

Your Right To Know

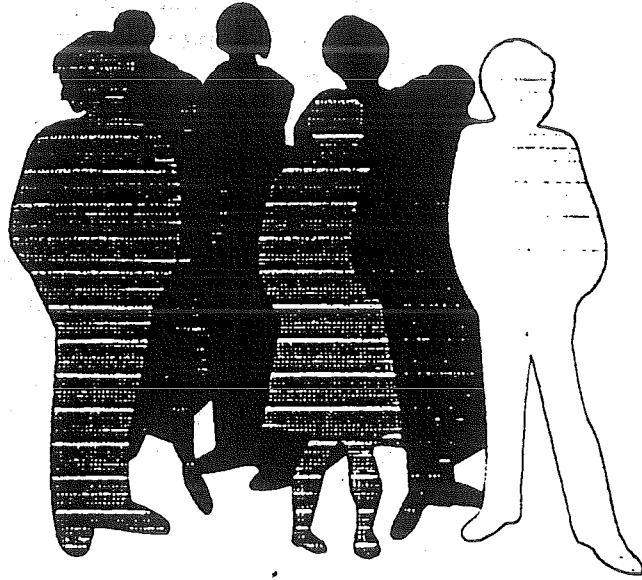
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Your Right To Know

Every employee must be fully informed as to what hazards he or she can reasonably be expected to be exposed to. It is therefore, the employers responsibility to assess the job site and evaluate what the hazards are. This does not exclude the employee from making personal observations and making a decision as to whether or not this task falls within the bounds of safety.

The burden of assisting the employee, or other decision makers, in making an *informed decision* falls on the employer. Therefore, the employer will make available, as best as possible, sufficient and appropriate information for which the employee should reasonably expect to have *The Right To Know*.

Therefore, it is incumbent upon the employer to follow guidelines promulgated in §29 CFR 1926.21 concerning Safety Training and Education.



OSHA 29 CFR PART 1926

Subpart C - General Safety and Health Provisions

§1926.21 Safety training and education.

(a) *General requirements.* The Secretary (of Labor) shall, pursuant to section 107(f) of the Act, establish and supervise programs for the education and training of employers and employees in the recognition, avoidance and prevention of unsafe conditions in employments covered by the act.

(b) *Employer responsibility.*

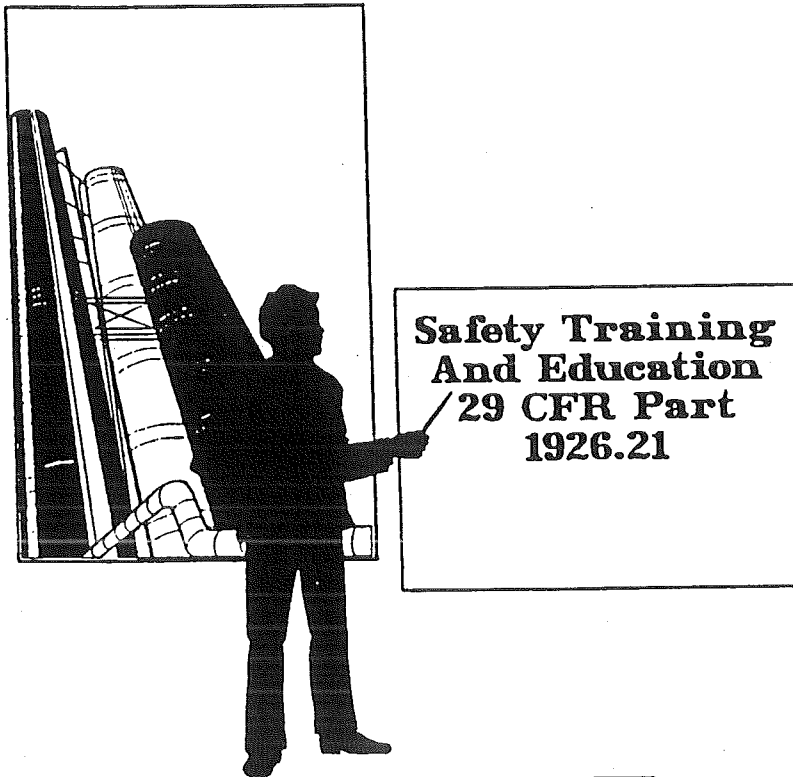
- (1) The employer should avail himself of the safety and health training programs the Secretary provides.
- (2) The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.
- 3) Employees required to handle or use poisons, caustics, and other harmful substances shall be instructed regarding the safe handling and use, and be made aware of the potential hazards, personal hygiene, and personal protective measure required.

