

## Instruction

### District Safety Program

#### Toxic Substances/Infectious Agents/Pesticides, Employees Right to Know

The Wisconsin “Employee’s Right to Know” Law was passed in 1982 and amended in 1984. This law requires all public and private employers in Wisconsin to inform workers about toxic substances, infectious agents and pesticides used in the workplace.

#### **Definitions**

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

**Infectious Agents:** Any bacterial, mycoplasmal, fungal, parasitic or viral agent identified by the appropriate State agency.

**Pesticides:** Any substance or mixture of substances registered with the Federal Environmental Protection Agency or the State Department of Agriculture, Trade and Consumer Protection.

#### **School District Responsibilities**

The School District will:

1. Post a notice in the workplace notifying employees of their right to request information about toxic substances, infectious agents and pesticides.
2. Respond to request from employees for information of toxic substances, infectious agents and pesticides.
3. Provide training to employees who will be routinely exposed to toxic substances, infectious agents and pesticides.
4. Maintain information for 30 years on toxic substances in the workplace.
5. Notify the parent of a minor employee of the employee's right under this law.
6. Maintain record of Material Safety Data Sheets (MSDS).

#### **Requests for Information**

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

1. Toxic Substance
  - a. The trade name of the toxic substance.
  - b. The chemical name and any commonly-used synonym for the toxic substance and the chemical name and any commonly-used synonym for its major components.
  - c. The substance boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids, and appearance and odor.
  - d. The flash point and flammable limits.

- e. Any permissible exposure level, threshold limit value or other established limit value for substance exposure.
  - f. The stability of the toxic substance.
  - g. Recommended fire extinguishing media, special fire fighting procedures and any unusual fire and explosion hazard information.
  - h. Any effect of overexposure to the toxic substance, emergency and first aid procedures and a telephone number to be called in an emergency.
  - i. Any condition or material which is incompatible with the toxic substance and which must be avoided.
  - j. Any personal protective equipment to be worn or used, and special precautions to be taken, when handling or coming into contact with the toxic substance.
  - k. Procedures for the handling, cleanup and disposal of toxic substances leaked or spilled.
2. Infectious Agents
    - a. The name and any commonly-used synonym of the infectious agent.
    - b. Any method of routes of transmission of the infectious agent.
    - c. Any symptom or effect of infections, emergency and first aid procedures, and a telephone number to be called in an emergency.
    - d. Any personal protective equipment to be worn or used, and special precautions to be taken, when handling or coming into contact with the infectious agent.
    - e. Procedures for handling, cleanup and disposal of infectious agents leaked or spilled.
3. Pesticides
    - a. Access to the pesticide's container label, or the required information on the container label.
4. School District Response
    - a. The school district will make an effort to obtain the required information from the manufacturer or supplier of the toxic substance or infectious agent. If the district cannot obtain the information about a toxic substance or infectious agent, the employee requesting the information will be so informed.
    - b. All school district responses to written requests for information will be made in writing to the employee requesting the information.
    - c. For toxic substances, if the district has the information, it will be provided to the employee within 16 days. If the district does not already have the information it will attempt to obtain same and respond to the employee's request within 30 days.
    - d. For infectious agents, if the district has the information, it will be provided to the employee within 72 hours. If the district does not already have the information, it will attempt to obtain same and respond to the employee's request within 30 days.
    - e. For pesticides, the district will provide access to the label on the pesticide container within 72 hours of a request.

### **Material Safety Data Sheet(s)**

The school district Supervisor of Buildings and Grounds shall obtain from the manufacturer or supplier, a Material Safety Data Sheet on each item purchased for the district that may contain toxic substances, infectious agents and pesticides. The Supervisor of Buildings and Grounds will maintain such information for 30 years.

**Responsibilities**

All requests for information on toxic substances, infectious agents and pesticides will be made in writing to the Superintendent of Schools. The Superintendent may refer such requests to the school district Business Manager, the Supervisor of Buildings and Grounds, and/or other district personnel for information. Response will be made by the Superintendent within the time guidelines indicated above.

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