



Hazard Communication Program

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SUMMARY

It is the [policy of The University of Texas at Austin](#) (“UT Austin”) to provide a safe educational, living, and working environment for its students, employees, affiliates and visitors. The Hazard Communication Act requires UT Austin to develop, implement, and maintain a written hazard communication program.

SCOPE

This program applies to all UT Austin students, employees, and contractors (who do not have a similar program) working under the supervision of any UT Austin department.

This program does not apply to contractors utilizing chemicals on UT Austin property. The contractor’s employees should be following the contractor’s own Hazard Communication Program.

DEFINITIONS

Term	Definition
<i>Appropriate hazard warning</i>	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).
<i>Asphyxiation</i>	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.
<i>Chemical Inventory</i>	List of chemicals available for use within workplace.
<i>Chemical manufacturer or distributor</i>	A company that produces and or distributes chemicals.
<i>Container</i>	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.
<i>DSHS</i>	The Texas Department of State Health Services.
<i>DSR</i>	Departmental Safety Representative

Term	Definition
<i>EHS</i>	Environmental Health & Safety
<i>Employee</i>	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 chapter.
<i>Expose or Exposure</i>	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. The term includes potential, possible, or accidental exposure under normal conditions of use or in a reasonably foreseeable emergency.
<i>Hazardous chemical or chemical</i>	An element, compound, or mixture of elements or compounds that is a physical hazard or health hazard as defined by the OSHA standard in 29 CFR Section 1910.1200 (c), or a hazardous substance as defined in the OSHA standard in 29 CFR Section 1910.1200 (d) (3), or by OSHA's written interpretations.
<i>Health hazard</i>	A chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, and neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.
<i>Identity</i>	A chemical or common name, or alphabetical or numerical identification, that is indicated on the safety data sheet (SDS) for the chemical.
<i>Label</i>	A written, printed, or graphic material displayed on or affixed to a container of hazardous chemicals.
<i>Material Safety Data Sheet (MSDS)</i>	Older version of written or printed material concerning hazardous chemicals.
<i>Personal Protective Equipment (PPE)</i>	Equipment that is provided to an employee by the UT Austin and provides a level of protection to chemicals to which the employee may be exposed that will be adequate to ensure their health and

Term	Definition
	safety based on current industry standards.
<i>Physical hazard</i>	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.
<i>Primary Container</i>	The container in which the material was received from the manufacturer.
<i>Safety Data Sheet (SDS)</i>	Written or printed material concerning hazardous chemicals that is prepared in accordance with the requirements of the OSHA standard for that material.
<i>Secondary Container</i>	Any container holding a product which is not the original container supplied by the manufacturer.
<i>Stationary process container</i>	A tank, vat, or other such container which holds different hazardous chemicals at different times.
<i>WorkArea</i>	A room, a defined space, a utility structure, or an emergency response site in a workplace where hazardous chemicals are present, produced, or used and where employees are present.
<i>Workplace</i>	An establishment, job site, or project, at one geographical location containing one or more work areas, with or without buildings.
<i>Workplace Chemical List</i>	DSHS required report listing chemicals in excess of 55 gallons or 500 lbs.

DUTIES AND RESPONSIBILITIES

Department heads

- Report any incident requiring outside medical assistance to EHS.
- Ensure that the official "[Notice to Employees](#)" is posted at appropriate locations in each workplace (building) where there are departmental employees who might be exposed to hazardous chemicals.
- Each year provide EHS the following:
 1. Annual workplace chemical list for each workplace other than research laboratories meeting exclusion requirements; and

2. Workplace chemical list updates whenever a new chemical or additional quantity above normal restocking amounts of chemical is purchased.

- Assure that SDSs/MSDSs on hazardous chemicals purchased are available, as required.
- Provide spill response kits appropriate for the chemicals being used in the workplace.
- Provide employees with appropriate personal protective equipment that fits the individual.
- Verify that supervisors inform employees of any non-routine tasks resulting in chemical exposure.

Supervisors

- Ensure that all employees have received appropriate training before working with or in an area containing hazardous chemicals.
- Deliver the required site specific hazard communication training.
- Prepare and maintain the workplace chemical list, as appropriate.
- Inform employees regarding the procedures for accessing SDSs/MSDSs and obtaining workplace chemical lists.
- Maintain chemical inventory and SDSs for all chemicals available for use.
- Ensure that SDS 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.