(4) In job site areas where harmful plants or animals are present, employees who may be exposed shall be instructed regarding the potential hazards, and how to avoid injury, and the first aid procedures to be used in the event of injury.

(5) Employees required to handle or use flammable liquids, gases, or toxic materials shall be instructed in the safe handling and use of these materials and made aware of the specific requirements contained in Subparts D, F, and other applicable subparts of this part.

(6)(i) All employees required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required. The employer shall comply with any specific regulations that apply to work in dangerous or potentially dangerous areas.

(ii) For purposes of paragraph (b)(6)(i) of this section, "confined or enclosed space" means any space having a limited means of egress, which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, underground utility vaults, tunnels, pipelines, and open top spaces more than 4 feet in depth such as pits, tubs, vaults, and vessels.



Hazard Communication Program - HAZCOM

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Hazard Communication Program



Engel Electric

1514 West Fourth Street Sterling, IL 61081

POLICY

The policy of Engel Electric, is to perform work in the safest manner possible. Engel Electric's will provide the safest possible working conditions for its employee's workplace. It is a condition of employment for employees of Engel Electric's to acknowledge, in writing, that they agree to follow all directions, written, verbal and visual pertaining to this program. This written Hazard Communication Program will be available upon request to employees, their designated representative(s), Emergency Personnel, and interested members of the community.

PURPOSE

The purpose of this Hazard Communication Program is to inform its employees of the Occupational Safety and Health Administration (OSHA) Regulation which requires that employees be informed concerning hazards from chemicals that they may encounter at the workplaces and appropriate protective measures they can take. The objective of the Hazard Communication Program is:

- To safeguard our employee's health by providing a management guide for safe compliance.
- To provide our employees, subcontractors and licensed vendors with necessary information concerning health and physical hazards of the chemical materials in use at the workplace.

PROGRAM ELEMENTS:

The major elements of the Engel Electric, Hazard Communications Program include the following:

- Listing of all chemical products used at company workplaces or stored on company property.
- Hazard identification of all chemicals in use or stored at company workplaces.
- Labeling of all containers of all chemicals used.¹
- Provide ready availability of Material Safety Data Sheets (MSDS) for hazardous chemicals used by the company.

¹Exceptions to this rule are made only for very small containers filled by the person using the material which must then be used / emptied by that person during the same shift. Such containers need not be labeled.

A list of all chemicals used or stored at Engel Electric's workplace(s) will be assembled and maintained and will be updated in a timely fashion to show the chemicals actually in use or in storage. These lists will be maintained in a central file at the Corporate Offices and will be available to the employees and appropriate parties upon request.

(See: End of this chapter for "Chemical Poster")

LABELS AND OTHER FORMS OF WARNING

Each container of hazardous chemicals, regardless of size, shall be labeled, tagged, or otherwise marked to show the identity of the hazardous chemicals and the appropriate hazard warnings.

- Employees shall be trained on how to read and interpret warning labels.
- Engel Electric Hazardous Communication Program (HCP) Coordinator, will be responsible for seeing that all containers delivered at company workplaces are properly labeled.²
- All incoming labels shall be checked for identity, hazard warning, and name and address of manufacturer or supplier.
- Each supervisor shall be responsible for seeing that all portable containers used in their work area are labeled with identity and hazard warning³



²The HCP Coordinator may delegate this duty to designated job site personnel.

³Exceptions to this rule are made only for very small containers filled by the person using the material, which must then be used / emptied by that person during the same shift. Such containers need not be labeled.

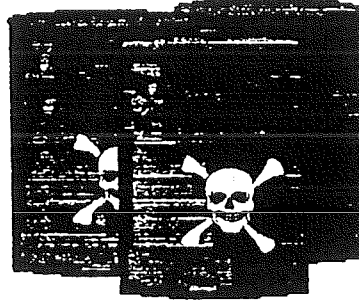
MATERIAL SAFETY DATA SHEETS (MSDS)

Material Safety Data Sheets or MSDS, if read and followed, are a powerful means of controlling chemical exposures.

