - The use of appropriate gloves, aprons, protective clothing, and foot coverings.
 - The use of exhaust ventilation equipment.
 - Work practices which the employee can implement to reduce exposures.
 3. Methods of quantifying an employee's exposure, such as air sampling, biological monitoring, visual detection, odor identification, warning

properties of the hazardous chemicals used, and other standard industrial hygiene principles.

4. Emergency procedures such as spill response and first aid.
 5. Proper storage of chemicals and separation of incompatible substances, hazards associated with improper mixing of chemicals located at the worksite and any potential hazards associated with exposure to chemical reaction products.
 6. When further information and training can be obtained.
- h. Provide assistance to department heads in providing refresher training which reviews subjects covered in item 6 and any new chemical hazards introduced into the workplace since the previous training.
- i. Designate a staff member as the Right To Know Chemical Protection Communication Coordinator for the University whose duties shall include, but not limited to:
1. Act as liaison between The University System Of Georgia Right To Know Coordinator and Georgia State University on hazardous chemical issues;
 2. Resolve questions regarding applicability of the Chapter 300-3-19 Rules to individual workplaces and work areas of Georgia State University;
 3. Assure for appropriate and adequate Right-To-Know training for all employee of Georgia State University;
 4. Ensure that written workplace-specific Hazard Communication Programs be developed for Georgia State University. These workplace-specific programs will include a list of hazardous chemicals used, stored, or manufactured by Georgia State university, and will be available to all who request it;
 5. Disseminate updated information so that all employees of Georgia State University will have access to current Material Safety Data Sheets for those hazardous chemicals used in their work area, via their supervisors;
 6. Ensure that employees are made aware of and are properly trained in the uses and hazards associated with chemicals to which they are exposed in their work area;

7. Ensure that employee training on and notification of the use of hazardous chemicals in the work are adequately documented in each employee's personnel file;
8. Ensure that employees are provided with personal protective equipment appropriate to each work environment, and receive adequate training in the use and maintenance of this equipment;
9. Accumulate hazardous chemical inventory information for Georgia State University and submit bi-annual Chemical Inventories to the University System of Georgia, Board of Regents by December 31st and June 30th each year; and
10. Review the hazardous chemical labeling practices of work areas which use secondary storage containers.

Departmental Functions

- a. Each Department will provide documented training to all employees, including student employees, that conforms to the Right To Know Law, the Georgia Department of Labor Rules, and to the University System of Georgia, Board of Regents Requirements.
- b. Each Department head shall be responsible for ensuring that:
 1. Each of his/her employees shall be provided with information and training as required by the Act and these regulations at the time of initial assignment to a workplace.
 2. Each of his/her employees shall be provided with periodic re-training regarding the hazards associated with the hazardous chemicals to which the employee is exposed. Such re-training must occur at least annually.
 3. An employee shall not be exposed to a hazardous chemical until the employee has been trained in its hazards.
- c. Each Department will maintain their own documented training records and submit the information to the Department of Safety and Risk Management for further reporting to the Board of Regents, when requested to do so.
- d. Each Department head shall ensure that all documented training records are maintained for at least three years past training date.

- e. Each Department, having, storing or using hazardous chemicals and/or materials shall on a bi-annual basis supply to the Department of Safety and Risk Management Services, Right to Know Coordinator, a current Chemical Inventory listing of all hazardous chemicals and/or hazardous materials located on/in property controlled or used by the Department on or before May 1st and November 1st of each year.

- f. Each Department head shall assure that all Right to Know Chemical Inventories will minimally include:
 - 1. The name of chemicals/hazardous material,
 - 2. The CAS # of each chemical/hazardous material,
 - 3. The specific quantity of chemical in the space,
 - 4. The designated space room number,
 - 5. The specific building in which the chemical/hazardous material is located,
 - 6. The person responsible for the space's name,
 - 7. The person responsible for the space's telephone number,
 - 8. An after hours contact Persons name,
 - 9. An after hours emergency phone number and
 - 10. The submitting Department's name.
 - 11. Expiration Date if known.

- i. Each Department head shall ensure that Right To Know Employee Information Poster is placed in all work areas covered under the provisions of the Law.

- j. Department heads shall ensure that incoming shipments of hazardous chemicals are checked for appropriate labeling.
 - 1. Labels must have the identity of the hazardous chemical(s) and appropriate hazard warning. The warning may be in the form of words, pictures, symbols, or combination thereof which conveys the hazard(s) of the chemical in the container.

 - 2. Labels on containers of hazardous chemicals shall not be removed or in any way covered or defaced.

 - 3. Any shipment of chemicals received whose external labels are missing, covered, or defaced shall be referred to Central Receiving for refusal or acceptance.

