Employee Right-To-Know Written Program

1. Introduction
2. Statement of Policy
3. Scope and Application
4. Definitions
5. Responsibilities (Program Administration)
6. Hazardous Substances
7. Harmful Physical Agents
8. Infectious Agents
9. Additional Hazards/Exposures Generated During Work
10. Labels and Other Forms of Warning
11. Non-Routine Tasks
12. Training
13. Multi-Employer Workplace
14. Program Evaluation
15. Revision Record
16. References

1 Introduction

In 1983, the Minnesota Legislature passed the Minnesota Employee Right-to-Know (ERTK) Act[1], requiring all employers to evaluate their workplaces for the existence of (1) hazardous substances, (2) harmful physical agents, and (3) infectious agents, and to provide training and information to those employees who are routinely exposed to these substances and agents in the workplace. Chapter 5206 of the Minnesota Rules[2] spells out the required contents of ERTK, including training, labeling, and additional information. Also in 1983, the federal Occupational Safety and Health Administration (OSHA) adopted the Hazard Communication Standard (HAZCOM), 29 CFR 1910.1200[3]; however, unlike ERTK, HAZCOM covered only hazardous substances.

In 2012, HAZCOM underwent a major revision and adopted the U.N. Globally Harmonized System of Classification and Labeling of Chemicals (GHS), a worldwide effort to standardize hazardous communication. Minnesota OSHA (MNOSHA) decided to replace the ERTK requirements for hazardous substances with the new federal HAZCOM Standard; the ERTK requirements for harmful physical agents and infectious agents have not changed, and MNOSHA's more stringent requirements for annual refresher training and record keeping have also remained unchanged.

In brief, per MN Rule 5206, the ERTK Written Program must include:

- A plan for providing training to employees prior to initial or change in work assignment or conditions, and annual refresher training, including an outline of training content;
- Methods for making ERTK information, such as Safety Data Sheets (SDSs), readily accessible to employees in their work areas;
- A description of how labels, placards and signs will be used to identify hazardous materials or work areas where harmful physical agents are generated at levels approaching regulatory limits;
- A list of hazardous substances, harmful physical agents, and infectious agents present in the workplace;
- The methods used to inform employees of the hazards of non-routine tasks and unlabeled pipes; and
- How contractors will be informed of St. Olaf College policy and procedures.
- For infectious agents, a written Exposure Control Plan that meets the requirements of the Occupational Safety and Health Administration (OSHA) Bloodborne Pathogen Standard 29 CFR 1910.1030[4] (and the 2001 revision to comply with the Needlestick Safety and Prevention Act[5]) and covers all infectious agents to which employees may be exposed in the workplace meets the requirements of MN Rule 5206.

The following St. Olaf ERTK Written Program is based on templates from the MNOSHA ERTK Model Program[6] and the MNOSHA Employer's Guide to Developing an ERTK Program[7] that were tailored to fit the needs of St. Olaf. The St. Olaf ERTK Written Program can be downloaded as a pdf from the St. Olaf ERTK webpage[8], obtained from the Environmental Health and Safety (EHS) Office, or requested from an employee's Supervisor.

2 Statement of Policy

2.1 Contact Information.

(a) Issuing Authority: Vice President and Chief Financial Officer

(b) Contact: Elisabeth Haase; Department of Environmental Health and Safety; haase2@stolaf.edu; 507-786-2292

(c) Last Updated: 03/29/23

2.2 St. Olaf is committed to maintaining a safe and healthy work environment.

(a) This Written Program is intended to help ensure that all College employees are aware of the dangers associated with hazardous substances, harmful physical agents, and infectious agents to which they may be exposed during the course of their work day.

2.3 To provide this safe working environment, St. Olaf is complying with the Minnesota OSHA Employee Right-to-Know (ERTK) Act and federal Hazard Communication (HAZCOM) Standard by:

(a) Evaluating the workplace for the existence of hazardous substances, harmful physical agents, and infectious agents.

(b) Providing training and information to those employees who are routinely exposed to such substances and agents, including the safe handling procedures and proper measures to take to protect oneself from these harmful substances.

(c) Compiling a list of the hazardous substances and collecting the correct Safety Data Sheets (SDSs), and making these SDSs available to employees.

(d) Ensuring that containers of hazardous substances are labeled according to OSHA/GHS criteria, and that appropriate signs are present that warn about potentially hazardous areas or workplace conditions.

(e) Informing employees of the hazards associated with non-routine tasks, and the hazards associated with substances in unlabeled pipes

(f) Compiling a list of harmful physical agents and their corresponding reference materials.

(g) Ensuring that potentially affected employees are trained under the St. Olaf Exposure Control Plan[9].

(h) Ensuring that a written copy of all relevant information is readily accessible in the area or areas in which the hazards are present and where the employees may be exposed to the agent through use, handling, or otherwise.

