



**CITY OF MARSHFIELD, WISCONSIN
POLICIES AND PROCEDURES**

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CHAPTER: SAFETY

SUBJECT: Implementation – Employee Right to Know

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APPROVED BY: Donald A. Nystrom

Special Notes: This policy/procedure manual does not in any way constitute an employment contract and the City of Marshfield reserves the right to amend this manual at any time subject only to approval by the Common Council.

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The Employees Right To Know Law
And
City of Marshfield Policies for Compliance

I. Introduction

Wisconsin's "Employees Right to Know Law" Section 101.51 of the Wisconsin Statutes, became effective December 1, 1982. The authors and sponsors of the bill felt that employers were not adequately informing their employees concerning the health hazards present in their workplaces. They felt that employees were needlessly developing illness and dying as a result of these exposures. It was their belief that a law was necessary to mandate the provision of information to employees, to let the employees know the health hazards.

II. Requirements of the Law

There are three (3) basic requirements of the bill, involving posting, provision of

information and training.

A) Posting: An employer who uses, studies or produces a toxic substance or infectious agent shall post in every workplace at the location where notices to-employees are usually posted a sign which informs employees that the employer is required, upon request, to provide an employee or employee representative with information regarding all of the following:

1. The identity of any toxic substance or infectious agent which an employee works with or is likely to be exposed to.
2. A description of any hazardous effect of the toxic substance or infectious agent.
3. Precautions to be taken when handling the toxic substance or infectious agent.
4. Procedures for emergency treatment in the event of overexposure to the toxic substance or infectious agent.

B) Information: Toxic Agent Information

Within 15 days after a written request by an employee or employee representative, exclusive of weekends and legal holidays, an employer shall provide to the employee or employee representative in writing the following information regarding any toxic substance with which the employee works or worked or to which the employee is likely to be or has been exposed:

1. The trade name of the toxic substance.
2. The chemical name and any commonly used synonym for the toxic substance and the chemical name and any commonly used synonym for its major components.
3. The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the toxic substance.
4. The flash point and flammable limits of the toxic substance.
5. Any permissible exposure level, threshold limit value or other established limit value for exposure to the toxic substance.
6. The stability of the toxic substance.
7. Recommended fire extinguishing media, special fire fighting procedures and any unusual fire and explosion hazard information for the toxic substance.
8. Any effect of overexposure to the toxic substance, emergency and first aid procedures and a telephone number to be called in an emergency.
9. Any condition or material which is incompatible with the toxic substance and must be avoided.

10. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the toxic substance.
11. Procedures for the handling, cleanup and disposal of toxic substances leaked or spilled.
 - b. An employer is not required to provide information regarding a toxic substance under par. (B) If the employee or employee representative making the request has requested information about the substance under par. (B) Within the preceding 12 months, unless the employee's job assignment has changed or there is new information available concerning any of the subjects about which information is required to be provided.

C) Infectious Agent Information Requirements

Within 72 hours after a written request by an employee or employee representative, exclusive of weekends and legal holidays, an employer shall provide in writing to the employee or employee representative the following information regarding any infectious agent which the employee works with or is likely to be exposed to if the infectious agent is present in the workplace when the request is made or at any time during the 30 days immediately preceding the request;

1. The name and any commonly used synonym of the infectious agent.
2. Any method or route of transmission of the infectious agent.
3. Any symptom or effect of infection, emergency and first aid procedures and a telephone number to be called in an emergency.
4. Any personal protective equipment to be worn or used and special precautions to be taken when handling or coming into contact with the infectious agent.
5. Procedures for handling, cleanup and disposal of infectious agents leaked or spilled.

An employer is not required to provide information regarding an infectious agent:

1. If the employee or employee representative making the request has requested information about the infectious agent within the preceding 12 months, unless the employee's job assignment has changed or there is new information available concerning any of the subjects about which information is required to be provided.