MSDS are written by chemical manufacturers for the chemicals they produce or import. The purpose of the MSDS is to communicate information on the recommended safe use and handling procedures for that specific chemical.

MSDS sheets from different manufacturers may have a varied appearance, yet the Occupational Safety and Health Administration (OSHA) requires that all MSDS must provide certain categories of information about the chemical substance or mixture:

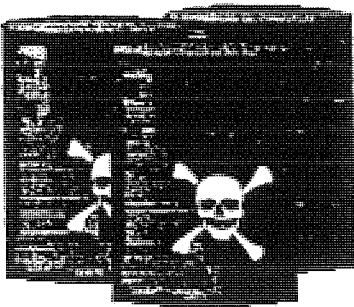
- Identification. (physical and chemical)
- Hazardous Ingredients.
- Emergency and First Aid Procedures.
- Recommended Control Measures.
- Physical and Health Hazards.
- Safe Handling Precautions.
- Date of Preparation/Revision.



Manufacturer's Name, Address and Phone Number.

This hazard communication program relies on Material Safety Data Sheets (MSDS) from suppliers for purposes of hazard determination. Employees will be trained in the use of Material Safety Data Sheets to include their location and availability, in order to avoid and/or lessen potential hazards. Familiarize yourself with the MSDS sheets at your workplace.

- The HCP Coordinator will be responsible for compiling the Master MSDS file. It will be kept at the Corporate offices.
- Copies of MSDS's for all hazardous chemicals provided by the Company, to which employees may be exposed will be kept at the workplace. MSDS's will be available for review to all employees.
- The purchasing department will make requests for MSDS's on all purchase orders. A file of follow-up letters shall be maintained for all shipments received without MSDS's.



Employees shall be trained according to a written hazard communication training plan, that is part of Engel Electric's overall hazard communication program. Training shall extend to non-routine tasks, as necessary and to foreseeable hazards.

Orientation training shall be provided to all newly hired employees who will be routinely exposed to hazardous materials provided by The Company. When an employee is reassigned or transferred to a different workplace where the employee may be exposed to a different set of hazardous chemicals, provided by The Company, re-orientation training will be provided.

Inasmuch as the law is not totally clear at this point, education may be given in various degrees of the law. A qualified instructor will be contacted and will be available for a seminar for all workers. This will be provided at no cost to the employees.

According to individual requirements, the training provided shall include the following items:

- Explanation of the Hazard Communication Standard, including employee rights and responsibilities.
- Introduction to the written Hazard Communication Program.
- Dissemination of Hazard Information.
- Availability and interpretation of MSDS's.
- Labeling and placarding procedures.
- Physical and health hazards of chemicals in workplaces.
- Flammable materials.
- Corrosive materials.
- Toxic materials.
- Explosives.
- Oxidizers.
- Carcinogens.
- Adhesives.
- Lubricants.
- Irritants.
- Sensitizer.
- Protective procedures.
- Protective equipment.
- Procedures for non-routine tasks.

After attending the training class, each employee will sign a statement that they received training in accordance with the Engel Electric Hazardous Communication Program.

EVERY TRAINING SESSION FOR EMPLOYEES MUST BE DOCUMENTED.

HAZARDOUS NON-ROUTINE TASKS

Prior to starting work on a hazardous, non-routine task, each employee will be given information about hazards involved. This information will include:

- Specific chemical hazards.
- Protective/Safety measures the employee can take.

CONTRACTS

All contracts signed by Engel Electric shall be reviewed by the HCP Coordinator to determine what contractual requirements, if any, exist with regard to Hazard Communications. These requirements shall be communicated to the appropriate person in the organization and necessary action taken.

MULTI-EMPLOYER WORKSITES

While each contractor is responsible for its own employee's training, Engel Electric will attempt to answer questions from the employees of our subcontractors that have signed contracts.

COMMUNITY RIGHT-TO-KNOW REPORTING REQUIREMENTS UNDER HCP

Engel Electric shall submit a list of hazardous materials which are present at Company's facilities to:

- The local emergency planning committee.
- The state emergency response commission.
- The local Fire Department.

The list shall be updated as the material in use at Wilson Electric changes.

ADMINISTRATIVE RESPONSIBILITY

Administrative responsibilities for this program are hereby delegated to Engel Electric's HCP Coordinator (or an appointed representative). He/she will be given responsibility for the execution and continual audit of this program on a day-to-day basis and is hereby given the necessary authority to perform all responsibilities.