2.4 Accessibility of ERTK Written Program.

(a) As per Minnesota Rules 5206.0700 Subpart 1.F[10], St. Olaf employees have ready access to a variety of internet-connected computers in the areas in which the hazards are used or handled so that they can access and read the St. Olaf ERTK webpage and ERTK Program.

(b) Employees can access this website 24/7, every day of the year. If they desire a hard copy of the RPP but cannot access a printer, they may request one from their supervisor or EHS.

(c) Within 24 hours of receiving the request, excluding non-workdays, the supervisor or EHS will provide a hard copy to the employee.

3 Scope and Application

3.1 St. Olaf Employees.

(a) Non-Laboratory Personnel. This Program applies to all non-laboratory personnel who may be routinely exposed to hazardous substances, harmful physical agents, or infectious agents under normal working conditions or during foreseeable emergencies.

(b) Laboratory Personnel. Laboratories where the laboratory use of hazardous chemicals occurs are covered under the OSHA Laboratory Standard (29 CFR 1910.1450)[11] and the St. Olaf Chemical Hygiene Plan, which can be accessed via the St. Olaf Laboratory Safety website[12].

3.2 Contractors. (See Section 13 for further details)

(a) Hazards created by contractors. When outside contractors are working on campus, St. Olaf will make every effort to inform College employees of any hazards created by contractors and their employees if these personnel are working in areas where College employees are located.

(b) Hazards to contractors. St. Olaf will inform outside contractors of any potential hazards that contract employers may encounter.

(c) The St. Olaf Director of Facilities will serve as the contractor contact for the college.

3.3 Exempted Items.

Per Minnesota Rules 5206.0300[13] the following substances or mixtures are exempted from this program:

(a) Products intended for personal consumption by employees in the workplace.

(b) Consumer products packaged for distribution to, and used by, the general public, including any product used by an employer or employee in the same form, concentration, and manner as it is sold to consumers, and to the employer's knowledge, employee exposure is not significantly greater than the consumer exposure occurring during principal consumer use of the product.

(c) Any article, including but not limited to an item of equipment or hardware, which contains a hazardous substance, if the substance is present in a solid form that does not create a health hazard as a result of being handled by the employee.

(d) Any hazardous substance that is bound and not released under normal conditions or work or in a reasonably foreseeable occurrence resulting from workplace operations.

(e) Products sold or used in retail food sale establishments and all other retail trade establishments, exclusive of processing and repair work areas.

(f) Any substance received by an employer in a sealed package and subsequently sold or transferred in that package, if the seal remains intact while the substance is in the employer's workplace.

(g) Any substance, mixture, or product if present in a physical state, volume, or mixture concentration for which there is no valid and substantial evidence that a significant risk to human health may occur from exposure.

(h) "Alcoholic beverage" as defined in Minnesota Statutes, Section 340A.101, Subdivision 2, or "3.2 percent malt liquor" as defined in Minnesota Statutes, Section 340A.101, Subdivision 19.

(i) "Food" as defined in the Federal Food, Drug, and Cosmetic Act, United States Code, Title 27, Section 321, et seq.

4 Definitions

Acronyms found within written program.

ERTK:	Employee Right To Know Act
ECP:	Exposure Control Plan
GHS:	Globally Harmonized System Classification and of Labeling of Chemicals
HAZCOM:	Hazard Communication Standard
MNOSHA:	Minnesota Occupational Safety and Health Administration
OSHA:	Occupational Safety and Health Administration
PPE:	Personal Protective Equipment

Bloodborne pathogens. Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Carcinogen. "Carcinogen" means any substance that causes the development of cancerous growths in living tissue. For the purpose of this standard, a substance is considered to be a carcinogen or potential carcinogen if:

- It has been evaluated by the International Agency for Research on Cancer (IARC) and is listed as a carcinogen or potential carcinogen in "Monographs" (latest edition);
- It is listed as a carcinogen or potential carcinogen in the "Annual Report on Carcinogens" published by the National Toxicology Program (NTP) (latest edition);
- It is listed as a confirmed or suspected human carcinogen by the American Conference of Governmental Industrial Hygienists (ACGIH) and published in the "Threshold Limit Values and Biological Exposure Indices" (latest edition); or
- It is regulated as a carcinogen or potential carcinogen under Code of Federal Regulations, Title 29, part 1910, Subpart Z, "Toxic and Hazardous Substances."

Commissioner. "Commissioner" means the Commissioner of the Department of Labor and Industry.

Container. "Container" means any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical. For purposes of this program, pipes, piping systems, or pipelines are not considered to be containers.

Harmful physical agent. "Harmful physical agent" means a physical agent determined by the Commissioner as part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee.

Hazardous substance. "Hazardous substance" means a chemical or substance, or mixture of chemicals or substances, which:

- Is regulated by the federal Occupational Safety and Health Administration under Code of Federal Regulations, Title 29, Part 1910, Subpart Z;
- Is either toxic or highly toxic, an irritant, corrosive, a strong oxidizer, a strong sensitizer, combustible, either flammable or extremely flammable, dangerously reactive, pyrophoric, pressure-generating, a compressed gas, a carcinogen, a teratogen, a mutagen, a reproductive toxic agent, or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
- Is determined by the Commissioner as part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

Hazard warning. "Hazard warning" means any words, pictures, symbols, or combination of these which convey the hazards of the hazardous substances in the containers.

