



HAZARDOUS MATERIALS COMMUNICATION POLICY

All chemicals can be a potential physical or health hazard: therefore, it is the policy of Hays County that compliance with the Federal Codes and State Rules and Regulations will be strictly followed by all employees and supervisors of Hays County.

Each County Department shall prepare a list of all solid, liquid and gaseous chemicals being used or stored at all locations where employees congregate to perform their assigned duties. It shall be the responsibility of the department elected official, department head or supervisor to have prepared the aforementioned list, post such list for employee viewing and contact the chemical manufacturer and obtain the corresponding Material Safety Data Sheets (MSDS) for each of the chemicals indicated on the list. The MSDS's shall be placed in a protective prominently labeled binder that is accessible to all employees. The chemical list and MSDS's will be kept current, cross checked quarterly and updated as necessary by the responsible department head.

When ordering new or replacement chemicals, the responsible party shall require, as part of the purchase, that the manufacturer or supplier provide one copy of the MSDS by return mail and one copy of the MSDS to be attached or accompany the delivery of the materials. No materials will be accepted without the simultaneous delivery of the corresponding Material Safety Data Sheets.

All hazardous chemicals shipped into a work place must be checked for proper labeling before the shipment is accepted. The chemical label must state a common name that can be found on the corresponding MSDS, must contain the originator's name and address, and the important physical and health hazard warnings for that product. Should proper labeling not be affixed to the container, the shipment shall be refused.

It shall be the department's elected official, department head or supervisor responsibility to train or have trained all employees who come in contact with chemical hazards in the following areas:

- The hazards of the chemical being used.
- Methods and observations, such as visual appearance or smell, workers can use to detect the Presence of a hazardous chemical to which they may be exposed.
- How to locate, read and understand a Material Safety Data Sheet.
- How to properly use the material in a safe manner.
- What personal protective equipment is required while using the material?
- The proper use of the required personal protective equipment.
- Emergency response and clean up procedures to follow in the event of a
- Contaminating spill.

The training mentioned above is required under the Texas Hazard Communication Act of 1985 and must be done at least annually. It is the policy of Hays County to train all employees who may come into contact with hazardous materials as prescribed by Texas law on an annual basis, more often if needed, and report such training within 30 days of its completion to the Hazard Communication Branch, Texas Department of Health, Austin, Texas. New employees will receive the training within 60 days of their employment. All instructors for the Hazard Communication policy should be qualified and knowledgeable in the safe handling of hazardous chemicals.

EMERGENCY RESPONSE POLICY

In the event an accident occurs, all injuries shall be reported to the Department Head as soon as practical. Each employee shall take the necessary EMERGENCY ACTIONS as outlined below:

PERSONNEL INJURIES

If an employee is injured, it is the responsibility of other employees in the immediate area to assist the injured, or to seek assistance. The senior employee on site shall have the responsibility to assess the severity of the injury and is authorized to take the actions as indicated below:

- Provide first aid to the injured.
- Take injured to the County's designated physician, or the physician nearest to the site of the injury.
- If chemicals are involved insure the MSDS is provided to EMS or Physician.

Contact EMERGENCY MEDICAL SERVICE'S (EMS) OR Ambulance Service. For severe injuries, provide First Aid as necessary, make the injured as comfortable as possible, do not move injured unless they may be subjected to further danger, and call or have another employee call your area's ambulance service by dialing 911.

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.

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

Further information may be obtained from:

Texas Department of State Health Services
Consumer Protection Division
Policy, Standards, & Quality Assurance Section
Environmental Hazards Unit
PO Box 149347, MC1987
Austin, TX 78714-9347



TEXAS
Health and Human
Services

(512) 834-6787

(800) 293-0753 (toll-free)

Fax: (512) 834-6726

E-mail: TXHazComHelp@dshs.texas.gov

Website: www.dshs.texas.gov/hazcom

**Texas Department of State
Health Services**

Worker Right-To-Know Program
Publication # 23-14173