Safety Management Services
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(See: Next Page for Chemical Poster)

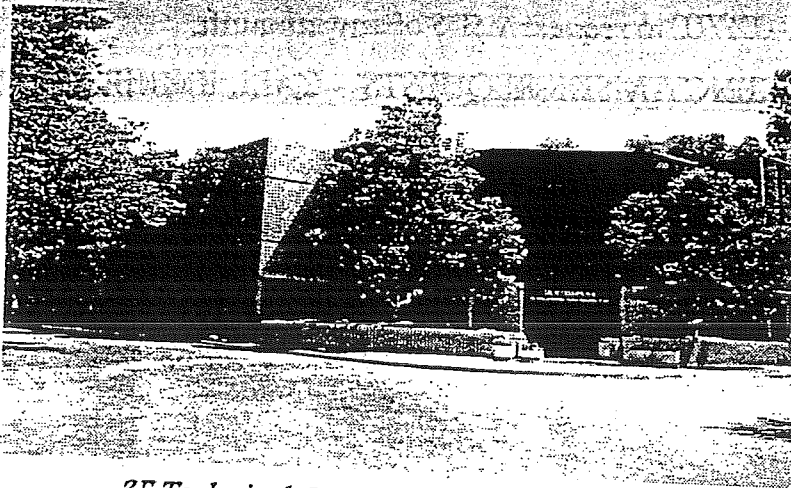
CHEMICAL POSTER

1. When working with chemicals, keep your exposure to a minimum. That is:
 - Don't breathe the chemical.
 - Don't get it on your skin.
2. Know what you are working with, its hazards and what to do if it gets in your eyes, on your skin or if it catches fire.
3. Clean up all spills and leaks promptly with recommended materials and procedures.
4. Read and follow container label precautions.
5. Keep your Personal Protective Equipment, exposed skin and work clothing clean.
6. Report chemical problems to your foreman. Take all questions about chemicals to your Foreman.
7. Know where the Material Safety Data Sheet collection is and the where the work place chemical inventory is kept.
8. Use the MSDS to get information about the chemicals you work with.
9. Know your site's fire evacuation routes and emergency procedures.
10. Dispose of chemicals properly. Never pour chemicals down a drain or into a sewer.
11. Keep products in their original containers. If you must transfer chemicals to other containers, make sure the new container is properly labeled.
12. If you have questions about the chemicals you use, read the MSDS or ask your Foreman.
13. Follow your employer's established safety practices.
14. Before use, locate emergency phone numbers.
15. **CHEMICALS + MISUSE = DANGER.**
CHEMICALS + PRECAUTIONS = SAFETY.



MSDS on Demand™

3E's Paperless Compliance Program



3E Technical Center ~ San Diego, California

THE
LEADER IN
VARIOUS
S
INFORMATION
MANAGEMENT

Instructions for use of the
3E Company
MSDS on Demand™ program
How, When & Why
to request an MSDS

TO INITIATE MSDS REQUESTS:

- **CALL TOLL-FREE:** (800) 451-8346, to request up to nine MSDS.
(Please fax or mail requests of more than nine MSDS.)

- **MAIL TO:** 3E COMPANY, 4920 Carroll Canyon Road ~ San Diego, CA 92121,
to request MSDS of any number.

- **FAX TO:** (619) 677-0270, to request MSDS of any amount.

DO NOT FAX EMERGENCY MSDS REQUESTS - CALL IMMEDIATELY!

HOW TO REQUEST MSDS:

To request a material safety data sheet (MSDS), simply complete the enclosed MSDS request form then call, fax, or mail to 3E Company. To ensure your request is quickly processed, it is extremely important to provide as much of the following product information as possible:

- Product name
- Manufacturer name
- Product number
- UPC code (if available)

Please be as specific as possible when requesting an MSDS for a product (e.g. Sherwin Williams, clear acrylic paint, #1303). Separate MSDS are maintained for products that have even very minor differences from others (e.g. colors, aerosol vs. pourable, concentrated vs. ready-to-use).

NOTE: Occasionally when you call 3E Company to request an MSDS, you may be asked to verify your phone and fax number. Please have this information readily available. This will ensure that you receive your information at the appropriate location as quickly as possible.

