1.0 REFERENCE

California Code of Regulations, Title 8, sections 337-340.2 and 5194

2.0 POLICY

It is the policy of Cal Poly to ensure that employees and students are aware of the properties and potential safety and health hazards of materials that they use or to which they might be exposed. Cal Poly employees and students shall be informed about the hazards of those substances or agents, trained in the precautions to prevent exposure, and trained on what to do if they are accidentally exposed. No employee or student shall engage in, or be required to perform, any task which is determined to be unsafe or unreasonably hazardous.

3.0 PURPOSE

It is the purpose of this document to protect employee and student safety by providing information and training about hazards that may exist at Cal Poly. It is further intended to support workers' right to know by ensuring that employees have the information necessary to know when they are working with, or may be exposed to, hazardous substances. This program is also intended to ensure that managers and supervisors provide their employees and students with training on how to avoid such exposure and what to do if they are accidentally exposed.

4.0 SCOPE, APPLICATION AND DEFINITIONS

4.1 Except as noted in section 4.3 below, this program shall apply to all departments that use, handle, or store hazardous substances.

4.2 Except as noted in section 4.3 below, this program applies to any hazardous substance which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.

4.3 This program does not apply to laboratories under the direct supervision and regular observation of an individual (Principal Investigator, Faculty, Lab Supervisor, etc.) who has knowledge of the physical hazards, health hazards, and emergency procedures associated with the use of the particular hazardous substances involved, and who conveys this knowledge to employees in terms of safe work practices. Such excepted laboratories are governed by Cal Poly's Chemical Hygiene Plan.

4.4 All other Cal Poly laboratories, facilities, trades, maintenance, custodians are subject to this program as stated.

4.5 All laboratories must ensure that labels of incoming containers of hazardous substances are not removed or defaced pursuant to section Title 8, 5194(f)(4), and must maintain any material safety data sheets that are received with incoming shipments of hazardous substances and ensure that they are readily available to laboratory employees pursuant to Title 8, section 5194(g).
5.0 RESPONSIBILITIES
5.1 University Administration
The ultimate responsibility for establishing and maintaining effective policies regarding environmental health and safety issues specific to campus facilities and operations, rests with the University President. General policies which govern responsibilities under the Hazard Communication Program are thereby established under the final authority of the President.

5.2 University Wide Participation
Members of the Cal Poly Community are welcome and encouraged to make recommendations regarding Hazard Communication policies and procedures in order to:

   a. eliminate adverse conditions which may result in injury or illness,
   b. recommend the establishment of programs to develop safety consciousness in the members of the university community, and
   c. establish, achieve, and maintain joint ownership in campus safety and related Hazard Communication issues

Comments may be forwarded to the Environmental Health and Safety office (x6661)

5.3 Office of Environmental Health and Safety (Risk Management)
It is the responsibility of the Office of Environmental Health and Safety to develop and manage an effective Hazard Communication Program. Further responsibilities include:

   a. Provide consultation to Deans, Directors, Chairpersons, Faculty, Program Directors, Coordinators, managers, and supervisors regarding Hazard Communication program compliance.

   b. Provide consultation on issues of hazard identification and evaluation; procedures for correcting unsafe conditions; systems for communicating with employees; regularly scheduled safety meetings; employee training programs; compliance strategies; and record keeping.

   c. Provide centralized monitoring of campus wide Hazard Communication activities on a consultative basis

   d. Maintain centralized Hazard Communication related records, allowing employee access as directed by law.
5.4 Deans, Directors, Department Chairs, Department Heads
As they relate to operations under their control, it is the responsibility of Deans, Directors, Department Chairs and Department Heads to develop departmental procedures to ensure effective compliance with the Hazard Communication Program. Specific areas include employee and student (both student employees and students in academic programs) education and training, identification and correction of unsafe conditions, and record keeping. It is recognized that a substantial amount of responsibility falls at this level. Deans, Directors, Department Heads or Department Chairs are responsible to ensure that the following requirements are met:

a. Develop and maintain written departmental procedures as necessary and ensure that each supervisor adheres to Hazard Communication Program.

b. Develop and implement an education and training program designed to instruct employees and students in the Hazard Communication Program. Such education and training shall take place prior to the employee or student being assigned to potentially hazardous operations.

c. Instruct employees and students in the recognition and avoidance of unsafe conditions, including hazards associated with non-routine task and emergency operations. Permit only those persons qualified by training to operate potentially hazardous equipment or to use potentially hazardous materials. Ensure that newly hired, newly assigned or reassigned employees, as well as all students, are properly trained in all safety procedures associated with new duties.

d. Develop a system of record keeping documenting all safety related activities. Such records should include, but not be limited to, employee and student training, injury reports, incident reports, and complaints or grievances involving safety issues.

e. Develop and maintain an inventory of hazardous materials present in all work areas. A copy of this inventory must be forwarded to the Office of Environmental Health and Safety.

f. When ordering hazardous materials, request a Material Safety Data Sheet (MSDS) on the Requisition Form (unless an MSDS for the material is already available in the work area).

