



Environmental Health & Safety

Hazard Communication Program

April 2022

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I. PURPOSE

It is the policy of Sam Houston State University (SHSU) to provide a safe educational, living, and working environment for its students, employees, affiliates, and visitors. The Hazard Communication Act requires SHSU to develop, implement, and maintain a written hazard communication program.

II. SCOPE

This program applies to all SHSU students, staff, and faculty working under the supervision of any SHSU department. For information pertaining to the use of hazardous chemicals in a laboratory environment, please refer to the Chemical Hygiene Plan.

This program does not apply to contractors utilizing chemicals on SHSU property. The contractor's employees should be following the contractor's own Hazard Communication Program. Contractor's that do not have a similar program may opt to use SHSU's Hazard Communication Program as guidance.

III. DEFINITIONS

- a. *Appropriate hazard warning* Any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the health and physical hazards, including the target organ effects of the chemical(s) in the container(s).
- b. *Asphyxiation* A death or injury from suffocation that is caused by a chemical and which is due to interference with the oxygen supply of the blood, other than drowning.
- c. *Container* Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical or contains multiple smaller containers of an identical hazardous chemical. A primary container is the one in which the hazardous chemical is received from the supplier. A secondary container is one to which the hazardous chemical is transferred after receipt from the supplier.
- d. *DSHS* The Texas Department of State Health Services.
- e. *EH&S* Environmental Health & Safety
- f. *Employee* A person who may be or may have been exposed to hazardous chemicals in the person's workplace under normal operating conditions or foreseeable emergencies. Workers such as office workers or accountants who encounter hazardous chemicals only in non-routine, isolated instances are not employees for the purposes of this program.

- g. *Exposure* An employee that is subjected to a hazardous chemical in the course of employment through any route of entry, including inhalation, ingestion, skin contact, or absorption.
- h. *Hazardous chemical* An element, compound, or mixture of elements or compounds that present a physical or health hazard as defined by the OSHA standard in 29 CFR Section 1910.1200.
- i. *Health hazard* A chemical which is classified as posing one of the following hazardous effects: acute toxicity (any route of exposure); skin corrosion or irritation; serious eye damage or eye irritation; respiratory or skin sensitization; germ cell mutagenicity; carcinogenicity; reproductive toxicity; specific target organ toxicity (single or repeated exposure); or aspiration hazard.
- j. *Incident* An event that could have or did result in a chemical exposure or injury to a person(s), property, or the environment.
- k. *Label* A written, printed, or graphic material displayed on or affixed to a container of hazardous chemicals that provides information regarding the identification and hazardous characteristics of the chemical.
- l. *Personal Protective Equipment (PPE)* Equipment that is provided to an employee by SHSU and provides a level of protection to chemicals to which the employee may be exposed that will be adequate to ensure their health and safety.
- m. *Physical hazard* A chemical that is classified as posing one of the following hazardous effects: explosive; flammable (gases, aerosols, liquids, or solids); oxidizer (liquid, solid or gas); self-reactive; pyrophoric (liquid or solid); self-heating; organic peroxide; corrosive to metal; gas under pressure; or in contact with water emits flammable gas.
- n. *Primary Container* The container in which the material was received from the manufacturer.
- o. *Safety Data Sheet (SDS)* Written or printed material concerning hazardous chemicals that is prepared in accordance with the requirements of the OSHA standard for that material. Formerly known as Material Safety Data Sheets (MSDSs).

- p. *Secondary Container* Any container holding a product which is not the original container supplied by the manufacturer.
- q. *Work Area* A room or defined space in a workplace where hazardous chemicals are used, and where employees are present.
- r. *Workplace* An establishment, job site, or project, at one geographical location containing one or more work areas.
- s. *Workplace Chemical List* Inventory of chemicals available for use within the workplace.