 - 4. Any container label which is removed or defaced in the course of its use or storage shall be promptly replaced. The department head shall be responsible for ensuring that all missing or defaced labels are replaced with an approved Hazard Identification Label.

5. Approved Hazardous Identification Labels shall be those which utilize the Hazardous Materials Identification Guide for hazard identification.
 6. Labels are not required for containers of hazardous chemicals intended for "immediate use." "Immediate use" means that the chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.
 7. All other containers of hazardous chemicals prepared in the workplace, except for certain small containers used in laboratories, must be labeled with Hazard Identification Labels. The minimum information furnished on these labels shall be the identity of the hazardous chemical(s) contained therein and the appropriate hazard warning.
 8. If hazardous chemicals used in laboratories are to be transferred from a manufacturer's original container to secondary storage containers such as jars, bottles, or flasks, then these secondary containers shall be labeled with Hazard Identification Labels. If the secondary container is a flask or beaker intended only for short-term storage (one week or less), it shall be labeled with the name of the chemical, date of filling, and name of person transferring the chemical. Vials and test tubes may have labels affixed to the rack or container in which they are stored, rather than on each vial or test tube, so long as every vial or test tube in the rack or container presents the same hazard.
-
- k. Department heads and supervisors throughout Georgia State University, in keeping with their obligation to ensure a safe work environment, are responsible for maintaining ready accessibility of MSDS's for employees in their work areas for review during each work shift.
 - l. Departments should maintain, a separate file containing MSDS's for their hazardous chemical list in a central location accessible to their employees, or make MSDS's available via the world wide web.
 - m. Departmental MSDS files should be updated annually.
 - n. Department heads shall advise employees as to the location and availability of the departmental notebook, if maintained and the master inventories of Material Safety Data Sheets.
 - o. If a department maintains its own MSDS notebook, the department head shall review all MSDS's for completeness and accuracy. The department head shall notify any manufacturer who sends an inappropriate MSDS and request a revised complete MSDS. Any refusal by a manufacturer to supply a complete

and proper MSDS shall be reported to the Department of Safety and Risk Management, Right To Know Coordinator.

Clarifications / Definitions

CAS NUMBER

CAS # means: **C**hemical **A**bstract **S**ervice Registry Number. A CAS Registry Number includes up to 9 digits which are separated into 3 groups by hyphens. The first part of the number, starting from the left, has up to 6 digits; the second part has 2 digits. The final part consists of a single check digit. More information about CAS#'s can be found at: <http://www.cas.org/expertise/cascontent/registry/regsys.html>

The Employee Information Poster shall be worded as follows and posted in each workplace:

YOU HAVE THE RIGHT TO KNOW

Employees of the State of Georgia

YOU HAVE THE RIGHT TO KNOW ABOUT THE HAZARDOUS CHEMICALS IN YOUR WORKPLACE

Under the "Public Employee Hazardous Chemical Protection and Right to Know Act of 1988" you must be informed of the following:

- The requirements of the Law;
- Your right to receive information regarding hazardous chemicals faced on your job;
- Your right to receive formal training and education on hazardous chemicals;
- What a Material Safety Data Sheet (MSDS) is, and how to use it;
- Where hazardous chemicals are used in your work area;
- Your physician's right to receive information on the chemicals to which you may be exposed.

YOU CANNOT BE FIRED, DISCRIMINATED AGAINST, OR DISCIPLINED FOR EXERCISING YOUR RIGHT TO KNOW

- No pay, position, seniority, or other benefits may be lost for exercising your right to know.
- You may present a written request to receive a material Safety Data Sheet for any chemical used on your job.
- You have the right to refuse to work with a hazardous chemical if a Material Safety Data Sheet in your employer's possession has not been provided to you within 5 working days after your written request, unless you are required to perform essential services.

GRIEVANCE PROCEDURE

1. File a grievance through the established procedure for your agency.
2. If unresolved, or if no established grievance procedure exists, then file a grievance with:

Commissioner of Labor c/o
Safety Engineering Section

Georgia Department of Labor
233 Courtland St., N.E., Suite 301
Atlanta, Georgia 30303
(404) 656-2966

EMPLOYEE RIGHTS

- a. In accordance with 45-22-10 of the Official Code of Georgia Annotated, "Public Employee Hazardous Chemical Protection and Right-to-Know Act of 1988", no representative or supervisor of The University of Georgia shall discharge or cause to be discharged or otherwise discipline or in any manner discriminate against any employee for any of the following reasons:
- The employee has requested information regarding hazardous chemicals, filed any complaint or action, or had instituted, or caused to be instituted, any proceeding under this chapter;
 - The employee has testified or is about to testify in any proceeding on their own behalf or on behalf of others; or,
 - The employee has exercised any other rights afforded pursuant to the provisions of this chapter.
- b. No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this chapter.
- c. Any employee adversely affected by a violation of this chapter by The University of Georgia may file an employee grievance in accordance with University policy. If all grievance procedures established by the University have been exhausted and resolution is not to the employee's satisfaction, the employee may file a complaint in writing to the Commissioner of Labor.
- d. Any employee adversely affected by a final decision of the Commissioner of Labor to a grievance filed pursuant to this Code shall be entitled to judicial review in the same manner as provided for judicial review of contested cases in Chapter 13 of Title 50, the "Georgia Administrative Procedure Act".