g. Post appropriate safety notices or procedures in a conspicuous location.

h. Develop methods, as appropriate, to inform Cal Poly project managers of hazards, etc. within their respective departments (see also Sec 9.0). This is to provide outside contractors and their employees with pertinent hazard information in areas under department jurisdiction.
5.5 Faculty and Advisors for Academically Related Activities and Student Clubs

It is the responsibility of faculty to:

a. As it relates to operations under their control, develop procedures to ensure effective compliance with the Hazard Communication Program.
b. Develop and maintain written classroom, laboratory, and activity procedures which conform to the Hazard Communication Program.
c. Instruct students in the recognition, avoidance, and response to unsafe conditions, including hazards associated with non-routine tasks and emergency operations.
d. Permit only those persons qualified by education and training to operate potentially hazardous equipment or use hazardous materials, unless under close supervision.

5.6 Principal Investigators and Supervisors

It is the responsibility of Principal Investigators and Supervisors to:

a. As it relates to operations under their control, develop local area procedures to ensure effective compliance with the Hazard Communication Program. Specific areas of responsibility include employee education and training, identification and correction of unsafe conditions, and record keeping.
b. Develop and maintain written workplace procedures which conform to the Hazard Communication Program.
c. Ensure that each employee or student adheres to adopted procedures.
d. Instruct employees, visitors, and guests in the recognition and avoidance of unsafe conditions, including hazards associated with non-routine tasks and emergency operations. Permit only those persons qualified by training to operate potentially hazardous equipment or use hazardous materials. Ensure that newly hired, newly assigned or reassigned employees are properly trained in all safety procedures associated with new duties.

5.7 Employees (Including Student and Volunteer Employees)

It is the responsibility of all employees to:

a. Read and comply with the Hazard Communication Program.
b. Inform their supervisors of workplace hazards without fear of reprisal.
c. Attend established education and training sessions. They are expected to understand and comply with all applicable safety requirements. Failure to comply with established safety rules may be reflected in performance evaluations and may lead to disciplinary action consistent with procedures described in respective collective bargaining contracts, where applicable.
d. Ask questions of their supervisors when there is concern about an unknown or hazardous situation.

5.8 Students

Students are expected to always adhere to safety practices presented by faculty, technical staff, student assistants, graduate assistants or other authorized individuals, and the Hazard Communication Program. They must also report potentially hazardous conditions that become known to them. These reports should be made to their supervisors, faculty advisers, Office of Health and Environmental Safety, or other responsible parties.
6.0 SPECIFIC REQUIREMENTS

6.1 Hazard Communication Standard

It is an employee’s right:

a. To personally receive information regarding hazardous substances to which they may be exposed.

b. For their physician or collective bargaining agent to receive such information.

c. To protection from dismissal or other discrimination due to the employee’s exercise of their rights afforded by State law.

d. Significant revisions in the MSDS shall be provided to employees in writing by the department within thirty (30) days after receipt by Facilities Services/EH&S.

e. The employee has a further right to know:

i. The requirements and details of the Hazard Communication Program including an explanation of the labeling system, the MSDS, and how employees can obtain and use the appropriate hazard information.

ii. Any operations in their work area where hazardous substances are present.

iii. The location and availability of the written Hazard Communication Program.

iv. The methods and observations that may be used to detect the presence or release of hazardous substances in the work area. Examples are:

1. monitoring conducted by the University.
2. continuous monitoring devices.
3. visual appearance or odor of hazardous substances when being released.

v. The physical and health hazards of the substances in the work area, and the measures they can take to protect themselves from these hazards. These measures shall include specific procedures the department has implemented to protect employees from exposure to hazardous substances, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.

6.2 Employee Training

Hazard communication training shall consist of the following:

a. Employees shall be trained in the methods and observations that may be used to detect the presence or release of a hazardous substance in the work area (such as monitoring conducted by the University, visual appearance or odor of hazardous substances when being released, etc.);

b. Employees shall be trained in the physical and health hazards of substances in the work area, and the measures they can take to protect themselves from these hazards, including specific procedures and equipment the University uses to protect employees from exposure to hazardous substances. Examples are appropriate work practices, emergency procedures, and personal protective equipment.

c. Employees shall be trained in the details of the hazard communication program developed by the University, including an explanation of the labeling system and material safety data sheets (MSDSs), and how employees can obtain and use the appropriate hazard information.
6.3 Labeling
a. All departments shall ensure that each container of hazardous substances in the workplace is labeled, tagged or marked in English with the following information:
   - Identify the hazardous substance(s) contained therein.
   - Appropriate hazard warnings (flammable, toxic, corrosive, reactive, etc)
b. Employees shall not remove or deface existing labels on incoming containers of hazardous substances.
c. Materials that are not adequately labeled within ten (10) days after the material is discovered are considered waste and labeled appropriately by the lab supervisor or their designee. Contact EH&S for removal.