IV. DUTIES AND RESPONSIBILITIES

A. Directors & Department Heads

- Report any incident involving employee exposure to hazardous chemicals to EH&S.
- Ensure that the "[Notice to Employees](#)" is posted at appropriate locations in each workplace where employees might be exposed to hazardous chemicals.
- Inform EH&S of any hazardous chemicals normally present in the workplace in excess of 55 gallons or 500 pounds.
- Update the chemical inventory whenever a new chemical is purchased that is not already documented.
- Ensure that SDSs on hazardous chemicals purchased are available, as required.
- Provide spill response kits appropriate for the chemicals used in the workplace.
- Provide employees with personal protective equipment that fits the individual and is appropriate for the chemicals used in the workplace.
- Verify that supervisors inform employees of any non-routine tasks that could result in chemical exposure.

B. Supervisors

Supervisors of staff whose work could result in exposure to hazardous chemicals are responsible for knowledge of the SDS system in use for their department's employees and must ensure that:

- Incoming (hard copy) SDSs and new electronic versions are reviewed for new and significant health/safety information and that any new information is passed on to the affected employees.
- Hazardous chemicals received without a hard copy SDS or simple means to acquire an electronic copy are withheld from use until a current SDS is obtained or made available electronically.
- Missing or unavailable SDSs are requested from an appropriate source (e.g., chemical manufacturer, distributor, or electronic database) within 30 days from receipt of the hazardous chemical.
- Affected employees are provided a description of any alternative system (such as electronic databases) being used in lieu of hard copy SDSs.
- As SDSs are received from hazardous chemical manufacturers and distributors, they replace the MSDs on file. Site-specific training on both the old MSDs and the new SDSs should continue throughout the transition period until the product associated with the old MSDS is no longer on site.
- Prepare and maintain the chemical inventory, as appropriate.

- Ensure that SDSs are available whenever a new chemical is purchased. If no SDS is provided, follow the procedures for acquiring one prior to allowing employees to work with the chemical.
- Inform employees regarding the procedures for accessing SDSs/MSDSs and obtaining the chemical inventory.
- Ensure that all employees have received appropriate training before working with hazardous chemicals or in an area containing hazardous chemicals.
- Deliver site-specific hazard communication training.
- Ensure all incidents involving a hazardous chemical exposure are reported to EH&S.
- Ensure that containers that are unlabeled or mislabeled are re-labeled prior to use by any employee.
- Ensure that labels are legible, in English, and prominently displayed on the container throughout each work shift. The label may also include the same information in another language if necessary, for employee safety.

C. Employees

- Complete the hazard communication training and job specific training before working with any hazardous chemicals.
- Use hazardous chemicals only for their intended purpose.
- Properly wear the recommended PPE for chemicals used.
- Notify other individuals who might be affected by the chemicals being used.
- Ensure all incidents involving a hazardous chemical exposure are reported to EH&S.

D. Environmental Health and Safety

- Administration of the Hazard Communication Program, to include revisions or amendments.
- Report any chemical exposure incident resulting in one or more fatalities or the hospitalization of 5 or more employees to DSHS.
- Assist Directors & Department Heads with the implementation and compliance with this program and help identify hazardous substances and evaluate potential hazards.
- Compile chemical inventories submitted by SHSU Departments.
- Submit the annual Texas Tier Two report and fee to The Texas Commission on Environmental Quality (TCEQ).

- Maintain the chemical inventory for 30 years.
- Provide a copy of the annual Texas Tier Two report to the Local Emergency Planning Committee and the local fire department.
- EH&S will distribute instructions to be used by departments to complete their chemical inventories.

V. REQUIREMENTS

A. Safety Data Sheets

SDSs must be readily available for review by employees. If they are being provided electronically then access must be readily available. The operation of computers used for electronic access will be explained to all applicable employees by their supervisor during site specific Hazard Communication training.

All departments are responsible for ensuring that all SHSU purchases of hazardous chemicals shall require the most current SDS for those products must be provided with the shipment.

All departments must request or obtain an otherwise unavailable SDS within 30 business days of receipt of any hazardous chemical and must not permit the use of any hazardous chemical until a current SDS is available and the site-specific training is completed.

SDSs should be maintained in an organized manner within the work area and/or workplace and should be utilized in site-specific training of employees.

The SDS must be provided for review at the workplace during the same shift in which it was requested. SHSU departments must be able to provide SDSs for review on request by DSHS representatives during their inspections of campus operations and to emergency responders as soon as practicable upon request.