Employees

- Complete the hazard communication training and job specific training before working with any hazardous chemicals.
- Use prudent practices and good judgment when using hazardous chemicals.
- Wear recommended PPE for chemicals used.
- Notify other individuals who might be affected by the chemicals they use.
- Report all accidents and injuries to their supervisor.

Note: Personnel who work with hazardous materials are expected to assume reasonable responsibility for the safety and health of themselves, others around them, and the environment.

Environmental Health and Safety or Departmental Safety Representatives

- Assist departments and building managers with the implementation of, and compliance with this program and help identify hazardous substances and evaluate potential hazards.
- Compile, maintain, and provide designated workplace chemical lists

Environmental Health and Safety

- Submit required annual Texas Tier Two report and fee to DSHS in accordance with their instructions.
- Report orally or in writing to DSHS, within 48 hours, the occurrence of a chemical accident that results in one or more fatalities or the hospitalization of five or more employees (this is to include circumstances of the accident, the number of fatalities, and the extent of injuries).
- Maintain the workplace chemical lists for 30 years.
- Provide a copy of the annual Texas Tier Two report to the Local Emergency Planning Committee and to the local fire department(s).
- Provide the names and telephone numbers of emergency contacts to the local fire department(s) and upon request, workplace chemical lists and SDSs/MSDSs.

REQUIREMENTS

Workplace Chemical List

Departmental Supervisors and Building Managers will develop and maintain a list of hazardous chemicals present in the workplace. The chemical list threshold of 55 gallons or 500 pounds shall not be exceeded in a given workplace. Departments and building managers are responsible for making applicable workplace chemical lists readily available for review by employees.

Departmental Supervisors will update the lists by December 31st of each year and forward a copy to EHS by the following January 31st. No later than November 30th of each year, EHS will distribute instructions to be used by departments to complete their workplace chemical lists. Instructions will be distributed to all departments who may utilize hazardous chemicals and to building managers for buildings housing those departments.

Further information on chemicals listed on the Workplace Chemical List can be obtained by referring to the SDS or MSDS accessible in each workplace where these chemicals are used or stored.

Safety Data Sheets

Supervisors will ensure that current and appropriate SDS (formerly known as Material Safety Data Sheets "MSDS") are readily available to employees for each hazardous chemical purchased.

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

1. 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.
2. 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.

3. 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.
4. Affected employees are provided a description of any alternative system (such as electronic databases) being used in lieu of hard copy SDSs.
5. As SDSs are received from hazardous chemical manufacturers and distributors, they replace the Material Safety Data Sheets on file. Site-specific training on both the old MSDSs and the new SDSs should continue throughout the transition period until the product associated with the old MSDS is no longer on site.
6. Emergency responders are provided SDSs/MSDSs as soon as practical upon request.

The location of SDS and MSDS files or computers used for electronic access will be explained to all applicable employees by their supervisor during site specific Hazard Communication training.

SDSs/MSDSs must be readily available for review by employees upon request. If they are being provided electronically by a department, then access via computer must be readily available.

All departments are responsible for ensuring that all University purchase orders or telephone requests for hazardous chemicals shall stipulate that the most current Safety Data Sheets available for these products must be provided with the shipment or mailed to the purchaser.

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.

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

All University departments are responsible for ensuring that upon request, a current SDS will be made available to any employee who works with or may be exposed to the hazardous chemical or material. The SDS must be provided for review at the workplace during the same shift in which it was requested. University departments must be able to provide SDS/MSDS for review on request by DSHS representatives during their inspections of campus operations and to emergency responders as soon as practicable upon request.

Chemical Container Labels

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

Supervisors in University departments which possess containers of hazardous chemicals are responsible for the hazardous chemical labeling system and must verify that:

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

1. Product identifier;
2. Signal word;
3. Hazard statement(s);
4. Pictogram(s);
5. Precautionary statement(s); and,
6. 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:

1. Product identifier;
2. Signal word;
3. Hazard statement(s);
4. Pictogram(s); and
5. Precautionary statement(s).

Exception: An employee who transfers the contents from a primary container into a secondary container for immediate and complete use by them during their task is not required to label the secondary container.

Supervisors will rely on the chemical manufacturers or distributors to provide labels which meet these requirements for primary containers of all hazardous chemical purchases.