Immediate-use container. "Immediate-use container" means a container into which substances are transferred from a labeled container; this new container will then be under the control of and used only by the person who transfers it from the labeled container and will be used only within the work shift in which it is transferred. The container must be empty by the end of the person's work shift. Examples include sprayers, pails, or similar containers that are routinely used and reused.

Infectious agent. "Infectious agent" means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which according to documented medical or scientific evidence causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent.

- Infectious agents that are present in human blood and can cause disease in humans are also called blood borne pathogens.
- Infectious agent does not include an agent in or on the body of a patient before diagnosis. Infectious agent does not include an agent being developed or regularly used by a technically qualified individual in a research, medical research, medical diagnostic or medical educational laboratory or in a health care facility or in a clinic associated with a laboratory or health care facility, or in a pharmacy registered and licensed under Minnesota Statutes, Chapter 151.

Manufacturer. "Manufacturer" means anyone who produces, synthesizes, extracts, or otherwise makes, processes, blends, packages, or repackages a hazardous substance or equipment which generates a harmful physical agent. The term manufacturer also includes anyone who imports into this state or distributes within this state a hazardous substance or equipment which generates a harmful physical agent. It does not include anyone whose primary business concerning the hazardous substance or equipment is in retail sales to the public.

Safety data sheet. "Safety data sheet" means any data sheet which contains information required in accordance with Code of Federal Regulations, Title 29, Part 1910.1200(g), regarding the physical, chemical, and hazardous properties of a substance or mixture.

Original/Manufacturer's containers. "Original/Manufacturer's container" means the container in which a hazardous substance is received by the employer from the manufacturer.

Routinely exposed. "Routinely exposed" means a reasonable potential for exposure exists during the normal course of assigned work. It includes the exposure of an employee to a hazardous substance when assigned to work in an area where a hazardous substance has been spilled. It does not include a simple walk-through of an area where a hazardous substance, harmful physical agent, or infectious agent is present or an assignment to work in an area where a container of a hazardous substance is present but there is no actual exposure unless a spill should occur.

5 Responsibilities

5.1 Human Resources.

(a) Compile (with input from EHS) the names of all College employees who, because of the nature of their jobs, are included under the ERTK Written Program.

(b) Work with the EHS Training Coordinator to implement the training matrix/assignment database to ensure that employees are assigned all required and relevant training.

(c) Retain the database of training records.

(d) Be responsible for ensuring that all employee medical actions required are performed and that appropriate employee health and OSHA records are maintained.

5.2 Environmental Health and Safety.

(a) The **EHS Director** is the ERTK Program Coordinator and has overall responsibility for the ERTK Program.

(b) The **EHS Director**, the **EHS Specialist/Training Coordinator**, and the **Chemical Hygiene Officer (CHO)** will jointly:

(1) Ensure that affected employees are aware of this Written Program.

(2) Provide technical support and consultation to departments of affected employees to interpret requirements and establish safe practices.

(3) Work with department supervisors to help them evaluate the effectiveness of the ERTK Program as it applies to the work that their affected employees perform.

(4) Review the ERTK Written Program annually and update it as needed.

(5) Work with the various department directors/supervisors to identify additional potential hazards that may not be readily apparent. Some examples might be: carbon monoxide from fossil fuel engine exhaust, welding fumes from welding operations, wood dust from woodworking operations, venomous animals and poisonous plants that outdoor workers might encounter, and noxious gases that could be encountered by employees who might need to access confined or poorly ventilated spaces.

(c) **HAZCOM (Hazardous Substances).** The **Chemical Hygiene Officer** oversees the HAZCOM elements of the ERTK program, and will:

(1) Compile a list of all hazardous substances used and their corresponding Safety Data Sheets (SDS); review this list annually and update as needed; maintain the College's online SDS database, and ensure that employees understand how to access and use this database.

(2) Work with department supervisors to ensure that all chemical containers used in the workplace are stored properly and labeled according to OSHA/GHS labeling requirements.

(3) Ensure that the St. Olaf ERTK webpage[8] is current and contains information in a user-friendly format.

(4) Assist the EHS Training Coordinator in providing HAZCOM training and information.

(d) Infectious Agents. The **Chemical Hygiene Officer** and **EHS Director** oversee the Infectious Agents elements of the ERTK program, and will:

(1) Ensure that employees are following all protocols outlined in the St. Olaf Exposure Control Plan[9].

(2) Assist the EHS Training Coordinator in providing Infectious Agents training and information.

(3) Laboratories. The CHO will ensure that employees are aware of any potentially Infectious Agents that might be housed within laboratories, and that employees understand how to react if they are unsure if they have come in contact with any such agents.