B. Chemical Inventory

Directors & Department Heads will develop and maintain a list of hazardous chemicals present in the workplace. They are also responsible for making applicable workplace chemical inventories readily available for review by employees.

Information required for the chemical inventory includes:

- Chemical name as it appears on the SDS and container label
- Manufacturer Name
- Chemical Abstract Service (CAS) Number
- Amount (as listed on the chemical container)
- Number of containers
- Chemical location (building and room number in which the chemical is normally present)

A chemical inventory template is available for use on the EH&S website. Departments are not required to use this template, provided the information listed above is included.

C. Chemical Container Labels

All containers of hazardous chemicals used or stored in any SHSU workplace must be appropriately labeled.

Supervisors in SHSU departments will ensure chemical manufacturers or distributors provide labels which meet these requirements for primary containers of all hazardous chemical purchases.

All **primary containers** of hazardous chemicals are clearly labeled to include:

- Product identifier
- Signal word
- Hazard statement(s)
- Pictogram(s)
- Precautionary statement(s)
- Name, address, and telephone number of the chemical manufacturer, importer, or other responsible party.

All **secondary containers** of hazardous chemicals are clearly labeled to include:

- Product identifier
- Signal word
- Hazard statement(s)
- Pictogram(s)
- Precautionary statement(s)

D. Employee Training Program

Training must be provided to all employees who use or handle hazardous chemicals.

Training must be documented and recorded in Talent Management.

All covered employees must be identified and incorporated into the training program.

Employees must be provided information concerning the hazardous chemicals to which they may be exposed during the performance of routine and non-routine tasks.

Hazard Communication- General

All new SHSU employees who will be expected to use or handle hazardous chemicals, shall be given instruction regarding the basic provisions of the SHSU Hazard Communication Act. Online Hazard Communication training is available for SHSU employees. For access to this module, please contact EH&S.

Hazard Communication - Site-Specific

The Hazard Communication class referenced above provides general information, but information specific to the employee's particular work area must be provided by the employing department. New employees must be trained before being required to work with, or being exposed to, hazardous chemicals. EH&S is available to assist in fulfilling this training requirement.

Site-Specific Hazard Communication training for employees must include:

- Hazardous chemicals known to be in the employee's work area(s)
- Location of hazardous chemicals
- Physical effects and short-term/long-term health effects of exposure
- Safe handling procedures
- Proper use of personal protective equipment
- First aid treatment for exposures
- Instructions on safe cleanup of spills and disposal

Additional training must be provided when new chemical hazards are introduced or when a change is made to a chemical's SDS.

E. Reporting Employee Deaths and Injuries

EH&S will notify DSHS of any employee incident that involves a hazardous chemical exposure or asphyxiation and that is fatal to one or more employees or results in the hospitalization of five or more employees.

Notifications will be made either orally or in writing to:

Texas Department of State Health Services
Division for Regulatory Services Policy,
Standards & Quality Assurance Unit
Environmental Hazards Group
PO BOX 149347, MC 1987
Austin, TX 78714-9347

Phone: (512) 834-6787

Fax: (512) 834-6726

F. Notice to Employees

Directors & Department Heads must post and maintain in all buildings where hazardous chemicals are used or stored, the most current version of the Texas Hazard Communication Act (THCA) *Notice to Employees*, informing employees of their rights under the THCA.

The *Notice to Employees* shall be clearly posted and unobstructed at all locations in buildings where notices are normally posted, and with at least one location in each applicable building.

In buildings where employees that have difficulty reading or understanding English may be present, a copy of the *Notice to Employees*, printed in Spanish, will be posted together with the English version.

Additional copies can be found here: [Notice to Employees](#).

VI. **PERSONAL PROTECTIVE EQUIPMENT**

Departments will provide appropriate personal protective equipment (PPE) to all employees who use or handle hazardous chemicals.