HOW TO RECEIVE THE REQUESTED MSDS:

Upon completion of your MSDS request, 3E can fax or mail directly to your facility or to whomever you have specified on your request form (e.g. a customer, client, hospital). If you would like the request to be forwarded somewhere other than your facility, please complete the section labeled "Purchaser Information" on the request form.

- 24 hours a day
- Seven days a week
- 365 days a year

Request MSDS WHEN:

MSDS are needed to assist with medical emergencies, chemical spills, and employee training sessions. There are five types of MSDS requests and each request has a specific time frame in which it's processed. Request types are typically determined by the requester; if the requester does not specify, 3E's staff will make the determination. Once the type of request is selected, 3E's staff quickly processes the request within the amount of time outlined below.

Determine type of MSDS request:

EMERGENCY REQUESTS - Immediate to 15 minutes

- Poisoning/Chemical Exposure
- Chemical Spill
- Human or Environmental Contamination
- Fire

URGENT REQUESTS - Immediate to 30 minutes

- Regulatory Agency Requests (OSHA, EPA, fire department)

RUSH REQUESTS - Immediate to 3 hours

- Employee Requests (non-emergency)

STANDARD REQUESTS - Immediate to 24 hours

- Customer Requests
- Contractor Requests

MAIL REQUESTS - *Rush* mailed within 24 hours - *Standard* mailed within 3 business days

- Requests of 10 or more Material Safety Data Sheets

Does my facility need MSDS?

EXISTING MSDS ARE REQUIRED BY LAW

Both the CalOSHA Hazard Communication Standard, 8CCR 5194, and the Federal OSHA Standard, 29 CFR 1910.1200, requires that employers provide access to current material safety data sheets for all hazardous materials used by employees and/or customers. Your company, with the assistance of 3E Company, shall accomplish this through facsimile access.

A CITES VIOLATIONS FREQUENTLY

There are over 10,000 citations issued each month by the Occupational Safety and Health Administration, along with thousands of dollars in individual fines. OSHA inspections can occur at random, with no warning. They can also be triggered by an on-site accident or by an employee complaint.

MSDS PROVIDE VALUABLE SAFETY INFORMATION

MSDS contain valuable safety information. They can also help to reduce risk and potential liability related to chemical use and exposure. MSDS should be requested in medical emergencies, chemical spills and employee training situations.

3E program provides the following to assist with compliance:

24 HOUR MATERIAL SAFETY DATA SHEET PROGRAM

Access by phone or fax to one of the largest MSDS databases in the United States, making your business fully compliant with both the CalOSHA Hazard Communication Standard, 8CCR 5194, and the federal OSHA Standard, 29 CFR 1910.1200. The MSDS library is constantly updated to ensure the most current MSDS is available.

24 HOUR SPILL & INFORMATION HOTLINE

Expert hazardous material assistance in the event of an on-site incident, protecting employees and customers at all times.

24 HOUR EXPOSURE / POISON CONTROL HOTLINE

3E Company is affiliated with the University of California San Diego Regional Poison Center. Their physicians, toxicologists, and poison specialists are available 24 hours a day to handle exposure/poisoning calls with immediate and often lifesaving guidance.

YOUR ALLIANCE FOR COMPLIANCE



MSDS on Demand™

3E's Paperless Compliance Program

F or Y our Info.

3E has provided the following items to assist you in defining your role as well as your responsibilities under the HazCom regulation:

- Information on employee rights & responsibilities under the OSHA Hazard Communication Standard.
- Excerpts from CalOSHA & federal OSHA regulations.
- Understanding the HazCom regulation.

THE
LEADER IN
HAZARDOUS
MATERIALS
INFORMATION
MANAGEMENT

sted below are some of the most commonly asked questions regarding employee rights and responsibilities under the OSHA Hazard Communication Standard.

WHAT IS THE OSHA HAZARD COMMUNICATION STANDARD (HAZCOM)?

The Hazard Communication Standard requires all employees to be trained regarding:

- The hazardous substances they are working with and could potentially be exposed to.
- What an MSDS is and how to obtain one.

WHAT HAZARDOUS SUBSTANCES ARE FOUND IN THE WORKPLACE?

Most chemical products are considered hazardous and will fall into one of six broad hazard categories: flammables & combustibles, compressed gases, systemic poisons, corrosives, dusts & fumes, and irritants.