HAZARDOUS CHEMICAL MATERIAL means: Any substance or mixture of substances having properties capable of producing adverse effects on the health or safety of a human.

MATERIAL SAFETY DATA SHEET (MSDS)

The Occupational Safety and Health Administration (OSHA) established guidelines for the descriptive data that should be concisely provided on a data sheet to serve as the basis for written hazard-communication programs. The thrust of the law is to have those who make, distribute, and use hazardous materials be responsible for the effective communication.

MSDS' are fact sheets that summarizes information about:

1. Chemical identification of the material

- The Chemical Abstract Service Number (CAS#)
 - The chemical name and/or trade name
 - Hazardous ingredients
2. The manufacturer / distributor of the material
 - Their address and telephone number
 - An emergency telephone number
 3. The material's physical properties
 4. The materials health effects
 5. The first aid treatment to be provided if needed
 6. The preplanning needed for safely handling spills, fires and daily operations.
 - Personal Protective Equipment (PPE) required
 - Fire fighting measures and decomposition products of the material
 - Chemical reactivities and incompatibilities
 - Spill and leak handling procedures
 - Disposal procedures
 7. Regulatory status and reporting requirements of the material(s)

Employees may obtain copies of MSDS's by calling the Right To Know Coordinator, or via the Department of Safety and Risk Managements Website. The requested MSDS will be furnished to the employee as quickly as possible, but in no case later than five working days after the request is made.

MSDS should accompany all products covered under RTK law. If an MSDS is not received, please contact your institution's RTK Coordinator. The RTK Coordinator should be able to obtain the information directly from the manufacture or distributor. Employees may request copies of MSDS from your supervisor or through the institution's Right-To-Know Coordinator. Also, various MSDS links on the internet provide a wealth of information for general purposes. If you do not receive a MSDS within 5 days of a written request, you may refuse to work with that chemical until the information is received. (Essential duties may be precluded from this portion of the act. Please see your RTK Coordinator for clarification).

Basic Procedures for Ordering MSDS' Through the Right To Know Coordinator

1. All employee requests for MSDS will be made in writing and submitted to the employee's supervisor.

2. Supervisors will respond to the employees request within one working day by either:
 - faxing a copy of the employee's request to the Right-to-Know Coordinator at 404-413-9550 or,
 - delivering the MSDS request to the Right-To-Know Coordinator at 75 Piedmont Avenue, Suite 506 or
 - using the online request form

3. All MSDS Requests must include the following:
 - Department Name
 - Supervisor Name
 - Employee Making Request
 - Date Employee Submitted Written Request
 - Chemical Name
 - Manufacturer or Supplier, if known
 - CAS Number, if known

4. The Georgia State University Right-To-Know Coordinator will provide a copy of the requested MSDS within five working days of the employee's request, subject to the provisions in the "Public Employee Chemical Protection and Right to Know Act of 1988".

RIGHT TO KNOW WEBSITES

Public Employee Hazardous Chemical Protection and Right to Know Act of 1988

[http://www.ganet.org/cgi-bin/pub/ocode/ocgsearch?docname=OCode/G/45/22/1&highlight=Right To Know](http://www.ganet.org/cgi-bin/pub/ocode/ocgsearch?docname=OCode/G/45/22/1&highlight=Right_To_Know)

This chapter of the Georgia Code (45-22-1) is known as the "Public Employee Hazardous Chemical Protection and Right to Know Act of 1988". This site contains the entire Law.

Public Employee Hazardous Chemical Protection & Right To Know Rules – University System of Georgia, Board of Regents:

<http://www.usg.edu/ehs/msds/rtrules.phtml>

Public Employee Hazardous Chemicals Protection and Right To Know Rules, Georgia Department of Labor: http://rules.sos.state.ga.us/cgi-bin/page.cgi?g=GEORGIA_DEPARTMENT_OF_LABOR%2FSAFETY_ENGINEERING_-3%2FPUBLIC_EMPLOYEE_HAZARDOUS_CHEMICALS_PROTECTION_AND_RIGHT_TO_KNOW_RULES%2Findex.html&d=1

RIGHT TO KNOW COORDINATOR, Georgia State University

Arefeen Chowdhury, M.S.
Occupational Health and Safety Officer
Right To Know Coordinator
Workers' Compensation Administrator
75 Piedmont Ave., Suite 506
PO Box 3961
Atlanta, GA 30302-3961
(404) 413-9545
achowdhury1@gsu.edu

RIGHT TO KNOW TRAINING REQUIREMENTS, Basic:

Frequency of Training

Each employee shall be provided with information and training as required by the Act and these regulations at the time of initial assignment to a workplace.