Departments will ensure that appropriate PPE are provided based on the following:

- a. Duties being performed by the employee
- b. Routes of entry
- c. Concentration of the hazardous chemical present
- d. Limitations of PPE

VII. **EMPLOYEE RIGHTS**

The University shall not discipline, harass, or discriminate against any employee for filing complaints, assisting inspectors from DSHS, participating in proceedings related to the THCA, or exercising any rights under the Act.

Employees cannot waive their rights under the THCA. A request or requirement for such a waiver is a violation of the Act.

All SHSU employees have the authority to immediately suspend, restrict, or close any operation that presents an immediate danger to the health, safety, or welfare of persons or property; a serious violation or repeated violations of institutional requirements or standards; or clear or threatened violation of laws or regulations.

VIII. **REFERENCES**

[OSHA 1910.1200](#)

[Texas Hazard Communication Act](#)

[DSHS Notice to Employees](#)

[DSHS Notice to Employees \(Spanish\)](#)

IX. APPENDICES

- A. Hazard Communication Site Specific Checklist
- B. DSHS Notice to Employees (English)
- C. DSHS Notice to Employees (Spanish)

X. REVISION CONTROL

Revision Date	Material Changed	Changed by:
2021	Document Created	Mark Shiflet

APPENDIX A

HAZARD COMMUNICATION SITE-SPECIFIC CHECKLIST

Hazard Communication Site Specific Training Checklist

Department: _____

Room No.: _____

Instructor: _____

The following topics should be addressed as part of an employee's site-specific hazard communication training. The section of the SDS where this information can be found has been included.

Check if Covered	Information to be Covered in Site Specific Training
	Hazardous Chemicals Known to be in the Employee's Work Area(s)
	Location of Hazardous Chemicals
	Physical Effects and Short-Term and Long-Term Health Effects of Exposure Section 2
	Safe Handling Procedures Section 7
	Proper Use of Personal Protective Equipment Required for Safe Handling of Hazardous Chemicals Section 8
	First Aid Treatment for Exposures Section 4
	Instructions on Cleanup of Spills and Disposal Sections 6, 7, 13, & 15
	Location of Texas Hazard Communication Act Employee Notification Posters

Please submit a copy of the completed checklist to Environmental Health & Safety at safety@shsu.edu.

For further assistance, please reach out to safety@shsu.edu or call (936) 294-2342.

Instructor Signature: _____

Date: _____

Trainee Signature: _____

Date: _____

APPENDIX B

DSHS NOTICE TO EMPLOYEES (ENGLISH)

NOTICE TO EMPLOYEES

The Texas Hazard Communication Act, codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

HAZARDOUS CHEMICALS

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

WORKPLACE CHEMICAL LIST

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

EMPLOYEE EDUCATION PROGRAM

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on the measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

SAFETY DATA SHEETS

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current Safety Data Sheets (SDSs) or Material Safety Data Sheets (MSDSs) if an SDS is not available yet, which detail physical and health hazards and other pertinent information on those chemicals.

LABELS

Employees shall not be required to work with hazardous chemicals from unlabeled containers except portable containers for immediate use, the contents of which are known to the user.

EMPLOYEE RIGHTS

Employees have rights to:

- access copies of SDSs (or an MSDS if an SDS is not available yet)
- information on their chemical exposures
- receive training on chemical hazards
- receive appropriate protective equipment
- file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the telephone numbers provided below.

EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM \$50 TO \$100,000 FOR EACH VIOLATION OF THIS ACT

Further information may be obtained from:

Texas Department of State Health Services
Consumer Protection Division
Policy, Standards, & Quality Assurance Section
Environmental Hazards Unit
PO Box 149347, MC 1987
Austin, TX 78714-9347



(512) 834-6787
(800) 293-0753 (toll-free)
Fax: (512) 834-6726
E-mail: TXHazComHelp@dshs.texas.gov
Website: www.dshs.texas.gov/hazcom

Texas Department of State
Health Services

Worker Right-To-Know Program
Publication # 23-14173
Revised 05/2018

APPENDIX C

DSHS NOTICE TO EMPLOYEES (SPANISH)

AVISO AL EMPLEADO

La Ley de Comunicación sobre Peligros de Texas, codificada como el capítulo 502 del Código de Salud y Seguridad de Texas, exige que los empleadores públicos le provean a los empleados información específica sobre los peligros de los químicos a los que los empleados podrían estar expuestos en el centro de trabajo. Según exige la ley, su empleador debe proveerle cierta información y capacitación. A continuación presentamos un breve resumen de la ley.