(e) Physical Agents. The **EHS Director** oversees the Physical Agents elements of the ERTK program, and will work with Department Supervisors to:

(1) Compile a list/table of all harmful Physical Agents that employees may be exposed to during the course of assigned work; review this list annually, and update it as needed.

(2) Obtain the corresponding safety information such as Physical Agent Data Sheets[14] or comparable written information. This information is then maintained by the CHO on the EHS website.

(3) Ensure all areas where employees may encounter a harmful physical agent are labeled properly.

(4) Assist the EHS Training Coordinator in providing Physical Agents training and information.

(f) ERTK Training Program. The **EHS Training Coordinator** oversees the ERTK Training Program and shall:

(1) Provide initial and refresher ERTK training as needed, including training for potentially hazardous non-routine tasks.

(2) Work with Supervisors to ensure that job-specific ERTK training is being provided to potentially affected employees.

5.3 Department Directors, Supervisors, and Managers.

Primary responsibility for ensuring that St. Olaf employees follow the appropriate ERTK safety guidelines falls to the various directors, managers, and supervisors who promote, encourage, and exemplify a culture of safety for their employees to emulate during everyday work activities. **These leaders shall:**

(a) Employee access to SDSs and a hard copy of this ERTK Written Program:

(1) Ensure that employees understand how to access the online St. Olaf College SDS database[15] so that the employee can see the list of chemicals to which they might be routinely exposed.

(2) If employees desire a hard copy of the ERTK Written Program or to an SDS but they do not have access to a printer, then the Supervisor will provide a hard copy within 24 hours excluding nonworkdays

(b) Whenever a new hazard is introduced, or whenever an employee is assigned new duties that may result in being routinely exposed to additional/new hazards:

(1) Ensure appropriate employee training and information is in place.

(2) Alert EHS so that EHS can update the online ERTK databases

(c) Ensure that proper safety equipment is supplied to their affected employees where needed, and that employees know when and how to use the equipment.

(d) Ensure that affected employees attend all required training.

(e) Periodically observe employees while they are performing their duties to verify that all appropriate safety practices are being followed; provide guidance/additional training as needed if any deficiencies in safe work practices/knowledge are observed.

(f) Contact EHS for technical support when questions arise regarding compliance and safe procedures.

(g) Periodically evaluate the effectiveness of the ERTK program as it applies to the work that their affected employees perform, and provide EHS with conclusions, compliance challengers, and recommendations for improvement.

(h) Work with EHS to identify additional potential hazards that may not be readily apparent. Some examples might be: carbon monoxide from fossil fuel engine exhaust, welding fumes from welding operations, wood dust from woodworking operations, venomous animals and poisonous plants that outdoor workers might encounter, and noxious gases that could be encountered by employees who might need to access confined or poorly ventilated spaces.

(i) Encourage all employees to report all work-related injuries, and gather suggestions from employees on how best to eliminate the hazard or minimize the risk of future injury.

5.4 Employees.

(a) Comply with the rules and guidelines set forth by this program.

(b) Complete ERTK training upon initial assignment, during annual refresher, or as necessary.

(c) Proactively notify their Supervisor when questions arise surrounding safe procedures, the need for safety equipment, and difficulties complying with these requirements.

(d) Notify their Supervisor if they are injured (this helps ensure that proper medical attention begins), and offer suggestions on how best to eliminate the hazard or minimize the risk of future injury.

6 Hazardous Substances

6.1 List.

(a) A current list of all hazardous substances and corresponding work areas is maintained in the online St. Olaf College SDS database[15]. This list was developed by referencing various regulatory lists, including the MNOSHA List of Hazardous Substances[16] and the Permissible Exposure Limits[17].

(b) This database can be searched for a specific chemical or it can be searched by administrative unit (i.e., Facilities, Academics, Athletics); within an administrative unit the database can be searched by either room location or (for Facilities) the chemical's use (e.g., cleaning chemicals used by custodians).

(c) Instructions for navigating the SDS database are included in the St. Olaf online SDS Database[15].

6.2 Safety Information.

Safety Data Sheets are used as the primary source of hazard identification and provide specific safety information for handling hazardous substances used by St. Olaf employees.

(a) The St. Olaf online SDS Database[15] can be accessed by employees 24/7 and every day of the year. Employees have ready access to a variety of internet-connected computers in the areas in which the hazards are used or handled, and this database can be accessed via wireless devices such as smartphones.

(b) Within the St. Olaf ERTK website[8] the "GHS Overview[18]" link includes instructions on how to read and understand an SDS.

(c) The "GHS Overview" link also includes summary tables of the GHS Health Hazard Classes and the GHS Physical Hazard Classes. These tables contain definitions for each hazard class, and for each hazard category within a given hazard class you can find the signal word, pictogram, and hazard statement.

(d) Additional chemical safety references can be found at the St. Olaf ERTK website[8] by clicking on the "Chemical Hazards" tab.

