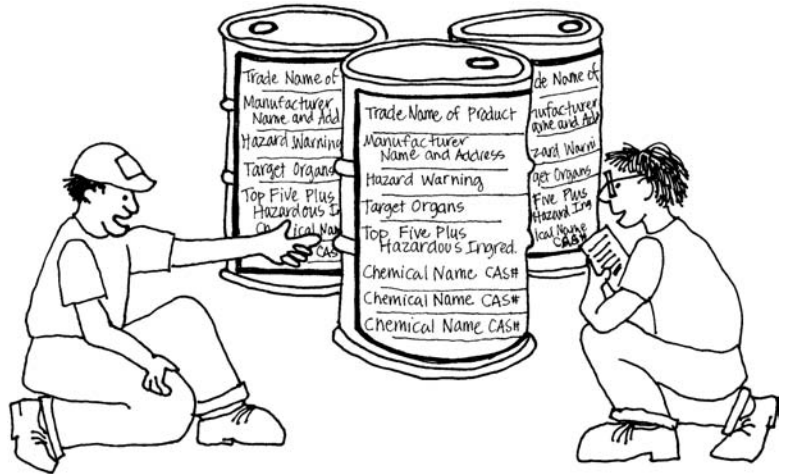


5. Use Hazard Communication and Right to Know

The OSHA/NJPEOSH Hazard Communication standards give workers rights to information on chemical hazards. The standards require that employers:

- Label hazardous chemicals.
- Have *Material Safety Data Sheets (MSDSs)* available for review by potentially exposed workers and union representatives during the workshift.
- Train all workers who are potentially exposed to hazardous chemicals at the time of their initial assignment, new assignment, or introduction of a new hazardous substance.
- Maintain a list of hazardous chemicals in that specific workplace.
- Have a written *Hazard Communication Program* that includes the employer's plan for doing the above tasks.



Those who work for a state, county, or municipal agency, or a public or charter school are covered by the NJPEOSH Hazard Communication standard. Education and training provisions are slightly better than in the OSHA standard. The NJPEOSH Hazard Communication standard overlaps with the New Jersey Worker and Community Right to Know Act. Public employers must comply with both.

CHEMICAL CONTAINER LABELING

All New Jersey employers must ensure that products containing chemicals are labeled according to both the OSHA/NJPEOSH Hazard Communication standards and the New Jersey Worker and Community Right to Know Act.

- The OSHA/NJPEOSH label must include:
 - The identity of the product or chemical.
 - Appropriate hazard warnings.
 - The name and address of the manufacturer or importer.

- The Right to Know label must include:
 - The top five ingredients of the product, *whether they are hazardous or not*.
 - Any other hazardous chemicals in the product that are not included in the top five ingredients.
 - Chemical Abstracts Service (CAS) numbers of the ingredients listed on the label. CAS numbers are unique numerical identifiers for chemical compounds.

PUBLICATIONS WITH MORE INFORMATION



Private Employers - Major Provisions of Right to Know Labeling,
www.state.nj.us/health/eoh/rtkweb/prlabel.pdf

Public Employers - Major Provisions of Right to Know Labeling,
www.state.nj.us/health/eoh/rtkweb/rtklbl.pdf

HOW TO OBTAIN LISTS OF CHEMICALS USED IN A SPECIFIC WORKPLACE

Employees may request their employer's written Hazard Communication program, which should include a list of all hazardous chemicals used at that workplace. Note that the list may use trade names that do not easily identify hazards.

All New Jersey employees may also request their employer's *Right to Know Survey* of substances designated hazardous by the State of New Jersey. It contains more information than the Haz Com list. It must contain chemical names, *not* trade names.

Private sector New Jersey employees may also request EPA *Form R*, also known as the Toxics Release Inventory (TRI). This form reveals the quantity of certain chemicals released into the air, water, or on land.

Public sector employees may request a copy of the *Right to Know Survey* for their workplace from their employer or from the NJDHSS Right to Know Program.

Phone: 609-984-2202

www.state.nj.us/health/eoh/rtkweb

Private sector employees may request copies of the *Right to Know Survey* for their workplace from their employer or the survey and EPA Form R from the New Jersey Department of Environmental Protection (NJDEP), Office of Pollution Prevention and Right to Know.

Phone: 609-292-6714

www.nj.gov/dep/opppc/crtk/index.html

HELPFUL HINT



Request letters for Right to Know Surveys are found in PART THREE, Section 4, Letters 19 and 20. Comprehensive request letters to employers for information on toxic substances are in Letters 3 and 4.

WEBSITES WITH MORE INFORMATION



Environmental Defense Scorecard, www.scorecard.org

Right to Know Network, www.rtk.net

PUBLICATIONS WITH MORE INFORMATION



Chemical Hazard Communication – OSHA Publication 3084, 1998.

Phone: 202-693-1888, OSHA Publications Office

www.osha.gov/Publications/osha3084.pdf

You Have the Right to Know about Hazardous Substances in your Workplace and Community.

Phone: 609-984-2202 Right to Know Program

www.state.nj.us/health/eoh/rtkweb/rtkbro.pdf

This publication is also available in Spanish.

New Jersey Public Employees

PEOSH Adopts the Hazard Communication Standard, May 2004,

www.state.nj.us/health/eoh/peoshweb/hcsib.pdf

PEOSH Hazard Communication Standard; Public Employers' and Employees' Frequently Asked Questions, May 2005,

www.state.nj.us/health/eoh/peoshweb/hcsfaq.pdf

Hazard Communication Checklist used by PEOSH Inspectors

www.state.nj.us/health/eoh/peoshweb/hazcomcheck.pdf

Phone: 609-984-1863, NJDHSS PEOSH Program

