

## MARSH INSIGHTS

### RISK ALERT—REVISED OSHA HAZARD COMMUNICATION STANDARD COMPLIANCE DATES

DECEMBER 1, 2013 DEADLINE SET FOR TRAINING










OSHA (Occupational Health and Safety Administration) published in March 2012 its revised Hazard Communication Standard (HCS) to align the United States with the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS).

The rule's effective dates are now being phased in over a period of four years, with the first set for December 1, 2013. By that time, employers must train all affected workers on newly introduced label elements and a standardized format for Safety Data Sheets (SDS), which replaces Material Safety Data Sheets (MSDS). While other aspects of the rule will not come into force until 2015, it is expected that US workers may receive products with GHS-consistent labels from other countries prior to that date.

To ensure employees have the information needed to better protect themselves from chemical hazards in the workplace, it is critical that employees understand the new label elements and SDS formats.

#### WHICH BUSINESSES SHOULD BE CONCERNED?

- OSHA's HCS applies to general industry, shipyard, marine terminals, longshoring, and construction employment and covers chemical manufacturers, importers, employers, and employees exposed to chemical hazards. Basically, any employer with one employee and one hazardous chemical is covered by the HCS.
- Office workers who encounter hazardous chemicals only in isolated instances are not covered by this rule. OSHA considers most office products to be exempt, either as articles or as consumer products. For example, OSHA has stated that intermittent or occasional use of a copy machine does not result in coverage under the rule. However, if an employee handles the chemicals to service the machine, or operates it for long periods of time, then the HCS would have to be applied.
- OSHA estimates that over 5 million US workplaces containing 43 million employees will be affected by the revised HCS. Included among these are an estimated 90,000 establishments that create hazardous chemicals and employ almost 3 million workers.

<b>Health Hazard</b>  <ul style="list-style-type: none"> <li>• Carcinogen</li> <li>• Mutagenicity</li> <li>• Reproductive Toxicity</li> <li>• Respiratory Sensitizer</li> <li>• Target Organ Toxicity</li> <li>• Aspiration Toxicity</li> </ul>	<b>Flame</b>  <ul style="list-style-type: none"> <li>• Flammables</li> <li>• Pyrophorics</li> <li>• Self-Heating</li> <li>• Emits Flammable Gas</li> <li>• Self-Reactives</li> <li>• Organic Peroxides</li> </ul>	<b>Exclamation Mark</b>  <ul style="list-style-type: none"> <li>• Irritant (skin and eye)</li> <li>• Skin Sensitizer</li> <li>• Acute Toxicity (harmful)</li> <li>• Narcotic Effects</li> <li>• Respiratory Tract Irritant</li> <li>• Hazardous to Ozone Layer (Non-Mandatory)</li> </ul>
<b>Gas Cylinder</b>  <ul style="list-style-type: none"> <li>• Gases Under Pressure</li> </ul>	<b>Corrosion</b>  <ul style="list-style-type: none"> <li>• Skin Corrosion/ Burns</li> <li>• Eye Damage</li> <li>• Corrosive to Metals</li> </ul>	<b>Exploding Bomb</b>  <ul style="list-style-type: none"> <li>• Explosives</li> <li>• Self-Reactives</li> <li>• Organic Peroxides</li> </ul>
<b>Flame Over Circle</b>  <ul style="list-style-type: none"> <li>• Oxidizers</li> </ul>	<b>Environment (Non-Mandatory)</b>  <ul style="list-style-type: none"> <li>• Aquatic Toxicity</li> </ul>	<b>Skull and Crossbones</b>  <ul style="list-style-type: none"> <li>• Acute Toxicity (fatal or toxic)</li> </ul>

#### HCS Pictograms and Hazards Classifications

As of June 1, 2015, the Hazard Communication Standard (HCS) will require pictograms on labels to alert users of the chemical hazards to which they may be exposed. Each pictogram consists of a symbol on a white background framed within a red border and represents a distinct hazard(s). The pictogram on the label is determined by the chemical hazard classification.<sup>1</sup>

<sup>1</sup> [www.osha.gov/Publications/OSHA3491QuickCardPictogram.pdf](http://www.osha.gov/Publications/OSHA3491QuickCardPictogram.pdf)

## WHAT ARE THE WORKFORCE IMPLICATIONS?

Chemical manufacturers and importers are required to evaluate the hazards of the chemicals they produce or import, and prepare labels and safety data sheets to convey the hazard information to their downstream customers. Many chemical manufacturers are already providing their customers with the new SDS as well as transitioning to the new GHS pictograms and labels.