7 Harmful Physical Agents

7.1 List.

A current list of all known harmful physical agents (identified by risks assessments) can be found on the ERTK webpage[8] by clicking on the "Physical Agents" tab. To ensure compliance with state and federal regulations, the following harmful physical agents are monitored:

(a) Noise at or above 85 decibels dBA averaged over eight hours; over 100 dBA for 15 minutes.

(b) Ionizing Radiation and Nonionizing Radiation

(c) Heat Stress

(d) Excessive Cold

(e) Excessive Vibration

7.2 Safety Information.

(a) In addition to safety information provided in various hazard-specific St. Olaf EHS programs, employees are encouraged to access resources such as Physical Agent Data Sheets[14], which contain written information about the exposure limits, potential health effects, and protective measures for numerous physical hazards.

(b) A link to PADS can be found on the ERTK webpage[8] by clicking on the "Physical Agents" tab.

8 Infectious Agents

8.1 List.

(a) The most likely method of an employee coming in contact with an infectious agent at St. Olaf would be by accidental exposure to bodily fluids that contain a blood borne pathogen.

(b) The St. Olaf Exposure Control Plan[9] meets the requirements set forth in 29 CFR 1910.1030[4] and covers all infectious agents, including blood borne pathogens, that can be reasonably anticipated to occur on campus.

(c) MNOSHA has compiled a more specific list of infectious agents that can be found in subparts 4-8 of Minnesota Rules 5200.0600[6].

8.2 Safety Information.

(a) Pathogen Safety Data Sheets (PSDS)[19] are technical documents that describe the hazardous properties of human pathogens, and can be used to supplement information found in the St. Olaf Exposure Control Plan.

9 Additional Hazards/Exposures Generated During Work

9.1 List.

(a) Additional hazards may include: carbon monoxide from fossil fuel engine exhaust, welding fumes from welding operations, wood dust from woodworking operations, venomous animals and poisonous plants that outdoor workers might encounter, and noxious gases that could be encountered by employees who need to access confined or poorly ventilated spaces.

9.2 Safety Information.

(a) The St. Olaf EHS website[8] contains online resources that serve to constantly reinforce employees on how to work safely whenever there is the possibility of encountering any of the above workplace hazards.

(b) Use the pull-down menu to click on "Occupational Safety & Health" to access specific safety links.

10 Labels and Other Forms of Warning

10.1 Chemical Containers.

(a) Original/Manufacturer's Containers.

(1) Do not remove or deface original labels.

(2) Original manufacturer's labels include (after June 30, 2016) the following GHS label elements: the chemical's identity or product identifier; the name and address of the manufacturer, importer or other responsible party; and (as appropriate) the GHS hazard pictograms, signal word, hazard statement(s), and precautionary statement(s).

(3) Unless as noted in 10.1(a)(4), if this information is missing then the containers are not to be accepted for delivery; inform your Supervisor or the CHO.

(4) As an alternative to GHS labeling, hazardous substances that are labeled via any of the following methods are considered to be in compliance:

- Pesticides labeled in accordance with the Federal Insecticide, Fungicide and Rodenticide Act (United States Code, Title 7, Section 136 et seq.).
- Any food, food additive, color additive, drug, or cosmetic including materials intended for use as ingredients in products labeled in accordance with the requirements of the Federal Food, Drug, and Cosmetic Act (United States Code, Title 21, Section 301 et seq.).
- Distilled spirits (beverage alcohols), wine, or malt beverage labeled in accordance with the Federal Alcohol Administration Act (United States Code, Title 27, Section 201 et seq.).
- Any consumer products as defined in the Consumer Product Safety Act (United States Code, Title 15, Section 2051 et seq.) and labeled in accordance with the requirements of that Act.
- Any hazardous substance as defined in the Federal Hazardous Substances Act (United States Code, Title 15, Section 1261 et seq.) and labeled in accordance with the requirements of that Act.

(b) Secondary Chemical Containers.

(1) If chemicals are transferred from a manufacturer's container into another container, this new Secondary Container must include the following GHS label elements: the product identifier/name, and either the required pictogram(s) or Hazard Class(es).

(2) To properly label Secondary Containers follow these online instructions found under "Labels & Signs: Chemical Containers" on the St. Olaf EHS website[8]: https://wp.stolaf.edu/ehs/chemical-containers-correct-labeling/

(c) Stationary/Process Containers.

(1) Signs, placards, process sheets, batch tickets, operating procedures, or other such written materials may be used in lieu of affixing labels to individual stationary process

containers, as long as this alternative method identifies the containers to which it is applicable and, at a minimum, includes the identity of the hazard and the appropriate hazard warning.

(2) These written materials shall be readily accessible to the employees in their work area throughout each work shift.

(d) Immediate-Use Containers, which are containers that remain under the immediate control of one employee *and* that are emptied by the end of the same work shift, do not need to be labeled.