6.4 Material Safety Data Sheets (MSDS)
a. Departments shall request an MSDS on the purchase requisition form for all suspected hazardous substances which they use where one is not currently present in the department or available from the EH&S Office.
b. Each MSDS shall be in English and shall contain specific information regarding hazards, physical properties, personal protective equipment, exposure limits, etc.
c. EH&S shall maintain an inventory of hazardous substances on campus and also maintain the contract for the online MSDS database, currently “MSDS On-Line.”
d. Departments shall ensure that this information is readily accessible during each work shift to employees when they are in their work area(s). This shall take the form of an MSDS binder covering all hazardous materials within that lab or an immediately accessible computer connected to the online database of MSDSs.
e. To retrieve an MSDS from the Internet, visit MSDSONline (from on-campus computers only) by following the below link.
   

f. If an MSDS is not provided by the manufacturer, and after an unsuccessful attempt to obtain the MSDS by the purchasing department via the internet, phone, or written request, contact the Environmental Health and Safety office. EH&S will obtain the MSDS or, as necessary, notify the proper authorities.
### 6.5 Non-routine tasks involving Hazardous Materials and procedures for complying with the Hazard Communication Standard include:

<table>
<thead>
<tr>
<th>Trade/Task</th>
<th>Procedure</th>
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<tbody>
<tr>
<td><strong>Custodians</strong></td>
<td></td>
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<tr>
<td>- Acid cleaning of swimming pools</td>
<td>Supervisor or Environmental Health &amp; Safety Office shall conduct a hazard communication session prior to beginning work. Personal and area air samples may be collected during process.</td>
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<tr>
<td>- Use of solvents to remove motor oil paint, etc., from concrete</td>
<td>Immediate supervisor shall conduct a hazard communication session (e.g., review of MSDSs for materials being used) and ensure the use of proper protective clothing as designated on the MSDS.</td>
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<tr>
<td><strong>Electricians:</strong></td>
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<tr>
<td>- PCB clean-up</td>
<td>Employees shall refer to the PCB Emergency Response Plan and follow procedures outlined therein. Environmental Health &amp; Safety Office shall be notified prior to beginning the job.</td>
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<tr>
<td><strong>Painters:</strong></td>
<td></td>
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<tr>
<td>- Sealing inside of swimming pools</td>
<td>Refer to general procedure listed for acid cleaning of pools, “Custodian” section.</td>
</tr>
<tr>
<td>- Sealing of wooden gym floor with specialized floor finish.</td>
<td>Refer to procedure listed for use of solvents to remove motor oil, paint, etc., from concrete, “Custodian” section.</td>
</tr>
<tr>
<td><strong>Welders</strong></td>
<td></td>
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<tr>
<td>- Welding in confined spaces</td>
<td>Must obtain Confined Space Entry permit from designated manager or Environmental Health &amp; Safety Office. Safety precautions are outlined in the permit and will be discussed with the employees prior to entry. Employees are required to initial the entry permit.</td>
</tr>
<tr>
<td><strong>All Trades:</strong></td>
<td></td>
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<tr>
<td>- Handling of asbestos</td>
<td>Notify immediate supervisor prior to beginning job. All employees must have current training.</td>
</tr>
<tr>
<td><strong>All Trades/Custodial/Grounds</strong></td>
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</tr>
<tr>
<td>- Use of chemicals in confined spaces.</td>
<td>Refer to Confined Space Entry permit procedure.</td>
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7.0 RECORDKEEPING

7.1 Material Safety Data Sheets (MSDS)
Each MSDS will be continuously accessible through the internet database

7.2 Employee Exposure Records and Medical Record Analysis
Each employee exposure record will be preserved and maintained for the term of employment plus thirty (30) years. These records include:

a. Work place monitoring and measurements of a toxic substances or harmful physical agents.
b. Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems.
c. Material safety data sheets of substances for which an exposure is documented.
d. In the absence of the MSDS, a chemical inventory or any other record which reveals where and when a material was used and the identity of a toxic substance or harmful physical agent.
e. Departments using any regulated carcinogens have additional reporting and record keeping requirements under CAL/OSHA.

7.3 Training Records
Training records will be retained for at least three years and will include documentation of hazard communication training for each employee, specifically:

a. Employee name or other identifier.
b. Training dates.
c. Types of training and the name of the training provider.

8.0 TRADE SECRETS

Under certain circumstances, the manufacturer may withhold the specific chemical identity, including the chemical name and other specific identification of a hazardous substance, from the MSDS. However, when a treating physician determines that a medical emergency exists and the chemical identity is required for first-aid treatment, the manufacturer must disclose the trade secret information to the physician.
9.0 INFORMING CONTRACTORS
   a. The appropriate project manager is responsible for informing any contractors and subcontractors with employees working on campus of the hazardous substances to which their employees may be exposed.
   b. This information shall be provided to the contractor prior to commencing work. The MSDSs for any hazardous materials that may be encountered will be provided to the contractor at that time.
   c. The project manager is also responsible for obtaining copies of MSDSs for any hazardous substance that the contractor is bringing into the workplace. This information shall be provided to EH&S upon request.