As with all training, OSHA requires employers to present information in a manner and language that their employees can understand. If employers customarily need to communicate work instructions or other workplace information to employees in a language other than English, they will also need to provide safety and health training to employees in the same manner. Similarly, if the employee's vocabulary is limited, the training must account for that limitation. By the same token, if employees are not literate, telling them to read training materials will not satisfy the employer's training obligation.

The essential requirements of a hazard communication program include:

- A written hazard communication plan.
- A chemical inventory of all hazardous chemicals used in the facility.
- Labels and warnings on containers.
- An SDS for each hazardous chemical used in the workplace.
- Employee training to understand chemical hazards.

All workers who work with hazardous chemicals must be trained by December 1, 2013 on the new label elements and the new SDS format. Label element training must focus on the type of information employees should expect to see on the new labels including:

- Product identifier.
- Signal word (the difference between Danger and Warning).
- Pictograms.
- Hazard statements.
- Precautionary statements.
- Name, address, and phone number of the chemical manufacturer, importer, or distributor.

Training must also include how the employee might use the labels in the workplace. For example:


- How the information on the label can be used to ensure proper storage.
- How the information on the label is used to quickly find first aid information.

Training should provide employees with a general understanding of how the label elements work together. For example:

- When the chemical has different hazard classifications, there may be more than one pictogram on a label.
- When there are similar precautionary statements, the one providing the most protective information will be included on the label.

The training on the format of the SDS must include:

- A review of the new 16 section format, including the types of information found in the various sections.
- An explanation of how the information on the label relates to the information on the SDS.
- A discussion of how the precautionary statements on both the label and SDS will be the same.

SAMPLE LABEL	
<b>PRODUCT IDENTIFIER</b> CODE _____ Product Name _____	<b>HAZARD PICTOGRAMS</b> 
<b>SUPPLIER IDENTIFICATION</b> Company Name _____ Street Address _____ City _____ State _____ Postal Code _____ Country _____ Emergency Phone Number _____	<b>SIGNAL WORD</b> <b>Danger</b> <b>HAZARD STATEMENT</b> <b>Highly flammable liquid and vapor.</b> <b>May cause liver and kidney damage.</b>
<b>PRECAUTIONARY STATEMENTS</b> Keep container tightly closed. Store in cool, well ventilated place that is locked. Keep away from heat/sparks/open flame. No smoking. Only use non-sparking tools. Use explosion-proof electrical equipment. Take precautionary measure against static discharge. Ground and bond container and receiving equipment. Do not breathe vapors. Wear Protective gloves. Do not eat, drink or smoke when using this product. Wash hands thoroughly after handling. Dispose of in accordance with local, regional, national, international regulations as specified. <b>In Case of Fire:</b> use dry chemical (BC) or Carbon dioxide (CO <sub>2</sub> ) fire extinguisher to extinguish. <b>First Aid</b> If exposed call Poison Center. If on skin (on hair): Take off immediately any contaminated clothing. Rinse skin with water.	<b>SUPPLEMENTAL INFORMATION</b> <b>Directions for use</b> _____ _____ _____ Fill weight: _____ Lot Number _____ Gross weight: _____ Fill Date: _____ Expiration Date: _____

## 10 PREPARATORY STEPS FOR HCS TRAINING COMPLIANCE

1. Start updating your chemical inventory now.
2. Review your existing hazard communication program and update it.
3. Create a process with Procurement or Purchasing to collect new SDSs.
4. Become a knowledge expert on the hazard classifications so that you can identify the ones that are in your facility.
5. Understand what the new pictograms represent.
6. Understand the format of the new labels and what each required section means.
7. Consider changing your in-house labeling systems, though it is not required.
8. Understand the format of the new SDS.
9. Build an in-house training program that covers understanding the new labels and SDSs.
10. Complete training for all affected workers before the December 1, 2013 deadline.

## MRC CAN HELP

Marsh Risk Consulting's (MRC) Workforce Strategies Practice has developed high-level training webinars and presentations intended for people with employee health and safety responsibility, who want to learn more about the revised HCS and its impact on their workforce and be able to train their own workforce on the rule.

By undertaking this training, organizations will better understand the revised rule and the details for meeting the December 1, 2013 training obligation.

For more information about HCS compliance and other MRC solutions, contact your local MRC or Marsh representative.

You can also speak with one of our experts:

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# MARSH RISK CONSULTING

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