10.2 Physical Agents.

The ERTK Program Coordinator will ensure equipment or work areas that specifically contain or generate harmful physical agents at a level that may be expected to approximate or exceed the permissible exposure limit or applicable action level are posted with the name of the physical agent and the appropriate hazard warning (as per Minnesota Rules 5206.1100[20]).

10.3 Infectious Agents.

The St. Olaf Exposure Control Plan[9] addresses the labeling procedures for receptacles that contain potentially infectious material.

10.4 Pipes.

Pipes or piping systems do not have to be labeled, but during training sessions employees must be informed of the contents of these unlabeled pipes and the associated hazards if a leak should occur.

11 Non-Routine Tasks

11.1 Training and Equipment.

(a) Before employees are required to perform potentially hazardous non-routine tasks, the employee's Supervisor is responsible for either providing this training or informing EHS that such training is needed.

(b) EHS will coordinate with the Supervisor to make sure that employees are informed of the hazards and are provided with the precautions and PPE needed to reduce or avoid exposure.

(c) The Supervisor and the ERTK Program Coordinator are jointly responsible for ensuring this training is provided; however, just as lab-specific training is the responsibility of the faculty researcher, training for non-routine tasks is ultimately the responsibility of the Supervisor.

12 Training

12.1 Scope.

(a) Each employee covered by this Program shall receive training that complies with this section.

(b) Training will be made available by, and at the cost of, St. Olaf College; shall be provided during regular work hours and in a manner that can be reasonably understood by the employees; and will include opportunities for employees to ask questions to ensure that they understand the information presented to them.

12.2 General Goals. Upon completion of ERTK training, employees should:

(a) Be aware of the hazards to which they are routinely exposed.

(b) Understand the health hazards, including the known acute and chronic effects of exposure at hazardous levels and the known symptoms of the effects.

(c) Know the measures to protect themselves against hazards (e.g., use and maintenance of PPE; proper work practices; procedures for cleanup of incidental leaks and spills; and procedures for emergency response & treatment).

(d) Know how to obtain, read and use information on labels, safety data sheets, or other reference materials.

(e) Know how to obtain or request a hard copy of the St. Olaf ERTK Written Program, and understand all information is readily accessible in the area or areas in which the hazards are present and where the employees may be exposed to the agent through use, handling, or otherwise.

(f) Understand that if they are unsure of a process or situation then they are to stop what they are doing to ask for help from their Supervisor. Safety overrules uncertainty.

(g) Understand that if they become injured then they are to notify their Supervisor ASAP (this helps ensure that proper medical attention begins), and offer suggestions on how best to eliminate the hazard or minimize the risk of future injury.

12.3 General Content.

(a) Information and training programs may relate to specific exposure hazards; the common hazards of a broad class of hazardous substances, harmful physical agents, and infectious agents; or to the hazards of a complete production operation, whichever is more effective.

(b) Specific information on individual hazardous substances or mixtures, harmful physical agents, and infectious agents must be available in writing for employees' use.

(c) Additional information is provided in Section 12.5 (hazardous substances), Section 12.6 (harmful physical agents), and Section 12.7 (infectious agents).

12.4 Frequency of Training.

(a) Initial Training/Upon Hire. Supervisors will ensure that both the initial awareness-level training and the initial complete training are provided to new employees where the employee may be routinely exposed to hazardous chemicals, harmful physical agents, or infectious agents.

(1) Awareness-Level Training. Upon initial assignment to tasks where occupational exposure may occur, supervisors will provide awareness-level training to employees.

(2) Complete ERTK Training. Within 30 days of employment, supervisors will ensure that employees are given the complete ERTK training (see sections 12.5 – 12.7 for training content).

(b) Annual Training. Training updates will be performed at least annually. These may be brief summaries of information included in previous training sessions, but the goal of these training updates are to ensure that employees demonstrate competency with the training goals stated in Section 12.2. The ERTK Program Coordinator, in conjunction with HR, is responsible for ensuring this training is provided.

(c) Additional Training. Whenever a new hazard is introduced, or whenever an employee is assigned new duties that may result in being routinely exposed to additional/new hazards, additional training will be provided to the employee before the time that the employee may be routinely exposed to the new hazard. The employee's supervisor is responsible for either providing this training or informing EHS that such training is needed.

12.5 Training Program for Hazardous Substances. In addition to the General Goals stated in Section 12.2, the training program will include:

(a) A summary of the HAZCOM Standard and this Written Program, and how to competently access the Written Program.

(b) A list of chemicals to which an employee might be routinely exposed, and instructions for the employee to competently access this list. This list should include generic names, trade names, and commonly used names of a given substance.

(c) The operations in the employee's work area where hazardous substances are found.

(d) The methods and observations to detect the presence or release of a substance, including chemicals in unlabeled pipes (e.g., the visual appearance or odor of a hazardous chemical when being released). Employees must be informed of the contents of unlabeled pipes and the associated hazards if a pipe leak should occur.

(e) Instructions on how to competently access, understand, and use Safety Data Sheets.