HOW DO I KNOW WHICH PRODUCTS I'M USING ARE HAZARDOUS?

All hazardous products must have a label that explains the danger of the product. These labels should be tagged with such words as "caution," "warning," "corrosive," "danger," "toxic," and "flammable." The labels will also tell you the proper way to use the product. In addition, each hazardous product has a material safety data sheet (MSDS) which explains the dangers of the product in more detail. *To obtain an MSDS call the 3E Company 24-Hour MSDS Hotline 1-800-51-8346. Be prepared to give the customer service representative as much information on the product as possible, including the product name, manufacturer name, and UPC#/code.*

WHAT DO I NEED TO DO WHEN WORKING WITH HAZARDOUS SUBSTANCES?

There are three common ways a hazardous substance may hurt you: inhalation, ingestion, or skin exposure. When working with these substances, you must always follow your employer's safety rules and the guidelines outlined on the labels and the MSDS. Make sure you understand the hazards associated with the product you are working with and what precautions to take. You should also know what to do in case of an emergency or accident.

WHAT IF I'M JUST WORKING AROUND SOMEONE ELSE WHO IS USING HAZARDOUS SUBSTANCES?

Even if you're only near someone who is using hazardous products, you still need to protect yourself and understand the hazards.

HOW DO I KNOW WHAT MY EMPLOYER IS SUPPOSED TO DO UNDER OSHA'S HAZCOM?

Every employer must have a written hazard communication program that outlines employer responsibility under the HazCom rule. Additionally, they must have an inventory list of all hazardous products used at the facility. The written program should be made available for you to review.

VOTE: This handout should only be used to assist employees with questions regarding the new MSDS program and not as training for the Hazard Communication Program.



OSHA
HAZARD COMMUNICATION STANDARD OUTLINE



following are applicable excerpts from the Federal Regulations Labor Code & California Code of Regulations:

OSHA HAZARD COMMUNICATION STANDARD, 8CCR 5194, and the FEDERAL OSHA STANDARD, CER 1910.1200 (g) MATERIAL SAFETY DATA SHEETS

Manufacturers and importers shall obtain or develop a material safety data sheet for each hazardous substance they produce or import. Employers shall have a material safety data sheet in the workplace for each hazardous substance that they use.

Distributors shall ensure that material safety data sheets, and updated information, are provided to other distributors and purchasers of hazardous substances.

The employer shall maintain in the workplace copies of the required material safety data sheets for each hazardous substance in the workplace, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access, microfiche, and other alternatives to maintaining paper copies of the material safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by options.)

) Material safety data sheets shall also be made readily available, upon request, to designated representatives and to the Chief/Assistant Secretary, in accordance with the requirements of 3204(e)/29 CFR 1910.20. NIOSH and the employee's physician shall also be given access to material safety data sheets in the same manner.

- SOURCE:
- CalOSHA
- General Industry Safety Orders
- California Code of Regulations
- 8CCR 5194
- &
- Federal Register

In 1984 CalOSHA adopted its Hazard Communication Standard. Later, in the fall of 1987, U.S. businesses and operations became responsible for complying with the Occupational Safety and Health Administration's Hazard Communication Standard, also known as the "Employee Right-to-Know" law. Any business or organization that maintains hazardous materials must meet these requirements. The Hazard Communication Standard applies to all businesses, regardless of the number of employees or the amount of hazardous materials.

The law states that your employees have a right to know about any hazardous materials that they are, or may be, exposed to and how to protect themselves while handling these materials. The actions that must be taken to ensure the requirements are met are as follows:

- I. A written hazard communication plan must be developed that describes what you are going to do to fulfill the requirements of the law and should also assign responsibility for implementing the plan.
- II. A hazardous materials inventory should be maintained and continually updated.
- III. Material Safety Data Sheets (MSDS) for each hazardous material should be made available (*these should be obtained from 3E Company*).
- IV. You must label all secondary containers.
- V. Employees must be trained.

"Employee Right-to-Know" programs ensure compliance and also benefit business operations in several ways. For example, proper use of materials and awareness of safety issues can reduce the incidence of accidents, the cost of wasted materials and disposal, lost production time and insurance rates. Awareness of the materials being used can assist in inventory control and selecting less hazardous materials. An effective "Employee Right-to-Know" program is a reflection of good management.