Each employee shall be provided with periodic re- training regarding the hazards associated with the hazardous chemicals to which the employee is exposed. Such re- training must occur at least annually.

Prior to the introduction of any new chemical hazard or significant increase of an existing hazard in a work area, the immediate supervisor of affected employee must ensure that additional necessary CHEMICAL SPECIFIC TRAINING is provided and recorded.

An employee shall not be exposed to a hazardous chemical until the employee has been trained in its hazards.

Content of Training - Basic

Training programs shall be tailored to the specific nature of each individual workplace and the educational levels of the employees. At a minimum, the information imparted to employees must include the following:

- a. The requirements of the Act.
- b. Identification of specific work areas in the workplace where hazardous chemical are handled and/or produced.
- c. The location and content of the public employer's written hazardous chemical protection communication program.

- d. The purpose of a Material Safety Data Sheet, including the information contained therein.
- e. The labeling system used at the workplace and how to respond to an unlabeled container delivered to or discovered in the workplace.
- f. The various control measures to be used to minimize the employees' exposure to hazardous chemicals. Where applicable, this shall include information on:
 - 1. The proper use, care, storage, selection, and fitting of respirators, and the elements of a respirator program;
 - 2. The use of face shields, goggles, and safety glasses;
 - 3. The use of appropriate gloves, aprons, protective clothing, and foot coverings;
 - 4. The use of exhaust ventilation equipment; and
 - 5. Work practices which reduce exposure to hazardous chemicals.
- g. The right of the employee's physician to receive hazardous chemical information.
- h. Methods of detecting an employees exposure, such as air sampling ,biological monitoring, visual detection, odor identification, warning properties of the hazardous chemicals used, and other standard industrial hygiene techniques.
- i. Emergency procedures, such as spill response and first aid
- j. Proper storage of chemicals and separation of incompatible substances.
- k. Training in hazards associated with improper mixing of chemicals located in the employee's work area and potential hazards associated with exposure to chemical reaction products.
- l. Where additional information and training can be obtained.

Training Format

All training sessions must include an opportunity for employees to ask questions.

Training Specifics

- a. All employees shall receive two types of training:
 - 1. Basic training.
 - 2. Chemical-specific training.

b. **Basic Training**

1. All new employees shall receive basic training during orientation, or during the hiring process.
2. The basic training shall include the following: explanation of the Public Employee Hazardous Chemical Protection and Right to Know Act; how to interpret an MSDS; how to read and interpret a chemical label; the University's policy; and chemical hazard classification.
3. This training is available online at: <http://www.usg.edu/ehs/training/rtkbasic/> and includes test of knowledge and documentation of training.

c. **Chemical-Specific Training**

1. Department heads for which this policy applies shall ensure that all new employees receive chemical-specific training prior to being required to handle a hazardous chemical.
2. Chemical-specific training may relate to an entire class of hazardous chemicals to the appropriate extent.
3. Chemical-specific training shall consist of, but not be limited to, the following: methods and observations that are or may be used to detect the release of a hazardous chemical; the physical and health hazards of the chemicals in the work area; and the measures employees can take to protect themselves from these hazards.
4. This training is available online at: <http://www.usg.edu/ehs/training/chemical/> and includes test of knowledge and documentation of training.

c. **On-Going Training**

Department heads shall advise employees within 30 days of receipt of notice on any revisions to a chemical MSDS.

Department heads shall advise employees within 30 days of any new health hazard and/or precautions associated with the introduction of a new chemical into the department operation.

Department supervisors of Maintenance, Security, Building Services, and Receiving shall ensure that their employees are trained as to the location of hazardous chemicals used in the building, how to read and interpret chemical labeling, the health risks and physical hazards of the various categories of chemicals, precautions they are to take to protect themselves, and actions they are to take in the event of a chemical spill or other emergency involving hazardous chemicals.

d. **Documentation**

1. All basic training/information for full time, new employees shall be documented by Human Resources on an appropriate training form at the initial time of hire.

Information to be included on the form shall include:

- ③ Name
- ③ Department of each employee
- ③ Date
- ③ Signature of Employee

2. All employee training, basic and chemical-specific, shall be documented by the respective departments on an appropriate training form.

Information to be included on the form shall be:

- ③ Name and department of trainer.
- ③ Type of training given and date training received. ③ Name and department of each employee.

3. All training forms, once completed, shall be retained for at least three years.