(f) The primary routes of entry into the body.

(g) The level or concentration, if established, at which exposure to the hazard is restricted according to standards adopted by MNOSHA[17], or if no levels have been adopted, according to guidelines established by competent professional groups (i.e. ACGIH or NIOSH).

(h) The physical hazards of chemicals (e.g., potential for fire, explosion, reactivity, simple asphyxiation, etc.).

(i) Instructions about how to read and interpret the information on container labels including explanation of the GHS label components: product identifier, pictogram(s), signal word, hazard statement(s), and precautionary statement(s).

(j) Any additional ways which employees may obtain additional hazard information.

12.6 Training Program for Harmful Physical Agents. In addition to the General Goals stated in Section 12.2, the training program will include the information required by the recognized standard for that physical agent, including:

(a) The name or names of the physical agent including any commonly used synonym.

(b) How to use the St. Olaf EHS website to access the various hazard-specific safety programs (e.g., the St. Olaf Hearing Conservation Program).

(c) The level, if any and if known, at which exposure to the physical agent has been restricted according to standards adopted by the commissioner, or, if no standard has been adopted, according to guidelines established by competent professional groups which have

conducted research to determine the hazardous properties of potentially harmful physical agents.

(d) The known proper conditions for use of and/or exposure to the physical agent.

(e) The name, phone number, and address, if appropriate, of a manufacturer of the equipment which generates the harmful physical agent.

12.7 Training Program for Infectious Agents (Exposure Control Plan). Training for employees who potentially may be exposed to infectious agents shall be under the St. Olaf Exposure Control Plan[9], and will include:

(a) A general explanation of the epidemiology, symptoms, and modes of transmission of infectious diseases including hazards to special at-risk employee groups.

(b) An accessible copy of the BBP Standard and an explanation of its contents**.**

(c) An explanation of our ECP and how to obtain a copy.

(d) An explanation of the appropriate methods to recognize tasks and other activities that may involve exposure to blood and OPIM, including what constitutes an exposure incident.

(e) An explanation of the use and limitations of methods of control that will prevent or reduce exposure including universal precautions, appropriate engineering controls and work practices, PPE, and housekeeping.

(f) An explanation of the basis for selection of PPE, including information on the types, proper use, location, removal, handling, decontamination, and disposal of PPE.

(g) An explanation of the proper procedures for cleanup of blood, body fluids or OPIM.

(h) An explanation of the recommended immunization practices, including, but not limited to, the HBV vaccine and the employer's methodology for determining which employees will be offered the HBV vaccine.

(i) Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine will be offered free of charge.

(j) Information on the appropriate actions to take and persons to contact in an emergency involving blood or OPIM.

(k) Procedures to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available.

(l) Information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident.

(m) An explanation of the signs and labels and color coding required by the Standard and used at St. Olaf.

(n) An opportunity for interactive questions and answers with the person conducting the training session.

(o) Training materials for this facility can be accessed by contacting the EHS Training Coordinator.

12.8 Assessment of Training Success.

(a) Training will be considered successful when the General Goals found in Section 12.2 have been met.

(b) EHS personnel will review the employee training program on a regular basis and will advise management regarding initial or annual refresher training needs.

(c) Employee understanding and retention of knowledge will be assessed via a variety of methods, including online quizzes, interactive/hands-on activities, and onsite visits.

(d) As part of the assessment of the training program, the ERTK Program Coordinator will obtain input from employees regarding the training they have received and employee suggestions for improving the training program; necessary revisions will be made to ensure training is current and applicable.

12.9 Records of Training. Records of training will be maintained for three years by HR and will include:

(a) The dates of training.

(b) The name, title and qualifications of the person who conducted the training.

(c) The names and job titles of the employees who completed the training; and their electronic signatures.

(d) A brief summary or outline of the information that was included in the training session.

12.10 Unacceptable Forms of Training.

(a) Audiovisuals, interactive videos, printed materials, etc., can be used as a component of the ERTK training program if they are supplemented by specific information related to the employees' job duties and related exposures, and if employees are permitted to ask questions and have the questions answered.

(b) The following types of training, by themselves, do not constitute training, and do not comply with this ERTK Program:

(1) Giving an employee a data sheet, package insert, reference manual, or any other printed material to read.

(2) Watching a generic video or computer-delivered presentations if the material in the video is not specific to the operation and hazards at hand.

(3) Any type of training that does not include an opportunity for employees to ask questions to ensure that they understand the information presented to them.

13 Multi-Employer Workplace / Contractors

13.1 A campus work area or building becomes a multi-employer workplace when contractors such as service representatives or subcontractors are performing repair, maintenance, or construction on campus.

13.2 The St. Olaf Director of Facilities will serve as the contractor contact for the College to ensure that employees from all employers are adequately protected, and are not endangered by each other's work.

13.3 The Director of Facilities will work with the appropriate EHS staff and with the visiting employers to ensure the dissemination of:

(a) Hazard Information. SDSs, PADs, etc. for products used by each employer will be made available to all employers' employees.