A Supervisor who receives an unlabeled or mislabeled container of hazardous chemical from a supplier or a container which requires re-labeling shall ensure that such containers are re-labeled in accordance with this section prior to use by any employee.

- Supervisors may contact their supplier to request replacement labels or may prepare their own replacement labels.

Supervisors shall 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.

Supervisors may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials instead of affixing labels to individual stationary process containers, as long as the alternative method identifies the containers to which it is applicable and conveys the label information required in this plan.

Employee Training Program

Each department must provide education and training for all employees who use or handle hazardous chemicals.

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 non-routing tasks.

The following training elements must be completed before an employee is assigned to use or handle hazardous chemicals:

OH101 Hazard Communication- General

1. By policy, all new employees of the University, both full and part time who will be expected to use or handle hazardous chemicals, shall be given instruction in the basic provisions of the Texas Hazard Communication Act. This training is accessed online through [UT Learn](#).
2. General Hazard Communication (General) training will be documented for EHS, and a copy of the class record shall be maintained by the University for at least 5 years.

OH102 Hazard Communication -Site-Specific

1. 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. Representatives from EHS will assist the Departmental Instructor, if requested, in understanding the general aspects of the Texas Hazard Communication Act (explanation of Safety Data Sheets, labeling, written plan).
2. Site-Specific Hazard Communication training for employees must include:
 - a. information on labeling and SDS, and how they are related; and
 - b. information for hazardous chemicals known to be in the employee's work area(s) and must cover:
 - i. location of hazardous chemicals
 - ii. physical effects and short-term and long-term health effects of exposure
 - iii. safe handling
 - iv. proper use of personal protective equipment
 - v. first aid treatment for exposures; and
 - vi. safety instructions on handling, cleanup and disposal.

Laboratory Site-Specific Hazard Communication training shall be documented on the [Hazard Communication Act Site-Specific Training Record](#) which shall be forwarded to EHS. An official copy of these records shall be maintained by the department administering the training for at least 5 years.

Site-Specific retraining must occur for every new chemical being introduced and when SDS requirements for the chemical change or are not being followed.

Reporting Employee Deaths and Injuries

- The University will notify the 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.
 - The University's EHS Director or his designee will be responsible for reporting all such accidents to DSHS within 48 hours after their occurrence. 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

- Employees must report all accidents involving hazardous chemicals to their supervisor immediately.
- Supervisors must report all accidents involving a hazardous chemical to EHS. Whoever reports such an accident shall relate the circumstances of the accident, the number of fatalities, and the extent of any injuries to EHS within 48 hours after the occurrence.

Posting 'The Notice To Employees'

The most recent version can be found here: [Notice to Employees](#)

The DSR or Building Manager must post and maintain in all buildings where hazardous chemicals are used or stored, the most current version of the THCA *Notice to Employees*, informing employees of their rights under the THCA. Supervisors in departments employing staff who may be exposed to hazardous chemicals being used or stored, must ensure that Building Managers have posted and are maintaining the required *Notice to Employees* in buildings where their staff work.

- The *Notice to Employees* shall be clearly posed 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 of the Notice to Employees, in both English and Spanish, are available on

the Hazard Communication Worker Right-To-Know website or on request from the Policy, Standards & Quality Assurance Unit, Environmental Hazards Group, at the address or telephone number listed earlier in this program description.

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 and training are provided, to include:

1. Proper selection of PPE based on a PPE Assessment that includes:
 - a. Routes of entry
 - b. Limitations of PPE material
 - c. Duties being performed by the employee
 - d. Concentration of the hazardous chemical present
2. Proper fit and functionality of PPE as described by the manufacturer's specifications.
3. User instructions regarding the appropriate maintenance and storage of PPE.

MAINTAINING 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 Texas Hazard Communication Act, or exercising any rights under the Act.

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

All UT Austin 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.

REFERENCES

- [OSHA 1910.1200](#)
- [Texas Hazard Communication Act](#)
- [UT Austin Hazard Communication Training](#)
- [Handbook of Operating Procedures 8-1020 Environmental Health and Safety Policy](#)
- [DSHS Notice to Employees](#)

REVISION CONTROL

Revision Date	Material Changed	Changed by:
1998	Document Created	Scott Pennington
March 2019	Document Revised	Tony Garza
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