

**TEXAS STATE TECHNICAL COLLEGE SYSTEM
SYSTEM OPERATING STANDARD**

No. GA 1.6.2	Page 1 of 9	Effective Date: 05/11/96
DIVISION:	General Administration	
SUBJECT:	Hazard Communication Program	
AUTHORITY:	Minute Order #66-96	
SUBMITTED BY:	<i>Original Signed by Karen L. Almon</i>	
TITLE:	Risk Manager	Date: 05/11/96
APPROVED BY:	<i>Original Signed by Cecil L. Groves</i>	
TITLE:	Chancellor	Date: 05/11/96

STATUS: Approved by BOR 05/11/96

HISTORICAL STATUS: Approved by MC 05/10/96
Proposed 04/02/96

POLICY

It is the policy of Texas State Technical College to comply with the Texas Hazard Communication Act and protect the health of TSTC employees, students and general public by providing access to information regarding hazardous chemicals which they may be exposed to either during the course of their normal employment/educational activities, during emergency situations, or as a result of proximity to the manufacture or use of those chemicals.

PERTINENT INFORMATION

Enacted by the 69th Legislature, 1985 and amended in Acts 71st Legislature, R.S., 1989 and revised by the 73rd Legislature, R.S., 1993, Chapter 506 of the Health and Safety Code, formerly Article 5182b of Vernon's Texas Civil Statutes.

The Texas Hazard Communication Act, Chapter 502, Health and Safety Code establishes that the health and safety of persons working in this state may be improved by providing access to information regarding hazardous chemicals to which those persons may be exposed during normal employment activities, during emergency situations, or as a result of proximity to the manufacture or use of those chemicals.

Definitions:

Article - A manufactured item:

- (a) That is formed to a specific shape or design during manufacture;
- (b) That has end-use functions dependent in whole or in part on its shape or design during end use; and
- (c) That does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.

Board - Texas Board of Health.

Chemical Manufacture- An employer in Standard Industrial Classification (SIC) Codes 20-39 with a workplace where chemicals are produced for use or distribution.

Chemical Name -

- (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.

Common Name - 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.

Department - The Texas Department of Health.

Designated Representative - The individual or organization to whom 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.

Director - The director of the Texas Department of Health.

Distributor - 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.

Employee - 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 nonroutine, isolated instances are not employees for purposes of this chapter.

Employer -

A person engaged in private business who is regulated by the federal Occupational Safety and Health Act of 1970 (Pub. L. No. 91-596), the Federal Coal Mine Health and Safety Act of 1969 (Pub. L. No. 91-173), or the Federal Mine Safety and Health Amendments Act of 1977 (Pub. L. No. 95-164) on the effective date of this Act, or the state or a political subdivision of the state, including a state, county, or municipal agency, a public school, a college or university, a river authority or publicly owned utility, a volunteer emergency service organization, and other similar employers. The term does not include any person to whom the federal Occupational Safety and Health Act of 1970 (Pub. L. No. 91-596), the Federal Coal Mine Health and Safety Act of 1969 (Pub. L. No. 91-173), or the Federal Mine Safety and Health Amendments Act of 1977 (Pub. L. No. 95-164) is applicable if that employer is covered by the OSHA standard or the other two federal laws.

Student -

An individual who is receiving or has received instruction in an on or off-campus program, including an activity which is evaluated towards a grade such as a work study program, an academic internship, a student teaching assignment, or a student exchange program.

The term does not apply to an individual prior to or subsequent to that individual's period of attendance at the college such as a candidate for admission, an alumnus, or a postgraduate intern in another college.

Expose or Exposure -

Subjection to a hazardous chemical in the course of employment or classroom experience through any route of entry, including inhalation, ingestion, skin contact, or absorption. The term includes potential, possible, or accidental exposure under normal conditions of use or in a reasonably foreseeable emergency.

Hazardous chemical or chemical -

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 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.

- Health Hazard -** Given that term by the OSHA standard [29 CFR 1910.1200(c)].
- Identity -** A chemical or common name, or alphabetical or numerical identification, that is indicated on the material safety data sheet (MSDS) for the chemical. The identity used must permit cross-references to be made among the workplace chemical list, the label, and the MSDS.
- Label -** Any written, printed, or graphic material displayed on or affixed to a container or hazardous chemicals.
- Material Safety Data Sheet (MSDS) -** a document containing chemical hazard and safe handling information that is prepared in accordance with the requirements of the OSHA standard for that document.
- MSHA Standard -** The Hazard Communication Standard issued by the Occupational Safety and Health Administration and codified as 29 CFR Section 1910.1200.
- Physical Hazard -** 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.
- Temporary Workplace -** A stationary 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.
- Work Area -** 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.
- Workplace -** An establishment, job site, or project, at one geographical location containing one or more work areas, with or without buildings, that is staffed 20 or more hours a week.
- Workplace Chemical List -** A list of hazardous chemicals developed under Section 502.005(a).