(b) Precautionary Measures. Each employer shall explain to all other employers the precautions that need to be taken to protect employees during normal operating conditions and foreseeable emergencies.

(c) Labeling. Each employer shall explain to all other employers their hazardous substance labeling system used.

13.4 The ERTK Program Coordinator will document in writing that the above information was conveyed to the visiting employers.

14 Program Evaluation

At least annually, a documented review shall be conducted to ensure that the provisions of the current ERTK Written Program are being effectively implemented, and that it continues to be effective. A suggested format for this review is included in Appendix A.

15 Revision Record

DATE	TYPE	PAGE NUMBERS
03/29/23	Document Creation (replaces previous ERTK written program)	All

16 References

1. Minnesota Legislature Office of the Revisor. (n.d.). *Minnesota Statutes: 182.65: Employee Right-to-Know Act.* https://www.revisor.mn.gov/statutes/cite/182.65
2. Minnesota Legislature Office of the Revisor. (2013, October 3). *Minnesota Administrative Rules: Chapter 5206.0600 Infectious Agents.* https://www.revisor.mn.gov/rules/5206.0600/
3. OSHA. (2013, February 8). *29 CFR 1910.1200 Hazard Communication.* https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1200
4. OSHA. (2019, May 14). *29 CFR 1910.1030 Bloodborne Pathogens.* https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030
5. 106th Congress - Public Law 106-430. (2000, November 6). *Needlestick Safety and Prevention Act*. https://www.govinfo.gov/app/details/PLAW-106publ430
6. MNOSHA. (2016, May). *Hazard communication, employee right-to-know model program.* https://www.dli.mn.gov/sites/default/files/doc/hazcom_ertk_model_program.docx
7. MNOSHA. (2017, January). *Employer's Guide to Developing a Hazard Communication or Employee Right-to-Know Program.* https://www.leg.mn.gov/docs/2018/other/180689.pdf
8. St. Olaf College. (n.d.). *Employee Right-To-Know Written Program*. https://wp.stolaf.edu/ehs/right-to-know-hazard-communication/
9. St. Olaf College. (n.d.). *Exposure Control Plan*. https://wp.stolaf.edu/ehs/bloodborne-pathogens/
10. Minnesota Legislature Office of the Revisor. (2008, June 11). *Minnesota Administrative Rules: Chapter 5206.0700 Training.* https://www.revisor.mn.gov/rules/5206.0700/

11. OSHA. (2012, March 26). *Occupational exposure to hazardous chemicals in laboratories.* https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1450
12. St. Olaf College. (n.d.). *Laboratory Safety.* https://wp.stolaf.edu/chemical-hygiene/
13. Minnesota Legislature Office of the Revisor. (2008, June 11). *Minnesota Administrative Rules: Chapter 5206.0300 Scope; Exceptions.* https://www.revisor.mn.gov/rules/5206.0300/
14. Alaska Department of Labor and Workforce Development. (n.d.). Physical Agent Data Sheets. http://labor.alaska.gov/lss/pads/pads.htm
15. St. Olaf College. (n.d.). *Safety Data Sheets.* https://wp.stolaf.edu/ehs/safety-data-sheets/
16. Minnesota Legislature Office of the Revisor. (2017, December 8). *Minnesota Administrative Rules: Chapter 5206.0400 Hazardous Substances.* https://www.revisor.mn.gov/rules/5206.0400/
17. MNOSHA. (n.d.). *Table Z-1-A, Limits for Air Contaminants. Permissible Exposure Limits.* https://www.dli.mn.gov/sites/default/files/pdf/pels.pdf
18. St. Olaf College. (n.d.). *GHS Overview & Links.* https://wp.stolaf.edu/ehs/ghs-overview/
19. Government of Canada. (2021, January 6). *Pathogen Safety Data Sheets.* https://www.canada.ca/en/public-health/services/laboratory-biosafety-biosecurity/pathogen-safety-data-sheets-risk-assessment.html
20. Minnesota Legislature Office of the Revisor. (2008, June 11). *Minnesota Administrative Rules: Chapter 5206.1100 Labeling Harmful Physical Agents; Label Content.* https://www.revisor.mn.gov/rules/5206.1100/

Appendix A: ERTK Annual Review Implementation Form

ST. OLAF COLLEGE

The ERTK will undergo a review no less than once each year, and whenever necessary, to assess the need for changes in the plan, engineering controls, PPE, and/or work practices. This review is also designed to identify advances in safer engineering controls. A thorough review may include an evaluation of the cause of past incidents, OSHA records, employee interviews, committee activities, literature review, etc.

After evaluation and approval, the following updates in technology, engineering control, or safe work practices were implemented: *(Year/changes)*

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Faculty and staff, who are potentially exposed to injuries were solicited for their input in identifying, evaluating and selecting more effective PPE, engineering and work practice controls:

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ERTK Program Coordinator Contact Information