

HAZARDOUS MATERIALS

References: Title 8 Sections 340 et seq., 5194, et seq.; Labor Code 6382

Under Cal/OSHA standards, employees of the College District have the right to:

- A. Know the hazards and identities of the chemicals they are exposed to when working.
- B. Know what protective measures are available to prevent adverse effects from occurring.

The College District shall develop, implement, and maintain at the workplace a written hazard-communication program for its employees that describe the criteria for labels and other forms of warning, safety data sheet/material-safety-data sheets (SDS/MSDS), and how employee information and training will be met. This program will include a list of hazardous substances and the methods the College District will use to inform employees of hazards. Hazardous substances are defined as any substance that is a physical hazard or a health hazard, or is included in the List of Hazardous Substances pursuant to Labor Code §6382.

The College District must post at least one CAL/OSHA notice in each location in a conspicuous place where business is conducted where notices to employees are customarily posted. The specific notice is currently titled Safety and Health Protection on the Job, State of California, Department of Industrial Relations.

The College District shall provide employees with effective information and training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. Information and training may relate to general classes of hazardous substances to the extent appropriate and related to reasonably foreseeable exposures of the job.

Where the College District is engaged in activities that are physically dispersed, such as construction or transportation, the notice required shall be posted at each location to which employees report each day.

This procedure applies to any hazardous substance that is known to be present in the work place in such a manner that employees may be exposed to it under normal conditions of use or exposed to it in a reasonably foreseeable emergency resulting from work place operations. This procedure details information and training in accordance with subsection (h) 5194, except for the location and availability of the written hazard-communication program.

Where employees do not usually work at, or report to, a single location, the notice or notices shall be posted at the location or locations from which the employees operate to carry out their activities.

The College District shall take steps to insure that such notices are not altered, defaced, removed, or covered by other material. The College District shall ensure that labels on incoming

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containers of hazardous substances are not removed or defaced.

The notice shall inform employees that employers who use any substance listed as a hazardous substance by Cal/OSHA regulations must provide employees with information on the contents of SDS/MSDS or equivalent information about the substance. The employer shall train employees to use the substance safely and shall ensure that the material-safety-data sheets are readily accessible during each work shift to employees when they are in their work area(s).

The College District shall maintain copies of the required SDS/MSDS for each hazardous substance in the workplace. Electronic format as an alternative to maintaining paper copies of the SDS/MSDS is permitted as long as no barriers to immediate employee access in each workplace are created by such options.

The notice must also state that the employer is required to make available on a timely and reasonable basis an MSDS on each hazardous substance in the workplace upon request of an employee, collective-bargaining representative, or an employee's physician.

The notice must also state that employees have the right to see and copy the medical record and other records of employee exposure to potentially toxic materials or harmful physical agents.

If the College District is required to conduct tests or to engage in monitoring or measuring to determine employee exposure to hazards by specific standards, the College District shall notify the affected employee or employees or their representative, prior to commencement of the date, time, and place of the testing, monitoring, or measuring of employee exposure. The College District must provide an employee or employees, or their representatives, with the opportunity to observe the testing, sampling, monitoring, or measuring undertaken pursuant to such standards.

Whenever any employee has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels exceeding those prescribed by applicable standard, order, or special order, the College District must promptly notify any employee so affected in writing of the fact that the employee has been exposed and of the corrective action being taken.

See Board Policy 6800 – Safety.

Office of Primary Responsibility: Vice President for Business and Financial Affairs