DELEGATION OF AUTHORITY

The Chancellor and Presidents are authorized to appoint a Campus Safety Officer who is designated to name the Unit Safety Officers. The Unit Safety Officers will maintain a contiguous working relationship with the Campus Safety Officer.

OPERATING REQUIREMENTS

CONTAINER LABELS

- (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 relabeled with at least the identity appearing on the MSDS, 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 relabeled with at least the identity appearing on the MSDS 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.

MATERIAL SAFETY DATA SHEET (MSDS)

- (a) A chemical manufacturer or distributor shall provide appropriate material safety data sheets to employers who acquire hazardous chemicals in this state with each initial shipment and with the first shipment after an MSDS is updated. The MSDSs must conform to the most current requirements of the OSHA standard.
- (b) TSTC will maintain a legible copy of a current MSDS for each hazardous chemical purchased. If TSTC does not have a current MSDS for a hazardous chemical when the chemical is received at the workplace, TSTC will request an MSDS in writing from the manufacturer or distributor in a timely manner or shall otherwise obtain a current MSDS. The manufacturer or distributor shall respond with an appropriate MSDS in a timely manner.
- (c) Material safety data sheets shall be readily available, on request, for review by employees or designated representatives at each workplace.
- (d) A copy of an MSDS maintained by an employer under this section shall be provided to the director on request.

EMPLOYEE EDUCATION PROGRAM

- (a) TSTC will provide an education and training program for employees who use or handle hazardous chemicals.
- (b) TSTC will 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 MSDSs 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 employee's 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 the employees may be exposed; and
 - (4) general safety instruction on the handling, cleanup procedures, and disposal of hazardous chemicals.
- (d) Training may be conducted by categories of chemicals. TSTC must advise employees that information is available on the specific hazards of individual chemicals through the MSDSs. Protective equipment and first aid treatment may be by categories of hazardous chemicals.
- (e) TSTC will 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) The Unit Safety Officer or Department Head is responsible for the proper training of new or newly assigned employees in his area before the employee works with or in a work area containing a hazardous chemical.
- (g) TSTC will 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 five years by the employer. The department shall have access to those records and may interview 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.
- (I) As part of an outreach program created in accordance with Section 502.008, the director shall develop an education and training assistance program to assist employers who are unable to develop the programs because of size or the practical considerations. The program shall be made available to those employers on request.

STUDENT EDUCATION PROGRAM

- (a) TSTC will provide an education and training program for students who use or handle hazardous chemicals.
- (b) TSTC will 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 MSDSs 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 student's study area and to which the students 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 the student may be exposed; and
 - (4) general safety instruction on the handling, cleanup procedures, and disposal of hazardous chemicals.
- (d) Training may be conducted by categories of chemicals. TSTC must advise students that information is available on the specific hazards of individual chemicals through the MSDSs. Protective equipment and first aid treatment may be by categories of hazardous chemicals.
- (e) TSTC will provide additional instruction to a student when the potential for exposure to hazardous chemicals in the student's study area increases significantly or when the employer receives new and significant information concerning the hazards of a chemical in the student's study area. The addition of new chemicals alone does not necessarily require additional training.
- (f) The Unit Safety Officer or Department Head is responsible for the proper training of new

students assigned in his area before the students work with or in a work area containing a hazardous chemical.

- (g) TSTC will keep the written hazard communication program and a record of each training session given to students, including the date, a roster of the students who attended, the subjects covered in the training session, and the names of the instructors. Those records shall be maintained for at least five years by the employer. The department shall have access to those records and may interview students during inspections.
- (h) Emergency service organizations shall provide, to their members or students who may encounter hazardous chemicals during an emergency, information on recognizing, evaluating, and controlling exposure to the chemicals.
- (I) As part of an outreach program created in accordance with Section 502.008, the director shall develop an education and training assistance program to assist employers who are unable to develop the programs because of size or the practical considerations. The program shall be made available to those employers on request.

WORKPLACE CHEMICAL LIST

- (a) For the purpose of worker right-to-know, TSTC will compile and maintain a workplace chemical list that contains the following information for each hazardous chemical normally present in the workplace, temporary workplace or study area 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 MSDS and container label; and
 - (2) the work area in which the hazardous chemical is normally present
- (b) TSTC will 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, temporary workplace or study area and must be readily available to employees, students and their representatives. All employees and students shall be made aware of the workplace or study area chemical list before working with or in a work area or study area containing hazardous chemicals.
- (d) TSTC will 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.

PERFORMANCE INDICATORS

1. Each campus has established a procedure with the intent and purpose of adhering to the federal law on the Hazard Communication Act.
2. A copy of the procedure is sent to the System Human Resources Office to be kept on file.
3. Each employee receives a copy of the policy and procedure and signs a statement that they have been informed of the federal law.



COLLEGE OPERATING PROCEDURE

COLLEGE		Page 1 of
OFFICE OF RESPONSIBILITY:		
APPROVED BY:		
TITLE:		Date