D) Training

Prior to an employee's initial assignment to a workplace where the employee may be routinely exposed to any toxic substance or infectious agent, an employer shall provide the employee with an education or training program. The employer shall provide additional instruction whenever the employee may be routinely exposed to

any additional toxic substance or infectious agent. For each toxic substance or infectious agent to which the employee may be routinely exposed, the education or training program shall include:

1. a. For a toxic substance, the trade name, generic or chemical name and any commonly used synonym for the toxic substance and the trade name, generic or chemical name and any commonly used synonym for its major components.
b. For an infectious agent, its name and any commonly used synonym.
2. The location of the toxic substance or infectious agent.
3. Any symptom of acute or chronic effect of overexposure to the toxic substance or infectious agent.
4. For a toxic substance, the potential for flammability, explosion and reactivity.
5. Proper conditions for safe use of and exposure to the toxic substance or infectious agent.
6. Special precautions to be taken and personal protective equipment to be worn or used, if any, when handling or coming into contact with the toxic substance or infectious agent.
7. Procedures for handling, cleanup and disposal of toxic substances or infectious agents leaked or spilled.
 - a. Exception. In an area where employees usually work with a large number of toxic substances or infectious agents which are received in packages of one kilogram or less and no more than ten kilograms of which are used or purchased per year, the employer may provide a general education or training program described in par. (A) The general training program shall be provided prior to an employee's initial assignment to the area and shall include:
 1. The information specified in par. (A) 1 and 2.
 2. The nature of the hazards posed by the toxic substances or infectious agents or both.
 3. General precautions to be taken when handling or coming into contact with the toxic substances or infectious agents.

III. Procedure For City Compliance

- A) Purpose: The purpose of this procedure is to establish a program in compliance with the "Employee Right to Know" law for limiting and controlling employee exposure to toxic materials in their work environment. It is the responsibility of all people involved with the purchase or use of toxic materials to assure that no employees are exposed to toxic materials in a concentration or form that would have adverse effect on their health.

B) Specific Staff Responsibilities

1. Safety Director

It shall be the responsibility of the Safety Director to:

- a. Review all Material Safety Data Sheets, determine hazards involved and suggest purchase, continued use, or discontinuance of use.
- b. Maintain file of all Material Safety Data Sheets and yearly summaries.
- c. Determine the proper toxic material and infectious agent handling procedures to be used, posting said procedures in the areas where they are to be used, and instructing supervisors in proper handling procedure.

2. Department Supervisors

It shall be the responsibility of Department supervisors to:

- a. Obtain copies of Material Safety Data Sheets (see attached form Appendix) for all chemical products, whether liquid or solid, or gaseous that have been purchased or are being considered for purchase.
- b. Develop a yearly summary of all chemical products purchased, indicating supplies and quantity. Copies of all Material Safety Data Sheets and the yearly summary (see Appendix) will be submitted to the Safety Director by January 31 of the year.
- c. Assure that proper toxic material and infectious agent handling procedures are followed. These handling procedures will be developed in cooperation with the Safety Director and made available in areas where hazardous materials or infectious agents are used.
- d. Assure that protective measures required for each situation (e.g. ventilation, gloves, respirator, etc.) are operable and in use.

3. Employee Responsibility

It shall be the responsibility of employees to:

- a. Utilize the proper toxic materials and infectious agents handling procedures where required.
- b. Avoid all unnecessary contact with toxic materials and infectious agents.
- c. Assure that the protective measures provided for their safety are operating as intended.

4. General Guidelines

- a. The Personnel/Safety Department will be given copies of Material Safety Data Sheets for all toxic materials used in the plan.

DISTRIBUTION To All Departments SUBJECT Right to Know Law

EFFECTIVE DATE Immediate PAGE NO. 1 OF 1 PAGES FILE UNDER SECTION NO.

REVISION DATE APPROVED BY Donald A. Nystrom

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NOTICE

DUE TO THE RECENT PASSAGE OF WISCONSIN'S "EMPLOYEES RIGHT TO KNOW" LAW, WE ARE REQUIRED TO INFORM YOU OF THE FOLLOWING:

"...the employer is required, upon request, to provide an employee or employee representative with information regarding all of the following:

- a) The identity of a toxic substance or infectious agent which an employee works with or is likely to be exposed to.
- b) A description of any hazardous effect of the toxic substance or infectious agent.
- c) Precautions to be taken when handling the toxic substance or infectious agent.
- d) Procedures for emergency treatment in the event of overexposure to the toxic substance or infectious agent.

FOR INFORMATION CONCERNING THIS AND OTHER REQUIREMENTS OF THE BILL, YOU MAY CONTACT:

(Name)

(Telephone)

(Date Posted)

(Company)

TOXIC MATERIALS - INFECTIOUS AGENTS
INFORMATION REQUEST FORM

PERSON REQUESTING INFORMATION

PERSON(S) HAVING EXPOSURE

Material Name	Material Mfr./Supplier	Date Requested	Dated Received

INFORMATION PROVIDED TO: _____
(signature)

DATE: _____

INFORMATION PROVIDED BY: _____
(signature)