QUÍMICOS PELIGROSOS

Los químicos peligrosos son cualquier producto o material que represente algún peligro físico o de salud al ser usado, a menos que este quede exento bajo la ley. Como ejemplos de químicos peligrosos más comúnmente usados están los combustibles, los productos de limpieza, los solventes, muchos tipos de aceite, los gases comprimidos, muchos tipos de pintura, los pesticidas, los herbicidas, los refrigerantes, los químicos de laboratorio, el cemento, las varillas de soldadura, etc.

LISTA DE QUÍMICOS EN EL CENTRO DE TRABAJO

Los empleadores deben desarrollar una lista de los químicos peligrosos usados o almacenados en el centro de trabajo que sobrepasen los 55 galones o las 500 libras. El empleador debe renovar la lista de ser necesario, y al menos anualmente, y debe ponerla a fácil disposición de los empleados y de sus representantes al esta ser solicitada.

PROGRAMA DE INSTRUCCIÓN DEL EMPLEADO

Los empleadores deben proveerle capacitación a los empleados recién asignados antes de que los empleados trabajen en un área de trabajo que contenga químicos peligrosos. Los empleados contemplados en la ley deben recibir capacitación del empleador sobre los peligros de los químicos y sobre las medidas que ellos mismos pueden tomar para protegerse de dichos peligros. La capacitación debe repetirse de ser necesario, y al menos cuando se introduzcan nuevos peligros en el centro de trabajo o se reciba nueva información sobre los químicos que ya están presentes.

HOJAS DE DATOS DE SEGURIDAD

El empleador debe informar de la exposición a los empleados que pudieran estar expuestos a químicos peligrosos y ellos deben tener acceso fácil a las hojas de datos de seguridad (SDS) o las hojas de datos de seguridad del material (MSDS) más recientes si es que todavía no hay una SDS disponible, las cuales detallan los peligros físicos y de salud y cualquier otra información pertinente sobre dichos químicos.

ETIQUETAS

No se requerirá que los empleados trabajen con químicos peligrosos provenientes de contenedores que no están etiquetados con excepción de los contenedores portátiles de uso inmediato, el contenido de los cuales el usuario conoce.

DERECHOS DEL EMPLEADO

Los empleados tienen derecho a:

- acceder a copias de las SDS (o una MSDS si es que todavía no hay una SDS disponible)
- la información sobre sus exposiciones químicas
- recibir capacitación sobre los peligros químicos
- recibir el equipo protector apropiado
- presentar quejas, asistir a los inspectores y testificar en contra de su empleador

No se despedirá a los empleados ni se les discriminará de ninguna manera por ellos ejercer cualquiera de los derechos que esta ley estipula. Las renunciaciones de derechos del empleado no tienen ninguna validez; el que el empleador solicite ese tipo de renuncia infringe esta ley. Los empleados pueden presentar sus quejas ante el Departamento Estatal de Servicios de Salud de Texas llamando al teléfono sin costo provisto abajo.

LOS EMPLEADORES PODRÍAN ESTAR SUJETOS A SANCIONES ADMINISTRATIVAS Y A MULTAS CIVILES O PENALES QUE VAN DESDE LOS \$50 HASTA LOS \$100,000 DÓLARES POR CADA INFRACCIÓN DE ESTA LEY

Puede obtener mayor información en:

Texas Department of State Health Services
Consumer Protection Division
Policy, Standards, & Quality Assurance Section
Environmental Hazards Unit
PO Box 149347, MC 1987
Austin, TX 78714-9347



(512) 834-6787
(800) 293-0753 (llamada gratuita)
Fax: (512) 834-6726
E-mail: TXHazComHelp@dshs.texas.gov
Website: www.dshs.texas.gov/hazcom

Texas Department of State
Health Services

Worker Right-To-Know Program
Publication # 23-14173A
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