

## **HAZARDOUS MATERIALS**

### **(Employee's Right to Know)**

Any employee may request information on toxic substances, infectious agents and pesticides that he/she works with or is likely to be exposed to. All requests for information shall be made in writing to the Superintendent. The Superintendent may refer such requests to the Director of Business Services, Maintenance Department and/or other district personnel for information. A response shall be made by the Superintendent within the established time guidelines.

The district shall:

1. Post a notice in the work place notifying employees of their right to request information about toxic substances, infectious agents and pesticides.
2. Respond to requests from employees for information on toxic substances, infectious agents and pesticides.
3. Provide training to employees who will be routinely exposed to toxic substances, infectious agents and pesticides.
4. Maintain information for 30 years on toxic substances, infectious agents and pesticides in the work place.
5. Notify the parent/guardian of a minor employee of the employee's rights under law.

ADOPTED: June 27, 1988 (under Policy EBB)

REVISED: August 28, 2000 (under Policy EBAA)  
May 21, 2012

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LEGAL REF.: Wisconsin Statutes: 101.58  
101.599  
29 CFR 1910

CROSS REF.: EBAA-R, Hazardous Materials Reporting Guidelines

## HAZARDOUS MATERIALS REPORTING GUIDELINES

### A. Definitions

Toxic Substance: With certain exceptions, any substance or mixture containing any of about 440 substances identified in subpart 2 under title 29 of the Code of Federal Regulations part 1910, administered by the federal Occupational Safety and Health Administration (OSHA).

Infectious Agents: Any bacterial, mycoplasmal, fungal, parasitic or viral agent identified by the Wisconsin Department of Workforce Development (DWD) by administrative rule.

Pesticides: Any substance or mixture of substances registered with the federal Environmental Protection Agency (EPA) or the state Department of Agriculture, Trade and Consumer Protection (DATCP).

### B. Requests for Information

Upon the written request of any district employee, the district shall provide information according to the following guidelines:

1. Toxic Substances
  - a. The trade name of the toxic substance.
  - b. 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.
  - c. The substance boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids, appearance and odor.
  - d. The flash point and flammable limits.
  - e. Any permissible exposure level, threshold limit value or other established limit value for substance exposure.
  - f. The stability of the toxic substance.
  - g. Recommended fire extinguishing media, special fire fighting procedures and any unusual fire and explosion hazard information.
  - h. Any effect of overexposure to the toxic substance, emergency and first aid procedures and a telephone number to be called in an emergency.
  - i. Any condition or material which is incompatible with the toxic substance and which must be avoided.

- j. 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.
  - k. Procedures for the handling, cleanup and disposal of toxic substances leaked or spilled.
2. Infectious Agents
- a. The name and any commonly used synonym of the infectious agent.
  - b. Any method or route of transmission of the infectious agent.
  - c. Any symptom or effect of infection, emergency and first aid procedures, and a telephone number to be called in an emergency.
  - d. 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.
  - e. Procedures for handling, cleanup and disposal of infectious agents leaked or spilled.
3. Pesticides
- a. Access to the pesticide's container label; or
  - b. The required information on the container label.
- C. District Response
- 1. The district shall make an effort to obtain the required information from the manufacturer or supplier of the toxic substance or infectious agent. If the District cannot obtain the information about a toxic substance or infectious agent, the employee requesting the information shall be so informed.
  - 2. All district responses to written requests for information shall be made in writing to the employee requesting the information.
  - 3. For toxic substances, if the district has the information, it shall be provided to the employee within 15 days. If the district does not already have the information it shall attempt to obtain same and respond to the employee's request within 30 days.
  - 4. For infectious agents, if the district has the information, it shall be provided to the employee within 72 hours. If the district does not already have the information, it shall attempt to obtain same and respond to the employee's request within 30 days.
  - 5. For pesticides, the district shall provide access to the label on the pesticide container within 72 hours of a request.

D. Material Safety Data Sheet(s)

The Director of Business Services shall obtain from the manufacturer or supplier a Material Safety Data Sheet on each item purchased for the district that may contain toxic substances, infectious agents or pesticides. The Director of Business Services shall maintain such information for 30 years.

**5/21/12**